

Journal *of* Proceedings

of the

House of Delegates

of

Maryland

2019 Regular Session

Volume V

Compiled and edited by:

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Chief Clerk's Office

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Annapolis, Maryland
Legislative Day: March 25, 2019
Calendar Day: Wednesday, April 3, 2019
5:30 P.M. Session

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

The House met at 6:14 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Nicholas R. Kipke of Anne Arundel County.

QUORUM CALL

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

(See Roll Call No. 1171)

EXCUSED:

Del. Busch – medical

Del. Crutchfield – personal

Del. Kittleman – illness

The Journal of April 3, 2019 was read and approved.

MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 45

Senate Bill 426 – Senator West

AN ACT concerning

~~**Natalie M. LaPrade Medical Cannabis Commission – Licensed Dispensaries**~~
Medical Cannabis – Regulation of Dispensaries, Growers, and Processors

FOR the purpose of providing that growers, processors, and dispensaries licensed under certain provisions of law are subject to certain provisions of law; repealing the provision prohibiting the Natalie M. LaPrade Medical Cannabis Commission from issuing more than one medical cannabis grower license to each applicant; prohibiting a person from having an ownership interest in or control of, including the power to manage and operate, more than one grower; requiring the Natalie M. LaPrade Medical Cannabis Commission to allow a person to have an ownership interest in or control of up to a certain number of dispensaries licensed under a certain provision

of law; prohibiting a person from having an ownership interest in or control of, including the power to manage and operate, more than one processor; and generally relating to medical cannabis dispensaries.

BY repealing and reenacting, without amendments,
 Article – Health – General
 Section 13–3306(a)(1), 13–3307(a)(1), and 13–3309(a)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2018 Supplement)

~~BY adding to
 Article – Health – General
 Section 13–3307(d)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2018 Supplement)~~

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 13–3306(a)(2), 13–3307(d) through (i), and 13–3309(d) through (h)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2018 Supplement)

BY adding to
 Article – Health – General
 Section 13–3306(i), 13–3307(d) and (k), and 13–3309(d) and (j)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2018 Supplement)

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

Senate Bill 529 – Senators Zucker, Guzzone, King, Lee, McCray, Nathan–Pulliam, Pinsky, Smith, and Young

AN ACT concerning

State Board of Education – Membership – ~~Teachers~~ Teacher and Parent Members

FOR the purpose of altering the membership of the State Board of Education to add a ~~certain number of members who are certified teachers~~ certain certified teacher and a parent of a certain student; authorizing the teacher ~~members~~ member to be appointed to the State Board although the ~~individuals are~~ individual is subject to the authority of the State Board; requiring the Governor to appoint a certain teacher member with the advice and consent of the Senate ~~from a certain list submitted to the Governor by the State Department of Education~~ after an election by teachers in the State; ~~requiring a certain list submitted to the Governor by the Department to consist of a certain number of teacher members who received a~~

~~certain number of votes after an election by teachers in the State; requiring the State Department of Education to provide notice of a certain vacancy to certain individuals and organizations; requiring a certain election to be conducted under regulations that the Department adopts; authorizing the Department to consult with the State Retirement Agency of the Maryland State Retirement and Pension System to conduct a certain election; authorizing a certain teacher member to attend and participate in certain sessions of the State Board; prohibiting the teacher member from voting on certain matters; requiring the Governor to appoint a certain parent member with the advice and consent of the Senate from a certain list submitted to the Governor by the Maryland PTA; requiring the Department to provide notice of a certain vacancy to the Maryland PTA; authorizing a certain parent member to attend and participate in certain sessions of the State Board; providing for the appointment and terms of certain initial teacher members and the initial parent member of the State Board; and generally relating to teacher and parent members of the State Board of Education.~~

BY repealing and reenacting, with amendments,
 Article – Education
 Section 2–202
 Annotated Code of Maryland
 (2018 Replacement Volume and 2018 Supplement)

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

Senate Bill 747 – Senators Lam, Guzzone, and Rosapepe

SECOND PRINTING

AN ACT concerning

Education – Removal of County Superintendents – Procedures

FOR the purpose of 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; ~~authorizing a county board of education to file a complaint with the State Superintendent of Schools requesting the removal of~~ remove a county superintendent of schools in a certain manner; ~~authorizing a county superintendent to appeal a certain decision by the State Superintendent to the State Board of Education; authorizing a county superintendent to appeal a certain decision by the county board to the State Board; specifying the manner in which a county board may file a certain complaint; requiring the State Superintendent to make a decision to remove or retain a county superintendent within a certain period of time; requiring the State Superintendent to provide a county board with a written explanation of a certain decision; altering the period of time within which a county superintendent may request a hearing after being removed; establishing a period of time during which the State Superintendent may hold a certain hearing under certain circumstances; authorizing a county~~

~~superintendent to request arbitration under certain circumstances; authorizing the county superintendent to appeal a certain decision to the State Board of Education or an arbitrator; specifying the procedures for arbitration; assigning responsibility for certain costs; providing that an arbitrator's decision and award is final and binding on the parties, subject to review by a circuit court; authorizing the county superintendent or, under certain circumstances, the county board to appeal a certain decision to the State Board of Education; making stylistic changes; and generally relating to the procedures for removing a county superintendent of schools.~~

BY repealing and reenacting, with amendments,
 Article – Education
 Section 4–201
 Annotated Code of Maryland
 (2018 Replacement Volume and 2018 Supplement)

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

Senate Bill 904 – Senators Kelley and Elfreth

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

FOR the purpose of prohibiting the Maryland Department of Health from accepting certain federal funding under certain circumstances; requiring the Governor to fund the Family Planning Program with a certain level of State funds under certain circumstances; ~~requiring the Governor to provide certain funding for certain family planning grants for a certain fiscal year and for each fiscal year thereafter;~~ and generally relating to funding for the Family Planning Program.

BY repealing and reenacting, without amendments,
 Article – Health – General
 Section 13–3401
 Annotated Code of Maryland
 (2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 13–3402
 Annotated Code of Maryland
 (2015 Replacement Volume and 2018 Supplement)

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

Senate Bill 916 – Senator Lam

AN ACT concerning

Physicians – Dispensing Permit Exemption – ~~Prepackaged~~ Topical Medication

FOR the purpose of providing that certain provisions of law do not prohibit a certain physician from ~~personally~~ dispensing a ~~prepackaged~~ certain topical medication; ~~establishing a certain exception to the requirement to receive a certain written permit~~; 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; defining a certain term; and generally relating to the dispensing of a ~~prepackaged topical~~ topical medication by a physician.

BY renumbering

Article – Health Occupations
Section 12–102(c)(2)(iii) and (iv), respectively
to be Section 12–102(c)(2)(iv) and (v), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, ~~with~~ without amendments,

Article – Health Occupations
 Section 12–102(c)(2)(ii) 1.C. and ~~(k) through (m)~~ 4.M.
 Annotated Code of Maryland
 (2014 Replacement Volume and 2018 Supplement)

BY adding to

Article – Health Occupations
 Section ~~12–102(k)~~ 12–102(c)(2)(iii) and 14–509
 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 988 – Senator King

AN ACT concerning

Video Lottery Operation License – Renewal

FOR the purpose of altering the number of years before the end of the term of a video lottery operation license that a licensee may apply for renewal of the license; providing for the term of a renewed license; requiring the State Lottery and Gaming Control Commission to renew a certain license unless the Commission makes a certain finding; requiring the Commission, under certain circumstances, to provide a licensee a certain hearing; providing that certain provisions of law relating to the renewal of certain licenses do not apply to video lottery operation licenses; and generally relating to the renewal of video lottery operation licenses.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–13 and 9–1A–17
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 1030 – The President (By Request – Commission on Innovation and Excellence in Education) and Senators King, Pinsky, Ferguson, ~~and Young~~ Young, Peters, Zucker, Elfreth, McCray, and Guzzone Guzzone, Feldman, Hayes, Kelley, Lam, Patterson, Lee, Hester, Ellis, Waldstreicher, and Zirkin

AN ACT concerning

The Education Blueprint for Maryland’s Future

FOR the purpose of stating findings and declarations of the General Assembly; establishing the public policy of the State; establishing principles of The Blueprint for Maryland’s Future that are intended to transform Maryland’s early childhood, primary, and secondary education system to the levels of high-performing systems around the world; stating certain actions necessary to achieve certain principles; stating certain requirements necessary to establish a world-class education system in Maryland under The Blueprint for Maryland’s Future; altering a certain Consumer Price Index used for calculating the target per pupil foundation amount and the student transportation amount for education; requiring the State to provide a certain supplemental grant to certain county boards of education through a certain fiscal year; establishing a Concentration of Poverty School Grant Program; stating the purpose of the Program; requiring the State to distribute certain grants to each county board and the State Department of Education in certain fiscal years; requiring each county board to distribute a certain amount to each eligible school; requiring each eligible school to employ certain staff or provide certain coverage using certain grant funds; requiring a county that provides certain positions or services from funds outside of those made from a certain appropriation in a certain fiscal year to continue to provide certain positions or services in certain fiscal years; requiring certain eligible schools to use certain funds to provide wraparound services to students enrolled in the school or to complete a certain assessment, subject to certain circumstances; establishing the responsibilities of a certain community ~~schools~~ school coordinator; authorizing a certain health care practitioner to work under certain programs or entities; altering the fiscal years in which a certain definition is applicable; extending by 1 fiscal year the requirement for the State to provide a supplemental prekindergarten grant to certain eligible county boards; renaming the Commission on Innovation and Excellence in Education Fund to be The Blueprint for Maryland’s Future Fund; altering the purpose and use of the Fund; altering the source of revenue distributed to the Fund to include revenues collected and remitted by marketplace facilitators and certain out-of-state vendors, under

certain circumstances; establishing the Teacher Collaborative Grant Program; stating the purpose of the Program; requiring the Department to administer the Program in a certain manner; authorizing a county board or a teacher preparation program to submit a certain application to receive a grant under the Program; specifying certain eligibility criteria for a grant under the Program; requiring a certain practicum design and a certain professional development program under the Program; requiring a certain peer assistance and review program under the Program; requiring the Department to establish certain processes and procedures; requiring the Department to conduct a certain evaluation at a certain frequency; requiring the State to distribute at least a certain amount in certain fiscal years for the Program; authorizing the Department to retain a certain amount to hire staff necessary to administer the Program; requiring the Department to report, on or before certain dates, certain information about the Program to the Governor and the General Assembly; establishing the Maryland Office of the Inspector General of Education; providing that the Office is an independent unit of the State; providing for the purpose of the Office; requiring all expenses and operations related to the Office to be separately identified and independent of any other unit of State government; establishing the Inspector General in the Office; providing for the eligibility, professional qualifications, appointment, term, and removal of the Inspector General; providing for the salary of the Inspector General and funding for the Office; providing for the Inspector General's duties and powers when investigating the management and affairs of certain entities; prohibiting the Inspector General from taking certain actions under certain circumstances; authorizing a person to have an attorney present during contact with the Inspector General; providing that a certain circuit court may grant appropriate relief after conducting a certain hearing; prohibiting certain entities from taking adverse, retaliatory action against an individual because the individual cooperated with or provided information to the Inspector General; providing that certain records produced by the Inspector General are not subject to the Public Information Act; authorizing the Inspector General to appoint and employ certain professional and clerical staff; requiring the Office, on or before a certain date each year, to submit a certain report to the State Superintendent, the State Board of Education, the Interagency Commission on School Construction, the Governor, and the General Assembly; altering and establishing certain dates by which a certain commission and the Department shall submit certain reports; altering the termination date of certain Acts of the General Assembly; providing that a local school system shall be subject to a certain performance evaluation; establishing the Teacher Salary Incentive Grant Program; stating the purpose of the Program; requiring the Department to administer the Program; authorizing a county board, including the Baltimore City Board of School Commissioners, to submit a certain application to receive a grant under the Program; specifying certain eligibility criteria for a grant under the Program; requiring the State to distribute certain amounts to each county board, including the Baltimore City Board of School Commissioners, and the Department for certain purposes in certain fiscal years; providing that a county board that did not receive a certain grant in a certain fiscal year must submit certain documentation to apply for a grant in a certain fiscal year; requiring certain funding that is not needed for a certain purpose to be used for another purpose; establishing

the Workgroup to Study the Maryland State Department of Education and the Maryland Higher Education Commission; providing for the membership, chair, staffing, and purpose of the Workgroup; requiring the Department and the Maryland Higher Education Commission to provide information to the Workgroup, as requested; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring each county board ~~and~~, including the Baltimore City Board of School Commissioners, to distribute certain funds to certain schools for certain purposes subject to a certain circumstance; stating a certain charge and recommendation of a certain commission; stating that the transition to a certain information technology system shall include a certain capability; requiring the Department and the Maryland Department of Health to develop a certain memorandum of understanding on or before a certain date; stating the intent of the General Assembly that the Governor transfer or release certain funds that are restricted in a certain fiscal year budget bill for certain purposes in accordance with this Act; providing that, if the Governor does not transfer or release certain funds for certain purposes, a certain amount shall be distributed in a certain fiscal year in addition to certain funds required to be distributed under this Act; requiring each county board, including the Baltimore City Board of School Commissioners, to report on or before certain dates to the House Committee on Ways and Means, the House Appropriations Committee, the Senate Education, Health, and Environmental Affairs Committee, and the Senate Budget and Taxation Committee on how certain funds were distributed and spent; requiring the Governor to appropriate a certain amount to a certain fund ~~for a~~ in certain fiscal ~~year~~ years; stating the intent of the General Assembly that the Commission on Innovation and Excellence in Education include in its final report a certain implementation schedule; stating the intent of the General Assembly that certain local appropriations in a certain fiscal year be considered part of the increased local funding required by The Blueprint for Maryland's Future funding formulas to be recommended by the Commission on Innovation and Excellence in Education; providing that The Blueprint for Maryland's Future Fund is the successor of the Commission on Innovation and Excellence in Education Fund; providing that a certain name of a certain fund in laws and other documents means the name of the successor fund; requiring the publisher of the Annotated Code, in consultation with a certain State entity, to correct cross-references and terminology in the Code that are rendered incorrect by this Act; defining certain terms; making certain provisions of this Act contingent on the taking effect of ~~another Act~~ certain other Acts; and generally relating to programs and funding to implement The Blueprint for Maryland's Future.

BY adding to

Article – Education

Section 1–301 through 1–303 to be under the new subtitle “Subtitle 3. The Blueprint for Maryland's Future”; ~~and~~ 5–203, 5–403, and 6–123; and 9.9–101 through 9.9–105 to be under the new title “Title 9.9. Maryland Office of the Inspector General for Education”

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 5–202(a)(1) and 5–207(a)(1)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(a)(13)(ii) and (i), 5–205(c)(2), 5–207(a)(3), ~~and 5–218~~, and 5–219

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Chapter 701 of the Acts of the General Assembly of 2016, as amended by Chapter 361 of the Acts of the General Assembly of 2018

Section 1(a)

BY repealing and reenacting, with amendments,

Chapter 701 of the Acts of the General Assembly of 2016, as amended by Chapter 361 of the Acts of the General Assembly of 2018

Section 1(h) and 4

BY repealing and reenacting, without amendments,

Chapter 702 of the Acts of the General Assembly of 2016, as amended by Chapter 361 of the Acts of the General Assembly of 2018

Section 1(a)

BY repealing and reenacting, with amendments,

Chapter 702 of the Acts of the General Assembly of 2016, as amended by Chapter 361 of the Acts of the General Assembly of 2018

Section 1(h) and 4

BY repealing and reenacting, without amendments,

Chapter 715 of the Acts of the General Assembly of 2017, as amended by Chapter 361 of the Acts of the General Assembly of 2018

Section 2(a)

BY repealing and reenacting, with amendments,

Chapter 715 of the Acts of the General Assembly of 2017, as amended by Chapter 361 of the Acts of the General Assembly of 2018

Section 2(d)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–219

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1303

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

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

Senate Bill 1049 – Senator Waldstreicher

AN ACT concerning

Civil Actions – Office of Asbestos Case Mediation and Resolution

FOR the purpose of establishing the Office of Asbestos Case Mediation and Resolution in the Executive Department; providing that the head of the Office is the Director of the Office; providing for the appointment and salary of the Director; authorizing the Director to employ a staff and adopt certain regulations; requiring the Director to perform certain duties; providing for the qualifications of certain mediators; requiring certain civil suits involving asbestos claims to be referred to the Office for mediation; ~~providing for the priority of certain civil suits in the mediation process;~~ authorizing a certain plaintiff to forego the mediation process by providing certain notice; ~~requiring a court to schedule a trial for an asbestos case under certain circumstances; providing that mediation costs shall be paid from funds provided for in the State budget;~~ providing for the priority of certain civil suits in the mediation process; requiring all parties referred to the Office to participate in mediation subject to a certain condition; requiring the Director to notify the court if certain parties are unable to reach an agreement through mediation and requiring the court to proceed with the case in a certain manner; prohibiting the court from proceeding with a certain case before receiving a certain notice; providing that mediation costs shall be paid by the parties equally, unless otherwise agreed to by the parties, and specifying that the parties are not responsible for the Office’s operational costs; requiring the court to proceed with a certain case in a certain manner if a certain case management plan is changed, modified, eliminated, or rescinded; requiring the Director to submit an annual report to the General Assembly on the activities of the Office for the preceding calendar year; defining certain terms; making the provisions of this Act severable; and generally relating to the Office of Asbestos Case Mediation and Resolution.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–18A–01 through ~~3–18A–03~~ 3–18A–04 to be under the new subtitle

“Subtitle 18A. Asbestos Case Mediation and Resolution”

Annotated Code of Maryland

(2013 Replacement Volume and 2018 Supplement)

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

**YEAS AND NAYS NO. 9
HOUSE BILLS PASSED IN THE SENATE**

NUMBER	SPONSOR	CONTENT
HB 63	Del. B. Barnes	State Retirement and Pension System – Maryland Pension Administration System – Member Contributions
HB 64	Del. B. Barnes	State Retirement and Pension System – Designation of Beneficiary
HB 155	The Speaker	Maryland Department of Health – Capital and Grant Programs – State Grants
HB 188	Prince George’s County Delegation	Prince George’s County – Property Tax Credits – Grocery Stores PG 409–19
HB 265	Del. B. Barnes	Alternate Contributory Pension Selection – Return to Employment
HB 266	Del. B. Barnes	State Retirement and Pension System – Designated Beneficiary Change – Rescission
HB 267	Del. B. Barnes	Optional Retirement Program – Regulations
HB 370	Chair, Appropriations Committee	Department of Labor, Licensing, and Regulation – Police Force – Repeal
HB 575	Carroll County Delegation	Carroll County – Gaming Events – Repeal of Sunday Prohibition
HB 821	Del. Barve	State Retirement and Pension System – Carried Interest – Reporting
HB 844	Del. Reilly	Public Schools – School Psychologists – Reports

NUMBER	SPONSOR	CONTENT
HB 861	Del. B. Barnes	State Retirement and Pension System – Service Credit for Unused Sick Leave
HB 863	Del. B. Barnes	State Retirement and Pension System – Workers’ Compensation Offset
HB 1056	Queen Anne’s County Delegation	Correctional Officers’ Retirement System – Queen Anne’s County
HB 1192	Del. Valderrama	Assembly Areas – State–Funded Construction or Renovation – Assisted Listening System Requirement
HB 1379	Del. B. Barnes	Optional Retirement Program – Membership

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

AMENDED IN THE SENATE

House Bill 1246 – Delegates Fraser–Hidalgo, Barve, Charkoudian, Clippinger, Hill, Korman, Lierman, Shetty, ~~and Wilkins~~ Wilkins, Attar, Boyce, Harrison, Healey, Holmes, Jalisi, Lafferty, Lehman, Love, Stein, Stewart, and Wells

AN ACT concerning

~~Plug-In Electric Drive Vehicle Excise Tax Credit~~
Clean Cars Act of 2019

Delegate Barve moved that the House not concur in the Senate amendments.

HB1246/767672/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1246

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike in their entirety lines 18 through 22, inclusive.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 32 through 35, inclusive.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB1246**
SPONSOR: Delegate Fraser–Hidalgo, et al
SUBJECT: Clean Cars Act of 2019

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 Fraser–Hidalgo, Chair
Delegate Barve
Delegate Stein

Said Bill is returned herewith.

By Order,
Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0253**
SPONSOR: Senator Hayes, et al
SUBJECT: Major Information Technology Development Project Fund –
Exemption and Use of Fund

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Young, Chair
Senator Patterson
Senator Nathan–Pulliam

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0253
SPONSOR: Senator Hayes, et al
SUBJECT: Major Information Technology Development Project Fund –
Exemption and Use of Fund

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Young, Chairman
Senator Patterson
Senator Nathan–Pulliam.

The House appoints:

Delegate Carr, Chair
Delegate Szeliga
Delegate Rosenberg

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 22

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 881 – Delegate Cullison

AN ACT concerning

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

HB0881/536181/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 881
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 5, strike “related medical facility” and substitute “certain facility or firm”; strike beginning with “the” in line 8 down through “notification” in line 9 and substitute “there is a change in a certain project or there is a withdrawal of the registration”; and in lines 12 and 13, strike “Maryland Department of Health” and substitute “Commission”.

AMENDMENT NO. 2

On page 2, in line 11, strike “OR” and substitute a comma; and in line 12, after “FACILITY” insert “, OR AN AFFILIATED BIOMEDICAL RESEARCH FIRM”.

On page 4, in line 23, strike “OR” and substitute a comma; in line 24, after “FACILITY” insert “, OR AN AFFILIATED BIOMEDICAL RESEARCH FIRM”; in line 26,

strike “OR” and substitute a comma; and in the same line, after “PROPERTIES” insert “, OR COMPOSITION”.

On page 5, in line 4, strike “THE COMMISSION IS NOTIFIED OF” and substitute “THERE IS”; in line 12, strike “OR” and substitute a comma; and in the same line, after “PROPERTIES” insert “, OR COMPOSITION”.

AMENDMENT NO. 3

On page 5, in line 13, strike “DEPARTMENT” and substitute “COMMISSION”.

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 1282 – Delegate Healey

AN ACT concerning

Board of Public Works – Land Acquisition – Requirements

HB1282/616184/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1282

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “expenditure” in line 3 down through “acquiring” in line 4 and substitute “acquisition of”; and in line 7, after “completed,” insert “providing that certain requirements related to the acquisition of real property do not apply to certain property:”.

AMENDMENT NO. 2

On page 1, in line 19, strike “, (C), AND (D)” and substitute “AND (C)”.

On page 4, after line 3, insert:

“(C) (1) THIS SUBSECTION DOES NOT APPLY TO:

(I) PROPERTY THAT WILL BE ACQUIRED WITH PROGRAM OPEN SPACE FUNDS UNDER TITLE 5, SUBTITLE 9 OF THE NATURAL RESOURCES ARTICLE;

(II) PROPERTY THAT WILL BE ACQUIRED WITH RURAL LEGACY PROGRAM FUNDS UNDER TITLE 5, SUBTITLE 9A OF THE NATURAL RESOURCES ARTICLE;

(III) PROPERTY THAT WILL BE ACQUIRED WITH LOCAL LAND PRESERVATION PROGRAM FUNDS UNDER TITLE 5, SUBTITLE 9B OF THE NATURAL RESOURCES ARTICLE;

(IV) PROPERTY THAT WILL BE ACQUIRED WITH COMMUNITY PARKS AND PLAYGROUNDS PROGRAM FUNDS UNDER TITLE 5, SUBTITLE 9C OF THE NATURAL RESOURCES ARTICLE;

(V) PROPERTY THAT WILL BE ACQUIRED WITH FUNDS FROM THE HERITAGE CONSERVATION FUND UNDER TITLE 5, SUBTITLE 15 OF THE NATURAL RESOURCES ARTICLE; OR

(VI) A MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION EASEMENT ACQUIRED UNDER § 2-504 OF THE AGRICULTURE ARTICLE.”;

in lines 4, 8, 9, 10, 13, 18, and 27, strike “(C)”, “(1)”, “(2)”, “(3)”, “(D)”, “(E)”, and “(F)”, respectively, and substitute “(2)”, “(I)”, “(II)”, “(III)”, “(3)”, “(D)”, and “(E)”, respectively; strike beginning with “EXPENDITURE” in line 4 down through “ACQUIRING” in line 5 and substitute “ACQUISITION OF”; in lines 6 and 14, in each instance, strike “\$100,000” and substitute “\$500,000”; in line 11, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and in line 12, strike “SUBSECTION” and substitute “PARAGRAPH”.

On page 5, in lines 15, 26, 28, and 31, strike “(G)”, “(H)”, “(I)”, and “(J)”, respectively, and substitute “(F)”, “(G)”, “(H)”, and “(I)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Clark moved to make the Bill a Special Order for Thursday.

The motion was adopted.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

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

HB1420/816481/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1420

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “from” insert “knowingly”; in line 16, strike “additional reports and”; and strike beginning with “requiring” in line 18 down through “regulations;” in line 19.

AMENDMENT NO. 2

On page 2, after line 24, insert:

“(E) ‘CLAIM’ HAS THE MEANING STATED IN § 2-601 OF THIS ARTICLE.”;

and in lines 25 and 27, strike “(e)” and “(f)”, respectively, and substitute “**(F)**” and “**(G)**”, respectively.

On page 3, strike in their entirety lines 10 and 11.

On page 4, after line 15, insert:

“(N) ‘KNOWINGLY’ HAS THE MEANING STATED IN § 2-601 OF THIS ARTICLE.”;

in lines 16 and 25, strike “(N)” and “(O)”, respectively, and substitute “(O)” and “(P)”, respectively; in line 25, strike “INDIVIDUALIZED”; in line 26, after “OR” insert “HOME- AND”; in the same line, after the second “SUPPORTS” insert “, OTHER THAN RESIDENTIAL SERVICES,”; in line 27, after “DEVELOPING” insert “AND MAINTAINING”; in the same line, after “SKILLS” insert “, INTERESTS,”; in line 28, after the first comma insert “INCREASED”; and in the same line, strike “AND” and substitute “OR”.

On page 5, in lines 1, 5, 7, 9, 13, 16, and 23, strike “(P)”, “(Q)”, “(R)”, “(S)”, “(T)”, “(U)”, and “(V)”, respectively, and substitute “(Q)”, “(R)”, “(S)”, “(T)”, “(U)”, “(V)”, and “(W)”, respectively; in line 2, strike “A” and substitute “:”;

(1) A;

in the same line, strike “OR AN” and substitute “; OR”

(2) AN;

in line 9, after “SUPPORT” insert “AND”; and strike beginning with “SKILLS” in line 10 down through “SETTING” in line 12 and substitute “AND MAINTAINING SKILLS IN LIVING IN THE COMMUNITY”.

On page 6, in lines 1, 6, 8, 11, and 16, strike “(W)”, “(X)”, “(Y)”, “(Z)”, and “(AA)”, respectively, and substitute “(X)”, “(Y)”, “(Z)”, “(AA)”, and “(BB)”, respectively; and strike beginning with the first “AND” in line 3 down through “COMMUNITY” in line 5 and substitute “OR ENGAGE IN MEANINGFUL RELATIONSHIPS IN THE HOME OR COMMUNITY”.

AMENDMENT NO. 3

On page 7, in line 16, after “NOT” insert “KNOWINGLY”; in line 29, strike “ADDITIONAL REPORTS AND”; in line 30, after the first “TO” insert “THE”; and in line 31, after “DISABILITY” insert “AS IT RELATES TO THE EXECUTION OF THE PILOT PROGRAM”.

AMENDMENT NO. 4

On page 8, strike in their entirety lines 9 through 12, 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 5 – Senator Kagan

AN ACT concerning

Public Information Act – 9-1-1 Communications – Denial of Part of a Public Record

Favorable report 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:

**Senate Bill 27 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Maryland State Archives)**

AN ACT concerning

State Archives – Acquisition of Fine Art or Decorative Art – Procurement Exemption

SB0027/216184/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 27

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Archives –” insert “Report and Procurement Exemption for the”; in lines 2 and 3, strike “– Procurement Exemption”; in line 5, after “law;” insert “requiring the State Archives to submit a certain annual report to the Governor’s Office of”

Small, Minority, and Women Business Affairs and certain committees of the General Assembly; requiring the Office to include certain information in a certain annual report;” and in line 9, after “11–203(a)(1)(xix)” insert “and 14–305”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

“14–305.

(a) (1) Within 90 days after the end of the fiscal year, each unit shall report to the Governor’s Office of Small, Minority, and Women Business Affairs, the certification agency, and, subject to § 2–1246 of the State Government Article, the Joint Committee on Fair Practices and Personnel Oversight.

(2) A report under this subsection shall for the preceding fiscal year:

(i) state the total number and value of procurement contracts between the unit and certified minority business enterprises, by specific category of minority business enterprise, including whether the minority business enterprise participated as a prime contractor or as a subcontractor;

(ii) indicate the percentage that those procurement contracts represent, by specific category of minority business enterprise, of the total number and value of procurement contracts;

(iii) state the total number and the names of certified minority business enterprises that participated as prime contractors or as subcontractors on procurement contracts awarded by a unit;

(iv) for each minority business included in the report under item (iii) of this paragraph, list all procurement contracts awarded by a unit to the minority business enterprise, including a description of the contract; and

(v) contain other such information as required by the Governor’s Office of Small, Minority, and Women Business Affairs and the certification agency and approved by the Board.

(3) As to procurement contracts for architectural services and engineering services reported under paragraph (2) of this subsection, the report shall identify by separate category of minority business enterprise procurements for:

(i) architectural services; and

(ii) engineering services.

(4) A report under this subsection shall be in a form prescribed by the Governor's Office of Small, Minority, and Women Business Affairs and the certification agency and approved by the Board.

(B) IN ADDITION TO THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION, WITHIN 90 DAYS AFTER THE END OF EACH FISCAL YEAR, THE STATE ARCHIVES SHALL SUBMIT A REPORT TO THE GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE ON:

(1) PROJECTS PURSUED BY THE STATE ARCHIVES DURING THE PRECEDING FISCAL YEAR; AND

(2) THE OUTREACH EFFORTS EMPLOYED FOR EACH PROJECT, INCLUDING SPECIFIC VENDORS CONTACTED.

[(b)] (C) (1) On or before December 31 of each year, the Governor's Office of Small, Minority, and Women Business Affairs shall submit to the Board of Public Works and, subject to § 2-1246 of the State Government Article, to the Legislative Policy Committee a report summarizing the information the Office receives under [subsection] SUBSECTIONS (a) AND (B) of this section.

(2) This report may be prepared in conjunction with the annual report required under § 9-306 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 36 – Senator Lam

AN ACT concerning

**Health Insurance – Health Benefit Plans – Special Enrollment Period for
Pregnancy**

Favorable report 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:

Senate Bill 239 – Senator Feldman

AN ACT concerning

Health Insurance – Individual Market Stabilization – Provider Fee

SB0239/896585/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 239

(Third Reading File Bill)

On page 2, strike in their entirety lines 19 through 23, inclusive.

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:

Senate Bill 284 – Senators Kagan and Reilly

AN ACT concerning

9-1-1 Specialists – Compensation and Benefits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

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~~)**

Favorable report 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:

**Senate Bill 433 – Senators Zucker, Beidle, Elfreth, Guzzone, Hayes, Kagan,
Klausmeier, Kramer, Lam, McCray, Nathan-Pulliam, Pinsky, Rosapepe,
and Young**

AN ACT concerning

**Responsible Workforce Development Percentage Price Preference Act
State Procurement – State Funded Construction Projects – Payment of
Employee Health Care Expenses**

SB0433/936186/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 433

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, after “Services” insert “and the Department of Transportation”.

AMENDMENT NO. 2

On page 5, in line 24, after “SERVICES” insert “AND THE DEPARTMENT OF TRANSPORTATION”; and in line 32, after “SERVICES” insert “OR THE DEPARTMENT OF TRANSPORTATION”.

On page 6, in line 9, after “SERVICES” insert “OR THE DEPARTMENT OF TRANSPORTATION”; and in line 18, after “SERVICES” insert “AND THE DEPARTMENT OF TRANSPORTATION”.

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:

Senate Bill 796 – Senators Hayes and Lam

AN ACT concerning

State Commission on Kidney Disease – Membership – Revisions

SB0796/836681/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 796

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “repealing a certain provision of law that prohibits” and substitute “prohibiting”; in line 4, strike “any”; and in the same line, after “ownership” insert “of more than a certain percent, rather than any.”.

AMENDMENT NO. 2

On page 2, in line 5, strike the bracket; in line 6, strike the bracket; in the same line, strike “**ARE**”; in line 7, strike the bracket; in line 8, strike “any”; in the same line, after “ownership” insert “**OF MORE THAN 30%**”; and in line 9, strike the bracket.

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:

Senate Bill 802 – Senators Feldman, Beidle, Carter, Elfreth, Guzzone, Hayes, Kelley, Lam, Lee, Rosapepe, ~~and Zucker~~ Zucker, Smith, Ellis, Griffith, Kramer, Peters, and Pinsky

AN ACT concerning

**Maryland Health Insurance Option
(Protect Maryland Health Care Act of 2019)**

SB0802/376981/2

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 802
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Maryland” in line 2 down through “2019” in line 3 and substitute “Maryland Easy Enrollment Health Insurance Program”; in lines 4 and 12, in each instance, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”; and in lines 5 and 11, in each instance, strike “Option” and substitute “Program”.

On page 2, in lines 5 and 8, in each instance, strike “check-off” and substitute “checkoff”.

On page 3, in line 14, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”.

AMENDMENT NO. 2

On page 9, in line 4, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”; in lines 8 and 9, strike “**HEALTH**

INSURANCE OPTION” and substitute “EASY ENROLLMENT HEALTH INSURANCE PROGRAM”; strike in their entirety lines 25 and 26; and in line 27, strike “(H)” and substitute “(G)”.

On page 10, in lines 1 and 3, strike “(I)” and “(J)”, respectively, and substitute “(H)” and “(I)”, respectively; and after line 16, insert:

“(J) “PROGRAM” MEANS THE MARYLAND EASY ENROLLMENT HEALTH INSURANCE PROGRAM ESTABLISHED UNDER § 31-202 OF THIS SUBTITLE.”

On page 11, in line 2, strike “HEALTH INSURANCE OPTION” and substitute “EASY ENROLLMENT HEALTH INSURANCE PROGRAM”; and in lines 3 and 27, in each instance, strike “OPTION” and substitute “PROGRAM”.

On page 12 in lines 5, 14, and 18 and on page 13 in line 10, in each instance, strike “OPTION” and substitute “PROGRAM”.

On page 12, in lines 16 and 17, strike “HEALTH INSURANCE OPTION” and substitute “EASY ENROLLMENT HEALTH INSURANCE PROGRAM”.

On page 15, in line 12, strike “CHECK-OFF” and substitute “CHECKOFF”.

On page 16, in line 5, strike “(D)” and substitute “(C)”.

On page 20, in lines 21 and 24, in each instance, strike “OPTION” and substitute “PROGRAM”.

AMENDMENT NO. 3

On page 22, strike in their entirety lines 3 and 4; in line 5, strike “(9)” and substitute “(8)”; after line 6, insert:

“(9) “PROGRAM” MEANS THE MARYLAND EASY ENROLLMENT HEALTH INSURANCE PROGRAM ESTABLISHED UNDER § 31-202 OF THE INSURANCE ARTICLE.”;

in line 10, strike “THIS TITLE” and substitute “THE INSURANCE ARTICLE”; and in lines 29 and 32, in each instance, strike “CHECK-OFF” and substitute “CHECKOFF”.

On page 23, in lines 8 and 30, in each instance, strike “CHECK-OFF” and substitute “CHECKOFF”; and in line 27, strike “CHECK-OFF” and substitute “CHECKOFF”.

On page 24, in lines 7, 16, and 22, in each instance, strike “CHECK-OFF” and substitute “CHECKOFF”.

AMENDMENT NO. 4

On page 39, in lines 11 and 12, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”; and in line 19, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”.

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:

Senate Bill 1012 – Senator Feldman

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.

RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 17

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 and the Committee on Appropriations:

Senate Bill 1030 – The President (By Request – Commission on Innovation and Excellence in Education) and Senators King, Pinsky, Ferguson, ~~and Young~~ Young, Peters, Zucker, Elfreth, McCray, ~~and Guzzone~~ Guzzone, Feldman, Hayes, Kelley, Lam, Patterson, Lee, Hester, Ellis, Waldstreicher, and Zirkin

AN ACT concerning

The Education Blueprint for Maryland's Future

The Bill was re-referred to the Committee on Ways and Means and the Committee on Appropriations.

JUDICIARY COMMITTEE REPORT NO. 29

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

House Bill 667 – Delegates Atterbeary, D.E. Davis, Jackson, Shetty, Sydnor, Wilkins, and Wilson

AN ACT concerning

Stalking – Violation of Conditions of Release and Disqualifying Crime

HB0667/542712/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 667

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Disqualifying Crime”; strike beginning with “altering” in line 5 down through “stalking;” in line 7; and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 10 through 25, 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 Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 774 – Delegate Bartlett

AN ACT concerning

Office of the Attorney General – Crime Firearms – Study

HB0774/912315/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 774

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, and 6, in each instance, strike “Office of the Attorney General” and substitute “Governor’s Office of Crime Control and Prevention”; strike beginning with “used” in line 4 down through “crimes” in line 5; in line 5, strike “Maryland” and substitute “Department of”; in line 7, after “date;” insert “providing for the termination of this Act;”; and in line 8, strike “crime”.

AMENDMENT NO. 2

On page 1, line 12, strike the comma; in line 14, strike “to an” and substitute “with”; in line 16, strike “Office of the Attorney General” and substitute “Governor’s Office of Crime Control and Prevention”; in line 19, strike “known”; and in line 20, strike “manufacturer.”.

On page 2, in line 1, strike “study” and substitute “report the”; in line 5, strike “and”; after line 6, insert:

“5. straw purchases; and”;

in line 7, strike “other”; in line 9, strike “known sources” and substitute “source”; in line 11, after “out-of-state” insert “crime”; in line 13, before “firearm” insert “crime”; in line 14, strike “in-state” and substitute “in-State crime”; in line 16, before “firearm” insert “crime”; in lines 17 and 22, in each instance, strike “licensed”; in line 22, after “dealers;” insert “and”; in line 23, strike “information on”; in the same line, strike “were”; and in line 24, after “recovered” insert “in the State originated”.

On page 3, in line 3, strike “safe storage laws” and substitute “concealed carry laws”; in line 4, after “origination” insert “and recovery”; in line 5, strike “and the crime firearm being recovered”; in line 6, after “regarding” insert “whether”; strike beginning with the comma in line 7 down through “was” in line 11 and substitute “were”; in line 13, strike

“Maryland” and substitute “Department of”; in lines 13 and 15, in each instance, strike “Office of the Attorney General” and substitute “Governor’s Office of Crime Control and Prevention”; in line 14, strike “the” and substitute “this”; in the same line, strike “required under this section”; and in line 19, after “2019.” insert “It shall remain effective for a period of 1 year and 3 months and, at the end of December 31, 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.

Delegate Kipke moved to make the Bill a Special Order for Thursday.

The motion was adopted.

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

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

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:

Senate Bill 452 – Senators Carter, Lee, Smith, and Washington

AN ACT concerning

Juveniles Charged as Adults – Confidentiality of ~~Photos and Videos~~ Records

SB0452/582412/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 452

(Third Reading File Bill)

On page 3, in line 19, after “MISSING” insert “UNDER § 9–402 OF THE FAMILY LAW ARTICLE”; in line 21, after the comma insert “WHEN NECESSARY AND”; in the same line, after “THE” insert “SOLE”; in line 28, strike “JUDICIALLY” and substitute “CRIMINAL COURT”; in line 30, strike “WOULD BE A CRIME IF COMMITTED BY AN ADULT” and substitute “IS EXCLUDED FROM THE JURISDICTION OF THE JUVENILE COURT UNDER § 3–8A–03(D)(1), (4), OR (5) OF THE COURTS ARTICLE”; and in line 31, after “MISSING” insert “UNDER § 9–402 OF THE FAMILY LAW 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:

Senate Bill 499 – Senator Hayes

AN ACT concerning

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

SB0499/172113/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 499

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “and Police Officers”; in line 5, strike “certain percentages” and substitute “a certain percentage”; and in the same line, strike “and police officers”.

AMENDMENT NO. 2

On page 2, strike beginning with “AND” in line 8 down through “OFFICERS” in line 9.

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:

Senate Bill 568 – Senator Lee

AN ACT concerning

Crimes – Child Abuse and Neglect – Failure to Report

SB0568/542513/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 568

(Third Reading File Bill)

On page 2, in line 13, strike “**\$1,000**” and substitute “**\$10,000**”; and in line 14, strike “**6 MONTHS**” and substitute “**3 YEARS**”.

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. 25

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

House Bill 1301 – Delegate Walker

AN ACT concerning

Sales and Use Tax – Collection by Marketplace Facilitators

HB1301/885665/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1301
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Taxation of Online Sales – Marketplace Facilitators and Sellers of Other Tobacco Products”; in line 3, after the first “of” insert “altering the distribution of certain sales and use tax revenue”; in line 10, after “circumstances,” insert “providing that a marketplace facilitator is not liable for a failure to collect certain sales and use taxes except under certain circumstances; authorizing the Comptroller, under certain circumstances, to waive the requirement that certain marketplace facilitators collect the sales and use tax on certain transactions”; in line 16, after “license,” insert “requiring certain out-of-state sellers to pay the tobacco tax on pipe tobacco or certain premium cigars under certain circumstances”; in line 18, after “Act,” insert “prohibiting the Comptroller, under certain circumstances, from imposing certain penalties and interest; making the provisions of this Act severable”; in line 19, after “tax” insert “and payment of the tobacco tax”; and in line 27, strike “and 11–502.1” and substitute “11–502.1, and 12–302(e)”.

On page 2, in line 3, after “Section” insert “2–1303.”; and in line 4, before “and” insert “12–101.”.

AMENDMENT NO. 2

On page 2, after line 9, insert:

“2–1303.

(A) After making the distributions required under §§ 2–1301 through 2–1302.1 of this subtitle, the Comptroller shall pay:

(1) revenues from the hotel surcharge into the Dorchester County Economic Development Fund established under § 10–130 of the Economic Development Article; [and]

(2) SUBJECT TO SUBSECTION (B) OF THIS SECTION, TO THE BLUEPRINT FOR MARYLAND’S FUTURE FUND ESTABLISHED UNDER § 5–219 OF THE EDUCATION ARTICLE, REVENUES COLLECTED AND REMITTED BY:

(I) A MARKETPLACE FACILITATOR; OR

(II) A PERSON THAT ENGAGES IN THE BUSINESS OF AN OUT-OF-STATE VENDOR AND WHO IS REQUIRED TO COLLECT AND REMIT SALES AND USE TAX AS SPECIFIED IN COMAR 03.06.01.33B(5); AND

(3) the remaining sales and use tax revenue into the General Fund of the State.

(B) FOR EACH FISCAL YEAR, THE COMPTROLLER SHALL PAY INTO THE GENERAL FUND OF THE STATE THE FIRST \$100,000,000 OF REVENUES COLLECTED AND REMITTED BY:

(1) A MARKETPLACE FACILITATOR; OR

(2) A PERSON THAT ENGAGES IN THE BUSINESS OF AN OUT-OF-STATE VENDOR AND WHO IS REQUIRED TO COLLECT AND REMIT SALES AND USE TAX AS SPECIFIED IN COMAR 03.06.01.33B(5).”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 12 on page 2 through line 12 on page 3, inclusive, and substitute:

“(C-2)(1) “MARKETPLACE FACILITATOR” MEANS A PERSON THAT:

(I) FACILITATES A RETAIL SALE BY A MARKETPLACE SELLER BY LISTING OR ADVERTISING FOR SALE IN A MARKETPLACE TANGIBLE PERSONAL PROPERTY; AND

(II) REGARDLESS OF WHETHER THE PERSON RECEIVES COMPENSATION OR OTHER CONSIDERATION IN EXCHANGE FOR THE PERSON’S SERVICES, DIRECTLY OR INDIRECTLY THROUGH AGREEMENTS WITH THIRD PARTIES, COLLECTS PAYMENT FROM A BUYER AND TRANSMITS THE PAYMENT TO THE MARKETPLACE SELLER.

(2) “MARKETPLACE FACILITATOR” DOES NOT INCLUDE:

(I) A PLATFORM OR FORUM THAT EXCLUSIVELY PROVIDES INTERNET ADVERTISING SERVICES, INCLUDING LISTING PRODUCTS FOR SALE, IF

THE PLATFORM OR FORUM DOES NOT ALSO ENGAGE, DIRECTLY OR INDIRECTLY, IN COLLECTING PAYMENT FROM A BUYER AND TRANSMITTING THAT PAYMENT TO THE VENDOR;

(II) A PAYMENT PROCESSOR BUSINESS APPOINTED BY A VENDOR TO HANDLE PAYMENT TRANSACTIONS FROM CLIENTS, INCLUDING CREDIT CARDS AND DEBIT CARDS, WHOSE ONLY ACTIVITY WITH RESPECT TO MARKETPLACE SALES IS TO HANDLE TRANSACTIONS BETWEEN TWO PARTIES;

(III) A PEER-TO-PEER CAR SHARING PROGRAM, AS DEFINED IN § 19-520 OF THE INSURANCE ARTICLE; OR

(IV) A DELIVERY SERVICE COMPANY THAT DELIVERS TANGIBLE PERSONAL PROPERTY ON BEHALF OF A MARKETPLACE SELLER THAT IS ENGAGED IN THE BUSINESS OF A RETAIL VENDOR AND HOLDS A LICENSE ISSUED UNDER SUBTITLE 7 OF THIS TITLE.”.

AMENDMENT NO. 4

On page 5, after line 8, insert:

“(F) (1) THIS SUBSECTION DOES NOT APPLY IF A MARKETPLACE FACILITATOR AND A MARKETPLACE SELLER ARE RELATED ENTITIES.

(2) A MARKETPLACE FACILITATOR IS NOT LIABLE FOR A FAILURE TO COLLECT THE CORRECT AMOUNT OF SALES AND USE TAX DUE UNDER THIS SECTION IF THE MARKETPLACE FACILITATOR DEMONSTRATES TO THE SATISFACTION OF THE COMPTROLLER THAT THE FAILURE WAS THE RESULT OF INSUFFICIENT OR INCORRECT INFORMATION PROVIDED BY THE MARKETPLACE SELLER.”;

in line 9, strike “(F)” and substitute “(G)”; and after line 12, insert:

“(H) (1) A MARKETPLACE FACILITATOR AND MARKETPLACE SELLER MAY APPLY TO THE COMPTROLLER FOR A WAIVER OF THE COLLECTION REQUIREMENT UNDER THIS SECTION IF:

(I) THE MARKETPLACE SELLER IS A COMMUNICATIONS COMPANY THAT IS PUBLICLY TRADED OR IS CONTROLLED, DIRECTLY OR INDIRECTLY, BY A COMPANY THAT IS PUBLICLY TRADED;

(II) THE MARKETPLACE FACILITATOR AND MARKETPLACE SELLER ENTER INTO AN AGREEMENT THAT THE MARKETPLACE SELLER WILL COLLECT AND REMIT ALL APPLICABLE SALES AND USE TAXES IMPOSED UNDER THIS TITLE; AND

(III) THE MARKETPLACE SELLER PROVIDES EVIDENCE TO THE MARKETPLACE FACILITATOR THAT THE MARKETPLACE SELLER IS LICENSED UNDER § 11-702 OF THIS TITLE TO ENGAGE IN THE BUSINESS OF AN OUT-OF-STATE VENDOR IN THE STATE OR A RETAIL VENDOR IN THE STATE.

(2) IF THE WAIVER UNDER PARAGRAPH (1) OF THIS SUBSECTION IS AUTHORIZED:

(I) THE MARKETPLACE SELLER SUBJECT TO THE AGREEMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL COLLECT AND REMIT THE SALES AND USE TAX IMPOSED UNDER THIS TITLE;

(II) THE MARKETPLACE FACILITATOR IS NOT REQUIRED TO COLLECT OR REMIT THE SALES AND USE TAX IMPOSED UNDER THIS TITLE; AND

(III) THE MARKETPLACE FACILITATOR IS NOT LIABLE FOR THE FAILURE OF A MARKETPLACE SELLER TO COLLECT AND REMIT ANY SALES AND USE TAX IMPOSED UNDER THIS TITLE.

(3) THE COMPTROLLER SHALL ADOPT REGULATIONS THAT ESTABLISH:

(I) THE CRITERIA FOR OBTAINING A WAIVER UNDER THIS SUBSECTION; AND

(II) THE PROCESS AND PROCEDURE TO APPLY FOR A WAIVER.

(1) (1) IF THE COMPTROLLER CONDUCTS AN AUDIT FOR COMPLIANCE WITH THIS SECTION, THE COMPTROLLER MAY AUDIT ONLY THE MARKETPLACE FACILITATOR FOR SALES MADE BY A MARKETPLACE SELLER THAT ARE FACILITATED BY THE MARKETPLACE FACILITATOR.

(2) THE COMPTROLLER MAY NOT AUDIT THE MARKETPLACE SELLER FOR SALES FACILITATED BY THE MARKETPLACE FACILITATOR FOR WHICH THE MARKETPLACE FACILITATOR COLLECTED OR SHOULD HAVE COLLECTED THE SALES AND USE TAX DUE.”.

AMENDMENT NO. 5

On page 8, after line 5, insert:

“12–101.

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

(b) “Cigarette” means any size or shaped roll for smoking that is made of tobacco or tobacco mixed with another ingredient and wrapped in paper or in any other material except tobacco.

(c) “Manufacturer” means a person who acts as a manufacturer as defined in § 16–201 of the Business Regulation Article or as an other tobacco products manufacturer as defined in § 16.5–101 of the Business Regulation Article.

(d) “Other tobacco product” means:

(1) any cigar or roll for smoking, other than a cigarette, made in whole or in part of tobacco; or

(2) any other tobacco or product made primarily from tobacco, other than a cigarette, that is intended for consumption by smoking or chewing or as snuff.

(e) “Other tobacco products retailer” means a person authorized under § 16.5–205(b) of the Business Regulation Article to purchase other tobacco products on which the tobacco tax has not been paid.

(F) “OUT-OF-STATE SELLER” MEANS A PERSON LOCATED OUTSIDE THE STATE THAT SELLS, HOLDS FOR SALE, SHIPS, OR DELIVERS PREMIUM CIGARS OR PIPE TOBACCO TO CONSUMERS IN THE STATE IF, DURING THE PREVIOUS CALENDAR YEAR OR THE CURRENT CALENDAR YEAR:

(1) THE PERSON’S GROSS REVENUE FROM THE SALE OF PREMIUM CIGARS OR PIPE TOBACCO IN THE STATE EXCEEDS \$100,000; OR

(2) THE PERSON SOLD PREMIUM CIGARS OR PIPE TOBACCO INTO THE STATE IN 200 OR MORE SEPARATE TRANSACTIONS.

(G) “PIPE TOBACCO” HAS THE MEANING STATED IN § 16.5–101 OF THE BUSINESS REGULATION ARTICLE.

(H) “PREMIUM CIGARS” HAS THE MEANING STATED IN § 16.5–101 OF THE BUSINESS REGULATION ARTICLE.

[(f)] (I) “Sell” means to exchange or transfer, or to make an agreement to exchange or transfer, title or possession of property, in any manner or by any means, for consideration.

[(g)] (J) “Tax stamp” means a device in the design and denomination that the Comptroller authorizes by regulation for the purpose of being affixed to a package of cigarettes as evidence that the tobacco tax is paid.

[(h)] (K) “Tobacconist” means a person authorized under § 16.5–205(e) of the Business Regulation Article to purchase other tobacco products on which the tobacco tax has not been paid.

[(i)] (L) “Unstamped cigarettes” means a package of cigarettes to which tax stamps are not affixed in the amount and manner required in § 12–304 of this title.

[(j)] (M) “Wholesale price” means the price for which a wholesaler buys other tobacco products, exclusive of any discount, trade allowance, rebate, or other reduction.

[(k)] (N) “Wholesaler” means, unless the context requires otherwise, a person who acts as a wholesaler as defined in § 16–201 of the Business Regulation Article or as an

other tobacco products wholesaler as defined in § 16.5–101 of the Business Regulation Article.

12–302.

(E) AN OUT-OF-STATE SELLER SHALL PAY THE TOBACCO TAX ON PIPE TOBACCO OR PREMIUM CIGARS ON WHICH THE TOBACCO TAX HAS NOT BEEN PAID.”.

AMENDMENT NO. 6

On page 8, after line 27, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Comptroller may not impose any penalty or interest on a marketplace facilitator that fails to collect and remit the sales and use tax as required by this Act if the marketplace facilitator demonstrates, to the satisfaction of the Comptroller, a hardship implementing the computer programs necessary to collect the sales and use tax.

(b) This section applies only to transactions completed on or before January 1, 2020.

SECTION 4. AND BE IT FURTHER ENACTED, That, if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act that can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.”;

in line 28, strike “3.” and substitute “5.”; and in line 29, strike “July” and substitute “October”.

The preceding 6 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 1405 – Chair, Howard County Delegation

AN ACT concerning

Howard County – Transfer Tax – Collection by Director of Finance

Ho. Co. 30–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 27

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

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

SB0165/665967/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 165

(Third Reading File Bill)

On page 5, in line 5, strike “AND”; and in line 6, after “(IV)” insert “A SUMMARY OF DATA PROVIDED TO THE PROGRAM THAT IN THE AGGREGATE INDICATES THE RACE, RELIGION, GENDER, OR AGE OF THE INDIVIDUALS WHO WERE THE SUBJECTS OF THE REPORTS; AND

(V)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Love moved to make the Bill a Special Order for Thursday.

The motion was adopted.

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

Senate Bill 258 – Carroll County Senators

EMERGENCY BILL

AN ACT concerning

Carroll County – Gaming Events – Repeal of Sunday Prohibition

SB0258/285363/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 258

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; and in line 5, strike “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 3, strike beginning with “is” in line 5 down through “enacted” in line 9 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:

Senate Bill 661 – Senator Washington

AN ACT concerning

Primary and Secondary Education – Community Schools – Established

SB0661/885762/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 661

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “and” in line 6 down through “circumstances” in line 7.

AMENDMENT NO. 2

On page 4, in line 19, after “PLAN” insert “BASED ON AN ASSESSMENT OF NEEDS”; and strike in their entirety lines 21 through 25, inclusive.

On page 9, in line 24, strike “§ 9.9–105(D)” and substitute “§ 9.9–104(B)”.

On page 10, in line 10, after “appropriated” insert “for the Concentration of Poverty School Grant Program”; in line 12, strike “cost” and substitute “fiscal year 2020 and 2021 costs”; and in the same line, after “Act” insert “for community schools with at least 80% of students eligible for free or reduced price meals”.

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:

Senate Bill 728 – Senator Guzzone

AN ACT concerning

Sales and Use Tax – Collection by Marketplace Facilitators**SB0728/465665/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 728

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute “Taxation of Online Sales – Marketplace Facilitators and Sellers of Other Tobacco Products”; in line 21, after “license;” insert “requiring certain out-of-state sellers to pay the tobacco tax on pipe tobacco or certain premium cigars under certain circumstances;”; in line 24, after “interest;” insert “making the provisions of this Act severable;”; and in line 25, after “tax” insert “and payment of the tobacco tax”.

On page 2, in line 8, strike “and 11–502.1” and substitute “11–502.1, and 12–302(e)”; and in line 14, before “and” insert “12–101.”.

AMENDMENT NO. 2

On page 2, in line 26, before “REVENUES” insert “TO THE BLUEPRINT FOR MARYLAND’S FUTURE FUND ESTABLISHED UNDER § 5–219 OF THE EDUCATION ARTICLE,”; in line 27, strike “BY A MARKETPLACE FACILITATOR OR” and substitute “BY:

(I) A MARKETPLACE FACILITATOR; OR

(II)”;

in line 28, after “AND” insert “WHO”; and strike beginning with “UNDER” in line 29 down through “ARTICLE” in line 32 and substitute “AS SPECIFIED IN COMAR 03.06.01.33B(5)”.

On page 3, in line 1, after “PAY” insert “INTO THE GENERAL FUND OF THE STATE”; in lines 2 and 3, strike “BY A MARKETPLACE FACILITATOR OR” and substitute “BY:

(1) A MARKETPLACE FACILITATOR; OR

(2)”;

in line 4, after the first “AND” insert “WHO”; and strike beginning with “UNDER” in line 4 down through “STATE” in line 6 and substitute “AS SPECIFIED IN COMAR 03.06.01.33B(5)”.

AMENDMENT NO. 3

On page 11, after line 4, insert:

“12-101.

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

(b) “Cigarette” means any size or shaped roll for smoking that is made of tobacco or tobacco mixed with another ingredient and wrapped in paper or in any other material except tobacco.

(c) “Manufacturer” means a person who acts as a manufacturer as defined in § 16-201 of the Business Regulation Article or as an other tobacco products manufacturer as defined in § 16.5-101 of the Business Regulation Article.

(d) “Other tobacco product” means:

(1) any cigar or roll for smoking, other than a cigarette, made in whole or in part of tobacco; or

(2) any other tobacco or product made primarily from tobacco, other than a cigarette, that is intended for consumption by smoking or chewing or as snuff.

(e) “Other tobacco products retailer” means a person authorized under § 16.5-205(b) of the Business Regulation Article to purchase other tobacco products on which the tobacco tax has not been paid.

(F) “OUT-OF-STATE SELLER” MEANS A PERSON LOCATED OUTSIDE THE STATE THAT SELLS, HOLDS FOR SALE, SHIPS, OR DELIVERS PREMIUM CIGARS OR PIPE TOBACCO TO CONSUMERS IN THE STATE IF, DURING THE PREVIOUS CALENDAR YEAR OR THE CURRENT CALENDAR YEAR:

(1) THE PERSON’S GROSS REVENUE FROM THE SALE OF PREMIUM CIGARS OR PIPE TOBACCO IN THE STATE EXCEEDS \$100,000; OR

(2) THE PERSON SOLD PREMIUM CIGARS OR PIPE TOBACCO INTO THE STATE IN 200 OR MORE SEPARATE TRANSACTIONS.

(G) “PIPE TOBACCO” HAS THE MEANING STATED IN § 16.5–101 OF THE BUSINESS REGULATION ARTICLE.

(H) “PREMIUM CIGARS” HAS THE MEANING STATED IN § 16.5–101 OF THE BUSINESS REGULATION ARTICLE.

[(f)] (I) “Sell” means to exchange or transfer, or to make an agreement to exchange or transfer, title or possession of property, in any manner or by any means, for consideration.

[(g)] (J) “Tax stamp” means a device in the design and denomination that the Comptroller authorizes by regulation for the purpose of being affixed to a package of cigarettes as evidence that the tobacco tax is paid.

[(h)] (K) “Tobacconist” means a person authorized under § 16.5–205(e) of the Business Regulation Article to purchase other tobacco products on which the tobacco tax has not been paid.

[(i)] (L) “Unstamped cigarettes” means a package of cigarettes to which tax stamps are not affixed in the amount and manner required in § 12–304 of this title.

[(j)] (M) “Wholesale price” means the price for which a wholesaler buys other tobacco products, exclusive of any discount, trade allowance, rebate, or other reduction.

[(k)] (N) “Wholesaler” means, unless the context requires otherwise, a person who acts as a wholesaler as defined in § 16–201 of the Business Regulation Article or as an other tobacco products wholesaler as defined in § 16.5–101 of the Business Regulation Article.

12–302.

(E) AN OUT-OF-STATE SELLER SHALL PAY THE TOBACCO TAX ON PIPE TOBACCO OR PREMIUM CIGARS ON WHICH THE TOBACCO TAX HAS NOT BEEN PAID.”.

On page 12, after line 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a

court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act that can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.”;

and in line 3, strike “4.” and substitute “5.”.

The preceding 3 amendments were 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. 1172)

CALENDAR OF THIRD READING HOUSE BILLS NO. 111

House Bill 860 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’, Teachers’, and Correctional Officers’ Systems – Active Members –
Death Benefits**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1173)

The Bill was then sent to the Senate.

**House Bill 1115 – Delegates Solomon, Acevero, Chang, Ebersole, Haynes,
Hettleman, Jones, Kerr, Kittleman, J. Lewis, Lierman, McKay, Wilkins, and
P. Young**

AN ACT concerning

Community Colleges – Workforce Readiness Grant Program – Established

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1174)

The Bill was then sent to the Senate.

House Bill 1315 – Delegate Glenn

AN ACT concerning

Higher Education – Cyber Warrior Diversity Program – Revisions

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1175)

The Bill was then sent to the Senate.

House Bill 1406 – Chair, Howard County Delegation

AN ACT concerning

Howard County – Department of Correction – Authority to Establish Programs

Ho. Co. 29–19

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1176)

The Bill was then sent to the Senate.

House Bill 1410 – Delegate Beitzel

AN ACT concerning

Upper Potomac River Commission – Pension Plans

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1177)

The Bill was then sent to the Senate.

House Bill 1411 – Delegates Smith, Cain, and Mosby

AN ACT concerning

CASH Campaign of Maryland Grant

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

Affirmative – 102 Negative – 36 (See Roll Call No. 1178)

The Bill was then sent to the Senate.

House Bill 1428 – The Speaker and Delegates Kipke, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

EMERGENCY BILL

AN ACT concerning

**University of Maryland Medical System Corporation – Board of Directors,
Ethics, and Performance Audit**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1179)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 112

House Bill 551 – Delegates R. Lewis, Lisanti, Krebs, and R. Lewis, and Mautz

AN ACT concerning

Alcoholic Beverages – Distilleries – Farmers’ Markets and Other Events

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1180)

The Bill was then sent to the Senate.

House Bill 666 – ~~Delegate Lisanti~~ Economic Matters Committee

AN ACT concerning

**Alcoholic Beverages – Nonprofit Beer, Wine, and Liquor Festival Permit – Retail
Off-Site Permit**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1181)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 47

Senate Bill 104 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Wineries – Special Event Permits

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1182)

The Bill was then returned to the Senate.

Senate Bill 242 – Senators Lee, Feldman, ~~and West~~ West, and Hough

AN ACT concerning

Criminal Procedure – Incompetency and Criminal Responsibility – Dismissal of Charges

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1183)

The Bill was then returned to the Senate.

Senate Bill 328 – Senators Smith, Augustine, Carter, Elfreth, Ellis, Ferguson, Griffith, Hayes, Hester, Kramer, Lam, Lee, McCray, Rosapepe, and Waldstreicher

AN ACT concerning

Labor and Employment – Noncompete and Conflict of Interest Clauses

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

Affirmative – 97 Negative – 39 (See Roll Call No. 1184)

The Bill was then returned to the Senate.

Senate Bill 622 – Senator Carter

AN ACT concerning

**Office of the Attorney General Governor's Office of Crime Control and
Prevention – Crime Firearms – Study**

Delegate Wilson moved to make the Bill a Special Order for Thursday.

The motion was adopted.

Senate Bill 634 – ~~Senator~~ Senators Eckardt and Hershey

AN ACT concerning

Electric Cooperatives – Powers – Conducting or Communications Facilities

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1185)

The Bill was then returned to the Senate.

Senate Bill 792 – Senator Hayes

AN ACT concerning

Baltimore City – Alcoholic Beverages – Related Event Promoter's Permit

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1186)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 48

**Senate Bill 113 – Senators Hough, Bailey, Carozza, Cassilly, Eckardt, Edwards,
Gallion, Hershey, Jennings, Ready, Reilly, Salling, ~~and West~~ West, and
Smith**

SECOND PRINTING

AN ACT concerning

Public Safety – Handgun Permits – Payment of Fees

Delegate Wilson moved to make the Bill a Special Order for Thursday.

The motion was adopted.

Senate Bill 774 – Senators Smith, Carter, Hester, Lee, McCray, Nathan–Pulliam, Waldstreicher, and Washington

AN ACT concerning

Correctional Services – Restrictive Housing – Reporting by Correctional Units and Requirements Relating to Minors

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

Affirmative – 126 Negative – 11 (See Roll Call No. 1187)

The Bill was then returned to the Senate.

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

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1188)

The Bill was then returned to the Senate.

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

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1189)

The Bill was then returned to the Senate.

Senate Bill 911 – Senators Beidle, Carter, Elfreth, Kagan, Lee, Klausmeier, and Washington ~~Washington~~, and Ferguson

AN ACT concerning

Gender Diversity in the Boardroom – Annual Report ~~or Nonprofit Sales and Use Tax Exemption Application~~

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

Affirmative – 106 Negative – 32 (See Roll Call No. 1190)

The Bill was then returned to the Senate.

Senate Bill 1004 – Senators Pinsky and Jennings

AN ACT concerning

Election Law – Election Calendar and Processes – Revisions

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1191)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 33

Senate Bill 103 – Senators Zirkin, Hough, ~~and Smith~~ Smith, Carter, Cassilly, Hester, Lee, Ready, Waldstreicher, Washington, West, and Elfreth

AN ACT concerning

**Criminal Law – Electronic Harassment and Bullying
(Grace’s Law 2.0)**

Delegate Wilson moved to make the Bill a Special Order for Thursday.

The motion was adopted.

Senate Bill 330 – Senators Smith, Guzzone, King, Lee, Patterson, Waldstreicher, West, and Zucker

AN ACT concerning

**Public Buildings ~~and Places of Public Accommodation~~ – Diaper-Changing
Facilities**

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

Affirmative – 124 Negative – 14 (See Roll Call No. 1192)

The Bill was then returned to the Senate.

**Senate Bill 406 – Senators Ferguson, Benson, Carter, Elfreth, Ellis, Feldman,
Guzzone, Hayes, Klausmeier, Lee, McCray, Nathan-Pulliam, Patterson,
Rosapepe, ~~and Washington~~ Washington, Beidle, and Kelley**

AN ACT concerning

**~~Prenatal and Infant Care Coordination – Grant Funding and~~ Task Force on
Maryland Maternal and Child Health**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1193)

The Bill was then returned to the Senate.

**Senate Bill 447 – Senators Pinsky, Eckardt, Guzzone, ~~and Young~~ Young,
Patterson, and Simonaire**

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 – 136 Negative – 0 (See Roll Call No. 1194)

The Bill was then returned to the Senate.

Senate Bill 467 – Senator King

AN ACT concerning

Forestry – Mel Noland Fellowship Program – Establishment

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1195)

The Bill was then returned to the Senate.

Senate Bill 697 – Senators Smith, Kagan, Carter, Guzzone, Lee, Waldstreicher, Washington, and Zucker

AN ACT concerning

Family Law – Parentage and Adoption

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

Affirmative – 121 Negative – 15 (See Roll Call No. 1196)

The Bill was then returned to the Senate.

Senate Bill 736 – ~~Senator Lee~~ Senators Lee, Zirkin, Smith, Carter, Cassilly, Hester, Hough, Ready, Waldstreicher, Washington, and West

AN ACT concerning

Criminal Law – Child Pornography

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1197)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 946 SPONSOR: Senator Griffith

SUBJECT: State Prescription Drug Benefits – Retiree Benefits – Revisions

THIRD READING CALENDAR HOUSE NO. 8 SENATE NO. 40

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Appropriations Committee Amendments (SB0946/424865/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0946/433020/1) be adopted.

SB0946/433020/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 946

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “authorizing” in line 13 down through “enroll” in line 14 and substitute “providing that certain individuals shall be automatically enrolled”; strike beginning with “during” in line 15 down through “period” in line 16; strike beginning with “requiring” in line 18 down through “counseling” in line 20 and substitute “requiring the Department to ensure Medicare-eligible retirees have access to certain services; requiring the Department to develop a certain plan for communicating to Medicare-eligible retirees the availability of certain programs and services; requiring the Department to submit a report on the plan by a certain date; requiring the report to include certain information”; in line 22, after “circumstances;” insert “requiring the Department to submit certain quarterly reports to the Governor and certain committees of the General Assembly; requiring the Department to adopt certain regulations;”; and in line 27, after “circumstances;” insert “requiring the Secretary of Budget and Management to provide certain notice to certain retirees not later than a certain date; declaring the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 10, in line 27, strike “**2018**” and substitute “**2019**”.

On page 11, in line 26, strike “**2019**” and substitute “**2020**”.

AMENDMENT NO. 3

On page 12, strike beginning with “**A**” in line 22 down through “**MEDICARE**” in line 23 and substitute “:

1. THE MARYLAND STATE RETIREE PRESCRIPTION DRUG COVERAGE PROGRAM ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION; OR

2. THE MARYLAND STATE RETIREE CATASTROPHIC PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER SUBSECTION (E) OF THIS SECTION”;

in line 31, strike “A” and substitute “THE”; in the same line, after “PLAN” insert “IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED”; and in line 32, after the semicolon insert “AND”.

On page 13, in line 2, strike “; AND” and substitute a period; strike line 3 in its entirety; in line 4, after “(II)” insert “THE DEPARTMENT SHALL DEVELOP A LIST OF THE PRESCRIPTION DRUGS THAT QUALIFY FOR REIMBURSEMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III)”;

in line 5, strike “BASED ON WHETHER” and substitute “FOR”; in the same line, after “RETIREE” insert “WHO”; strike beginning with “THE” in line 5 down through “FOR” in line 6; in line 15, strike “MAY ENROLL” and substitute “SHALL BE AUTOMATICALLY ENROLLED”; and strike beginning with “DURING” in line 17 down through “OPTIONS” in line 18 and substitute “ON ENROLLMENT IN:

(I) THE MARYLAND STATE RETIREE PRESCRIPTION DRUG COVERAGE PROGRAM ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION; OR

(II) THE MARYLAND STATE RETIREE CATASTROPHIC PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER SUBSECTION (E) OF THIS SECTION”.

AMENDMENT NO. 4

On page 13, in line 19, strike the third bracket; in the same line, strike “] (3)”; in line 20, strike “, [2018] 2019” and substitute “OF EACH YEAR”; strike beginning with “BE” in line 22 down through the second comma in line 23 and substitute “BECOME ELIGIBLE IN THE NEXT CALENDAR YEAR”; and in line 32, after “plan” insert “, INCLUDING

OPTIONS THAT ARE SIMILAR TO THE PRESCRIPTION DRUG BENEFIT PLAN IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM”.

On page 14, in line 3, strike “AND”; and in line 5, after “SECTION” insert “; AND”

(IV) ANY ADDITIONAL RESOURCES MADE AVAILABLE BY THE DEPARTMENT IN ACCORDANCE WITH THIS SECTION”.

AMENDMENT NO. 5

On page 14, strike in their entirety lines 6 through 20, inclusive, and substitute:

“(H) (1) THE DEPARTMENT SHALL ENSURE MEDICARE-ELIGIBLE RETIREES HAVE ACCESS TO ONE-ON-ONE COUNSELING SERVICES TO ASSIST RETIREES IN SELECTING A MEDICARE PRESCRIPTION DRUG BENEFIT PLAN.

(2) THE DEPARTMENT SHALL DEVELOP A PLAN TO COMMUNICATE TO MEDICARE-ELIGIBLE RETIREES THE AVAILABILITY OF:

(I) THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION; AND

(II) SERVICES AND INFORMATION REGARDING PRESCRIPTION DRUG BENEFIT PLANS UNDER MEDICARE.

(3) ON OR BEFORE DECEMBER 31, 2019, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE PLAN DEVELOPED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(4) THE REPORT REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL INCLUDE:

(I) OPTIONS FOR PROVIDING ONE-ON-ONE COUNSELING, INCLUDING:

1. IN-PERSON, OVER-THE-PHONE, OR WEB-BASED COUNSELING;

2. THE TIMES AT WHICH ONE-ON-ONE COUNSELING WILL BE AVAILABLE;

3. A PLAN TO ENSURE EQUITABLE GEOGRAPHIC ACCESS TO ONE-ON-ONE COUNSELING; AND

4. ENTERING INTO A STATEWIDE CONTRACT WITH AN EMPLOYEE BENEFITS ADMINISTRATOR OR SIMILAR ENTITY TO PROVIDE ONE-ON-ONE COUNSELING SERVICES;

(II) PLANS FOR HOLDING SEMINARS IN EVERY COUNTY OF THE STATE TO PROVIDE INFORMATION REGARDING ELIGIBILITY FOR AND AVAILABLE BENEFITS UNDER THE PROGRAMS ESTABLISHED UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION;

(III) PLANS FOR PROVIDING ACCESS TO A WEB-BASED OVERVIEW AND INTERACTIVE WEBSITE THAT PROVIDE INFORMATION ON:

1. MEDICARE PRESCRIPTION DRUG BENEFIT PLANS;
AND

2. SUBSIDY AND FINANCIAL ASSISTANCE PROGRAMS FOR LOW-INCOME INDIVIDUALS; AND

(IV) PLANS FOR PROVIDING A TOLL-FREE HOTLINE FOR REPORTING ISSUES AND CONCERNS REGARDING THE SERVICES PROVIDED IN ACCORDANCE WITH THIS PARAGRAPH.”;

and in line 21, strike “**(H)**” and substitute “**(I)**”.

AMENDMENT NO. 6

On page 14, after line 27, insert:

“(J) THE DEPARTMENT SHALL SUBMIT QUARTERLY REPORTS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE HOUSE APPROPRIATIONS COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, AND THE JOINT COMMITTEE ON PENSIONS, ON:

(1) THE STATUS OF ESTABLISHING THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION, INCLUDING:

(I) THE STATUS OF PROCURING ANY CONTRACTS NECESSARY TO OPERATE THE PROGRAMS; AND

(II) THE PRESCRIPTION DRUGS DETERMINED TO QUALIFY FOR REIMBURSEMENT UNDER THE MARYLAND STATE RETIREE LIFE-SUSTAINING PRESCRIPTION DRUG ASSISTANCE PROGRAM UNDER SUBSECTION (F) OF THIS SECTION;

(2) THE AVAILABILITY OF ONE-ON-ONE COUNSELING SERVICES REQUIRED UNDER SUBSECTION (H) OF THIS SECTION;

(3) THE DETAILS OF THE HEALTH REIMBURSEMENT ACCOUNTS OR OTHER PROGRAMS TO PROVIDE ASSISTANCE WITH PRESCRIPTION DRUG COSTS FOR INDIVIDUALS ENROLLED IN THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION, INCLUDING:

(I) THE SPECIFIC OUT-OF-POCKET COSTS ELIGIBLE FOR REIMBURSEMENT;

(II) THE REQUIRED PROCESS FOR RECEIVING REIMBURSEMENT;

(III) THE METHOD OF REIMBURSEMENT;

(IV) THE TIMING OF REIMBURSEMENT; AND

(V) A PLAN TO USE DEBIT CARDS TO PROCESS REIMBURSEMENTS IN A CONVENIENT AND EFFICIENT MANNER; AND

(4) IN TOTAL AND BY CATEGORY FOR THE PREVIOUS QUARTER, THE NUMBER OF ISSUES AND CONCERNS REPORTED TO THE HOTLINE.

(K) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.”.

AMENDMENT NO. 7

On page 15, in lines 10 and 26, in each instance, after “the” insert “Maryland”; after line 30, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, not later than September 1, 2019, the Secretary of Budget and Management shall provide written certified notice of the provisions of this Act to all:

- (1) Medicare–eligible State retirees;
- (2) Medicare–eligible spouses and surviving spouses of State retirees;
- (3) Medicare–eligible dependent children and surviving dependent children of State retirees; and
- (4) State employees who are eligible, on or before December 31, 2019, to:
 - (i) enroll in a prescription drug benefit plan under Medicare; and
 - (ii) retire from State employment.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management establish the Maryland State Retiree Prescription Drug Coverage Program, the Maryland State Retiree Catastrophic Prescription Drug Assistance Program, and the Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program in § 2–509.1(d), (e), and (f) of the State Personnel and Pensions Article, respectively, in a manner that allows retirees to access reimbursement at the time of prescription drug purchase, through a mechanism such as debit cards.

SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management attend at least one meeting

each year of the Joint Committee on Pensions to update the Committee on implementation of the provisions of this Act.”;

and in line 31, strike “3.” and substitute “6.”.

Senate Members:

House Members:

Chair, **Melony Griffith**

Chair, **Ben Barnes**

Guy Guzzone

Brooke E. Lierman

Andrew A. Serafini

Carl Anderton, Jr.

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 4 (See Roll Call No. 1198)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE

House Bill 38 – Delegate Carr

AN ACT concerning

Labor and Employment – Noncompete and Conflict of Interest Clauses

Delegate Davis, D.E. moved that the House not concur in the Senate amendments.

HB0038/247176/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 38

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, strike the colon and substitute “THE STATE MINIMUM WAGE SET UNDER § 3-413 OF THIS TITLE OR THE APPLICABLE LOCAL MINIMUM WAGE, WHICHEVER IS GREATER; AND”.

AMENDMENT NO. 2

On page 1, in line 5, after “application” insert “and construction”.

On page 2, strike in their entirety lines 1 and 2; after line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to affect a determination by a court in an action involving a noncompete or conflict of interest provision that is not subject to Section 1 of this Act.”;

and in line 15, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and not concurred in.

HB0038/533027/1

BY: Senator Cassilly

AMENDMENT TO HOUSE BILL 38

(Third Reading File Bill)

On page 2, in line 8, strike “CLIENT-RELATED”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0038**
SPONSOR: Delegate Carr
SUBJECT: Labor and Employment – Noncompete and Conflict of Interest
Clauses

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 Bromwell, Chair
Delegate Charkoudian
Delegate Wilson

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 994 – Delegates Mosby, Acevero, Barron, Boyce, Bridges, Brooks, Charles, W. Fisher, Holmes, Ivey, Lierman, Moon, Pena–Melnik, Proctor, Sample–Hughes, Smith, Turner, Wells, and Wilkins

AN ACT concerning

Labor and Employment – Criminal Record Screening Practices (Ban the Box)

Delegate Davis, D.E. moved that the House not concur in the Senate amendments.

HB0994/747070/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 994

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “including” in line 12 down through “applicant” in line 14 and substitute “requiring an applicant for employment to disclose certain information regarding the criminal record of the applicant except under certain circumstances before the first in–person interview; providing that certain provisions of this Act do not prohibit an employer from making a certain inquiry or taking certain other action”; in line 15, after “employers;” insert “requiring the Commissioner on a certain determination to resolve certain issues informally by mediation; authorizing the

Commissioner to ask the Attorney General to bring a certain action on behalf of certain applicants under certain circumstances; authorizing the Attorney General to bring a certain action in a certain county under certain circumstances for injunctive relief, damages, or other relief;; strike line 23 in its entirety and substitute “establishing a certain civil penalty;”.

On page 2, strike beginning with “authorizing” in line 1 down through “Act;” in line 5; and in line 14, strike “3-1405” and substitute “3-1406”.

AMENDMENT NO. 2

On page 4, in line 15, after “(4)” insert “THE MARKING OF A CHARGE “STET” ON THE DOCKET;

(5);

in line 16, strike “(5)” and substitute “(6)”; and strike beginning with the colon in line 19 down through “(II)” in line 21.

On page 5, in line 4, strike “(A)”; in line 8, strike “FEDERAL OR STATE” and substitute “FEDERAL, STATE, OR LOCAL”; strike in their entirety lines 11 through 14, inclusive; in line 16, before “AN” insert “(A)”; in the same line, strike “AN” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN”; and strike beginning with “INCLUDE” in line 29 down through “APPLICANT” in line 32 and substitute “, AT ANY TIME BEFORE THE FIRST IN-PERSON INTERVIEW REQUIRE AN APPLICANT TO DISCLOSE WHETHER THE APPLICANT HAS A CRIMINAL RECORD OR HAS HAD CRIMINAL ACCUSATIONS BROUGHT AGAINST THE APPLICANT.

(B) AN EMPLOYER MAY REQUIRE AN APPLICANT TO DISCLOSE DURING THE FIRST INTERVIEW WITH THE APPLICANT WHETHER THE APPLICANT HAS A CRIMINAL RECORD OR HAS HAD CRIMINAL ACCUSATIONS BROUGHT AGAINST THE APPLICANT”.

On page 6, after line 10, insert:

“(A) (1) WHENEVER THE COMMISSIONER DETERMINES THAT THIS SUBTITLE HAS BEEN VIOLATED, THE COMMISSIONER SHALL TRY TO RESOLVE ANY ISSUE INVOLVED IN THE VIOLATION INFORMALLY BY MEDIATION.

(2) IF MEDIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS UNSUCCESSFUL, THE COMMISSIONER MAY ASK THE ATTORNEY GENERAL TO BRING AN ACTION ON BEHALF OF THE APPLICANT OR EMPLOYEE.

(B) THE ATTORNEY GENERAL MAY BRING AN ACTION UNDER THIS SECTION IN THE COUNTY WHERE THE VIOLATION ALLEGEDLY OCCURRED, FOR INJUNCTIVE RELIEF, DAMAGES, OR OTHER RELIEF.”;

after line 11, insert “**3-1405.**”; and in line 16, strike “**3-1405.**”.

On pages 6 and 7, strike in their entirety the lines beginning with line 25 on page 6 through line 12 on page 7, inclusive, and substitute:

“3-1406.

AN EMPLOYER WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS SUBJECT TO A CIVIL FINE NOT EXCEEDING \$500 FOR EACH VIOLATION.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0994
 SPONSOR: Delegate Mosby, et al
 SUBJECT: Labor and Employment – Criminal Record Screening Practices
 (Ban the Box)

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 Wilson, Chair
 Delegate Crosby
 Delegate C. Watson

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

**CONCURRENCE CALENDAR NO. 7
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 62 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ Pension System – Purchase of Eligibility Service Credit –
Clarification**

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0062/859730/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 62

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Employees’ Pension System” and substitute “Employees’ and Teachers’ Pension Systems”; strike beginning with “Purchase” in line 2 down through “Clarification” in line 3 and substitute “Benefits”; in line 5, after “employment;” insert “providing that certain members of the Employees’ or Teachers’ Pension System who meet certain criteria may continue employment with certain participating employers of the State Retirement and Pension System without incurring a certain break in service following retirement from the Employees’ or Teachers’ Pension System; requiring certain members of the Employees’ Pension System to cease membership in the Employees’ Pension System under certain circumstances; providing that certain individuals shall receive a specified benefit from the Employees’ Pension System after separating from certain employment with certain participating employers of the State Retirement and Pension System;”; in line 6, strike “purchases of service credit in the Employees’ Pension System” and substitute

“benefits in the Employees’ and Teachers’ Pension Systems”; and in line 9, after “23–307(a)” insert “and 23–407(d)”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“23–407.

(d) An individual who is receiving a service retirement allowance under this title may not be employed within 45 days of the date the individual retired, on a permanent, temporary, or contractual basis, by:

(1) the State or other participating employer; or

(2) a withdrawn participating governmental unit, if the retiree was an employee of the withdrawn participating governmental unit while the withdrawn governmental unit was a participating employer.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) This section applies to an individual who:

(1) was employed as a teacher for the Montgomery County Public School System and enrolled in the Teachers’ Pension System under Title 23 of the State Personnel and Pensions Article on or after September 1, 1991;

(2) remains employed as a teacher for the Montgomery County Public School System and is a member of the Teachers’ Pension System on July 1, 2019;

(3) (i) was elected to the Howard County Board of Education in 2016;

(ii) enrolled in the Employees’ Pension System under Title 23 of the State Personnel and Pensions Article as a member of the Howard County Board of Education on or after December 1, 2016; and

(iii) remains a member of the Howard County Board of Education and is a member of the Employees’ Pension System on July 1, 2019; and

(4) on or before July 1, 2019;

(i) has reached or exceeded normal retirement age in the Employees' Pension System and Teachers' Pension System; and

(ii) is eligible to receive a normal service retirement allowance in the Teachers' Pension System.

(b) Notwithstanding § 23–407(d) of the State Personnel and Pensions Article, an individual described under subsection (a) of this section may retire from the Teachers' Pension System on or after July 1, 2019, and on or before December 31, 2019, and continue serving as a member of the Howard County Board of Education without obtaining a 45–day break in service after retirement.

(c) (1) An individual who retires under subsection (b) of this section shall cease membership in the Employees' Pension System on the day preceding the individual's retirement from the Teachers' Pension System.

(2) After separating from employment as a member of the Howard County Board of Education, the individual shall be entitled to receive a return of accumulated contributions or any other benefit to which the individual is entitled on the basis of the individual's membership in the Employees' Pension System.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) This section applies to an individual who:

(1) (i) was elected and served as a County Commissioner for Kent County from 1994 through 2002; and

(ii) enrolled in the Employees' Pension System as County Commissioner for Kent County on or after July 1, 2002;

(2) (i) was appointed as Town Manager for the Town of Rock Hall in 1997;

(ii) enrolled in the Employees' Pension System as Town Manager for the Town of Rock Hall on or after May 1, 2005; and

(iii) remains employed as Town Manager for the Town of Rock Hall and is a member of the Employees' Pension System on July 1, 2019;

(3) (i) was elected as a County Commissioner for Kent County in 2006;

(ii) resumed membership in the Employees' Pension System as a County Commissioner for Kent County on or after December 1, 2006; and

(iii) remains a County Commissioner and is a member of the Employees' Pension System on July 1, 2019; and

(4) on or before July 1, 2019:

(i) has reached or exceeded normal retirement age in the Employees' Pension System; and

(ii) is eligible to receive a normal service retirement allowance in the Employees' Pension System as Town Manager for the Town of Rock Hall.

(b) Notwithstanding § 23–407(d) of the State Personnel and Pensions Article, an individual described under subsection (a) of this section may retire from the Employees' Pension System as Town Manager for the Town of Rock Hall on or after July 1, 2019, and on or before December 31, 2019, and continue serving as a County Commissioner for Kent County without obtaining a 45–day break in service after retirement.

(c) (1) An individual who retires under subsection (b) of this section shall cease membership in the Employees' Pension System as a County Commissioner for Kent County on the day preceding the individual's retirement from the Employees' Pension System as the Town Manager for the Town of Rock Hall.

(2) After separating from employment as a County Commissioner for Kent County, the individual shall be entitled to receive a return of accumulated contributions or any other benefit to which the individual is entitled on the basis of the individual's employment as a County Commissioner for Kent County.”;

and in line 9, strike “2.” and substitute “4.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1199)

AMENDED IN THE SENATE

House Bill 84 – Delegates Charkoudian, Hettleman, Feldmark, Glenn, Guyton, Hill, Jackson, Korman, Lehman, R. Lewis, Lierman, McIntosh, Queen, Smith, Stewart, Terrasa, Washington, C. Watson, and Wilkins

AN ACT concerning

Maryland Farms and Families Fund – Purpose, Use, Funding, and Grant Qualifications – Alterations

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0084/717279/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 84
(Third Reading File Bill)

On page 4, in line 11, after “(a)” insert “**(1)**”; in lines 14, 17, 18, 19, and 21, strike “(1)”, “**(2)**”, “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, and “**(V)**”, respectively; and after line 22, insert:

“(2) IN ADDITION TO THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION, IN AWARDING A GRANT IN ACCORDANCE WITH THIS SUBTITLE, THE DEPARTMENT MAY CONSIDER WHETHER THE NONPROFIT ORGANIZATION HAS A DEMONSTRATED RECORD OF PROVIDING SERVICES IN FOOD DESERTS.”

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 – 137 Negative – 0 (See Roll Call No. 1200)

AMENDED IN THE SENATE**House Bill 93 – Delegate Rosenberg**

AN ACT concerning

Walter Sondheim Jr. Public Service Internship Scholarship Program – Repeal of Award Cap

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0093/834930/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 93

(Third Reading File Bill)

AMENDMENT NO. 1On page 1, in line 4, strike “repealing” and substitute “altering”.AMENDMENT NO. 2On page 3, in line 4, strike the brackets; and in the same line, strike “\$3,000” and substitute “\$5,000”.The preceding 2 amendments were read and concurred in.The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1201)

AMENDED IN THE SENATE**House Bill 201 – Delegates Korman, Acevero, Bartlett, Boyce, Crutchfield, Gaines, Haynes, Hettleman, Hill, Ivey, Jalisi, Johnson, Jones, R. Lewis, Lierman, Love, Luedtke, Palakovich Carr, Patterson, Pendergrass, Shetty, Stewart, Sydnor, Terrasa, Valderrama, and P. Young**

AN ACT concerning

**Maryland Transit Administration – State Employees ~~Subject to Collective Bargaining~~ – Free Ridership
(Transit Benefit for State Employees)**

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0201/827178/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 201

(Third Reading File Bill)

On page 2, in lines 29 and 30, strike “:

(1)”.

On pages 2 and 3, strike beginning with the semicolon in line 31 on page 2 down through “government” in line 2 on page 3.

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 – 100 Negative – 36 (See Roll Call No. 1202)

AMENDED IN 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**

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0633/264336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 633

(Third Reading File Bill)

On page 3, strike beginning with “**MONEY**” in line 12 down through “**(K)**” in line 16.

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 – 120 Negative – 18 (See Roll Call No. 1203)

AMENDED IN 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**

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0679/787873/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 679

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, strike “State”; and in the same line, after “employees” insert “of a unit of the University System of Maryland”.

AMENDMENT NO. 2

On page 10, in line 5, after “**(I)**” insert “**THIS PARAGRAPH APPLIES ONLY TO A UNIT OF THE UNIVERSITY SYSTEM OF MARYLAND.**”

(II)”;

and in line 7, strike “**(II)**” and substitute “**(III)**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1204)

AMENDED IN 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

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0822/837572/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 822

(Third Reading File Bill)

On page 1, strike beginning with “requiring” in line 7 down through the first semicolon in line 8.

On page 3, in lines 11 and 16, strike “**(1)**” and “**(2)**”, respectively; in lines 13, 14, and 15, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**(1)**”, “**(2)**”, and “**(3)**”, respectively; strike beginning with “**THE**” in line 18 down through the period in line 20; and in line 26, strike “**(3)**” and substitute “**(C)**”.

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 – 104 Negative – 33 (See Roll Call No. 1205)

AMENDED IN THE SENATE

House Bill 862 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Police Retirement System – Employment of Retirees – Clarifications

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0862/399834/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 862

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “retirees” and substitute “individuals”; and in the same line, strike “retirement”.

AMENDMENT NO. 2

On page 3, in lines 2, 14, 21, and 24 and 25, in each instance, strike “**A RETIREE**” and substitute “AN INDIVIDUAL”; in lines 5 and 9, in each instance, strike “**RETIREE**” and substitute “INDIVIDUAL”; in lines 7, 11, 26, 27, and 32, in each instance, strike “**RETIREE’S**” and substitute “INDIVIDUAL’S”; in lines 12 and 21, in each instance, strike “**RETIREMENT**”; in lines 10 and 18, in each instance, strike “**A RETIREE**” and substitute “AN INDIVIDUAL”; in line 29, strike “**A RETIREE’S**” and substitute “AN”; and in line 30, strike “**RETIREE’S**”.

On page 4, in line 4, strike “**RETIREE**” and substitute “INDIVIDUAL”; and in lines 8 and 10, in each instance, strike “**A RETIREE**” and substitute “AN INDIVIDUAL”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1206)

AMENDED IN 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

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1066/347375/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1066

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, after “certain” insert “vocational education or”; and in the same line, strike “or vocational training”.

AMENDMENT NO. 2

On page 4, in line 10, strike “EDUCATIONAL TRAINING THAT IS DIRECTLY RELATED TO EMPLOYMENT AND” and substitute “EDUCATION THAT”; in line 19, strike “BUDGET AND TAXATION” and substitute “FINANCE”; in line 21, after “SUBSECTION” insert “TO NEW APPLICANTS”; and in lines 29 and 30, strike “EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING” and substitute “VOCATIONAL EDUCATION OR EDUCATION”.

On page 5, in lines 1 and 2, 5, 9 and 10, and 12 and 13, in each instance, strike “EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING” and substitute “VOCATIONAL EDUCATION OR EDUCATION”; in line 13, strike “PROGRAM” and substitute “PROGRAMS”; and in line 16, strike “EDUCATIONAL TRAINING” and substitute “EDUCATION”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1207)

AMENDED IN THE SENATE

House Bill 1347 – Delegates Jones, Brooks, Cardin, Hettleman, and Stein

EMERGENCY BILL

AN ACT concerning

~~Maryland Consolidated Capital Bond Loan of 2018 – Baltimore County – Road
and Intersection Improvements~~
Prior Authorizations of State Debt – Alterations

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1347/689738/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1347

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 15, insert:

“BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by
Chapter 27 of the Acts of the General Assembly of 2016
Section 1(3) Item ZA03(S)”.

On page 2, in line 13, after “ZA03(B),” insert “(AW),”; in the same line, strike “and (BN)” and substitute “(BN), and (BO)”; and in line 19, after the first “(R),” insert “(AK),”.

AMENDMENT NO. 2

On page 2, after line 33, insert:

“Chapter 444 of the Acts of 2012, as amended by Chapter 27 of the Acts of 2016

Section 1(3)

ZA03

LOCAL HOUSE OF DELEGATES INITIATIVES

(Statewide)

(S) Roland Water Tower Stabilization. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Roland Park Community Foundation for the planning, design, repair, renovation, and restoration of the Roland Water Tower, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2019] 2021 (Baltimore City) 250,000”.

AMENDMENT NO. 3

On page 11, after line 11, insert:

“(AW) Halpine Hamlet Community Center. Provide a grant equal to the lesser of (i) \$175,000 or (ii) the amount of the matching fund provided, to the [MHP Halpine, LP] BOARD OF DIRECTORS OF MONTGOMERY HOUSING PARTNERSHIP, INC. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Halpine Hamlet Community Center, located in Montgomery County. Notwithstanding Section 1(5) of this Act, THE GRANTEE HAS UNTIL JUNE 1, 2021, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED AND the matching fund may consist of in kind contributions (Montgomery County) 175,000”.

AMENDMENT NO. 4

On page 12, after line 5, insert:

“(BO) St. Nicholas Catholic Church Parish Hall. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Archdiocese of Washington–St. Nicholas Catholic Church for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the parish hall for St. Nicholas Catholic Church, INCLUDING LANDSCAPING AND GENERAL IMPROVEMENTS TO THE GROUNDS

SURROUNDING THE PARISH HALL, located in Prince George’s County. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2021, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County) 50,000”.

AMENDMENT NO. 5

On page 14, after line 27, insert:

“(AK) North Beach Volunteer Fire Department. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the North Beach Volunteer Fire Department, Inc. for the ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, REPAIR, RENOVATION, RECONSTRUCTION, SITE IMPROVEMENT, AND CAPITAL EQUIPPING OF THE North Beach Volunteer Fire Department, including THE PURCHASE OF A FIRE AND RESCUE BOAT AND any facilities necessary to maintain the boat (Calvert County) 100,000”.

The preceding 5 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 1208)

**CONCURRENCE CALENDAR NO. 8
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 488 – Delegate McIntosh

AN ACT concerning

Forestry – Mel Noland Fellowship Program – Establishment

Delegate Barve moved that the House concur in the Senate amendments.

HB0488/274136/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 488

(Third Reading File Bill)

On page 5, in line 14, strike “**TO THE DEPARTMENT**”; and in line 16, strike “**MANAGING**” and substitute “**SUPERVISING**”.

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 – 137 Negative – 0 (See Roll Call No. 1209)

AMENDED IN 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**

Delegate Barve moved that the House concur in the Senate amendments.

HB0639/994338/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 639

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “agritourism” insert “in Allegany County, Anne Arundel County, Baltimore County, Kent County, Prince George’s County, and St. Mary’s County”.

AMENDMENT NO. 2

On page 2, in lines 5 and 22, in each instance, after “ANNE ARUNDEL COUNTY,” insert “**BALTIMORE COUNTY**.”

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1210)

AMENDED IN 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

Delegate Barve moved that the House concur in the Senate amendments.

HB0652/804232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 652

(Third Reading File Bill)

On page 3 in line 28, and on page 4 in line 1, in each instance, strike the brackets.

On page 5, in line 5, after “ADMINISTERED” insert “**IN FEED OR WATER**”; and in line 24, strike “MANDATE” and substitute “**REQUIRE**”.

On page 7, in line 3, after “DRUG” insert “**, AS LISTED IN APPENDIX A OF THE FEDERAL FOOD AND DRUG ADMINISTRATION’S GUIDANCE FOR INDUSTRY #152,**”; and in line 4, after “ADMINISTERED” insert “**IN FEED OR WATER**”.

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 – 98 Negative – 38 (See Roll Call No. 1211)

AMENDED IN THE SENATE

House Bill 720 – Delegates Barve, Busch, and Stein

AN ACT concerning

Natural Resources – Fishery Management Plans – Oysters

Delegate Barve moved that the House concur in the Senate amendments.

HB0720/724639/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 720

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after the semicolon insert “prohibiting the Department from using certain funds for a certain purpose:”.

AMENDMENT NO. 2

On page 4, in line 18, strike “APPOINTED” and substitute “DESIGNATED”; in line 20, strike “AND”; and in line 23, after “CENTER” insert “; AND”

18. A REPRESENTATIVE FROM THE PATUXENT ENVIRONMENTAL AND AQUATIC RESEARCH LABORATORY, MORGAN STATE UNIVERSITY, DESIGNATED BY THE RESEARCH LABORATORY”.

On page 5, strike in their entirety lines 1 and 2; in lines 3 and 5, strike “(III)” and “(IV)”, respectively, and substitute “(II)” and “(III)”, respectively; and after line 32, insert:

“(5) THE DEPARTMENT MAY NOT USE FUNDS ALLOCATED TO A COUNTY OYSTER COMMITTEE FOR THE COMMISSION ESTABLISHED UNDER THIS SUBSECTION.”

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 99 Negative – 39 (See Roll Call No. 1212)

AMENDED IN 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

Delegate Barve moved that the House concur in the Senate amendments.

HB0735/674531/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 735
(Third Reading File Bill)

On page 4, in line 23, strike “citing” and substitute “siting”.

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 – 115 Negative – 22 (See Roll Call No. 1213)

CONCURRENCE CALENDAR NO. 9
HOUSE BILLS AMENDED IN THE SENATE

AMENDED IN THE SENATE

House Bill 87 – Delegates Ebersole, Cain, Carey, Charkoudian, Feldmark, Guyton, Hettleman, Ivey, Kerr, Korman, Luedtke, Moon, Mosby, Palakovich Carr, Patterson, Smith, Solomon, Terrasa, Turner, C. Watson, and Wilkins

AN ACT concerning

State Board of Education – Membership – Teachers and Parent

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0087/444133/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 87

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Teachers” and substitute “Teacher”; in the same line, after “Parent” insert “Members”; in line 4, strike “certain number of members who are certified teachers with certain experience” and substitute “certain certified teacher”; in lines 5 and 7, in each instance, strike “members” and substitute “member”; in line 6, strike “individuals are” and substitute “individual is”; in line 7, after “appoint” insert “a”; in line 12, after “the” insert “State”; in the same line, after “Department” insert “of Education”; in line 14, after “adopts;” insert “authorizing the Department to consult with the State Retirement Agency of the Maryland State Retirement and Pension System to conduct a certain election;”; in the same line, after “authorizing” insert “a”; in line 15, strike “members” and substitute “member”; in line 16, strike “a” and substitute “the”; in line 21, strike “teacher”; and in line 22, strike “and the initial parent member”.

AMENDMENT NO. 2

On page 2, in lines 10 and 24, in each instance, strike “14” and substitute “13”; in lines 20 and 25, in each instance, strike “MEMBERS” and substitute “MEMBER”; in line 24, strike “TWO” and substitute “ONE”; in line 25, after “BE” insert “A”; and strike beginning with “TEACHERS” in line 25 down through “AND” in line 28 and substitute “TEACHER WHO IS ACTIVELY TEACHING.”.

On page 3, strike in their entirety lines 1 through 3, inclusive; in line 4, strike “MEMBERS” and substitute “MEMBER”; in line 11, after “TEACHERS” insert “WHO ARE ACTIVELY TEACHING”; in line 15, after “(IV)” insert “1.”; and after line 16, insert:

“2. THE DEPARTMENT MAY CONSULT WITH THE STATE RETIREMENT AGENCY OF THE MARYLAND STATE RETIREMENT AND PENSION SYSTEM TO CONDUCT THE ELECTION REQUIRED UNDER THIS SUBPARAGRAPH.”;

in lines 17 and 19, in each instance, strike “A” and substitute “THE”; and in line 21, strike “14” and substitute “13”.

AMENDMENT NO. 3

On page 4, in line 22, strike “two”; in the same line, strike “members” and substitute “member”; and strike beginning with “as” in line 22 down through “member” in line 27 and substitute “, who”.

On page 5, in line 1, after “Education” insert “, who”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 98 Negative – 37 (See Roll Call No. 1214)

AMENDED IN 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

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0172/854430/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 172

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “and Security of Voter Registration Information”; in line 4, after “of” insert “repealing provisions of law that require the State Board of Elections and a local board of elections to be open for business during certain hours on a certain date;”; strike beginning with “requiring” in line 5 down through “Fund;” in line 17; in line 18, strike “and the security of voter registration information”; in line 21, after “Section” insert “2-302 and”; and in the same line, strike “and 3-506”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“2-302.

(a) (1) The State Board shall be open for business during regular business hours on each State government workday.

(2) The State Board shall remain open until 9 p.m. on the last day for[:

(i) the filing of a certificate of candidacy for each election conducted under this article[; and

(ii) the close of voter registration prior to each election conducted under this article].

(b) (1) Each local board shall be open for business:

(i) on each day that is a county government workday in its county;

(ii) on each election day; and

(iii) until 9 p.m. on the last day for[:

1. the filing of a certificate of candidacy for an election conducted in the county, if a certificate can be filed with the local board[;

2. the close of voter registration prior to each election held in the county; and

3. the filing of an application by a voter for a change in party affiliation].

(2) The members of each local board shall be available as needed on an election day and during the canvass of each election.

(3) The hours that a local board is open for business:

(i) may be the same as the regular business hours of its county government; or

(ii) for the convenience of the public, may be different from the regular business hours of its county government, except that the number of business hours the office is open each business day must be at least equivalent to the number of business hours that the county government is open.”.

On pages 2 through 4, strike in their entirety the lines beginning with line 29 on page 2 through line 21 on page 4, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1215)

AMENDED IN THE SENATE

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

AN ACT concerning

Maryland Longitudinal Data System – Student Data and Governing Board

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0704/494833/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 704

(Third Reading File Bill)

On page 2, in line 17, strike “**DISCIPLINE**” and substitute “**ELEMENTARY AND SECONDARY SCHOOL DISCIPLINARY**”.

On page 3, in line 9, strike “**JUVENILE**” and substitute “**JUVENILE**”.

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 – 114 Negative – 21 (See Roll Call No. 1216)

AMENDED IN THE SENATE

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~~ P. Young, Boteler, Buckel, Rose, Reilly, Patterson, Hornberger, Walker, Washington, Long, Shoemaker, and Ivey

AN ACT concerning

Income Tax – Child and Dependent Care Tax Credit – Alterations

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0810/609738/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 810

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 14, after “**JOINT**” insert “**INCOME TAX**”; and in line 22, after “section” insert “**AND EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION**”.

AMENDMENT NO. 2

On page 3, in line 27, strike “individual filing a separate return” and substitute **“COUPLE FILING A JOINT INCOME TAX RETURN”**.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1217)

AMENDED IN THE SENATE**House Bill 1025 – Delegate Mosby**

AN ACT concerning

Election Law – Coordinated Expenditures and Donations – Investigation

Delegate Kaiser moved that the House concur in the Senate amendments.

HB1025/374935/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1025

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “Rules;” insert **“requiring the State Administrator to make a certain finding in order for a certain subpoena to be issued; requiring that a certain filing be sealed on filing:”**.

AMENDMENT NO. 2

On page 5, after line 16, insert:

“(III) IN ORDER FOR A SUBPOENA TO BE ISSUED UNDER THIS PARAGRAPH, THE STATE ADMINISTRATOR SHALL MAKE A FINDING THAT THE SUBPOENA IS NECESSARY TO AND IN FURTHERANCE OF AN INVESTIGATION BEING CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(IV) ANY FILING SUBMITTED TO A COURT WITH RESPECT TO A SUBPOENA UNDER THIS PARAGRAPH SHALL BE SEALED ON FILING.;

and in line 17, strike “(III)” and substitute “(V)”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 111 Negative – 25 (See Roll Call No. 1218)

AMENDED IN THE SENATE

House Bill 1144 – Delegates Lehman, Pena–Melnik, 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

Delegate Kaiser moved that the House concur in the Senate amendments.

HB1144/654335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1144

(Third Reading File Bill)

On page 2, in line 25, after “CONSTITUTES” insert “AT LEAST”.

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 – 102 Negative – 35 (See Roll Call No. 1219)

CONCURRENCE CALENDAR NO. 10
HOUSE BILLS AMENDED IN THE SENATE

AMENDED IN THE SENATE

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)

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0284/344631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 284
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “in” in line 8 down through “certification” in line 9 and substitute “under certain circumstances”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 15 down through “CERTIFICATION” in line 19 and substitute “FOR THE EXCLUSIVE PURPOSE OF PURSUING OUT-OF-STATE CONTRACTS, IF THE BUSINESS HAS:

(1) 250 OR FEWER EMPLOYEES; OR

(2) AVERAGE ANNUAL GROSS RECEIPTS OF \$10,000,000 OR LESS AVERAGED OVER ITS MOST RECENTLY COMPLETED 3 FISCAL YEARS”.

On page 5, in line 34, strike “June 1, 2020” and substitute “December 31, 2019”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1220)

AMENDED IN THE SENATE

House Bill 364 – Delegates Bagnall, Acevero, Arikan, Bartlett, Cain, Charkoudian, Chisholm, Feldmark, Guyton, Ivey, Johnson, Kerr, Kipke, Lehman, J. Lewis, R. Lewis, Malone, Metzgar, Moon, Palakovich Carr, Pendergrass, Reznik, Rogers, Shetty, Stewart, Terrasa, Wells, ~~and K. Young~~ K. Young, Barron, Bhandari, Carr, Charles, Hill, Kelly, Krebs, Morgan, Pena-Melnyk, Rosenberg, and Sample-Hughes

AN ACT concerning

Health Care Practitioners – Medical Examinations on Anesthetized or Unconscious Patients

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0364/614230/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 364

(Third Reading File Bill)

On page 2, in line 7, strike “THE”.

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 – 138 Negative – 0 (See Roll Call No. 1221)

AMENDED IN 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 Pendergrass moved that the House concur in the Senate amendments.

HB0404/584139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 404
(Third Reading File Bill – Second Printing)

On page 1, in line 4, after “program” insert “or its equivalent”; in line 5, strike “repealing” and substitute “altering”; and in line 7, strike “a certain course” and substitute “certain courses”.

On page 3, in line 12, after “PROGRAM” insert “**OR ITS EQUIVALENT**”; in line 15, strike “OR”; in line 18, strike the bracket; in line 19, strike “by the Accreditation Commission for Acupuncture and Oriental Medicine” and substitute “**OR ACCREDITED UNDER ITEM 1 OR 2 OF THIS ITEM**”; and in the same line, strike the bracket.

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 – 127 Negative – 11 (See Roll Call No. 1222)

AMENDED IN 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**

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0471/244637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 471

(Third Reading File Bill)

On page 17, strike in their entirety lines 15 through 17, inclusive; and in line 18, strike “**(I)**” and substitute “**(H)**”.

On page 18, after line 5, insert:

“(I) “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.”

On page 24, in line 1, after the closing bracket insert “**IN**”.

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 – 138 Negative – 0 (See Roll Call No. 1223)

**CONCURRENCE CALENDAR NO. 11
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN 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**

Delegate Barve moved that the House concur in the Senate amendments.

HB0109/274635/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 109

(Third Reading File Bill)

On page 3, in line 12, strike “OUTSIDE THE STATE”.

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 – 100 Negative – 37 (See Roll Call No. 1224)

**CONCURRENCE CALENDAR NO. 12
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 92 – Delegate Dumais

AN ACT concerning

Public Safety – Handgun Permits – Payment of Fees

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0092/718570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 92

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “may” and substitute “is required to”; in the same line, after “by” insert “electronic check,”; and in the same line, after “card” insert a comma.

AMENDMENT NO. 2

On page 2, in line 14, strike “may” and substitute “SHALL”; strike beginning with the second “a” in line 14 down through “order” in line 15 and substitute “AN ELECTRONIC CHECK”; and in line 15, before “CREDIT” insert “A”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1225)

APPROPRIATIONS COMMITTEE REPORT NO. 20

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 739 – Senators Lee, Carter, Waldstreicher, and West

AN ACT concerning

Child Advocacy Centers – Expansion

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 828 – Senator Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’, Teachers’, and Correctional Officers’ Systems – Active Members –
Death Benefits**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 913 – Senator Beidle

AN ACT concerning

**State Retirement and Pension System – Administration – Retiree Information
for Direct Mailings**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 26

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

Senate Bill 132 – Cecil County Senators

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:

Senate Bill 283 – Senator Kramer**EMERGENCY BILL**

AN ACT concerning

**Sales and Use Tax – Cleaning of Commercial or Industrial Buildings –
Community Property Exemption**

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:

Senate Bill 484 – Senators Ferguson and Miller

AN ACT concerning

Tax Liens – Expiration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 29

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

Senate Bill 137 – Senators Waldstreicher and West

AN ACT concerning

Corporations – Maryland General Corporation Law – Miscellaneous Provisions

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 807 – Senator Patterson

AN ACT concerning

**State Real Estate Commission – Real Estate Brokerage Relationships,
Continuing Education, and Disclosures**

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 891 – Senators Feldman, Benson, Hayes, Hershey, and Klausmeier

AN ACT concerning

Consumer Protection – Resale of Tickets – Disclosures and Refunds

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 955 – Senator Hershey

AN ACT concerning

Kent County Alcoholic Beverages Act of 2019

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 960 – ~~Senator Jennings~~ Senators Jennings, Gallion, and Cassilly

AN ACT concerning

Harford County – Alcoholic Beverages – Seasonal Closing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 24

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

Senate Bill 6 – ~~Senator Eekardt~~ Wicomico County Senators

AN ACT concerning

Wicomico County – Alcoholic Beverages – Basket of Cheer Permit

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 19 – ~~Senator Eekardt~~ Wicomico County Senators

AN ACT concerning

Wicomico County – Alcoholic Beverages – Bed and Breakfast License

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 335 – Senator Carozza

AN ACT concerning

Somerset County – Alcoholic Beverages – Liquor Control Board Reserve Fund

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 337 – Senator Carozza

AN ACT concerning

**Somerset County – Alcoholic Beverages – Board of License Commissioners –
Salaries**

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 338 – Senator Carozza

AN ACT concerning

**Somerset County – Alcoholic Beverages Licenses – Proximity to Places of
Worship, Schools, Public Libraries, or Youth Centers**

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 427 – Senator Hershey

AN ACT concerning

Queen Anne's County – Alcohol Awareness Program

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 428 – Senator Hershey

AN ACT concerning

Queen Anne's County – Alcoholic Beverages – Beauty Salon and Barbershop License

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 920 – Senator Eckardt

AN ACT concerning

Talbot County – Alcoholic Beverages – Election Days

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 943 – Senator Eckardt

AN ACT concerning

Talbot County – Alcoholic Beverages – Substitute Member for Board of License Commissioners

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

APPROPRIATIONS COMMITTEE REPORT NO. 19

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 1409 – Howard County Delegation

AN ACT concerning

Howard County – School Facilities Surcharge – Rates

Ho. Co. 03–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 752 – Senator Lam

AN ACT concerning

Food Supplement Program – Restaurant Meals Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 901 – Senators Hayes, Ferguson, and Lam

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:

Senate Bill 970 – Senator Peters

AN ACT concerning

**Maryland Department of Health – Special Supplemental Nutrition Program for
Women, Infants, and Children – Reports**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0839
SPONSOR: Senator Carter
SUBJECT: Labor and Employment – Criminal Record Screening Practices
(Ban the Box)

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Augustine, Chair
Senator Hayes
Senator Benson

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0839
SPONSOR: Senator Carter
SUBJECT: Labor and Employment – Criminal Record Screening Practices
(Ban the Box)

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Augustine, Chairman
Senator Hayes
Senator Benson.

The House appoints:

Delegate Wilson, Chair
Delegate Crosby
Delegate C. Watson

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 1226)

ADJOURNMENT

At 8:05 P.M. on motion of Delegate Dumais the House adjourned until 11:00 A.M. on Legislative Day March 26, 2019, Calendar Day, Thursday, April 4, 2019.

Annapolis, Maryland
Legislative Day: March 26, 2019
Calendar Day: Thursday, April 4, 2019
11:00 A.M. Session

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

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

Prayer by Delegate Samuel I. Rosenberg of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 1227)

EXCUSED:

Del. Busch – medical

Del. D.E. Davis – left early – business

The Journal of April 3, 2019 was read and approved.

MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 46

Senate Bill 598 – Senator Nathan–Pulliam

AN ACT concerning

Maryland Medical Assistance Program – Coverage – Hepatitis C Drugs

FOR the purpose of requiring the Maryland Medical Assistance Program, subject to a certain limitation, to provide coverage for certain drugs for the treatment of hepatitis C, regardless of the fibrosis score; and generally relating to the Maryland Medical Assistance Program and coverage for hepatitis C drugs.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(1) and (b)(1), (2)(i), and (5)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)(2)(xii) and (xiii)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – Health – General
Section 15–103(a)(2)(xiv)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

Senate Bill 619 – Senator Carter

EMERGENCY BILL

AN ACT concerning

**University of Maryland Medical System Corporation – Board of ~~Directors~~
~~Conflicts of Interest, Prestige of Office, and Financial Disclosure~~
Directors, Ethics, and Performance Audits**

FOR the purpose of ~~prohibiting a member of the Board of Directors of the University of Maryland Medical System Corporation from being employed by or having a financial interest in an entity subject to the authority of the University of Maryland Medical System Corporation; prohibiting a member of the Board from intentionally using the prestige of office for private gain or the gain of another; altering the financial disclosure requirements for certain members of the Board~~ requiring, on or before a certain date, the Board of Directors of the University of Maryland Medical System Corporation to adopt a certain conflict of interest policy; requiring the Board to send a copy of a certain policy to certain persons at certain times; requiring the Board to ensure that the Medical System Corporation continues to be a certain independent corporation; altering the maximum number of members of the Board; requiring certain members of the Board to be appointed by the Governor with the advice and consent of the Senate of Maryland; repealing a provision of law requiring a certain number of voting members of the Board to be members of the General Assembly; authorizing the Governor to appoint certain additional voting members who represent certain hospitals; requiring a certain voting member to be the Governor's designee; adding a certain number of voting members to the Board to be appointed by the President of the Senate and the Speaker of the House; prohibiting a member of the Board from intentionally using the prestige of office for private gain or the gain of another; requiring certain members of the Board annually to submit a certain disclosure statement to the State Health Services Cost Review Commission; requiring certain new members of the Board to submit a certain disclosure within a

certain time period; requiring a certain statement to be available to the public on a certain website through a certain registration program under certain circumstances; requiring the Governor to remove a certain member of the Board if the member files a certain false statement; requiring certain statements to be reviewed for compliance with a certain policy by the Board and the compliance officer of the Medical System Corporation; requiring the State Health Services Cost Review Commission annually to send a summary of certain statements to the Governor, the President, and the Speaker; prohibiting the Board from using sole source procurement to award certain contracts to certain persons; requiring the Governor to remove a certain member of the Board under certain circumstances; prohibiting the Board from providing a certain preference for the award of certain contracts; requiring the Medical System Corporation to employ a certain independent entity with certain expertise to conduct a certain performance audit of the administrative and financial offices of the Medical System Corporation for a certain purpose on or before a certain date; providing that a certain audit does not include certain entities; requiring the Medical System Corporation to submit a certified copy of a certain performance audit to the Governor, the President, and the Speaker on or before a certain date; requiring the Board to conduct a certain internal review and report certain findings and recommendations to the Governor, the President, and the Speaker on or before a certain date; requiring the terms of certain members of the Board to terminate on certain dates; authorizing certain members of the Board to apply for reappointment subject to certain provisions of law as enacted by this Act; requiring certain members appointed to the Board by the Governor to be subject to the advice and consent of the Senate during a certain legislative session; requiring certain members to be considered appointed as of a certain date and subject to certain requirements; making this Act an emergency measure; making certain conforming changes; and generally relating to the ~~Board of Directors of the~~ University of Maryland Medical System Corporation.

BY repealing and reenacting, without amendments,

Article – Education

Section 13–301(a), (c), and (m), 13–303(a), and ~~13–304(a) and (b)~~ 13–304(a) and (d)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY adding to

Article – Education

Section ~~13–304(k)~~ 13–303(m) and (n) and 13–304(k), (l), and (m)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section ~~13–304(k)~~ 13–304(b), (c), and (k)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – General Provisions
Section 5–601(a)
Annotated Code of Maryland
(2014 Volume and 2018 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–601(d)
Annotated Code of Maryland
(2014 Volume and 2018 Supplement)~~

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

Senate Bill 773 – Senator Smith

AN ACT concerning

Health Care Malpractice Qualified Expert – Qualification

FOR the purpose of ~~exempting certain documents relating to a health care professional's income from discovery and admission on the question of whether the health care provider qualifies as an expert in a certain health care malpractice proceeding;~~ altering the percentage of an expert's professional activities that may have been devoted to certain activities that directly involve testimony in personal injury claims in order for the expert to qualify to testify in relation to a certain proceeding; ~~providing that a certain attestation creates a presumption that a health care provider is qualified to testify in a certain proceeding concerning compliance with or departure from standards of care, under certain circumstances; providing that a certain presumption may be rebutted only in a certain manner; prohibiting a court from dismissing a claim or action with prejudice solely because of a certain failure of a party;~~ establishing that a certain health care provider shall be deemed to have met a certain requirement during the pendency of a claim under certain circumstances; authorizing a party to ~~commence a new~~ refile the same claim or action once within a certain time frame if a ~~previous~~ claim or action was dismissed under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to qualified experts in health care malpractice proceedings.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–2A–04(b)(3) and (4)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

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

Senate Bill 803 – Senators Kelley, Benson, Elfreth, Feldman, Hayes, Klausmeier, and Kramer

AN ACT concerning

**Health Facilities – Hospitals – Disclosure of Outpatient Facility Fees
(Facility Fee Right-to-Know Act)**

FOR the purpose of requiring certain hospitals to provide each patient with written notice that includes certain information related to outpatient facility fees that are charged for services provided at the hospital; requiring that certain notices be provided to certain patients in certain manners and at certain times; requiring the Health Education and Advocacy Unit within the Office of the Attorney General and the Health Services Cost Review Commission jointly to develop a certain form and develop a certain process; requiring the Commission to 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; requiring that, to the extent practicable, a certain notice be provided in a certain language or format under certain circumstances; requiring certain hospitals annually to report certain information to the Commission; requiring the Commission to post certain information on its website and to provide certain information to the Maryland Insurance Administration and the Unit; requiring that a certain notice be in plain language and in a certain form; requiring certain patients to acknowledge in writing that a certain notice was provided at a certain time before professional medical services are provided on the date of the appointment; prohibiting a hospital from charging, billing, or attempting to collect a certain fee unless the patient was given certain notice; ~~prohibiting a certain charge from qualifying as uncompensated care or bad debt under certain circumstances;~~ requiring the Unit, in consultation with the 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; requiring the Office of the Attorney General to submit a certain report to certain committees on or before a certain date; defining certain terms; and generally relating to hospitals and the disclosure of outpatient facility fees.

BY adding to

Article – Health – General

Section 19–349.2

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

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

Senate Joint Resolution 5 – Senator Carozza

A Senate Joint Resolution concerning

Welcome Home Korean War Veterans Day

FOR the purpose of designating July 27, 2019, as Welcome Home Korean War Veterans Day.

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

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 26

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

House Bill 1110 – Delegate Parrott

AN ACT concerning

Washington County – Archery Hunting – Safety Zone

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 1427 – Delegate Stein

AN ACT concerning

Sea Level Rise Inundation and Coastal Flooding – Construction, Adaptation, and Mitigation

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:

**Senate Bill 56 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Agriculture)**

AN ACT concerning

Secretary of Agriculture – Regulation of Poultry to Protect Animal Health and Control Avian Influenza

SB0056/530713/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 56

(Third Reading File Bill)

On page 2, in line 25, after “ARTICLE” insert “, AND SUBJECT TO SUBTITLE 10 OF THIS TITLE”.

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 140 – Washington County Senators

AN ACT concerning

Washington County – Archery Hunting – Safety Zone

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:

Senate Bill 417 – Senators Carter, Augustine, Benson, Ferguson, Hayes, Lee, McCray, Nathan–Pulliam, Smith, and Washington

AN ACT concerning

Vehicle Laws – ~~Ethnicity-Based or~~ Race-Based Traffic Stops – Policy and Reporting Requirements

SB0417/760113/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 417

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “altering” and substitute “repealing”; and strike beginning with “requiring” in line 11 down through “agency;” in line 13.

AMENDMENT NO. 2

On page 5, in line 18, strike “, **DISAGGREGATED BY JURISDICTION AND LAW ENFORCEMENT AGENCY,**”.

AMENDMENT NO. 3

On page 6, strike beginning with “It” in line 19 down through “effect.” in line 21.

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:

Senate Bill 592 – Senator Serafini

AN ACT concerning

Washington County – Gross Maximum Vehicle Weight – Warfordsburg Road

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:

Senate Bill 707 – Senator Ready

AN ACT concerning

Motor Vehicles – Temporary In-Transit Registration

SB0707/680710/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 707

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike “only” and substitute “the Administration or”; in line 14, after “the” insert “Administration or”; in the same line, after “prohibiting” insert “the Administration or”; in line 16, strike “any” and substitute “each”; and in the same line, after “vehicle” insert “sales transaction”.

AMENDMENT NO. 2

On page 2, in line 19, strike “**ONLY**” and substitute “**THE ADMINISTRATION OR**”; in line 22, after the second “**THE**” insert “**ADMINISTRATION OR**”; in line 24, strike “**A**” and substitute “**THE ADMINISTRATION OR A**”; in line 25, strike “**ANY**” and substitute “**EACH**”; in the same line, after “**VEHICLE**” insert “**SALES TRANSACTION**”; and in line 29, strike “June” and substitute “July”.

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:

Senate Bill 888 – Senator Eckardt

AN ACT concerning

Dorchester County – Sunday Hunting – Deer Firearms Season

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:

Senate Bill 889 – Senator Eckardt

AN ACT concerning

Dorchester County – Sunday Hunting – Deer Bow Hunting Season

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:

Senate Bill 890 – Senator Eckardt

AN ACT concerning

Dorchester County – Sunday Hunting – Deer Muzzle Loader Season

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:

Senate Bill 935 – Senator Waldstreicher

AN ACT concerning

Vehicle Laws – Electric Bicycles – Equipment and 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:

Senate Bill 1038 – Senator Salling

AN ACT concerning

~~State Highway Administration – Overweight Vehicle Permits~~
Vehicle Laws – Overweight Vehicles – Heavy Weight Port Corridor Permit

SB1038/540913/1

BY: Environment and Transportation Committee

(Third Reading File Bill)

On page 1, strike beginning with “establishing” in line 15 down through “corridor;” in line 16.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 27

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

Senate Bill 51 – Chair, Finance Committee (By Request – Departmental – Planning)

AN ACT concerning

Maryland Heritage Areas Authority – Target Investment Zones – Repeal

SB0051/850818/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 51

(Third Reading File Bill)

On page 1, in line 2, before “Target” insert “Acquisition or Development Grants – Repeal of”; in the same line, strike “– Repeal”; strike beginning with “removing” in line 4 down through “within” in line 5 and substitute “repealing certain provisions under”; in line 5, strike “certain grants” and substitute “acquisition or development grants under certain circumstances”; and in line 6, after “definition;” insert “making stylistic changes;”.

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 79 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – State Ethics Commission)**

AN ACT concerning

Public Ethics – Lobbyist Registration and Reporting – Mandatory Electronic Filing

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:

Senate Bill 93 – Senator Reilly

AN ACT concerning

**Anne Arundel County – Controlled Water Ski Area in Maynadier Creek –
Operation of Vessel – Hours of Operation**

SB0093/460019/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 93

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “term;” insert “requiring the Department of Natural Resources to report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 3, after line 11, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2022, the Department of Natural Resources shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the implementation of this Act.”;

in line 12, strike “3.” and substitute “4.”; and in line 13, after “2019.” insert “It shall remain effective for a period of 4 years and, at the end of May 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 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:

Senate Bill 95 – ~~Senator Simonaire~~ Senators Simonaire and Bailey

AN ACT concerning

**Natural Resources – Recreational License Donation Program and Fund –
~~Program Extension and Monetary Donations via Electronic Licensing~~ Revisions**

SB0095/360111/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 95

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Revisions” and substitute “Program Extension and Fund Name Change”; in line 5, strike “Heroes”; strike beginning with “requiring” in line 5 down through “term;” in line 15; in line 18, strike “Heroes”; and in line 22, strike “1–403 and”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 7 on page 2 through line 24 on page 4, inclusive.

On page 4, in line 26, strike “**(1)**”; and in the same line, strike the brackets.

On pages 4 and 5, strike beginning with the first “**THE**” in line 26 on page 4 down through “**(3)**” in line 1 on page 5.

On page 5, in lines 10 and 14, in each instance, strike the bracket; and in line 14, strike “AN ELIGIBLE SPONSOR ORGANIZATION”.

On pages 5 and 6, strike beginning with “**(1)**” in line 27 on page 5 down through “**(H)**” in line 1 on page 6.

On page 6, in line 2, strike the brackets; in lines 2 and 3, strike “: **(1) DONORS**”; strike beginning with the semicolon in line 4 down through “ORGANIZATIONS” in line 6; in line 7, strike “**(I)**” and substitute “(h)”; in lines 8 and 9, in each instance, strike “**HEROES**”; strike beginning with “**DONATIONS**” in line 23 down through “**(III)**” in line 25; in line 26, strike the brackets; in the same line, strike “**(IV)**”; and in lines 28 and 29, strike “: **(I) DONATED**” and substitute “donated”.

On pages 6 and 7, strike beginning with “; **AND**” in line 31 on page 6 down through “SECTION” in line 2 on page 7.

On page 7, in line 10, strike “AND GRANTS TO ELIGIBLE SPONSOR ORGANIZATIONS”; and in lines 12 and 13, strike “PROVIDING RECREATIONAL HUNTING AND FISHING OPPORTUNITIES FOR” and substitute “recreational licenses or stamps for use by”.

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:

Senate Bill 269 – Senators Hester, Guzzone, Carter, Hough, Kagan, Lam, Peters, West, and Zucker

AN ACT concerning

Comprehensive Flood Management Grant Program – Awards for Flood Damage and ~~Mandatory~~ Funding

SB0269/840518/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 269

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “and” insert “Mandatory”; and in line 13, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 3, in line 6, strike “**DEBRIS REMOVAL**” and substitute “**WATERSHED RESTORATION**”.

On page 5, after line 3, 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 GRANT 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 GRANT PROGRAM.”;

in lines 4 and 14, strike “(II)” and “(III)”, respectively, and substitute “(III)” and “(IV)”, respectively; in line 7, strike “**DEBRIS REMOVAL**” and substitute “**WATERSHED RESTORATION**”; in lines 9 and 10, strike “**DEBRIS REMOVAL**” and substitute “**WATERSHED MANAGEMENT**”; in line 28, strike “**FOR EACH FISCAL YEAR**” and substitute “**FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER**”; in the same line, strike “**MAY**” and substitute “**SHALL**”; and in line 29, after “**APPROPRIATION**” insert “**OF AT LEAST \$5,000,000**”.

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:

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

SB0285/980511/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 285

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Prohibition” and substitute “Prohibitions”; in line 8, after the first “food” insert “or beverages”; and in line 12, after “manner;” insert “requiring the Department to conduct a public education and outreach antilittering campaign;”.

AMENDMENT NO. 2

On page 2, in line 20, strike “USED” and substitute “:

(I) USED;

in line 21, 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 26, strike “**MEAT AND VEGETABLE TRAYS**” and substitute “**TRAYS**”; and in line 27, strike “**EGG CARTONS**” and substitute “**CARTONS FOR EGGS OR OTHER FOOD**”.

On page 3, strike in their entirety lines 1 through 4, inclusive; in line 5, strike “**(II)**” and substitute “**(I)**”; in line 6, strike “**OUTSIDE THE STATE**”; in line 7, strike “**THE**” and substitute “**A**”; in line 8, strike “**MATERIALS**” and substitute “**A PRODUCT MADE OF EXPANDED POLYSTYRENE THAT IS**”; in lines 9 and 10, strike “**FOR OFF-PREMISES CONSUMPTION**”; in lines 8 and 11, strike “**(III)**” and “**(IV)**”, respectively, and substitute “**(II)**” and “**(III)**”, respectively; in line 12, after the second “**BUSINESS**” insert “**IN THE STATE**”; in line 13, after “**FOOD**” insert “**OR BEVERAGES**”; in the same line, strike “**IN THE STATE**”; in line 14, 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 14 down through “**STATE**” in line 26.

AMENDMENT NO. 3

On page 4, in line 17, after the first “**FOOD**” insert “**OR BEVERAGES**”; and in line 20, strike “**STORAGE**” and substitute “**SERVICE**”.

On page 5, after line 5, insert:

“(C) THE DEPARTMENT SHALL CONDUCT A PUBLIC EDUCATION AND OUTREACH ANTILITTERING CAMPAIGN.”

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:

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

SB0390/310215/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 390

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 30, strike “ST. MARY’S COUNTY,”.

AMENDMENT NO. 2

On page 5, after line 11, insert:

“(12) (I) THIS PARAGRAPH APPLIES ONLY IN ST. MARY’S COUNTY.

(II) THE DEPARTMENT MAY ALLOW A PERSON TO HUNT ANY GAME BIRD OR GAME MAMMAL, EXCEPT MIGRATORY GAME BIRDS, ON A SUNDAY DURING THE OPEN SEASON FOR THAT GAME BIRD OR GAME MAMMAL ON:

1. EXCEPT IN STATE PARKS, PUBLIC LAND DESIGNATED BY THE DEPARTMENT; OR

2. PRIVATE PROPERTY, SUBJECT TO § 10-411 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 Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

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

SB0741/240910/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 741

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Hester” and substitute “Senators Hester, Ready, Salling, and Young”.

AMENDMENT NO. 2

On page 4, in line 25, strike “October 31” and substitute “December 15”.

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. 23

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 962 – Delegates Wilkins, Hill, Johnson, and Queen

AN ACT concerning

Maryland Medical Assistance Program – Coverage – Hepatitis C Drugs**HB0962/396081/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 962

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “C” insert “, regardless of the fibrosis score”.

AMENDMENT NO. 2

On page 2, in line 11, strike “ANY”; in the same line, strike “DRUG” and substitute “DRUGS”; in the same line, strike “IS” and substitute “ARE”; in line 13, strike “IS” and substitute “ARE”; in the same line, after “C” insert “, REGARDLESS OF THE FIBROSIS SCORE,”; in the same line, after “BE” insert “MEDICALLY”; and strike beginning with “BY” in line 13 down through “RECIPIENT” 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 290 – ~~Senator Smith~~ Senators Smith, Hough, and Guzzone

AN ACT concerning

Public Health – Cottage Food Products – Definition and Sale

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 301 – ~~Senators Benson, Carter, Feldman, King, Klausmeier, Lam, Lee, Nathan-Pulliam, Smith, Washington, and Young~~ Young, and Hayes

AN ACT concerning

Hospitals – Patient’s Bill of Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 524 – Senator Eckardt

AN ACT concerning

Maryland Medical Assistance Program – Telemedicine – Psychiatric Nurse Practitioners and Psychiatrists

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 543 – Senator Lam

AN ACT concerning

Health – Vital Records – Health Information Exchange Data Access and Security Protocols and Protections

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 600 – ~~Senator Nathan Pulliam~~ Senators Nathan Pulliam, Ellis, Feldman, Patterson, Smith, and Young

AN ACT concerning

**Health – Sickle Cell Disease – Steering Committee, and Services, Testing, and Funding
(Sickle Cell Treatment Act of 2019)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 30

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

House Bill 1343 – Delegates Atterbeary and Rosenberg

AN ACT concerning

Public Safety – Handgun Permit Review Board – Repeal

HB1343/282712/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1343

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 11, after “Hearings;” insert “requiring the Office of Administrative Hearings to make a certain annual report to the Governor and the General Assembly;”; and in the same line, after “changes;” insert “requiring the Department of Public Safety and Correctional Services, within a certain period of time, to provide certain notice to certain individuals; authorizing certain individuals to file a certain request for a hearing before the Office of Administrative Hearings under certain circumstances; requiring the Office of Administrative Hearings to schedule a certain hearing within a certain period of time under certain circumstances; making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 3, in lines 23 and 28, in each instance, after “**SECRETARY**” insert “AND THE OFFICE OF ADMINISTRATIVE HEARINGS”.

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 10 on page 4, inclusive.

On page 4, in line 11, strike “(2)” and substitute “**(B)** **(1)**”; in the same line, after “request” insert “**UNDER SUBSECTION (A) OF THIS SECTION**”; in the same line, strike the comma and substitute “**OR**”; in line 12, strike “or the Secretary,”; in line 13, strike “appeal” and substitute “**MATTER**”; in lines 15 and 17, strike “(3)” and “(4)”, respectively, and substitute “**(2)**” and “**(3)**”, respectively; in line 18, strike the bracket; in line 19, strike “**(B)**” and substitute “**(C)**”; in the same line, strike “**ANY**” and substitute “**SUBJECT TO SUBSECTION (B) OF THIS SECTION, ANY**”; in line 25, strike “[g)” and substitute “**(D)**”; in the same line, strike “December 1 each year” and substitute “**JANUARY 1, 2019, 2020, 2021, AND 2022**”; and in lines 25, 28, and 30, in each instance, strike “Board” and substitute “**OFFICE OF ADMINISTRATIVE HEARINGS**”.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 1 and 2; and in lines 3 and 4, strike “this Act shall take effect October 1, 2019” and substitute “:

(a) (1) Subject to paragraph (2) of this subsection, within 30 days after this Act takes effect, the Department of Public Safety and Correctional Services shall provide written notice to each individual whose request to review a decision of the Secretary of State Police under § 5–312 of the Public Safety Article remains pending before the Handgun Permit Review Board on the taking effect of this Act.

(2) The notice required under paragraph (1) of this subsection shall inform the individual that the individual, within 30 days of receipt of the notice, may file an amended request that the matter pending before the Handgun Permit Review Board be heard by the Office of Administrative Hearings in accordance with § 5–312(b) of the Public Safety Article, as enacted by Section 1 of this Act.

(b) Within 30 days after receiving the notice described under subsection (a) of this section, the individual may file an amended request that the matter be heard by the Office of Administrative Hearings in accordance with § 5–312(b) of the Public Safety Article, as enacted by Section 1 of this Act.

(c) Notwithstanding § 5–312(b)(1) of the Public Safety Article, as enacted by Section 1 of this Act, within 45 days after the receipt of an amended request under this section, the Office of Administrative Hearings shall schedule and conduct a de novo hearing

on the matter, at which witness testimony and other evidence may be provided.

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 ye 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 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:

Senate Bill 1000 – Senators Beidle, Augustine, Carter, Elfreth, Ellis, Feldman, Ferguson, Guzzone, Hayes, Kagan, Lam, Lee, Miller, Peters, Rosapepe, Smith, Washington, Young, and Zucker

EMERGENCY BILL

AN ACT concerning

Public Safety – Handgun Permit Review Board – Repeal

Favorable report adopted.

FLOOR AMENDMENT

SB1000/773928/1

BY: Delegate Mautz

AMENDMENTS TO SENATE BILL 1000

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “Hearings;” insert “providing that the Secretary shall bear a certain burden of proof in a certain hearing;”.

AMENDMENT NO. 2

On page 4, after line 27, insert:

“(2) AT A HEARING UNDER THIS SECTION, THE SECRETARY SHALL BEAR THE BURDEN OF PROOF TO DEMONSTRATE THAT THE DENIAL OF THE PERMIT OR A LIMITATION IMPOSED UNDER § 5-307(B) OF THIS SUBTITLE IS JUSTIFIED BY CLEAR AND CONVINCING EVIDENCE.”;

and in lines 28 and 30, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

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

Affirmative – 48 Negative – 92 (See Roll Call No. 1228)

FLOOR AMENDMENT

SB1000/633326/1

BY: Delegate Shoemaker

AMENDMENTS TO SENATE BILL 1000
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “repealing a requirement that a person have good and substantial reason to wear, carry, or transport a handgun to obtain a certain handgun permit;”.

On page 2, in line 1, after “5-301” insert “, 5-306(a).”.

AMENDMENT NO. 2

On page 3, after line 13, insert:

“5-306.

(a) Subject to subsection (c) of this section, the Secretary shall issue a permit within a reasonable time to a person who the Secretary finds:

(1) is an adult;

(2) (i) has not been convicted of a felony or of a misdemeanor for which a sentence of imprisonment for more than 1 year has been imposed; or

(ii) if convicted of a crime described in item (i) of this item, has been pardoned or has been granted relief under 18 U.S.C. § 925(c);

(3) has not been convicted of a crime involving the possession, use, or distribution of a controlled dangerous substance;

(4) is not presently an alcoholic, addict, or habitual user of a controlled dangerous substance unless the habitual use of the controlled dangerous substance is under legitimate medical direction;

(5) except as provided in subsection (b) of this section, has successfully completed prior to application and each renewal, a firearms training course approved by the Secretary that includes:

(i) 1. for an initial application, a minimum of 16 hours of instruction by a qualified handgun instructor; or

2. for a renewal application, 8 hours of instruction by a qualified handgun instructor;

(ii) classroom instruction on:

1. State firearm law;

2. home firearm safety; and

3. handgun mechanisms and operation; and

(iii) a firearms qualification component that demonstrates the applicant's proficiency and use of the firearm; and

(6) based on an investigation[;

(i) has not exhibited a propensity for violence or instability that may reasonably render the person's possession of a handgun a danger to the person or to another[; and

(ii) has good and substantial reason to wear, carry, or transport a handgun, such as a finding that the permit is necessary as a reasonable precaution against apprehended danger].”

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

Affirmative – 45 Negative – 95 (See Roll Call No. 1229)

Read the second time and ordered prepared for Third Reading.

RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 18

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 1339 – Delegates Guyton, Bhandari, Buckel, Cox, Hornberger, Metzgar, and Smith

AN ACT concerning

Property Tax Credit – Elderly Individuals – Eligibility

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 Health and Government Operations:

Senate Bill 426 – Senator West

AN ACT concerning

~~Natalie M. LaPrade Medical Cannabis Commission – Licensed Dispensaries~~ **Medical Cannabis – Regulation of Dispensaries, Growers, and Processors**

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 Ways and Means:

Senate Bill 529 – Senators Zucker, Guzzone, King, Lee, McCray, Nathan-Pulliam, Pinsky, Smith, and Young

AN ACT concerning

State Board of Education – Membership – ~~Teachers~~ Teacher and Parent Members

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:

Senate Bill 711 – Senator Beidle

AN ACT concerning

University System of Maryland – Regular Employees – Grievance Procedures and Disciplinary Actions

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:

Senate Bill 755 – Senator Peters

AN ACT concerning

Interagency Agreements – Historically Black Colleges and Universities – ~~Goals~~ Reporting Requirements

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:

Senate Bill 904 – Senators Kelley and Elfreth

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

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:

Senate Bill 916 – Senator Lam

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 Environment and Transportation:

Senate Bill 939 – Senator Klausmeier

AN ACT concerning

Natural Resources – Shellfish Nursery Operations – Wetlands License Requirements

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 958 – Senator Jennings

AN ACT concerning

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

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:

Senate Bill 1032 – Senator Nathan-Pulliam

AN ACT concerning

Morgan State University – Task Force on Reconciliation and Equity – Extension

The Bill was re-referred to the Committee on Appropriations.

AMENDED IN THE SENATE

House Bill 122 – Delegates Dumais, ~~Arikan~~, Atterbeary, Barron, Bartlett, Crutchfield, W. Fisher, ~~Cramer~~, Hettleman, Lopez, Malone, ~~McComas~~, Moon, Shetty, and Sydnor

AN ACT concerning

Protective Orders – Relief Eligibility – Rape and Sexual Offenses

Delegate Clippinger moved that the House not concur in the Senate amendments.

HB0122/388470/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 122

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Protective” and substitute “Peace”; in the same line, after “Eligibility” insert “and Duration”; and strike beginning with “removing” in line 3 down through “protective orders” in line 9 and substitute “authorizing a commissioner under certain circumstances to issue an interim peace order to protect a petitioner seeking relief if the underlying act for the petition is rape or a certain sexual offense; authorizing a judge under certain circumstances to issue a temporary peace order or a final peace order to protect a petitioner seeking relief if the underlying act for the petition is rape or a certain sexual offense; increasing the maximum length of effectiveness of a final peace order if the underlying act is rape or a certain sexual offense; and generally relating to peace orders and rape and sexual offenses”.

On pages 1 and 2, strike in their entirety the lines beginning with line 10 on page 1 through line 4 on page 2, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–1503.1(b), 3–1504(a), and 3–1505(c) and (f)

Annotated Code of Maryland

(2013 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 10 on page 3 through line 3 on page 5, inclusive, and substitute:

“Article – Courts and Judicial Proceedings3–1503.1.

(b) **(1) [If] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF** a petition is filed with a commissioner and the commissioner finds that there are reasonable grounds to believe that the respondent has committed, and is likely to commit in the future, an act specified in § 3–1503(a) of this subtitle against the petitioner, the commissioner may issue an interim peace order to protect the petitioner.

(2) IF A PETITION IS FILED WITH A COMMISSIONER AND THE COMMISSIONER FINDS THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE RESPONDENT HAS COMMITTED RAPE OR A SEXUAL OFFENSE UNDER § 3–303, § 3–304, § 3–307, OR § 3–308 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTED RAPE OR SEXUAL OFFENSE IN ANY DEGREE AGAINST THE PETITIONER, THE COMMISSIONER MAY ISSUE AN INTERIM PEACE ORDER TO PROTECT THE PETITIONER.

3–1504.

(a) **(1) (I) [If] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF** after a hearing on a petition, whether ex parte or otherwise, a judge finds that there are reasonable grounds to believe that the respondent has committed, and is likely to commit in the future, an act specified in § 3–1503(a) of this subtitle against the petitioner, the judge may issue a temporary peace order to protect the petitioner.

(II) IF A PETITION IS FILED WITH A JUDGE AND THE JUDGE FINDS THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE RESPONDENT HAS COMMITTED RAPE OR A SEXUAL OFFENSE UNDER § 3–303, § 3–304, § 3–307, OR § 3–308 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTED RAPE OR SEXUAL OFFENSE IN ANY DEGREE AGAINST THE PETITIONER, THE JUDGE MAY ISSUE A TEMPORARY PEACE ORDER TO PROTECT THE PETITIONER.

(2) The temporary peace order may include any or all of the following relief:

(i) Order the respondent to refrain from committing or threatening to commit an act specified in § 3–1503(a) of this subtitle against the petitioner;

(ii) Order the respondent to refrain from contacting, attempting to contact, or harassing the petitioner;

(iii) Order the respondent to refrain from entering the residence of the petitioner; and

(iv) Order the respondent to remain away from the place of employment, school, or temporary residence of the petitioner.

(3) If the judge issues an order under this section, the order shall contain only the relief that is minimally necessary to protect the petitioner.

3–1505.

(c) (1) If the respondent appears for the final peace order hearing, has been served with an interim peace order or a temporary peace order, or the court otherwise has personal jurisdiction over the respondent, the judge:

(i) May proceed with the final peace order hearing; and

(ii) **1. [If] SUBJECT TO ITEM 2 OF THIS ITEM, IF the judge finds by a preponderance of the evidence that the respondent has committed, and is likely to commit in the future, an act specified in § 3–1503(a) of this subtitle against the petitioner, or if the respondent consents to the entry of a peace order, the court may issue a final peace order to protect the petitioner[.]; AND**

2. IF A PETITION IS FILED WITH A JUDGE AND THE JUDGE FINDS THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE RESPONDENT HAS COMMITTED RAPE OR A SEXUAL OFFENSE UNDER § 3–303, § 3–304, § 3–307, OR § 3–308 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTED RAPE OR SEXUAL OFFENSE IN ANY DEGREE AGAINST THE PETITIONER, MAY ISSUE A FINAL PEACE ORDER TO PROTECT THE PETITIONER.

(2) A final peace order may be issued only to an individual who has filed a petition under § 3–1503 of this subtitle.

(3) In cases where both parties file a petition under § 3–1503 of this subtitle, the judge may issue mutual peace orders if the judge finds by a preponderance of the evidence that each party has committed, and is likely to commit in the future, an act specified in § 3–1503(a) of this subtitle against the other party.

(f) (1) [All] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ALL relief granted in a final peace order shall be effective for the period stated in the order, not to exceed 6 months.

(2) IF THE UNDERLYING ACT FOR A FINAL PEACE ORDER IS RAPE OR A SEXUAL OFFENSE UNDER § 3–303, § 3–304, § 3–307, OR § 3–308 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTED RAPE OR SEXUAL OFFENSE IN ANY DEGREE, RELIEF GRANTED IN A FINAL PEACE ORDER SHALL BE EFFECTIVE FOR THE PERIOD STATED IN THE ORDER, NOT TO EXCEED 1 YEAR.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0122**
 SPONSOR: Delegate Dumais, et al
 SUBJECT: Protective Orders – Relief Eligibility – Rape and Sexual Offenses

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 J. Lewis, Chair
 Delegate Shetty
 Delegate Lopez

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

**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

Delegate Clippinger moved that the House not concur in the Senate amendments.

HB0787/858274/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 787

(Third Reading File Bill)

On page 2, in line 14, strike “\$10,000” and substitute “\$1,000”; and in line 15, strike “3 YEARS” and substitute “6 MONTHS”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0787**
SPONSOR: Delegate Atterbeary, et al
SUBJECT: Crimes – Child Abuse and Neglect – Failure to Report

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 Moon, Chair
Delegate W. Fisher
Delegate Grammer

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

SPECIAL ORDER CALENDAR NO. 47

House Bill 1282 – Delegate Healey

AN ACT concerning

Board of Public Works – Land Acquisition – Requirements

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

FLOOR AMENDMENT

HB1282/443624/1

BY: Delegate Clark

AMENDMENT TO HOUSE BILL 1282, AS AMENDED

On page 2 of the Health and Government Operations Committee Amendments (HB1282/616184/2), in line 6 of Amendment No. 2, strike “OR”; and in line 9, after “ARTICLE” insert “; OR

(VII) FEDERALLY OWNED MILITARY PROPERTY”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 51

Senate Bill 103 – Senators Zirkin, Hough, ~~and Smith~~ Smith, Carter, Cassilly, Hester, Lee, Ready, Waldstreicher, Washington, West, and Elfreth

AN ACT concerning

**Criminal Law – Electronic Harassment and Bullying
(Grace’s Law 2.0)**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1230)

The Bill was then returned to the Senate.

WAYS AND MEANS COMMITTEE REPORT NO. 28

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

Senate Bill 1030 – The President (By Request – Commission on Innovation and Excellence in Education) and Senators King, Pinsky, Ferguson, ~~and Young~~ Young, Peters, Zucker, Elfreth, McCray, and Guzzone ~~Guzzone~~, Feldman, Hayes, Kelley, Lam, Patterson, Lee, Hester, Ellis, Waldstreicher, and Zirkin

AN ACT concerning

The Education Blueprint for Maryland’s Future

SB1030/205662/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 1030

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Education”.

On page 2, strike beginning with “authorizing” in line 2 down through “entities” in line 3 and substitute “requiring the Department in consultation with the Maryland Department of Health and the Department of Human Services to develop certain guidelines on trauma-informed interventions that will assist schools with becoming a trauma-informed school; requiring the Department to distribute and publish guidelines on trauma-informed interventions on a certain website”.

On page 3, in line 33, after “years;” insert “providing that a certain portion of a certain appropriation is contingent on certain amounts being equal to a certain sum;”; in line 38, after “Education;” insert “requiring the Department and the Maryland Department of Health to consult with the Council on Advancement of School-Based Health Centers and certain stakeholders to develop a certain plan and report certain findings and recommendations to the Governor and the General Assembly on or before a certain date;”; and in line 45, after “Acts” insert “and the transfer or release of certain funds by the Governor”.

AMENDMENT NO. 2

On page 7, in line 29, strike “PROVIDE” and substitute “:

A. PROVIDE;

in line 31, after “STUDENT” insert “;AND

B. DETERMINE ELIGIBILITY THROUGH OTHER FACTORS INCLUDING ASSESSMENTS, ACADEMIC PERFORMANCE REVIEWS, AND GUIDANCE COUNSELOR RECOMMENDATIONS;

in lines 32 and 33, strike “SUBJECT TO ITEM (III) OF THIS ITEM, CAREER” and substitute “CAREER”; and in line 33, after “PROGRAMS” insert “, INCLUDING EXPANDED OPPORTUNITIES FOR SCIENCE-BASED, CERTIFIED AGRICULTURE EDUCATION,”.

On page 8, strike beginning with “(III)” in line 5 down through the semicolon in line 7; and in line 8, strike “(IV)” and substitute “(III)”.

On page 11, in line 32, after “(4)” insert “(I)”.

On page 12, in lines 1, 3, 5, and 6, strike “(I)”, “(II)”, “1.”, and “2.”, respectively, and substitute “1.”, “2.”, “A.”, and “B.”, respectively; after line 6, insert:

“(II) “ELIGIBLE SCHOOL” DOES NOT INCLUDE A SCHOOL THAT IS ELIGIBLE TO RECEIVE FUNDING UNDER THIS SECTION BUT HAS CLOSED.”;

after line 8, insert:

“(6) “RESTORATIVE PRACTICE COACH” MEANS AN INDIVIDUAL WHO HAS SUCCESSFULLY PARTICIPATED IN TRAINING ON DIRECT SERVICES MEDIATION, CONFLICT MANAGEMENT, AND COMMUNITY CONFERENCING FOR STUDENTS AND FAMILIES.

(7) “TRAUMA-INFORMED INTERVENTION” MEANS A METHOD FOR UNDERSTANDING AND RESPONDING TO AN INDIVIDUAL WITH SYMPTOMS OF CHRONIC INTERPERSONAL TRAUMA OR TRAUMATIC STRESS.

(8) “TRAUMA-INFORMED SCHOOL” MEANS A SCHOOL THAT:

(I) ACKNOWLEDGES THE WIDESPREAD IMPACT OF TRAUMA AND UNDERSTANDS THE POTENTIAL PATHS FOR RECOVERY;

(II) RECOGNIZES THE SIGNS AND SYMPTOMS OF TRAUMA IN STUDENTS, TEACHERS, AND STAFF;

(III) INTEGRATES INFORMATION ABOUT TRAUMA INTO POLICIES, PROCEDURES, AND PRACTICES; AND

(IV) ACTIVELY RESISTS RETRAUMATIZING A STUDENT, TEACHER, OR STAFF MEMBER WHO HAS EXPERIENCED TRAUMA.”;

in line 9, strike “(6)” and substitute “(9)”; in line 16, after “WORKERS,” insert “MENTORS,”; and in line 19, after “PROVIDING” insert “HEALTHY”.

On page 14, in line 9, after the second comma insert “OR”; and in lines 10 and 11, strike “, OR A COMMUNITY-PARTNERED SCHOOL BEHAVIORAL HEALTH SERVICES PROGRAM”.

On page 15, after line 23, insert:

“(G) (1) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND DEPARTMENT OF HEALTH AND THE DEPARTMENT OF HUMAN SERVICES, SHALL DEVELOP GUIDELINES ON TRAUMA–INFORMED INTERVENTIONS THAT WILL ASSIST SCHOOLS WITH:

(I) IMPLEMENTING A COMPREHENSIVE TRAUMA–INFORMED POLICY AT THE SCHOOL;

(II) THE IDENTIFICATION OF A STUDENT, TEACHER, OR STAFF MEMBER WHO HAS EXPERIENCED TRAUMA;

(III) THE APPROPRIATE MANNER FOR RESPONDING TO A STUDENT, TEACHER, OR STAFF MEMBER WHO HAS EXPERIENCED TRAUMA;

(IV) FOR SCHOOLS PARTICIPATING IN THE HANDLE WITH CARE PROGRAM, THE APPROPRIATE MANNER FOR RESPONDING TO A STUDENT WHO IS IDENTIFIED AS A “HANDLE WITH CARE” STUDENT; AND

(V) BECOMING A TRAUMA–INFORMED SCHOOL.

(2) THE DEPARTMENT SHALL:

(I) DISTRIBUTE THE GUIDELINES DEVELOPED UNDER THIS SUBSECTION TO EACH LOCAL SCHOOL SYSTEM; AND

(II) PUBLISH THE GUIDELINES ON TRAUMA–INFORMED INTERVENTIONS ON THE DEPARTMENT’S WEBSITE.”.

On page 21, in line 12, after “IN” insert **“ONE OR MORE OF THE FOLLOWING”**; in line 14, strike **“PRACTICE”** and substitute **“BEST PRACTICES IN TEACHING DIVERSE STUDENTS AND COMMUNICATING WITH DIVERSE STUDENT FAMILIES, INCLUDING INDIVIDUALS OF ALL RACES, RELIGIONS, SEXUAL ORIENTATIONS, AND GENDER IDENTITIES”**; in line 15, strike **“USE OF RESEARCH AND DATA”** and substitute **“EFFECTIVE USE OF RESEARCH, DATA, AND HIGH–QUALITY INSTRUCTIONAL MATERIALS, INCLUDING DIGITAL RESOURCES AND TECHNOLOGY,”**; strike in their

entirety lines 17 through 20, inclusive; in line 21, strike “(IV)” and substitute “(III)”; in the same line, after “BEHAVIOR” insert “, INCLUDING TRAINING IN THE USE OF RESTORATIVE PRACTICES AND TRAUMA-INFORMED APPROACHES TO MEET STUDENT NEEDS”; in line 22, strike “(V)” and substitute “(IV)”; and in line 24, strike the semicolon and substitute “, INCLUDING EFFECTIVE TOOLS AND STRATEGIES TO MEET THE NEEDS OF STUDENTS WITH DISABILITIES AND IMPLEMENT INDIVIDUALIZED EDUCATION PROGRAMS AND 504 PLANS; AND

(V) RECOGNITION OF STUDENT MENTAL HEALTH DISORDERS.”.

On pages 21 and 22, strike in their entirety the lines beginning with line 25 on page 21 through line 3 on page 22, inclusive.

AMENDMENT NO. 3

On page 24, after line 15, insert:

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

Article – Education”.

On page 26, in line 6, strike “**THE**” and substitute “**(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**”; in lines 9, 10, 11, 12, and 13, strike “**(1)**”, “**(2)**”, “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, and “**(V)**”, respectively; and after line 13, insert:

“(2) IF THE INSPECTOR GENERAL IS PROFESSIONALLY QUALIFIED IN THE AREA OF EDUCATION POLICY, THE INSPECTOR GENERAL ALSO SHALL BE PROFESSIONALLY QUALIFIED THROUGH EXPERIENCE OR EDUCATION IN AT LEAST ONE OF THE OTHER AREAS LISTED IN PARAGRAPH (1) OF THIS SUBSECTION.”.

On page 28, in line 27, after the second comma insert “**NONPUBLIC SCHOOL,**”.

On page 30, after line 11, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On pages 32 through 34, strike in their entirety the lines beginning with line 17 on page 32 through line 25 on page 34, inclusive.

On page 42, in line 23, strike “and promising” and substitute “evidence-based”.

On page 43, in line 27, in each instance, strike “spent” and substitute “allocated”; in line 35, strike “\$57,000,000” and substitute “\$58,000,000”; in line 36, strike “\$298,000,000” and substitute “\$297,000,000”; in line 38, after “(b)” insert “(1)”; in the same line, strike the first “The” and substitute “Subject to paragraph (2) of this subsection, the”; and in the same line, strike “\$370,000,000” and substitute “\$500,000,000”.

On pages 43 and 44, strike beginning with “In” in line 39 on page 43 down through the period in line 4 on page 44 and substitute:

“(2) Of the \$500,000,000 to be appropriated to The Blueprint for Maryland’s Future Fund under paragraph (1) of this subsection, \$130,000,000 of the required funding is contingent on the sum equaling at least \$130,000,000 of:

(i) the Board of Revenue Estimates’ December 2020 estimate of fiscal year 2022 revenues resulting from legislation enacted at the 2019 and 2020 legislative sessions of the General Assembly; and

(ii) the amount of available special fund revenue dedicated to implementing the recommendations of the Commission on Innovation and Excellence in Education that results from legislation enacted at the 2019 and 2020 legislative sessions of the General Assembly.”.

On page 44, after line 23, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

5-403.

(A) A LOCAL SCHOOL SYSTEM SHALL BE SUBJECT TO A PERFORMANCE EVALUATION CONDUCTED BY THE OFFICE OF PROGRAM EVALUATION AND

GOVERNMENT ACCOUNTABILITY IN ACCORDANCE WITH § 2-1234 OF THE STATE GOVERNMENT ARTICLE, INCLUDING:

(1) AN EVALUATION OF WHETHER OR NOT THE SCHOOL SYSTEM IS COMPLYING WITH FEDERAL AND STATE LAWS AND REGULATIONS;

(2) AN ANALYSIS OF GRADING STANDARDS, GRADUATION REQUIREMENTS, ASSESSMENTS, PROCUREMENT, AND EQUITABLE USE OF RESOURCES AMONG THE SCHOOLS WITHIN THE SYSTEM EVALUATED; AND

(3) AN EVALUATION OF INSTANCES OF FRAUD, WASTE, AND ABUSE.

(B) A PERFORMANCE EVALUATION CONDUCTED UNDER SUBSECTION (A) OF THIS SECTION MAY BE PERFORMED CONCURRENTLY WITH OR SEPARATELY FROM AN AUDIT CONDUCTED BY THE OFFICE OF LEGISLATIVE AUDITS IN ACCORDANCE WITH § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

SECTION 17. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

5-219.

(a) In this section, “Fund” means The Blueprint for Maryland’s Future Fund.

(b) There is The Blueprint for Maryland’s Future Fund.

(c) The purpose of the Fund is to assist in providing adequate funding for early childhood education and primary and secondary education to provide a world-class education to students so they are prepared for college and a career in the global economy of the 21st century, based on the recommendations of the Commission on Innovation and Excellence in Education.

(d) The Department 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) Revenue distributed to the Fund under [§ 2-605.1] §§ 2-605.1 AND 2-1303 of the Tax – General Article;

(2) Money appropriated in the State budget for 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 to assist in providing adequate funding for early childhood education and primary and secondary education based on the recommendations of the Commission on Innovation and Excellence in Education, including revised education funding formulas.

(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) Expenditures from the Fund may be made only in accordance with the State budget.

Article – Tax – General

2-1303.

(A) After making the distributions required under §§ 2-1301 through 2-1302.1 of this subtitle, the Comptroller shall pay:

(1) revenues from the hotel surcharge into the Dorchester County Economic Development Fund established under § 10-130 of the Economic Development Article; [and]

(2) SUBJECT TO SUBSECTION (B) OF THIS SECTION, TO THE BLUEPRINT FOR MARYLAND’S FUTURE FUND ESTABLISHED UNDER § 5–219 OF THE EDUCATION ARTICLE, REVENUES COLLECTED AND REMITTED BY:

(I) A MARKETPLACE FACILITATOR; OR

(II) A PERSON THAT ENGAGES IN THE BUSINESS OF AN OUT-OF-STATE VENDOR AND THAT IS REQUIRED TO COLLECT AND REMIT SALES AND USE TAX AS SPECIFIED IN COMAR 03.06.01.33B(5); AND

(3) the remaining sales and use tax revenue into the General Fund of the State.

(B) FOR EACH FISCAL YEAR, THE COMPTROLLER SHALL PAY INTO THE GENERAL FUND OF THE STATE THE FIRST \$100,000,000 OF REVENUES COLLECTED AND REMITTED BY:

(1) A MARKETPLACE FACILITATOR; OR

(2) A PERSON THAT ENGAGES IN THE BUSINESS OF AN OUT-OF-STATE VENDOR AND THAT IS REQUIRED TO COLLECT AND REMIT SALES AND USE TAX AS SPECIFIED IN COMAR 03.06.01.33B(5).

SECTION 18. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Department of Health and the State Department of Education shall consult with the Council on Advancement of School–Based Health Centers and other interested stakeholders on a plan to build a sustainable sponsorship model by expanding the type of organizations that can sponsor school–based health centers.

(b) On or before November 1, 2019, the Maryland Department of Health and the State Department of Education shall report their findings and recommendations under subsection (a) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.”;

in lines 24, 31, and 37, strike “16.”, “17.”, and “18.”, respectively, and substitute “19.”, “20.”, and “22.”, respectively; after line 36, insert:

“SECTION 21. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect contingent on the Governor’s transfer or release of funds that are restricted in the fiscal year 2020 budget bill (H.B. 100) (Chapter _____, Acts of the General Assembly of 2019), that are authorized to be transferred by the Budget Reconciliation and Financing Act of 2019 (H.B. 1407) (Chapter _____, Acts of the General Assembly of 2019), and that are authorized to be expended from The Blueprint for Maryland’s Future Fund established in Section 5–219 of the Education Article, as enacted by Section 1 of this Act, for implementation of the recommendations of the Commission on Innovation and Excellence in Education.”;

and in line 37, strike “2” and substitute “16”.

On page 45, in lines 1, 3, and 8, strike “2”, “19”, and “20”, respectively, and substitute “16”, “23”, and “24”, respectively; in lines 3 and 6, in each instance, strike “3” and substitute “17”; and in line 9, strike “18 and 19” and substitute “21, 22, and 23”.

The preceding 3 amendments were 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 138 Members present.

(See Roll Call No. 1231)

CALENDAR OF THIRD READING HOUSE BILLS NO. 113

House Bill 667 – Delegates Atterbeary, D.E. Davis, Jackson, Shetty, Sydnor, Wilkins, and Wilson

AN ACT concerning

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

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1232)

The Bill was then sent to the Senate.

House Bill 881 – Delegate Cullison

AN ACT concerning

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

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1233)

The Bill was then sent to the Senate.

House Bill 1301 – Delegate Walker

AN ACT concerning

~~Sales and Use Tax – Collection by Marketplace Facilitators~~
**Taxation of Online Sales – Marketplace Facilitators and Sellers of Other
Tobacco Products**

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

Affirmative – 105 Negative – 33 (See Roll Call No. 1234)

The Bill was then sent to the Senate.

House Bill 1405 – Chair, Howard County Delegation

AN ACT concerning

Howard County – Transfer Tax – Collection by Director of Finance

Ho. Co. 30–19

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1235)

The Bill was then sent to the Senate.

House Bill 1409 – Howard County Delegation

AN ACT concerning

Howard County – School Facilities Surcharge – Rates**Ho. Co. 03–19**

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

Affirmative – 136 Negative – 2 (See Roll Call No. 1236)

The Bill was then sent to the Senate.

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

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1237)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 51**Senate Bill 258 – Carroll County Senators****EMERGENCY BILL**

AN ACT concerning

Carroll County – Gaming Events – Repeal of Sunday Prohibition

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1238)

The Bill was then returned to the Senate.

Senate Bill 661 – Senator Washington

AN ACT concerning

Primary and Secondary Education – Community Schools – Established

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1239)

The Bill was then returned to the Senate.

Senate Bill 728 – Senator Guzzone

AN ACT concerning

Sales and Use Tax – Collection by Marketplace Facilitators

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

Affirmative – 106 Negative – 32 (See Roll Call No. 1240)

The Bill was then returned to the Senate.

Senate Bill 796 – Senators Hayes and Lam

AN ACT concerning

State Commission on Kidney Disease – Membership – Revisions

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1241)

The Bill was then returned to the Senate.

Senate Bill 802 – Senators Feldman, Beidle, Carter, Elfreth, Guzzone, Hayes, Kelley, Lam, Lee, Rosapepe, ~~and Zucker~~ Zucker, Smith, Ellis, Griffith, Kramer, Peters, and Pinsky

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 – 123 Negative – 15 (See Roll Call No. 1242)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 52**Senate Bill 132 – Cecil County Senators**

AN ACT concerning

Horse Racing at Fair Hill – Union Hospital Allocation – Repeal

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1243)

The Bill was then returned to the Senate.

Senate Bill 283 – Senator Kramer**EMERGENCY BILL**

AN ACT concerning

**Sales and Use Tax – Cleaning of Commercial or Industrial Buildings –
Community Property Exemption**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1244)

The Bill was then returned to the Senate.

Senate Bill 484 – Senators Ferguson and Miller

AN ACT concerning

Tax Liens – Expiration

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

Affirmative – 139 Negative – 1 (See Roll Call No. 1245)

The Bill was then returned to the Senate.

Senate Bill 739 – Senators Lee, Carter, Waldstreicher, and West

AN ACT concerning

Child Advocacy Centers – Expansion

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1246)

The Bill was then returned to the Senate.

Senate Bill 828 – Senator Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’, Teachers’, and Correctional Officers’ Systems – Active Members –
Death Benefits**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1247)

The Bill was then returned to the Senate.

Senate Bill 913 – Senator Beidle

AN ACT concerning

**State Retirement and Pension System – Administration – Retiree Information
for Direct Mailings**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1248)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 36

**Senate Bill 399 – Senators Pinsky, Augustine, Elfreth, Ferguson, Hayes, McCray,
Washington, Young, and Zucker**

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 – 134 Negative – 2 (See Roll Call No. 1249)

The Bill was then returned to the Senate.

Senate Bill 422 – Senators Benson, Feldman, Klausmeier, and Zucker

AN ACT concerning

State Department of Education – Employment Categories and Practices

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

Affirmative – 98 Negative – 41 (See Roll Call No. 1250)

The Bill was then returned to the Senate.

Senate Bill 483 – Senators Guzzone and Hester

AN ACT concerning

**Maryland Farms and Families Fund – Purpose, Use, Funding, and Grant
Qualifications – Alterations**

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

Affirmative – 137 Negative – 3 (See Roll Call No. 1251)

The Bill was then returned to the Senate.

Senate Bill 486 – Senator Griffith (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 – 140 Negative – 0 (See Roll Call No. 1252)

The Bill was then returned to the Senate.

**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

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

Affirmative – 100 Negative – 40 (See Roll Call No. 1253)

The Bill was then returned to the Senate.

Senate Bill 511 – Cecil County Senators

AN ACT concerning

Cecil County – Correctional Deputy Sheriffs – Collective Bargaining

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

Affirmative – 132 Negative – 7 (See Roll Call No. 1254)

The Bill was then returned to the Senate.

Senate Bill 515 – Senators Ferguson, Benson, Elfreth, Feldman, Guzzone, Kelley, Klausmeier, and Young

AN ACT concerning

Community Colleges – Workforce Readiness Grant Program – Established

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1255)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 37

Senate Bill 569 – ~~Senator Elfreth~~ Senators Elfreth, King, Ferguson, Eckardt, Edwards, Guzzone, Griffith, McCray, Peters, Rosapepe, Salling, Serafini, and Zucker

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. 1256)

The Bill was then returned to the Senate.

Senate Bill 636 – Senator Hershey

AN ACT concerning

Correctional Officers’ Retirement System – Queen Anne’s County

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1257)

The Bill was then returned to the Senate.

Senate Bill 640 – Senators Zucker and Miller

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 – 140 Negative – 0 (See Roll Call No. 1258)

The Bill was then returned to the Senate.

Senate Bill 798 – Senators Hayes and Guzzone

AN ACT concerning

**Higher Education – Policy on Student Concerns About Athletic Programs and
Activities**

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

Affirmative – 108 Negative – 30 (See Roll Call No. 1259)

The Bill was then returned to the Senate.

Senate Bill 827 – Senator Griffith (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 – 140 Negative – 0 (See Roll Call No. 1260)

The Bill was then returned to the Senate.

Senate Bill 829 – Senator Griffith (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 – 140 Negative – 0 (See Roll Call No. 1261)

The Bill was then returned to the Senate.

**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**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1262)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 41

**Senate Bill 139 – Senators Lee, Augustine, Elfreth, Ellis, Feldman, Griffith, Hayes,
Hough, Kelley, King, Lam, Nathan-Pulliam, Patterson, Pinsky, Rosapepe,
Smith, Waldstreicher, ~~and Zirkin~~ Zirkin, Carozza, and Simonaire**

EMERGENCY BILL

AN ACT concerning

Criminal Law – Threat of Mass Violence

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1263)

The Bill was then returned to the Senate.

Senate Bill 214 – Senator Edwards

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 – 139 Negative – 0 (See Roll Call No. 1264)

The Bill was then returned to the Senate.

Senate Bill 216 – Senator Edwards

AN ACT concerning

Garrett County – Hotel Rental Tax – Rate and Distribution of Revenue

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

Affirmative – 128 Negative – 9 (See Roll Call No. 1265)

The Bill was then returned to the Senate.

Senate Bill 868 – Senators Feldman, Augustine, Beidle, Benson, Carter, Elfreth, Ellis, Ferguson, Griffith, Guzzone, Hayes, Hester, Kagan, Kelley, King, Klausmeier, Kramer, Lam, Lee, McCray, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker

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 – 128 Negative – 11 (See Roll Call No. 1266)

The Bill was then returned to the Senate.

Senate Bill 940 – Senator Klausmeier

AN ACT concerning

Health Care Facilities – Certificate of Need – Modifications

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1267)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 54

Senate Bill 752 – Senator Lam

AN ACT concerning

Food Supplement Program – Restaurant Meals Program

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

Affirmative – 105 Negative – 35 (See Roll Call No. 1268)

The Bill was then returned to the Senate.

Senate Bill 901 – Senators Hayes, Ferguson, and Lam

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 – 139 Negative – 0 (See Roll Call No. 1269)

The Bill was then returned to the Senate.

Senate Bill 970 – Senator Peters

AN ACT concerning

**Maryland Department of Health – Special Supplemental Nutrition Program for
Women, Infants, and Children – Reports**

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1270)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 13
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

**House Bill 138 – Delegates Moon, Atterbeary, J. Lewis, R. Lewis, Lierman, Sydnor,
and Wells**

AN ACT concerning

Law Enforcement – Federal Military Surplus Program – Equipment Acquisition

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0138/158777/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 138
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “report;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, in line 27, 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 concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 1 (See Roll Call No. 1271)

AMENDED IN 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

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0214/378173/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 214
(Third Reading File Bill – Second Printing)

AMENDMENT NO. 1

On page 2, in line 2, strike “certain criminal or civil” and substitute “civil or criminal”; and strike beginning with “clarifying” in line 3 down through “relief;” in line 4.

AMENDMENT NO. 2

On page 2, in line 23, strike “(A)”; in line 24, strike “, IN GOOD FAITH,”; in line 25, before “COMPLIANCE” insert “GOOD FAITH IN”; in line 26, strike “CRIMINAL LIABILITY OR”; in the same line, after “CIVIL” insert “OR CRIMINAL”; in the same line, strike “FOR MONETARY DAMAGES”; and strike in their entirety lines 28 and 29.

On page 3, in line 21, strike “214.14(A)(3)” and substitute “214.14(A)(3)(I)”; and in line 27, strike “TITLE 8,”.

On page 5, strike beginning with “OR” in line 1 down through “FRIEND’S” in line 2.

On page 6, in line 1, strike “A”; in line 10, strike “, IN GOOD FAITH,”; in line 11, after “ACT” insert “IN GOOD FAITH”; in line 12, strike “IN” and substitute “UNDER”; in line 13, strike “MAY BRING” and substitute “WHO BRINGS”; and in line 14, strike “BUT”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 115 Negative – 25 (See Roll Call No. 1272)

AMENDED IN THE SENATE

House Bill 519 – Delegate Dumais

AN ACT concerning

Family Law – Parentage and Adoption

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0519/708576/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 519

(Third Reading File Bill)

On page 9, in line 11, strike “TRUST” and substitute “TRUSTS”.

The preceding amendment was read and concurred in.

HB0519/273127/1

BY: Senator Zirkin

AMENDMENT TO HOUSE BILL 519

(Third Reading File Bill)

On page 21, in line 26, strike “October” and substitute “June”.

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 – 133 Negative – 6 (See Roll Call No. 1273)

AMENDED IN THE SENATE

House Bill 641 – Delegates Atterbeary, Anderson, Arentz, Barve, Brooks, Cardin, D.E. Davis, Ghrist, Hettleman, Jacobs, Kaiser, Kelly, Love, Luedtke, Malone, Moon, Otto, Parrott, Qi, Shetty, Stein, Stewart, ~~and Wilson~~ Wilson, Arian, Sydnor, Grammer, McComas, Hartman, and W. Fisher

AN ACT concerning

Criminal Law – Sexual Contact With an Animal

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0641/888773/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 641 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Animal” insert “– Aggravated Cruelty to Animals”; strike beginning with “providing” in line 4 down through “animal;” in line 7; in line 7, strike “sexual contact with” and substitute “aggravated cruelty to”; and strike in their entirety lines 14 through 19, inclusive.

On page 2, strike in their entirety lines 1 through 14, inclusive.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 14 on page 4 through line 8 on page 5, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1274)

AMENDED IN 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

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0871/108075/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 871

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after “changes;” insert “making a stylistic change;”.

On page 2, in line 22, strike “11–307, and 14–101(a)(26)” and substitute “and 11–307”.

AMENDMENT NO. 2

On page 3, in line 20, strike “of” and substitute “**FOR**”.

On page 6, in line 10, strike the brackets.

On page 11, in line 9, before “**FELONY**” insert “**A**”; and in the same line, strike “**HUMAN TRAFFICKING**” and substitute “**OFFENSE**”.

On page 16, in line 21, before “**FELONY**” insert “**A**”; and in the same line, strike “**HUMAN TRAFFICKING**” and substitute “**OFFENSE**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1275)

AMENDED IN 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

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0113/258472/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 113

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through “treatment;” in line 17.

AMENDMENT NO. 2

On page 4, in lines 9 and 10, strike “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A” and substitute “A”.

On pages 4 and 5, strike beginning with “(1)” in line 16 on page 4 down through “(5)” in line 16 on page 5.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 1276)

**YEAS AND NAYS NO. 10
HOUSE BILLS PASSED IN THE SENATE**

NUMBER	SPONSOR	CONTENT
HB 352	Montgomery County Delegation and Prince George's County Delegation	Property Tax Credits – M-NCPPC Park Police Officers and WSSC Police Officers MC/PG 108–19
HB 358	St. Mary's County Delegation	St. Mary's County – Public Facility Bonds
HB 417	Del. Hill	Water Pollution Control – Notification of Sewer Overflows and Treatment Plant Bypasses – Alteration
HB 460	Harford County Delegation	Harford County Board of Education – Elected Members – Start Date of Term
HB 510	Del. Cassilly	Organic Waste – Organics Recycling – Collection and Acceptance for Final Disposal
HB 511	Del. Cassilly	Maryland Commercial Fertilizer Law – Definition of Soil Conditioner – Alteration
HB 574	Carroll County Delegation	Carroll County – Public Facilities Bonds
HB 594	The Speaker	Financial Institutions – Student Loan Servicers – Unfair, Abusive, or Deceptive Trade Practices
HB 623	Calvert County Delegation	Calvert County – Local Debt Bonding Authority

NUMBER	SPONSOR	CONTENT
HB 738	Del. Kipke	Dental Hygienist – Scope of Practice – Practice Settings Under General Supervision
HB 1021	Del. Glenn	Business Occupations and Professions – Barbers – Additional Students
HB 1065	Del. Carey	Maryland Commercial Receivership Act
HB 1166	Howard County Delegation	Howard County – Authority to Impose Fees for Use of Disposable Bags Ho. Co. 04–19
HB 1206	Del. Kaiser	Maryland Longitudinal Data System Center – Data Matching
HB 1349	Del. Patterson	Public Schools – Students With Sickle Cell Disease – Revisions

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 1277)

ADJOURNMENT

At 12:59 P.M. on motion of Delegate Dumais the House adjourned until 6:30 P.M. on Legislative Day March 27, 2019, Calendar Day, Thursday, April 4, 2019.

Annapolis, Maryland
Legislative Day: March 27, 2019
Calendar Day: Thursday, April 4, 2019
6:30 P.M. Session

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

The House met at 6:50 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Shelly Hettleman of Baltimore County.

QUORUM CALL

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

(See Roll Call No. 1278)

EXCUSED:

Del. Busch – medical

Del. Crutchfield – personal

Del. Malone – late – personal

The Journal of April 4, 2019 was read and approved.

AMENDED IN THE SENATE

**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**

Delegate Barve moved that the House not concur in the Senate amendments.

HB0301/448576/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “repealing” and substitute “altering”; and in line 12, after “stops;” insert “requiring the Maryland Statistical Analysis Center to submit a certain report disaggregated by jurisdiction and law enforcement agency;”.

AMENDMENT NO. 2

On page 5, in line 19, before “to” insert “, DISAGGREGATED BY JURISDICTION AND LAW ENFORCEMENT AGENCY,”.

AMENDMENT NO. 3

On page 6, in lines 19 and 21, in each instance, strike the bracket; in line 19, strike “5” and substitute “10”; and in the same line, strike “2020” and substitute “2025”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0301**
SPONSOR: Delegate Wilkins, et al
SUBJECT: Vehicle Laws – Race–Based Traffic Stops – Policy and Reporting Requirements

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 Fraser–Hidalgo, Chair
Delegate Love
Delegate Bridges

Said Bill is returned herewith.

By Order,
Sylvia Siegert

Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 743 – ~~Delegate Dumais~~ Delegates Dumais, Grammer, and Arikan

AN ACT concerning

Criminal Procedure – Incompetency and Criminal Responsibility – Dismissal of Charges

Delegate Clippinger moved that the House not concur in the Senate amendments.

HB0743/898471/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 743

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “clarifying that a certain required dismissal of” and substitute “altering a certain time period after which a court is required to dismiss”; and in line 7, strike “is without prejudice” and substitute “under certain circumstances; making conforming changes”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with “**WITHOUT**” in line 19 on page 1 down through “**PREJUDICE**” in line 1 on page 2.

On page 2, in line 3, after “(1)” insert “**WHEN CHARGED WITH MURDER IN THE FIRST DEGREE IN VIOLATION OF § 2-201 OF THE CRIMINAL LAW ARTICLE, AFTER THE EXPIRATION OF 10 YEARS;**

(2)”;

in line 7, after “Article” insert “NOT COVERED UNDER ITEM (1) OF THIS SUBSECTION”; in line 10, strike “(2)” and substitute “(3)”; in the same line, after “(1)” insert “OR (2)”; and in line 24, strike “October” and substitute “June”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0743**
SPONSOR: Delegate Dumais, et al
SUBJECT: Criminal Procedure – Incompetency and Criminal Responsibility
– Dismissal of Charges

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 Sydnor, Chair
Delegate Moon
Delegate Arikan

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

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**

Delegate Clippinger moved that the House not concur in the Senate amendments.

HB1001/288978/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1001

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 5 down through “Assembly” in line 6 and substitute “altering a certain reporting requirement”; strike beginning with “compile” in line 7 down through “Assembly” in line 8 and substitute “submit a certain report to the General Assembly in a certain manner”; in line 11, after “conditions” insert “, subject to a certain exception”; and strike beginning with “authorizing” in line 12 down through “circumstances;” in line 13.

AMENDMENT NO. 2

On page 3, in line 15, after “shall” insert “make the information submitted in accordance with paragraph (1) of this subsection available on its [Web site] WEBSITE AND, WHEN THE INFORMATION HAS BEEN RECEIVED FROM EVERY CORRECTIONAL UNIT IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, PROMPTLY SUBMIT THE INFORMATION IN A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.”;

in the same line, strike the colon; strike in their entirety lines 16 through 20, inclusive; in line 28, strike “THERE IS” and substitute “THE MINOR POSES”; and in the same line, strike “AND” and substitute “OR”.

AMENDMENT NO. 3

On page 4, in line 16, strike “MAXIMIZED” and substitute “UNLESS IT WOULD POSE A RISK OF PHYSICAL HARM TO THE MINOR OR ANOTHER,”; and strike in their entirety lines 22 through 26, inclusive.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB1001**
SPONSOR: Delegate Lewis, J., et al
SUBJECT: Correctional Services – Restrictive Housing – Reporting by
Correctional Units and Requirements Relating to Minors

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 Moon, Chair
Delegate D.M. Davis
Delegate Malone

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1027 – Delegates Lopez, Wilson, Acevero, B. Barnes, Bartlett, Cardin, Feldmark, Glenn, Grammer, Harrison, Kelly, Mosby, Queen, Reznik, Solomon, Stewart, and Wells ~~Wells~~, Atterbeary, Malone, J. Lewis, Sydnor, Moon, Crutchfield, McComas, Pippy, Hartman, R. Watson, Arikan, Shetty, W. Fisher, Cox, Anderson, and Conaway

AN ACT concerning

Criminal Law – Child Pornography

Delegate Clippinger moved that the House not concur in the Senate amendments.

HB1027/518379/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1027

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 3 down through “pornography;” in line 4; in line 6, after “actual” insert “and identifiable”; in line 11, strike “11–101, 11–201, and”; and strike in their entirety lines 14 through 18, inclusive.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 4 on page 2 through line 9 on page 5, inclusive.

On page 5, in lines 11, 12, 14, and 17, in each instance, after “ACTUAL” insert “AND IDENTIFIABLE”; in line 13, strike “ENGAGED IN SEXUAL CONDUCT”; in lines 14 and 15, strike “AN ACTUAL MINOR OR”; in line 16, after “AN” insert “ACTUAL AND”; and in line 25, after “ACTUAL” insert “AND IDENTIFIABLE”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB1027**
SPONSOR: Delegate Lopez, et al
SUBJECT: Criminal Law – Child Pornography

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 Atterbeary, Chair
Delegate R. Watson
Delegate Pippy

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB0346
SPONSOR: Senator Ferguson, et al
SUBJECT: Public Safety – Regulated Firearms – Sell, Rent, Transfer, or
Loan

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Hough, Chair
Senator Carter
Senator Waldstreicher

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0346
SPONSOR: Senator Ferguson, et al
SUBJECT: Public Safety – Regulated Firearms – Sell, Rent, Transfer, or
Loan

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Hough, Chairman
Senator Carter
Senator Waldstreicher.

The House appoints:

Delegate Clippinger, Chair
Delegate Atterbeary
Delegate Sydnor

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 24

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 832 – Delegates Pena–Melnyk, B. Barnes, Barron, Bartlett, Carr, Charles, Cullison, Fennell, Hettleman, Lehman, J. Lewis, R. Lewis, Proctor, Rosenberg, Sample–Hughes, Valentino–Smith, and K. Young

AN ACT concerning

Maryland Medical Assistance Program – Home– and Community–Based Waiver Services – Prohibition on Denial

HB0832/516780/1

BY: Health and Government Operations Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, Pendergrass, Bagnall, Bhandari, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, Metzgar, Morgan, Saab, and Szeliga”.

AMENDMENT NO. 2

On page 2, in line 19, strike “BEING NOTIFIED OF ELIGIBILITY” and substitute “THE COMPLETION OF THE APPLICATION”.

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:

Senate Bill 403 – Senators Augustine, Feldman, Beidle, and Hayes

AN ACT concerning

Behavioral Health Administration – Outpatient Civil Commitment Pilot Program – ~~Statewide Expansion~~ Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 472 – Senators Nathan–Pulliam, Augustine, Benson, Eckardt, Ellis, Feldman, Ferguson, Kelley, Lam, Lee, Patterson, Smith, Young, and Zucker

AN ACT concerning

General Provisions – Commemorative ~~Days Months~~ – Caribbean ~~Day in~~ Maryland Heritage Month

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 631 – Senator Augustine

AN ACT concerning

Health Insurance – Coverage for Mental Health Benefits and Substance Use Disorder Benefits – ~~Requirements and Reports~~ Treatment Criteria

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 699 – Senators Kelley, Augustine, Beidle, Benson, Feldman, Guzzone, Hayes, Kramer, Lee, Nathan–Pulliam, and West

AN ACT concerning

Maryland Medical Assistance Program – Home– and Community–Based Waiver Services – Prohibition on Denial

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 944 – Senator Eckardt

AN ACT concerning

Behavioral Health Programs – Outpatient Mental Health Centers – Medical Directors – ~~Psychiatric Nurse Practitioners~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 983 – Senators Hayes, Augustine, Ellis, Griffith, and Smith

AN ACT concerning

**Procurement – Small Businesses and Minority Businesses – Qualification and Certification
(Small and Minority Business Certification Streamlining Act of 2019)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 31

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

Senate Bill 567 – ~~Senator Lee~~ Senators Lee, Zirkin, Smith, Carter, Cassilly, Hester, Hough, Ready, Waldstreicher, Washington, and West

AN ACT concerning

Workgroup to Study Child Custody Court ~~Decisions~~ Proceedings Involving Child Abuse or Domestic Violence Allegations

SB0567/362914/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 567

(Third Reading File Bill)

On page 2, in line 23, strike “Department of Legislative Services” and substitute “Administrative Office of the Courts”.

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 122 Members present.

(See Roll Call No. 1279)

CALENDAR OF THIRD READING SENATE BILLS NO. 42

Senate Bill 111 – Senator Eckardt

AN ACT concerning

Dorchester County – Alcoholic Beverages – Class A Licenses

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

Affirmative – 123 Negative – 0 (See Roll Call No. 1280)

The Bill was then returned to the Senate.

Senate Bill 204 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Volunteer Fire Company or Volunteer Ambulance Company License

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

Affirmative – 123 Negative – 0 (See Roll Call No. 1281)

The Bill was then returned to the Senate.

Senate Bill 224 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages License Applications – Repeal of Petition of Support – Notice

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

Affirmative – 123 Negative – 0 (See Roll Call No. 1282)

The Bill was then returned to the Senate.

Senate Bill 256 – Carroll County Senators

AN ACT concerning

Carroll County – Alcoholic Beverages – Class D Beer and Wine Licenses

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

Affirmative – 123 Negative – 0 (See Roll Call No. 1283)

The Bill was then returned to the Senate.

Senate Bill 273 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Cinema/Theater License

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

Affirmative – 123 Negative – 0 (See Roll Call No. 1284)

The Bill was then returned to the Senate.

Senate Bill 274 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages Licenses – Sunday Sales

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1285)

The Bill was then returned to the Senate.

Senate Bill 275 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Promoter’s Permit

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

Affirmative – 128 Negative – 0 (See Roll Call No. 1286)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 43

Senate Bill 276 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Multiple Licenses Allowed

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

Affirmative – 127 Negative – 0 (See Roll Call No. 1287)

The Bill was then returned to the Senate.

Senate Bill 297 – Carroll County Senators

AN ACT concerning

Carroll County – Alcoholic Beverages – Class BC Beer, Wine, and Liquor License

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

Affirmative – 128 Negative – 0 (See Roll Call No. 1288)

The Bill was then returned to the Senate.

Senate Bill 298 – Carroll County Senators

AN ACT concerning

Carroll County – Alcoholic Beverages – Required Information on Application

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

Affirmative – 129 Negative – 0 (See Roll Call No. 1289)

The Bill was then returned to the Senate.

Senate Bill 325 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Basket of Cheer

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1290)

The Bill was then returned to the Senate.

Senate Bill 547 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Revisions

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1291)

The Bill was then returned to the Senate.

Senate Bill 667 – Senator Edwards

AN ACT concerning

**Allegany County – Alcoholic Beverages – ~~Arts and Entertainment District~~
License Licenses**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1292)

The Bill was then returned to the Senate.

Senate Bill 952 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Theater Licenses – Seating Capacity

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1293)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 114

House Bill 962 – Delegates Wilkins, Hill, Johnson, and Queen

AN ACT concerning

Maryland Medical Assistance Program – Coverage – Hepatitis C Drugs

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1294)

The Bill was then sent to the Senate.

House Bill 1110 – Delegate Parrott

AN ACT concerning

Washington County – Archery Hunting – Safety Zone

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

Affirmative – 126 Negative – 3 (See Roll Call No. 1295)

The Bill was then sent to the Senate.

House Bill 1282 – Delegate Healey

AN ACT concerning

Board of Public Works – Land Acquisition – Requirements

Delegate Bromwell moved the previous question.

The motion was adopted.

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

Affirmative – 96 Negative – 38 (See Roll Call No. 1296)

The Bill was then sent to the Senate.

House Bill 1343 – Delegates Atterbeary and Rosenberg

EMERGENCY BILL

AN ACT concerning

Public Safety – Handgun Permit Review Board – Repeal

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

Affirmative – 87 Negative – 47 (See Roll Call No. 1297)

The Bill was then sent to the Senate.

House Bill 1427 – Delegate Stein

AN ACT concerning

**Sea Level Rise Inundation and Coastal Flooding – Construction, Adaptation,
and Mitigation**

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

Affirmative – 106 Negative – 28 (See Roll Call No. 1298)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 56

**Senate Bill 79 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – State Ethics Commission)**

AN ACT concerning

**Public Ethics – Lobbyist Registration and Reporting – Mandatory Electronic
Filing**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1299)

The Bill was then returned to the Senate.

Senate Bill 290 – ~~Senator Smith~~ Senators Smith, Hough, and Guzzone

AN ACT concerning

Public Health – Cottage Food Products – Definition and Sale

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1300)

The Bill was then returned to the Senate.

Senate Bill 301 – Senators Benson, Carter, Feldman, King, Klausmeier, Lam, Lee, Nathan–Pulliam, Smith, Washington, ~~and Young~~ Young, and Hayes

AN ACT concerning

Hospitals – Patient’s Bill of Rights

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1301)

The Bill was then returned to the Senate.

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

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1302)

The Bill was then returned to the Senate.

Senate Bill 524 – Senator Eckardt

AN ACT concerning

Maryland Medical Assistance Program – Telemedicine – Psychiatric Nurse Practitioners and Psychiatrists

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1303)

The Bill was then returned to the Senate.

Senate Bill 543 – Senator Lam

AN ACT concerning

Health – Vital Records – Health Information Exchange Data Access and Security Protocols and Protections

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1304)

The Bill was then returned to the Senate.

Senate Bill 1000 – Senators Beidle, Augustine, Carter, Elfreth, Ellis, Feldman, Ferguson, Guzzone, Hayes, Kagan, Lam, Lee, Miller, Peters, Rosapepe, Smith, Washington, Young, and Zucker

EMERGENCY BILL

AN ACT concerning

Public Safety – Handgun Permit Review Board – Repeal

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

Affirmative – 87 Negative – 47 (See Roll Call No. 1305)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 59

Senate Bill 95 – ~~Senator Simonaire~~ Senators Simonaire and Bailey

AN ACT concerning

Natural Resources – Recreational License Donation Program and Fund – ~~Program Extension and Monetary Donations via Electronic Licensing~~ Revisions

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1306)

The Bill was then returned to the Senate.

Senate Bill 269 – Senators Hester, Guzzone, Carter, Hough, Kagan, Lam, Peters, West, and Zucker

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 – 107 Negative – 27 (See Roll Call No. 1307)

The Bill was then returned to the Senate.

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

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

Affirmative – 99 Negative – 34 (See Roll Call No. 1308)

The Bill was then returned to the Senate.

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

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

Affirmative – 121 Negative – 11 (See Roll Call No. 1309)

The Bill was then returned to the Senate.

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

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1310)

The Bill was then returned to the Senate.

Senate Bill 1030 – The President (By Request – Commission on Innovation and Excellence in Education) and Senators King, Pinsky, Ferguson, ~~and Young~~ Young, Peters, Zucker, Elfreth, McCray, ~~and Guzzone~~ Guzzone, Feldman, Hayes, Kelley, Lam, Patterson, Lee, Hester, Ellis, Waldstreicher, and Zirkin

AN ACT concerning

The Education Blueprint for Maryland’s Future

FLOOR AMENDMENT

SB1030/653120/1

BY: Delegate Cassilly

AMENDMENT TO SENATE BILL 1030

(Third Reading File Bill)

On page 35, in line 11, strike “and”; in line 12, after “specialists” insert “;

5. Psychologists; and

6. Social workers”;

in line 16, after “personnel;” insert “or”; strike in their entirety lines 17 and 18; and in line 19, strike “6.” and substitute “4.”.

Delegate Kaiser moved to make the Amendment a Special Order for later.

The motion was adopted.

FLOOR COMMITTEE AMENDMENT

SB1030/805366/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 1030, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (SB1030/205662/1), in Amendment No. 1, strike beginning with “requiring” in line 3 down through “website” in line 7 and substitute “authorizing a certain health care practitioner to work under certain programs or entities”.

AMENDMENT NO. 2

On page 25 of the bill, in line 20, after “APPOINTED” insert “UNANIMOUSLY”; in line 30, after “REMOVED” insert “UNANIMOUSLY”; and in lines 20 and 21 and 30, in each instance, strike “A MAJORITY VOTE OF”.

On page 2 of the Committee on Ways and Means Amendments, in Amendment No. 2, strike beginning with “RESTORATIVE” in line 17 down through the period in line 20.

On page 3 of the Committee on Ways and Means Amendments, in line 1 of Amendment No. 2, strike “(7)”; strike beginning with “(8)” in line 4 down through “TRAUMA.” in line 12; and in line 13, strike “(9)” and substitute “(7)”.

On pages 3 and 4 of the Committee on Ways and Means Amendments, in Amendment No. 2, strike in their entirety the lines beginning with line 19 on page 3 through line 17 on page 4, inclusive.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB1030/203125/1

BY: Delegate M. Fisher

AMENDMENTS TO SENATE BILL 1030, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2 of the bill, strike beginning with “requiring” in line 16 on page 1 down through the semicolon in line 2 on page 2 and substitute “requiring each county board to use the grants to provide funds to certain programs; providing that scholarships provided under the Program shall be distributed on a first-come, first-served basis to eligible students; requiring each local school system to determine the amount of each individual”.

scholarship; requiring each local school system to establish certain application procedures and policies;”.

AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments (SB1030/205662/1), in Amendment No. 2, strike beginning with “**(6)**” in line 17 down through the period in line 20.

On page 3 of the Committee on Ways and Means Amendments, in line 13 of Amendment No. 2, strike “**(9)**”; in line 14, strike “MENTORS,”; and in line 15, strike “OR”.

On page 11 of the bill, after line 31, insert:

“(4) “ELIGIBLE PUBLIC SCHOOL STUDENT” MEANS A STUDENT WHO ATTENDS A PUBLIC SCHOOL WITH A COMPOSITE SCORE, AS ESTABLISHED UNDER § 7-203(C)(2)(V) OF THIS ARTICLE, THAT IS 45% OR LESS OF THE TOTAL POSSIBLE COMPOSITE SCORE.”;

and in line 32, strike “**(4)**” and substitute “**(5)**”.

On page 12 of the bill, in line 7, strike “**(5)**” and substitute “**(6)**”.

On pages 12 and 13 of the bill, strike in their entirety the lines beginning with line 9 on page 12 through line 9 on page 13, inclusive.

On page 13 of the bill, in line 12, after “**PROVIDE**” insert “CONCENTRATION OF POVERTY SCHOOL”; strike beginning with “**ELIGIBLE**” in line 13 down through “**MEALS**” in line 14 and substitute “COUNTY BOARDS”; in line 15, strike “**(1)**”; in the same line, strike “**(I)**”; and strike in their entirety lines 18 through 31, inclusive.

On page 14 of the bill, strike in their entirety lines 1 through 34, inclusive, and substitute:

“(D) EACH COUNTY BOARD MAY USE THE GRANT TO PROVIDE FUNDING FOR:

(1) SCHOLARSHIPS FOR ELIGIBLE PUBLIC SCHOOL STUDENTS ATTENDING SCHOOLS IN THE COUNTY TO ATTEND NONPUBLIC SCHOOLS THROUGH DIRECT VOUCHERS;

(2) SCHOOLS TO PROVIDE FREE OR REDUCED PRICED MEALS TO STUDENTS; OR

(3) ANY OTHER PROGRAM DEEMED APPROPRIATE BY THE COUNTY BOARD TO PROVIDE ASSISTANCE TO ACCOMPLISH THE PURPOSE OF THE PROGRAM.

(E) (1) THE SCHOLARSHIPS PROVIDED TO ELIGIBLE PUBLIC SCHOOL STUDENTS IN THE COUNTY TO ATTEND NONPUBLIC SCHOOLS SHALL BE DISTRIBUTED TO ELIGIBLE STUDENTS ON A FIRST-COME, FIRST-SERVED BASIS.

(2) THE LOCAL SCHOOL SYSTEM SHALL DETERMINE THE AMOUNT OF EACH INDIVIDUAL SCHOLARSHIP FOR AN ELIGIBLE PUBLIC SCHOOL STUDENT ATTENDING A SCHOOL IN THE COUNTY TO ATTEND A NONPUBLIC SCHOOL.

(3) THE LOCAL SCHOOL SYSTEM SHALL ESTABLISH APPLICATION PROCEDURES AND POLICIES, AND THE PROCEDURES AND POLICIES FOR THE AWARDING OF A SCHOLARSHIP UNDER THIS SECTION.”.

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

Affirmative – 39 Negative – 94 (See Roll Call No. 1311)

FLOOR AMENDMENT

SB1030/633727/1

BY: Delegate Morgan

AMENDMENTS TO SENATE BILL 1030, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (SB1030/205662/1), in line 14 of Amendment No. 1, after “date;” insert “stating the intent of the General Assembly that, for a certain period of time, the rate of a certain tax not be increased and certain taxes not be enacted or imposed;”.

AMENDMENT NO. 2

On page 11 of the Committee on Ways and Means Amendments, in line 7 of Amendment No. 3, after “Assembly” insert “:

SECTION 19. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that from July 1, 2019, to June 30, 2023:

(1) The rate of any statewide tax in effect on the effective date of this Act not be increased; and

(2) No new taxes be enacted or imposed that were not in effect on the effective date of this Act”;

in line 8, strike “19.” and substitute “20.”; in line 9, strike “20.” and substitute “21.”; in the same line, strike “22.” and substitute “23.”; in line 10, strike “21.” and substitute “22.”; in line 21, strike “23.” and substitute “24.”; in the same line, strike “24.” and substitute “25.”; and in line 22, strike “21, 22, and 23” and substitute “22, 23, and 24”.

Delegate Gilchrist moved the previous question.

The motion was adopted.

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

Affirmative – 39 Negative – 94 (See Roll Call No. 1312)

FLOOR AMENDMENT

SB1030/653120/1

BY: Delegate Cassilly

AMENDMENT TO SENATE BILL 1030

(Third Reading File Bill)

On page 35, in line 11, strike “and”; in line 12, after “specialists” insert “:

5. Psychologists; and

6. Social workers”;

in line 16, after “personnel;” insert “or”; strike in their entirety lines 17 and 18; and in line 19, strike “6.” and substitute “4.”.

The preceding amendment was withdrawn.

FLOOR AMENDMENT

SB1030/283020/1

BY: Delegate Cassilly

AMENDMENT TO SENATE BILL 1030

(Third Reading File Bill)

On page 35, in line 6, strike “(i)”; in the same line, after “who” insert “:

(i)”;

in the same line, after “is” insert “not an administrator; and

(ii) as of April 1, 2019, is part of a collective bargaining unit that includes classroom teachers.”;

and strike in their entirety lines 7 through 19, inclusive.

The preceding amendment was read and adopted.

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

Affirmative – 114 Negative – 20 (See Roll Call No. 1313)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 44

Senate Bill 517 – ~~Senator Feldman~~ Senators Feldman and Hershey

AN ACT concerning

~~**Electricity – Customer Choice – Education**~~
Public Utilities – Electricity and Natural Gas Suppliers – Information

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1314)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 50

Senate Bill 113 – Senators Hough, Bailey, Carozza, Cassilly, Eckardt, Edwards, Gallion, Hershey, Jennings, Ready, Reilly, Salling, ~~and West~~ West, and Smith

SECOND PRINTING

AN ACT concerning

Public Safety – Handgun Permits – Payment of Fees

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1315)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 45

Senate Bill 44 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Insurance – Corporate Governance Annual Disclosure Act

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1316)

The Bill was then returned to the Senate.

Senate Bill 67 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

**Financial Institutions – ~~Examination and Investigation of Licensed Persons~~ –
Disclosure of Information From Investigations**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1317)

The Bill was then returned to the Senate.

**Senate Bill 68 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

Commercial Law – Credit Services Businesses – Information Statements

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1318)

The Bill was then returned to the Senate.

Senate Bill 136 – Senators Waldstreicher and West

AN ACT concerning

Corporations – Corporate Records and Electronic Transmission

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1319)

The Bill was then returned to the Senate.

Senate Bill 210 – Senator Lee

AN ACT concerning

Law Enforcement – Federal Military Surplus Program – Equipment Acquisition

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

Affirmative – 133 Negative – 1 (See Roll Call No. 1320)

The Bill was then returned to the Senate.

**Senate Bill 689 – Senators Lee, Elfreth, Hough, Smith, Waldstreicher, ~~and West~~
West, Zirkin, Carter, Cassilly, Hester, Ready, and Washington**

AN ACT concerning

**Criminal Law – Labor Trafficking
(Anti-Exploitation Act of 2019)**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1321)

The Bill was then returned to the Senate.

**Senate Bill 821 – Senators Washington, Benson, Carter, Hayes, Lee,
Nathan-Pulliam, West, ~~and Young~~ Young, Zirkin, Smith, Cassilly, Hester,
Hough, Ready, and Waldstreicher**

AN ACT concerning

Correctional Services – Prerelease ~~Unit~~ Study and Report

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1322)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 46

Senate Bill 331 – Senator Kramer

AN ACT concerning

Business Regulation – Trader’s Licenses – License Fees

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1323)

The Bill was then returned to the Senate.

**Senate Bill 513 – Senators Ellis, Feldman, Klausmeier, Patterson, Peters, Serafini,
~~and Young~~ Young, and Carozza**

AN ACT concerning

State Board of Public Accountancy – Firm Permits – Attest Services

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1324)

The Bill was then returned to the Senate.

**Senate Bill 520 – Senators Kramer, Augustine, Beidle, Benson, Feldman, Hayes,
and Klausmeier**

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 – 98 Negative – 36 (See Roll Call No. 1325)

The Bill was then returned to the Senate.

Senate Bill 523 – Senators Beidle and Feldman

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 – 134 Negative – 0 (See Roll Call No. 1326)

The Bill was then returned to the Senate.

**Senate Bill 646 – Senators Klausmeier, Benson, Elfreth, Guzzone, Hayes, Hester,
McCray, Peters, and Washington**

SECOND PRINTING

AN ACT concerning

**Workers' Compensation – Medical Presumptions for Diseases and Cancer –
Eligibility**

(Firefighter Jesse McCullough's McCullough's Cancer Protection Law)

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

Affirmative – 130 Negative – 4 (See Roll Call No. 1327)

The Bill was then returned to the Senate.

Senate Bill 712 – Senators Beidle, Feldman, and Klausmeier

AN ACT concerning

Household Goods Movers Registration

Delegate Saab moved to make the Bill a Special Order for Friday.

The motion was adopted.

**CONCURRENCE CALENDAR NO. 14
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

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~~ Wells, Brooks, Bartlett, Terrasa, Pendergrass, Pena-Melnyk, Barron, Bhandari, Carr, Charles, Cullison, Hill, Johnson, Kerr, Rosenberg, and K. Young

AN ACT concerning

Prenatal and Infant Care Coordination – Grant Funding and Task Force

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0520/297770/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 520

(Third Reading File Bill)

On page 3, in line 17, strike “and”; and in line 20, after “Hospital” insert “;

(x) one representative of the Maryland Patient Safety Center; and

(xi) one representative of the Maryland Section of the American College of Obstetricians and Gynecologists”.

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 – 133 Negative – 0 (See Roll Call No. 1328)

AMENDED IN 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

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0570/413929/1

BY: Senator McCray

AMENDMENTS TO HOUSE BILL 570

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Behavioral Health Programs” and substitute “Outpatient Mental Health Centers”; in line 5, after “program” insert “licensed as an outpatient mental health center”; and in line 9, strike “behavioral health programs” and substitute “outpatient mental health centers”.

AMENDMENT NO. 2

On page 2, in line 12, after “PROGRAM” insert “LICENSED AS AN OUTPATIENT MENTAL HEALTH CENTER”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 1329)

AMENDED IN THE SENATE

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~~ 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

AN ACT concerning

Health Care Facilities – Comprehensive and Extended Care Facilities – Discharges and Transfers

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0592/237372/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 592
(Third Reading File Bill)

On page 9, in line 13, after the semicolon insert “**AND**”; and strike beginning with the semicolon in line 16 down through “**ENVIRONMENT**” in line 18.

On page 10, in line 28, strike “(c)(3)” and substitute “**(D)(3)**”; and in line 29, after the bracket insert “**AND**”.

On page 11, strike beginning with “**(3)**” in line 6 down through the semicolon in line 7; and in lines 10 and 14, strike “**(4)**” and “**(5)**”, respectively, and substitute “**(3)**” and “**(4)**”, respectively.

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 – 134 Negative – 0 (See Roll Call No. 1330)

AMENDED IN 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

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0638/974534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 638

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Performance Audit” and substitute “and Termination”; in line 3, after the first “of” insert “altering the date of the termination provisions relating to statutory and regulatory authority of the State Board of Physicians and certain allied health advisory committees;”; strike beginning with “requiring” in line 6 down through “date;” in line 7; and after line 8, insert:

“BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 14–201, 14–5A–05, 14–5B–05(a), 14–5C–05, 14–5D–04, 14–5E–05, and
14–5F–06

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5A–25, 14–5B–21, 14–5C–25, 14–5D–20, 14–5E–25, 14–5F–32, and
14–702

Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 1, after line 15, insert:

"Article – Health Occupations

14–201.

There is a State Board of Physicians in the Department.

14–5A–05.

There is a Respiratory Care Professional Standards Committee within the Board.

14–5A–25.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act and subject to the termination of this title under § 14–702 of this title, this subtitle and all rules and regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] **JUNE 1, 2020.**

14–5B–05.

(a) There is a Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee within the Board.

14–5B–21.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, and subject to the termination of this title under § 14–702 of this title, this subtitle and all rules and regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] **JUNE 1, 2020.**

14–5C–05.

There is a Polysomnography Professional Standards Committee within the Board.

14-5C-25.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act and subject to the termination of this title under § 14-702 of this title, this subtitle and all regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] **JUNE 1, 2020.**

14-5D-04.

There is an Athletic Trainer Advisory Committee within the Board.

14-5D-20.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act and subject to the termination of this title under § 14-702 of this title, this subtitle and all rules and regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] **JUNE 1, 2020.**

14-5E-05.

There is a Perfusion Advisory Committee within the Board.

14-5E-25.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act and subject to the termination of this title under § 14-702 of this title, this subtitle and all regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] **JUNE 1, 2020.**

14-5F-06.

There is a Naturopathic Medicine Advisory Committee within the Board.

14-5F-32.

Subject to the evaluation and reestablishment provisions of the Program Evaluation Act, this subtitle and all rules and regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] **JUNE 1, 2020.**

14-702.

Subject to the evaluation and reestablishment provisions of the Program Evaluation Act, this title and all rules and regulations adopted under this title shall terminate and be of no effect after [July 1, 2023] **JUNE 1, 2020.**

On page 2, strike in their entirety lines 21 through 27, inclusive; and in line 28, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 1331)

AMENDED IN THE SENATE

House Bill 1122 – Delegates Hornberger, Buckel, Kipke, ~~and Patterson~~ 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

AN ACT concerning

Behavioral Health Programs – Outpatient Mental Health Centers – ~~Requirements for~~ **Medical Directors**

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB1122/373323/1

BY: Senator Kelley

AMENDMENT TO HOUSE BILL 1122

(Third Reading File Bill)

On page 3, in line 8, strike “July” and substitute “October”.

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 – 133 Negative – 0 (See Roll Call No. 1332)

AMENDED IN 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

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB1272/573827/1

BY: Senator Kelley

AMENDMENTS TO HOUSE BILL 1272

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 6 down through “thereafter;” in line 7.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 10 through 20, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 92 Negative – 40 (See Roll Call No. 1333)

**CONCURRENCE CALENDAR NO. 15
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 190 – ~~Delegate Lafferty~~ Delegates Lafferty and Qi

AN ACT concerning

Environment – Failing On-Site Sewage Disposal System – Definition

Delegate Barve moved that the House concur in the Senate amendments.

HB0190/324035/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 190

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 6, strike “(1)”; in lines 7 and 8, in each instance, after “SYSTEM” insert “OR A CESSPOOL,”; and strike in their entirety lines 27 and 28.

AMENDMENT NO. 2

On page 2, in lines 11, 13, and 24, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “(1)”, “(2)”, and “(3)”, respectively; and in lines 14, 16, 18, 20, and 23, strike “1.”, “2.”, “3.”, “4.”, and “5.”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, and “(V)”, respectively.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 130 Negative – 4 (See Roll Call No. 1334)

AMENDED IN THE SENATE

House Bill 748 – ~~Delegate Fraser-Hidalgo~~

AN ACT concerning

Vehicle Laws – Electric Low Speed Scooters

Delegate Barve moved that the House concur in the Senate amendments.

HB0748/988678/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 748

(Third Reading File Bill)

On page 1, in line 16, strike “Chapter 294” and substitute “Chapters 294 and 392”.

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 – 134 Negative – 0 (See Roll Call No. 1335)

AMENDED IN THE SENATE

House Bill 1353 – Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Agriculture – Nuisance Insects

Delegate Barve moved that the House concur in the Senate amendments.

HB1353/694530/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1353

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “program” insert “to use a certain pesticide”; and in the same line, after the semicolon insert “requiring the program to be implemented on certain property”.

AMENDMENT NO. 2

On page 2, in line 17, strike “AN” and substitute “:

(I) AN”;

in line 18, after “PLANTS” insert “;**OR**

(II) A POLLINATOR”;

in line 29, after “PROGRAM” insert “**TO USE BACILLUS THURINGIENSIS ISRAELENIS**”;
after line 29, insert:

(2) THE PROGRAM SHALL BE IMPLEMENTED ON:

(I) STATE-OWNED PROPERTY;

**(II) PROPERTY OWNED BY A LOCAL GOVERNMENT WITH THE
CONSENT OF THE LOCAL GOVERNMENT; AND**

**(III) PRIVATE PROPERTY WITH THE CONSENT OF THE PROPERTY
OWNER.**”;

and in line 30, strike “(2)” and substitute “(3)”.

On pages 2 and 3, strike beginning with “AUTHORIZE” in line 30 on page 2 down through “PESTICIDES.” in line 1 on page 3 and substitute “:

**(I) TREAT PROPERTY WITH AN AERIAL SPRAYING OR
BACKPACK SPRAYING OF BACILLUS THURINGIENSIS ISRAELENIS;**

**(II) CONDUCT FIELD STUDIES TO DETERMINE THE NEED FOR,
LOCATION, AND TIME OF SPRAYING;**

**(III) SCHEDULE SPRAYING WHEN THE CONDITIONS ARE
OPTIMAL FOR INGESTION BY NUISANCE INSECTS;**

**(IV) NOTIFY APPROPRIATE PERSONS OF THE DATE AND
LOCATION OF AN UPCOMING SPRAYING; AND**

(V) REVIEW THE EFFECTIVENESS OF SPRAYING.”.

On page 3, in line 2, after “PROJECT” insert “TO USE BACILLUS THURINGIENSIS ISRAELENSIS”.

The preceding 2 amendments were read and concurred in.

HB1353/563626/1

BY: Senator Kagan

AMENDMENTS TO HOUSE BILL 1353, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “authorizing” and substitute “specifying that a certain notice be provided to certain entities and posted on certain social media sites; authorizing”.

AMENDMENT NO. 2

On page 3, in line 2, after “(B)” insert “NOTICE PROVIDED UNDER SUBSECTION (A)(3)(IV) OF THIS SECTION SHALL, AT A MINIMUM, BE:

(1) PROVIDED TO:

(i) LOCAL PRESS OUTLETS;

(ii) COUNTY AND LOCAL GOVERNMENTS THAT ARE IN THE AREA THAT WILL BE AFFECTED BY THE SPRAYING;

(iii) EMERGENCY RESPONDERS AND ASSOCIATED AGENCIES THAT SERVICE THE AREA THAT WILL BE AFFECTED BY THE SPRAYING; AND

(iv) THE LOCAL RIVERKEEPER FOR THE AREA THAT WILL BE AFFECTED BY THE SPRAYING; AND

(2) POSTED ON APPROPRIATE SOCIAL MEDIA SITES.

(C)”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 1336)

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0546**
SPONSOR: Senator Pinsky, et al
SUBJECT: Agriculture – Nutrient Management – Monitoring and Enforcement

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chair
Senator Young
Senator Kagan

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0546**
SPONSOR: Senator Pinsky, et al
SUBJECT: Agriculture – Nutrient Management – Monitoring and Enforcement

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Pinsky, Chairman
Senator Young
Senator Kagan.

The House appoints:

Delegate Lafferty, Chair
Delegate Stein
Delegate Lehman

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 1337)

ADJOURNMENT

At 8:54 P.M. on motion of Delegate Dumais the House adjourned until 11:00 A.M. on Legislative Day March 28, 2019, Calendar Day, Friday, April 5, 2019.

Annapolis, Maryland
Legislative Day: March 28, 2019
Calendar Day: Friday, April 5, 2019
11:00 A.M. Session

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

The House met at 11:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Eric Ebersole of Baltimore and Howard Counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 1338)

EXCUSED:

Del. Busch – medical

Del. Impallaria – left early – personal

The Journal of April 4, 2019 was read and approved.

CALENDAR OF VETOED HOUSE BILLS NO. 3

VETOED MESSAGES – 2019

(See Exhibit AA of Appendix II)

The Messages from the Governor were journalized.

**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

The Speaker put the following question: “Shall the Bill pass, notwithstanding the objections of the Governor?”

The veto was overridden by roll call vote as follows:

Affirmative – 96 Negative – 43 (See Roll Call No. 1339)

MESSAGE TO THE SENATE

April 5, 2019

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor's veto of House Bill 298. Said Bill is sent to you for your consideration.

By Order,
Sylvia Siegert, Chief Clerk

Read and adopted.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 28

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

House Bill 815 – Delegates Jacobs, Beitzel, Buckel, Ciliberti, Corderman, Cox, Grammer, Hornberger, Kerr, Pippy, and Wivell

AN ACT concerning

Agriculture – Milk and Milk-Based Products – Labeling

HB0815/310213/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 815

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Agriculture – Milk and Milk-Based Products” and substitute “Public Health – Milk”; strike beginning with “prohibiting” in line 3 down through “term” in line 5 and substitute “prohibiting a person from stating on a label that a product is milk unless it meets a certain definition; requiring the Maryland Department of”

Health to establish and implement a certain plan to enforce a certain prohibition; altering a certain definition; making this Act subject to a certain contingency; requiring the Maryland Department of Health to track certain legislation and notify the Department of Legislative Services of a certain occurrence within a certain period of time; providing for the effective date of certain provisions of this Act"; in line 6, strike "and milk-based products"; in line 7, strike "adding to" and substitute "repealing and reenacting, without amendments,"; in line 8, strike "Agriculture" and substitute "Health – General"; strike beginning with "10-401" in line 9 down through "Products"" in line 10 and substitute "21-401(a)"; in line 12, strike "(2016" and substitute "(2015"; and after line 12, insert:

"BY repealing and reenacting, with amendments,

Article – Health – General

Section 21-401(l) and 21-424

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 1, after line 12, insert:

"Preamble

WHEREAS, It is necessary to take steps to ensure the continued viability of dairy farming and to assure consumers of an adequate, local supply of pure and wholesome milk; and

WHEREAS, The dairy industry is an essential agricultural activity and dairy farms, and associated suppliers, marketers, and processors, and retailers, are an integral component of the region's economy; and

WHEREAS, The U.S. Food and Drug Administration has not provided consistent guidance to the State Department of Agriculture, dairy farms, associated suppliers, marketers, processors, retailers, and consumers on the application of the established standard of identity of milk as defined in 21 C.F.R. § 131.110; and

WHEREAS, The State of Maryland seeks to be a national leader in the preservation of the dairy industry while balancing the need to maintain commerce; now, therefore,".

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 3 on page 2, inclusive, and substitute:

“Article – Health – General21–401.

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

(l) (1) “Milk” means the [milk of a cow, goat, or other hooved mammal] LACTEAL SECRETION, PRACTICALLY FREE OF COLOSTRUM, OBTAINED BY THE COMPLETE MILKING OF ONE OR MORE HEALTHY HOOVED MAMMALS, INCLUDING MEMBERS OF THE ORDER CETARTIODACTYLA, INCLUDING:

(i) FAMILY BOVIDAE, INCLUDING CATTLE, WATER BUFFALO, SHEEP, GOATS, AND YAKS;

(ii) FAMILY CERVIDAE, INCLUDING DEER, REINDEER, AND MOOSE; AND

(iii) FAMILY EQUIDAE, INCLUDING HORSES AND DONKEYS.

(2) “Grade A milk” means the milk of a cow, goat, or other hooved mammal produced, processed, pasteurized, bottled, packaged, or prepared in accordance with the Grade A Pasteurized Milk Ordinance.

(3) “Manufactured milk” means the milk of a cow, goat, or other hooved mammal which is not Grade A milk and which is produced, processed, pasteurized, bottled, packaged, or prepared in accordance with “Milk for Manufacturing Purposes and Its Production and Processing: Recommended Requirements”.

21–424.

(A) After the milk product has been processed, each milk product shall be labeled with:

(1) The description of that milk product under this subtitle or the rules and regulations adopted under this subtitle; and

(2) Any other information that the Secretary requires by rule or regulation.

(B) A PERSON MAY NOT STATE ON A LABEL THAT THE PRODUCT IS MILK UNLESS IT MEETS THE DEFINITION OF “MILK” ESTABLISHED IN § 21-401 OF THIS SUBTITLE.

(C) THE DEPARTMENT SHALL ESTABLISH AND IMPLEMENT A PLAN TO ENFORCE THE PROHIBITION IN SUBSECTION (B) OF THIS SECTION, INCLUDING NOTICE OF THE DEPARTMENT’S INTENT TO IMPLEMENT A BAN ON ALL PRODUCTS THAT DO NOT MEET THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION, INCLUDING PLANT-BASED PRODUCTS MISLABELED AS MILK.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on the enacting of a similar act in any 11 states of the group of states composed of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. The Maryland Department of Health shall notify the Department of Legislative Services within 10 days after 11 of these 14 states have enacted an act that is similar to this Act. If notice of enactment is not received by the Department of Legislative Services on or before October 1, 2029, this Act, with no further action required by the General Assembly, shall be null and void.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Section 21-424(b) of the Health – General Article, as enacted by Section 1 of this Act, shall go into effect 6 months after the date on which this Act becomes effective under Section 2 of this Act.

(b) The Maryland Department of Health shall meet the requirements of § 21-424(c) of the Health – General Article, as enacted by Section 1 of this Act, on or before 6 months after the date on which this Act becomes effective under Section 2 of this Act.”.

On page 2, in line 4, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, subject to Sections 2 and 3 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.

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

Senate Bill 252 – Senator Hayes

AN ACT concerning

Railroad Company – Movement of Freight – Required Crew

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:

Senate Bill 370 – Senators West, Waldstreicher, ~~and Washington~~ Washington, Kagan, and Lam

AN ACT concerning

Environment – Recycling – ~~Commercial Properties~~ Office Buildings

SB0370/570317/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 370

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “certain” and substitute “recyclable”; in line 4, strike “zoned for office use” and substitute “that have a certain square footage of office space”; in line 6, strike “buildings zoned for office use” and substitute “office buildings”; in the same line, after “for” insert “the collection and”; in line 7, after the first “certain” insert “recyclable”; in the same line, after “date;” insert “authorizing a certain tenant to carry out certain recycling requirements under certain circumstances;”; in lines 8 and 11, in each instance, strike “clarifying” and substitute “specifying”; in line 10, strike “, suspend,”; in line 14, strike “building owner or tenant” and substitute “office building owner or tenant of an office building”; in line 15, strike “the recycling required under this Act” and substitute “certain recycling requirements”; in line 18, after “inspections;” insert “defining a certain term;”; strike beginning with “clarifying” in line 19 down through “legislation” in line 20 and substitute “providing that this Act may not be construed to preempt or prevail over any”

ordinance, resolution, law, or rule more stringent than this Act”; in line 21, after “to” insert “the collection and”; and in line 22, strike “for office buildings” and substitute “of recyclable materials from office buildings”.

AMENDMENT NO. 2

On page 3, in line 28, strike “ARE” and substitute “HAVE”; and in lines 28 and 29, strike “AND ZONED FOR OFFICE USE” and substitute “OF OFFICE SPACE”.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 7 through 10, inclusive, and substitute:

“(A) (1) IN THIS SECTION, “OFFICE BUILDING” MEANS A BUILDING THAT HAS 150,000 SQUARE FEET OR GREATER OF OFFICE SPACE.”;

in lines 15, 25, and 28, in each instance, strike “A” and substitute “AN OFFICE”; in line 17, strike “ZONED FOR OFFICE USE”; in line 18, strike “OR SUSPEND,”; in lines 20 and 21, strike “AFFECT A SINGLE PROPERTY” and substitute “ARE IDENTIFIED BY THE OFFICE BUILDING OWNER IN AN APPLICATION TO THE COUNTY OR MUNICIPALITY FOR AN ALTERATION OR EXEMPTION”; in line 27, strike “ON” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON”; in lines 27 and 28, strike “UNLESS OTHERWISE AGREED BETWEEN AN OWNER AND A TENANT,”; strike beginning with “THAT” in line 30 down through “USE” in line 31; and in lines 32 and 33, strike “A RECYCLING RECEPTACLE ON THE PROPERTY” and substitute “RECYCLING RECEPTACLES”.

On page 5, in line 2, after “MATERIALS” insert “, AS DETERMINED BY THE COUNTY OR MUNICIPALITY IN WHICH THE BUILDING IS LOCATED,”; in line 3, strike “RECEPTACLE” and substitute “RECEPTACLES”; in line 5, strike “ALUMINUM, STEEL, AND TIN CANS” and substitute “METAL”; in line 6, strike “BOTTLES” and substitute “MATERIALS”; strike beginning with “AND” in line 6 down through “LOCATED” in line 7; after line 7, insert:

“(2) ON AGREEMENT BETWEEN AN OFFICE BUILDING OWNER AND THE TENANT OF THE OFFICE BUILDING, A TENANT MAY CARRY OUT THE RECYCLING REQUIRED UNDER THIS SUBSECTION.”;

in line 8, strike “(2)” and substitute “(3)”; in the same line, strike “A” and substitute “AN OFFICE”; in line 9, strike the second “A” and substitute “AN OFFICE”; in line 10, strike “PARAGRAPH (1) OF”; and in line 16, strike “BUILDING” and substitute “OFFICE BUILDING”.

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:

Senate Bill 922 – Senators Gallion, Bailey, Hershey, and Jennings

AN ACT concerning

~~Agriculture – Milk and Milk-Based Products~~ Public Health – Milk – Labeling

SB0922/650515/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 922

(Third Reading File Bill)

On page 3, in line 32, after “in” insert “any 11 states of the group of states composed of”.

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. 25

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

Senate Bill 678 – Senators Jennings, Beidle, Benson, Cassilly, Eckardt, Edwards, Elfreth, Feldman, Griffith, Guzzone, Hayes, Hershey, Kelley, Kramer, Lam,

Lee, McCray, Patterson, Peters, Pinsky, Ready, Reilly, Salling, Serafini, Smith, Waldstreicher, West, and Zirkin

AN ACT concerning

State Government – Notarial Acts and Notaries Public

SB0678/256988/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 678

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “authorizing the Governor to appoint and commission individuals as notaries public on approval of an application by a certain Delegate; clarifying that a certain approval may be from a Senator or Delegate representing the district or subdistrict in which an applicant works;”; and strike beginning with “altering” in line 12 down through “act;” in line 13.

On page 2, strike beginning with “requiring” in line 16 down through “database;” in line 17; in line 41, after “Section” insert “18-101,”; and in the same line, strike “18-103(d)(4)” and substitute “18-103(a) and (d)(4)”.

On page 3, in line 9, strike “18-228” and substitute “18-227”.

AMENDMENT NO. 2

On page 3, after line 24, insert:

“18-101.

(a) (1) Except as provided in paragraph (2) of this subsection, the Governor [on approval of the application by a Senator representing the senatorial district and subdistrict in which the applicant resides or on approval by any Senator if the senatorial office representing the senatorial district and subdistrict in which the applicant resides is vacant,] may appoint and commission individuals as notaries public as provided in this title ON APPROVAL OF THE APPLICATION BY:

(I) A SENATOR REPRESENTING THE SENATORIAL DISTRICT AND SUBDISTRICT IN WHICH THE APPLICANT RESIDES OR WORKS;

(II) A DELEGATE REPRESENTING THE SUBDISTRICT IN WHICH THE APPLICANT RESIDES OR WORKS;

(III) ANY SENATOR, IF THE SENATORIAL OFFICE REPRESENTING THE SENATORIAL DISTRICT AND SUBDISTRICT IN WHICH THE APPLICANT RESIDES OR WORKS IS VACANT; OR

(IV) ANY DELEGATE, IF THE DELEGATE OFFICE REPRESENTING THE SUBDISTRICT IN WHICH THE APPLICANT RESIDES OR WORKS IS VACANT.

(2) (i) A Senator OR DELEGATE may delegate the Senator's OR DELEGATE'S authority to approve applicants under this subsection to the Secretary of State.

(ii) If a Senator OR DELEGATE has delegated approval authority under subparagraph (i) of this paragraph, the Governor may appoint and commission an individual as a notary public as provided in this title on approval of the application by the Secretary of State.

(b) (1) The Governor, on approval of the application by the Secretary of State and a member of the Senate of Maryland OR HOUSE OF DELEGATES, shall appoint and commission out-of-state individuals as notaries public as provided in this title.

(2) An out-of-state notary shall be deemed to have irrevocably appointed the Secretary of State as the notary's agent upon whom may be served any summons, subpoena, subpoena duces tecum, or other process.”;

in line 29, strike the brackets; and strike in their entirety lines 30 and 31.

On page 4, strike line 5 in its entirety; in lines 6, 11, and 13, strike “(5)”, “(6)”, and “(7)”, respectively, and substitute “(4)”, “(5)”, and “(6)”, respectively; in line 11, after “district” insert “OR SUBDISTRICT”; after line 21, insert:

“(a) (1) An application for original appointment as a notary public shall be made on forms prepared by the Secretary of State and shall be sworn to by the applicant.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, an application by a resident of the State shall bear or be accompanied by the written approval of:

1. a Senator representing the senatorial district and subdistrict in which the applicant resides [or, if that office is vacant, by any Senator's written approval] OR WORKS;

2. A DELEGATE REPRESENTING THE SUBDISTRICT IN WHICH THE APPLICANT RESIDES OR WORKS;

3. ANY SENATOR, IF THE SENATORIAL OFFICE REPRESENTING THE SENATORIAL DISTRICT AND SUBDISTRICT IN WHICH THE APPLICANT RESIDES OR WORKS IS VACANT; OR

4. ANY DELEGATE, IF THE DELEGATE OFFICE REPRESENTING THE SUBDISTRICT IN WHICH THE APPLICANT RESIDES OR WORKS IS VACANT.

(ii) If a Senator OR DELEGATE has delegated approval authority under § 18–101 of this title, the application shall bear or be accompanied by the written approval of the Secretary of State.

(3) An application by an out-of-state individual shall bear or be accompanied by the written approval of a Maryland State Senator OR MARYLAND STATE DELEGATE.

(4) Completed applications shall be filed with the Secretary of State.”;

in line 30, after “DISTRICT” insert “OR DELEGATE FOR THE SUBDISTRICT”; and in line 31, after “RESIDES” insert “OR WORKS”.

AMENDMENT NO. 3

On page 8, in line 9, strike the brackets; in the same line, strike “\$25”; and in line 13, strike “\$25” and substitute “\$4”.

AMENDMENT NO. 4

On page 15, in lines 5 and 21, in each instance, after “LICENSE,” insert “CONSULAR IDENTIFICATION,”; in lines 6 and 7, strike “THAT IS CURRENT AND UNEXPIRED AT THE TIME OF PERFORMANCE OF THE NOTARIAL ACT”; strike in their entirety lines 10 and 11; in lines 12 and 14, strike “2.” and “3.”, respectively, and substitute “1.” and “2.”, respectively; and in lines 21 and 22, strike “THAT IS CURRENT AND UNEXPIRED AT THE TIME OF PERFORMANCE OF THE NOTARIAL ACT”.

AMENDMENT NO. 5

On page 21, in line 12, strike “18-223” and substitute “18-222”.

On page 22, in lines 2 and 14, in each instance, strike “18-223” and substitute “18-222”.

On page 24, in line 17, strike “18-223” and substitute “18-222”.

On page 28, in line 18, strike “18-223” and substitute “18-222”.

On page 30, in line 17, strike “18-223” and substitute “18-222”.

On page 31, strike in their entirety lines 19 through 26, inclusive.

On page 32, in line 7, strike “18-223.” and substitute “18-222.”.

On page 33, in line 25, strike “18-224.” and substitute “18-223.”; and in line 27, strike “18-223” and substitute “18-222”.

On page 36, in line 23, strike “18-225.” and substitute “18-224.”.

On page 38, in lines 1, 5, and 11, strike “18-226.”, “18-227.”, and “18-228.”, respectively, and substitute “18-225.”, “18-226.”, and “18-227.”, respectively.

The preceding 5 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. 19

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 1293 – Delegates Krimm, Arentz, Buckel, Cox, Mautz, McKay, Metzgar, Otto, and Pippy

AN ACT concerning

Health – Professional and Volunteer Firefighter Innovative Cancer Screening Technologies 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 Economic Matters:

Senate Bill 516 – Senators Feldman, Beidle, Benson, Carter, Elfreth, Ellis, Ferguson, Griffith, Guzzone, Hester, Kagan, Kelley, King, Kramer, Lam, Lee, Nathan-Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker

AN ACT concerning

Clean Energy Jobs

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 Health and Government Operations:

Senate Bill 598 – Senator Nathan-Pulliam

AN ACT concerning

Maryland Medical Assistance Program – Coverage – Hepatitis C Drugs

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:

Senate Bill 619 – Senator Carter

EMERGENCY BILL

AN ACT concerning

**University of Maryland Medical System Corporation – Board of ~~Directors~~
~~Conflicts of Interest, Prestige of Office, and Financial Disclosure~~
Directors, Ethics, and Performance Audits**

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 Ways and Means:

Senate Bill 628 – Senator Carter

AN ACT concerning

**~~Economic Development – Maryland Tourism Development Board – Grants~~
Task Force on the Tourism Industry in Maryland**

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 Ways and Means:

Senate Bill 747 – Senators Lam, Guzzone, and Rosapepe

SECOND PRINTING

AN ACT concerning

Education – Removal of County Superintendents – Procedures

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:

Senate Bill 773 – Senator Smith

AN ACT concerning

Health Care Malpractice Qualified Expert – Qualification

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 Health and Government Operations:

Senate Bill 803 – Senators Kelley, Benson, Elfreth, Feldman, Hayes, Klausmeier, and Kramer

AN ACT concerning

**Health Facilities – Hospitals – Disclosure of Outpatient Facility Fees
(Facility Fee Right-to-Know Act)**

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 Judiciary:

Senate Bill 809 – Senators Lee, Benson, Carter, Elfreth, Feldman, Guzzone, Hayes, Hester, Kagan, Nathan-Pulliam, Patterson, Peters, Smith, Waldstreicher, Washington, West, Young, and Zucker

AN ACT concerning

Correctional Facilities – Restrictive Housing – Pregnant Inmates

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:

Senate Bill 897 – Senator Ferguson

AN ACT concerning

**University of Maryland Joint Steering Council – Renaming ~~and~~ Duties, and
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 Ways and Means:

Senate Bill 964 – Senator Rosapepe

AN ACT concerning

**County Boards of Education – Equal Access to Public Services for Individuals
With Limited English Proficiency**

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:

Senate Bill 1049 – Senator Waldstreicher

AN ACT concerning

Civil Actions – Office of Asbestos Case Mediation and Resolution

The Bill was re-referred to the Committee on Judiciary.

AMENDED IN 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**

Delegate Kaiser moved that the House not concur in the Senate amendments.

HB0403/949933/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 403

(Third Reading File Bill)

On page 1, in line 6, after “Baltimore County” insert “, Howard County, Wicomico County, or Worcester County”.

On page 2, in line 9, after the third “County,” insert “**HOWARD COUNTY,**”; in line 10, strike “or”; and in the same line, after the third “County” insert “, **WICOMICO COUNTY, OR WORCESTER COUNTY**”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0403
SPONSOR: Delegate Ebersole
SUBJECT: Income Tax Credit – Qualified Farms – Food Donation Pilot Program – Expansion and Extension

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 Walker, Chair
Delegate Reilly
Delegate Mosby

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 1340)

CALENDAR OF THIRD READING HOUSE BILLS NO. 115

House Bill 832 – Delegates Pena–Melnyk, B. Barnes, Barron, Bartlett, Carr, Charles, Cullison, Fennell, Hettleman, Lehman, J. Lewis, R. Lewis, Proctor, Rosenberg, Sample–Hughes, Valentino–Smith, ~~and K. Young~~ K. Young, Pendergrass, Bagnall, Bhandari, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, Metzgar, Morgan, Saab, and Szeliga

AN ACT concerning

Maryland Medical Assistance Program – Home- and Community-Based Waiver Services – Prohibition on Denial

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1341)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 58

Senate Bill 51 – Chair, Finance Committee (By Request – Departmental – Planning)

AN ACT concerning

Maryland Heritage Areas Authority – Target Investment Zones – Repeal

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1342)

The Bill was then returned to the Senate.

Senate Bill 56 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Secretary of Agriculture – Regulation of Poultry to Protect Animal Health and Control Avian Influenza

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

Affirmative – 139 Negative – 1 (See Roll Call No. 1343)

The Bill was then returned to the Senate.

Senate Bill 93 – Senator Reilly

AN ACT concerning

Anne Arundel County – Controlled Water Ski Area in Maynadier Creek – Operation of Vessel – Hours of Operation

FLOOR AMENDMENT

SB0093/563325/1

BY: Delegate Beitzel

AMENDMENT TO SENATE BILL 93, AS AMENDED

In the Environment and Transportation Committee Amendments (SB0093/460019/1), in line 3 of Amendment No. 2, strike “2022” and substitute “2020”; in line 7, strike “4” and substitute “2”; and in the same line, strike “2023” and substitute “2021”.

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

Affirmative – 27 Negative – 108 (See Roll Call No. 1344)

Delegate Gilchrist moved the previous question.

The motion was adopted.

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

Affirmative – 87 Negative – 50 (See Roll Call No. 1345)

The Bill was then returned to the Senate.

Senate Bill 417 – Senators Carter, Augustine, Benson, Ferguson, Hayes, Lee, McCray, Nathan-Pulliam, Smith, and Washington

AN ACT concerning

Vehicle Laws – ~~Ethnicity-Based or~~ Race-Based Traffic Stops – Policy and Reporting Requirements

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1346)

The Bill was then returned to the Senate.

Senate Bill 707 – Senator Ready

AN ACT concerning

Motor Vehicles – Temporary In-Transit Registration

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1347)

The Bill was then returned to the Senate.

Senate Bill 1038 – Senator Salling

AN ACT concerning

~~State Highway Administration – Overweight Vehicle Permits~~
Vehicle Laws – Overweight Vehicles – Heavy Weight Port Corridor Permit

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1348)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 61

Senate Bill 567 – ~~Senator Lee~~ Senators Lee, Zirkin, Smith, Carter, Cassilly, Hester, Hough, Ready, Waldstreicher, Washington, and West

AN ACT concerning

Workgroup to Study Child Custody Court ~~Decisions~~ Proceedings Involving Child Abuse or Domestic Violence Allegations

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1349)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0994**
SPONSOR: Delegate Mosby, et al

SUBJECT: Labor and Employment – Criminal Record Screening Practices
(Ban the Box)

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Wilson, Chairman
Delegate Crosby
Delegate C. Watson.

The Senate appoints:

Senator Augustine, Chair
Senator Hayes
Senator Benson

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB1246**
SPONSOR: Delegate Fraser–Hidalgo, et al
SUBJECT: Clean Cars Act of 2019

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Fraser–Hidalgo, Chairman
Delegate Barve
Delegate Stein.

The Senate appoints:

Senator Feldman, Chair
Senator Beidle
Senator Hershey

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

**CONCURRENCE CALENDAR NO. 16
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

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**

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0824/374735/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 824

(Third Reading File Bill)

On page 1, strike beginning with “providing” in line 18 down through “Act;” in line 19.

On page 5, after line 27, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2020.”;

strike in their entirety lines 28 through 31, inclusive; and in line 33, strike “2020” and substitute “2019”.

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 – 139 Negative – 0 (See Roll Call No. 1350)

AMENDED IN THE SENATE

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

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1007/438579/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1007

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 15 down through the semicolon in line 17.

AMENDMENT NO. 2

On page 5, in line 7, strike “**(1)**”; in lines 8, 12, and 14, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**(1)**”, “**(2)**”, and “**(3)**”, respectively; and strike in their entirety lines 16 and 17.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1351)

AMENDED IN THE SENATE

House Bill 1258 – Calvert County Delegation

AN ACT concerning

**Calvert County – Length of Service Award Program – Death Benefits
(Patricia Ann “Pat” Osburn Law)**

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1258/509632/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1258

(Third Reading File Bill)

On page 5, in line 7, strike “qualified”.

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 – 140 Negative – 0 (See Roll Call No. 1352)

**CONCURRENCE CALENDAR NO. 17
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

**House Bill 911 – Delegates Krimm, Acevero, Barron, Carr, Hettleman, Jackson,
Kipke, J. Lewis, R. Lewis, McKay, Solomon, and Valentino-Smith**

AN ACT concerning

Joint Committee on Ending Homelessness – Unaccompanied Minors in Need of Shelter – ~~Consent to Shelter and Supportive Services~~

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0911/338573/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 911

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Workgroup to Study Shelter and Supportive Services for Unaccompanied Homeless Minors”; and strike beginning with “altering” in line 16 down through “Homelessness” in line 22 and substitute “establishing the Workgroup to Study Shelter and Supportive Services for Unaccompanied Homeless Minors; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to compile and identify certain information and make recommendations regarding certain matters; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; defining a certain term; and generally relating to the Workgroup to Study Shelter and Supportive Services for Unaccompanied Homeless Minors”.

On page 2, strike in their entirety lines 6 through 26, inclusive; and in line 28, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 5 through 8, strike in their entirety the lines beginning with line 24 on page 5 through line 29 on page 8, inclusive, and substitute:

“(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.

(b) There is a Workgroup to Study Shelter and Supportive Services for Unaccompanied Homeless Minors.

(c) The Workgroup consists of the following members:

(1) the Senate Chair of the Joint Committee on Ending Homelessness;

(2) the House Chair of the Joint Committee on Ending Homelessness;

(3) the Secretary of Housing and Community Development, or the Secretary's designee;

(4) the Secretary of Human Services, or the Secretary's designee;

(5) the Secretary of Juvenile Services, or the Secretary's designee;

(6) the Secretary of Health, or the Secretary's designee;

(7) the State Superintendent of Schools, or the State Superintendent's designee; and

(8) additional members invited by the Senate Chair and House Chair of the Joint Committee on Ending Homelessness.

(d) The Senate Chair and House Chair of the Joint Committee on Ending Homelessness shall serve as cochairs of the Workgroup.

(e) The Joint Committee on Ending Homelessness shall provide staff for the Workgroup.

(f) 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.

(g) The Workgroup shall:

(1) compile existing information on, identify, and study the unique needs of unaccompanied homeless minors, and identify the public and private sector programs and resources available to meet those needs;

(2) identify gaps in public and private sector programs and resources available to meet the needs of unaccompanied homeless minors;

(3) identify barriers to access to safe shelter for unaccompanied homeless minors, and compile information on and study shelter practices in other states; and

(4) make recommendations on:

(i) legislation, regulations, and policy initiatives to address the needs of unaccompanied homeless minors in the State;

(ii) funding requirements and budgetary priorities to address the needs of unaccompanied homeless minors in the State; and

(iii) any other relevant issues or considerations identified by the Workgroup.

(h) On or before December 1, 2019, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”.

On page 9, in line 2, strike “October” and substitute “July”; and in the same line, after “2019.” 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 concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 1353)

AMENDED IN 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

Delegate Clippinger moved that the House concur in the Senate amendments.

HB1096/518777/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1096
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “manner;” insert “providing that the failure to take certain actions in a timely manner may not constitute the basis for excluding certain evidence;”; and in line 18, strike “a certain victim’s” and substitute “certain”.

On page 2, in lines 3 and 4, strike “for certain provisions of this Act”.

AMENDMENT NO. 2

On page 5, in line 1, after “**(1)**” insert “**(I)**”; and after line 5, insert:

“(II) FAILURE TO COMPLETE THE SCREENING, TESTING, AND ANALYSIS IN A TIMELY MANNER AS REQUIRED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT CONSTITUTE THE BASIS FOR EXCLUDING THE ANALYSIS OR RESULTS AS EVIDENCE IN A CRIMINAL PROCEEDING.”

On page 6, in line 13, strike “December 1, 2019” and substitute “January 1, 2020”; strike beginning with “Section” in line 14 down through “Act.” in line 17; and in line 17, strike “June 1, 2019” and substitute “January 1, 2020”.

The preceding 2 amendments were read and concurred in.

HB1096/503729/1

BY: Senator Zirkin

AMENDMENTS TO HOUSE BILL 1096, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

In the Judicial Proceedings Committee Amendments (HB1096/518777/1), in line 4 of Amendment No. 1, strike "for certain provisions of this Act".

AMENDMENT NO. 2

In the Judicial Proceedings Committee Amendments, strike Amendment No. 2 in its entirety.

On page 5 of the bill, in line 1, after "**(1)**" insert "**(I)**"; and after line 5, insert:

"(II) FAILURE TO COMPLETE THE SCREENING, TESTING, AND ANALYSIS IN A TIMELY MANNER AS REQUIRED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT CONSTITUTE THE BASIS FOR EXCLUDING THE ANALYSIS OR RESULTS AS EVIDENCE IN A CRIMINAL PROCEEDING."

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1354)

**CONCURRENCE CALENDAR NO. 18
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

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

AN ACT concerning

Education – Removal of County Superintendents – Procedures

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0238/203427/1

BY: Senator Lam

AMENDMENTS TO HOUSE BILL 238

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “manner;” insert “authorizing a county superintendent to appeal a certain decision by the State Superintendent to the State Board of Education; authorizing a county superintendent to appeal a certain decision by the county board to the State Board;”; and strike beginning with “authorizing” in line 15 down through “court;” in line 19.

AMENDMENT NO. 2

On page 4, in line 5, before “THE” insert “(I)”; in lines 8, 10, and 12, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; after line 14, insert:

“(II) THE COUNTY SUPERINTENDENT MAY APPEAL THE DECISION OF THE STATE SUPERINTENDENT TO THE STATE BOARD.”;

in line 27, after “(4)” insert “(I)”; and in line 30, strike “(I)” and substitute “1.”.

On page 5, in line 1, strike “(II)” and substitute “2.”; in line 3, strike “(III)” and substitute “3.”; and after line 4, insert:

“(II) THE COUNTY SUPERINTENDENT MAY APPEAL THE DECISION OF THE COUNTY BOARD TO THE STATE BOARD.”.

On pages 5 and 6, strike in their entirety the lines beginning with line 5 on page 5 through line 32 on page 6, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 1 (See Roll Call No. 1355)

AMENDED IN 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

Delegate Kaiser moved that the House concur in the Senate amendments.

HB1093/399037/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1093

(Third Reading File Bill)

On page 1, after line 2, insert:

“(The Jonathan Porto Act)”.

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 – 139 Negative – 0 (See Roll Call No. 1356)

WAYS AND MEANS COMMITTEE REPORT NO. 29

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

Senate Bill 533 – Senators Guzzone and McCray

AN ACT concerning

Sales and Use Tax – ~~Limited Residential Lodging~~ Short-Term Rentals

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:

Senate Bill 945 – Senator Kramer**EMERGENCY BILL**

AN ACT concerning

Sales and Use Tax – Taxable Services – Telephone Answering Service

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 30

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

House Bill 884 – Delegate Mosby

AN ACT concerning

Sales and Use Tax – Limited Residential Lodging

HB0884/355863/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 884

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Limited Residential Lodging” and substitute “Short-Term Rentals”; in lines 3 and 8, in each instance, strike “hosting” and substitute “short-term rental”; in lines 4 and 9, in each instance, strike “lodging accommodations” and substitute “short-term rentals”; strike beginning with “requiring” in line 4 down through

“manner;” in line 7; in line 12, after “(a-1),” insert “(a-2),”; in the same line, strike “and (k)(1)” and substitute “and (l)(1)”; in line 17, strike “11-101(a-2)” and substitute “11-101(k)(1), (l)(5) and (6).”; in the same line, strike “, 11-302,”; and in line 22, strike “(c-2), (c-3), and (c-4)” and substitute “(j-1), (j-2), and (j-3)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 9 and 10; and in line 11, strike “(3)” and substitute “(2)”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 18 on page 2 through line 3 on page 3, inclusive.

AMENDMENT NO. 4

On page 3, in line 8, strike “or”; in line 9, after “accommodation” insert “; OR”

(III) A SHORT-TERM RENTAL”;

after line 6, insert:

“(J-1) “SHORT-TERM RENTAL” MEANS THE TEMPORARY USE OF A SHORT-TERM RENTAL UNIT TO PROVIDE ACCOMMODATION TO TRANSIENT GUESTS FOR LODGING PURPOSES IN EXCHANGE FOR CONSIDERATION.

(J-2) “SHORT-TERM RENTAL PLATFORM” MEANS AN INTERNET-BASED DIGITAL ENTITY THAT:

(1) ADVERTISES THE AVAILABILITY OF SHORT-TERM RENTAL UNITS FOR RENT; AND

(2) RECEIVES COMPENSATION FOR FACILITATING RESERVATIONS OR PROCESSING BOOKING TRANSACTIONS ON BEHALF OF THE OWNER, OPERATOR, OR MANAGER OF A SHORT-TERM RENTAL UNIT.

(J-3) (1) “SHORT-TERM RENTAL UNIT” MEANS A RESIDENTIAL DWELLING UNIT OR A PORTION OF THE UNIT USED FOR SHORT-TERM RENTALS.

(2) “SHORT-TERM RENTAL UNIT” INCLUDES A SINGLE-FAMILY HOUSE OR DWELLING, A MULTIFAMILY HOUSE OR DWELLING, AN APARTMENT, A CONDOMINIUM, OR A COOPERATIVE.”;

after line 9, insert:

“(1) (1) “Taxable price” means the value, in money, of the consideration of any kind that is paid, delivered, payable, or deliverable by a buyer to a vendor in the consummation and complete performance of a sale without deduction for any expense or cost, including the cost of:

- (i) any labor or service rendered;
- (ii) any material used; or
- (iii) any property sold.

(5) “Taxable price” includes, for the sale or use of an accommodation facilitated by an accommodations intermediary **OR A SHORT-TERM RENTAL PLATFORM**, the full amount of the consideration paid by a buyer for the sale or use of an accommodation, but not including any tax that is remitted to a taxing authority.

(6) “Taxable price” does not include, for the sale or use of an accommodation facilitated by an accommodations intermediary **OR A SHORT-TERM RENTAL PLATFORM**, a commission paid by an accommodations provider to a person after facilitating the sale or use of an accommodation.”;

and in line 17, strike “HOSTING” and substitute “**SHORT-TERM RENTAL**”.

AMENDMENT NO. 5

On page 4, strike in their entirety lines 2 through 20, inclusive; and in line 23, strike “HOSTING” and substitute “**SHORT-TERM RENTAL**”.

AMENDMENT NO. 6

On page 5, strike in their entirety lines 14 through 17, inclusive.

The preceding 6 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:

Senate Bill 340 – Senators Kagan, Augustine, Feldman, King, Peters, West, and Young

AN ACT concerning

Maryland Technology Development Corporation – Investments and Operations

SB0340/765367/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 340

(Third Reading File Bill)

On page 5, in line 9, after “STATE” insert “ETHICS”; and in the same line, strike “ON ETHICS”.

On page 7, in line 30, strike “AND”.

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:

**Senate Bill 581 – Senators Ferguson, Feldman, Guzzone, ~~and Klausmeier~~
Klausmeier, Eckardt, Edwards, Hayes, Hester, Rosapepe, and Serafini**

AN ACT concerning

**Economic, Housing, and Community Development Tax Credits – Opportunity
Zone Enhancement Program Incentives**

SB0581/615969/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 581

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 6 down through “year;” in line 8; and strike beginning with “altering” in line 12 down through “year;” in line 14.

On page 2, strike beginning with “making” in line 3 down through “circumstances;” in line 4; and in line 28, after “circumstances;” insert “allowing a credit against the State income tax for certain qualified workforce housing in opportunity zones; providing for allocation of the aggregate available credit amount among qualified workforce housing projects by the Secretary of Housing and Community Development; limiting the aggregate credit amount that may be allocated for any fiscal year; establishing the Qualified Workforce Housing Tax Credit Reserve Fund; authorizing the Governor to include certain appropriations for the fund in the annual budget bill; requiring the Comptroller to transfer certain amounts from the fund to the General Fund of the State under certain circumstances; requiring the Secretary to adopt certain regulations; authorizing the Secretary, in consultation with the Comptroller, to adopt certain regulations providing for the recapture of the tax credit under certain circumstances; allowing unused credits to be claimed in subsequent taxable years under certain circumstances; requiring the Secretary to report to the General Assembly on or before a certain date each year;”.

On page 3, in line 15, strike “and” and substitute a comma; in the same line, after “11-411(b)” insert “and (d)”; in line 20, strike “and 11-411(d)”; after line 22, insert:

“BY adding to

Article – Tax – General

Section 10-749

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)”;

in line 25, after “9-110(a)(1)” insert “and 9-229(b)”; and in line 35, after “(b)” insert “, 9-229(a) and (f)”.

On page 4, in line 2, after the semicolon insert “4-2501 through 4-2505 to be under the new subtitle “Subtitle 25. Qualified Workforce Housing Tax Credit”;”.

AMENDMENT NO. 2

On page 9, in line 20, strike "**2025**" and substitute "**2022**".

On page 10, in line 31, strike "**(I)**" and substitute "**(II)**".

AMENDMENT NO. 3

On page 14, in line 28, strike "**\$3,150**" and substitute "**\$3,075**"; and in line 30, strike "**\$5,250**" and substitute "**\$5,125**".

On page 15, in line 19, strike "**\$5,250,000**" and substitute "**\$5,125,000**".

On page 16, in line 7, strike "**\$1,100**" and substitute "**\$1,025**"; in lines 11 and 28, in each instance, strike "**10%**" and substitute "**7.5%**"; and in line 24, strike "**\$1,650**" and substitute "**\$1,540**".

On page 17, in line 19, strike "**75%**" and substitute "**65%**"; and in line 21, strike "**\$600,000**" and substitute "**\$575,000**".

AMENDMENT NO. 4

On page 24, in line 2, strike "**\$50,000**" and substitute "**\$500,000**".

On page 27, strike in their entirety lines 14 through 16, inclusive; and in lines 17 and 27, strike "**(XII)**" and "**(XIII)**", respectively, and substitute "**(XI)**" and "**(XII)**", respectively.

On pages 31 and 32, strike in their entirety the lines beginning with line 27 on page 31 through line 8 on page 32, inclusive.

AMENDMENT NO. 5

On page 40, in line 33, strike the brackets; and in the same line, strike "**\$11,000,000**".

On page 42, in line 27, strike the brackets; and in the same line, strike "**\$1,250,000**".

AMENDMENT NO. 6

On page 44, after line 27, insert:

“9–229.

(a) (1) In this section the following words have the meanings indicated.

(2) “OPPORTUNITY ZONE” MEANS AN AREA THAT HAS BEEN DESIGNATED AS A QUALIFIED OPPORTUNITY ZONE IN THE STATE UNDER § 1400Z–1 OF THE INTERNAL REVENUE CODE.

[(2)] (3) “Property tax attributable to an increase in an assessment” means the additional property tax required to be paid as a result of the increase in the assessment, calculated before the application of the credit under this section but after the application of any other credit allowed under this title.

[(3)] (4) “Qualified brownfields site” has the meaning stated in § 5–301 of the Economic Development Article.

[(4)] (5) “Taxing jurisdiction” means:

- (i) a county or Baltimore City; or
- (ii) a municipal corporation.

(b) (1) (i) A taxing jurisdiction may elect to participate in the Brownfields Revitalization Incentive Program under Title 5, Subtitle 3 of the Economic Development Article through the enactment of legislation that grants property tax credits in accordance with the requirements of this section.

(ii) If a taxing jurisdiction elects to participate in the Program in accordance with this section, the taxing jurisdiction shall notify the Department of Commerce.

(2) If a taxing jurisdiction elects to participate in the Brownfields Revitalization Incentive Program in accordance with this section, the property tax credits under this section shall also apply to the State property tax in that jurisdiction in the same percentage and for the same duration as provided for the property tax of the taxing jurisdiction.

(f) In a designated enterprise zone OR OPPORTUNITY ZONE, a taxing jurisdiction may extend the tax credit authorized under this section up to an additional 5 years.”.

AMENDMENT NO. 7

On page 59, after line 3, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Housing and Community Development

SUBTITLE 25. QUALIFIED WORKFORCE HOUSING TAX CREDIT.

4-2501.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “OPPORTUNITY ZONE” MEANS AN AREA THAT HAS BEEN DESIGNATED AS A QUALIFIED OPPORTUNITY ZONE IN THE STATE UNDER § 1400Z-1 OF THE INTERNAL REVENUE CODE.

(C) “QUALIFIED WORKFORCE HOUSING PROJECT” MEANS A WORKFORCE HOUSING PROJECT IN AN OPPORTUNITY ZONE THAT MEETS REQUIREMENTS FOR ELIGIBILITY FOR THE STATE TAX CREDIT AS SPECIFIED IN REGULATIONS THAT THE SECRETARY ADOPTS UNDER § 4-2502 OF THIS SUBTITLE.

(D) “STATE TAX CREDIT” MEANS THE INCOME TAX CREDIT ALLOWED UNDER § 10-749 OF THE TAX – GENERAL ARTICLE.

(E) “WORKFORCE HOUSING” HAS THE MEANING STATED IN § 4-1801 OF THIS TITLE.

4-2502.

(A) THE OWNER OF A QUALIFIED WORKFORCE HOUSING PROJECT OR THE

DEVELOPER OF A PROPOSED PROJECT THAT WILL BECOME A QUALIFIED WORKFORCE HOUSING PROJECT MAY APPLY TO THE SECRETARY FOR ALLOCATION TO THE PROJECT OF A PORTION OF THE STATE TAX CREDIT.

(B) AN APPLICATION UNDER THIS SECTION SHALL BE MADE IN THE FORM AND MANNER AND CONTAIN ANY INFORMATION THAT THE SECRETARY REQUIRES BY REGULATION.

(C) (1) THE SECRETARY MAY REQUIRE THAT THE OWNER OF A QUALIFIED WORKFORCE HOUSING PROJECT, AS A CONDITION TO RECEIVING AN ALLOCATION OF THE STATE TAX CREDIT, ENTER INTO A WRITTEN REGULATORY AGREEMENT WITH THE SECRETARY UNDER TERMS AND CONDITIONS SET BY THE SECRETARY, REGARDING THE USE OF THE PROJECT.

(2) THE SECRETARY MAY REQUIRE THAT ANY AGREEMENT REQUIRED BY THE SECRETARY UNDER THIS SUBSECTION BE FILED IN THE OFFICIAL LAND RECORDS OF THE COUNTY WHERE THE PROJECT IS LOCATED.

(3) THE SECRETARY AND ANY LOCAL AGENCY OR AUTHORITY DESIGNATED BY THE SECRETARY MAY ENFORCE AN AGREEMENT REQUIRED BY THE SECRETARY UNDER THIS SECTION IN THE EVENT THE OWNER FAILS TO SATISFY ANY OF THE REQUIREMENTS OF THE AGREEMENT.

(4) THE SECRETARY MAY NOT REQUIRE THAT THE OWNER OF A QUALIFIED WORKFORCE HOUSING PROJECT, AS A CONDITION TO RECEIVING AN ALLOCATION OF THE STATE TAX CREDIT, USE THE BONDING AUTHORITY OF THE STATE.

(D) THE SECRETARY SHALL ADOPT:

(1) REGULATIONS OR POLICIES ESTABLISHING CRITERIA BY WHICH THE STATE TAX CREDIT WILL BE ALLOCATED AMONG QUALIFIED WORKFORCE HOUSING PROJECTS; AND

(2) ANY OTHER REGULATIONS NECESSARY TO ADMINISTER THE PROVISIONS OF THIS SUBTITLE.

(E) ANY PROJECT THAT RECEIVES AN ALLOCATION OF A PORTION OF THE STATE TAX CREDIT SHALL BE RESTRICTED IN OCCUPANCY AS SPECIFIED IN THE REGULATIONS ADOPTED BY THE SECRETARY UNDER SUBSECTION (D) OF THIS SECTION FOR A PERIOD OF AT LEAST 30 YEARS BEGINNING WITH THE FIRST TAXABLE YEAR IN WHICH A STATE TAX CREDIT IS CLAIMED BY THE OWNER.

4-2503.

(A) (1) THE MAXIMUM AGGREGATE AVAILABLE STATE TAX CREDIT THAT MAY BE ALLOCATED FOR EACH FISCAL YEAR EQUALS THE LESSER OF:

(I) THE AMOUNT APPROPRIATED FOR THE QUALIFIED WORKFORCE HOUSING TAX CREDIT RESERVE FUND FOR THAT FISCAL YEAR IN THE STATE BUDGET AS APPROVED BY THE GENERAL ASSEMBLY; OR

(II) \$4,000,000.

(2) THE SECRETARY MAY ALLOCATE THE AGGREGATE AVAILABLE STATE TAX CREDIT FOR A FISCAL YEAR AMONG PROJECTS TO BE QUALIFIED WORKFORCE HOUSING PROJECTS TO BE PLACED IN SERVICE DURING OR AFTER THAT FISCAL YEAR.

(3) ANY PART OF THE AGGREGATE AVAILABLE STATE TAX CREDIT FOR ANY FISCAL YEAR THAT IS NOT ALLOCATED BY THE SECRETARY IN THAT FISCAL YEAR MAY BE CARRIED OVER AND ALLOCATED FOR ANY SUBSEQUENT FISCAL YEAR.

(B) (1) IN THIS SUBSECTION, "RESERVE FUND" MEANS THE QUALIFIED WORKFORCE HOUSING TAX CREDIT RESERVE FUND ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(2) (I) THERE IS A QUALIFIED WORKFORCE HOUSING TAX CREDIT RESERVE FUND.

(II) THE RESERVE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT

ARTICLE.

(III) THE MONEY IN THE RESERVE FUND SHALL BE INVESTED AND REINVESTED BY THE STATE TREASURER, AND INTEREST AND EARNINGS SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

(3) (I) 1. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBPARAGRAPH, FOR ANY FISCAL YEAR, THE SECRETARY MAY NOT ALLOCATE TAX CREDITS UNDER THIS SUBTITLE IN THE AGGREGATE TOTALING MORE THAN THE AMOUNT APPROPRIATED FOR THE RESERVE FUND FOR THAT FISCAL YEAR IN THE STATE BUDGET AS APPROVED BY THE GENERAL ASSEMBLY.

2. IF THE AGGREGATE CREDIT AMOUNTS ALLOCATED IN A FISCAL YEAR TOTAL LESS THAN THE AMOUNT APPROPRIATED FOR THE RESERVE FUND FOR THAT FISCAL YEAR, ANY EXCESS AMOUNT SHALL REMAIN IN THE RESERVE FUND AND MAY BE ALLOCATED FOR THE NEXT FISCAL YEAR.

3. FOR ANY FISCAL YEAR, IF FUNDS ARE TRANSFERRED FROM THE RESERVE FUND UNDER THE AUTHORITY OF ANY PROVISION OF LAW OTHER THAN PARAGRAPH (4) OF THIS SUBSECTION, THE MAXIMUM CREDIT AMOUNTS IN THE AGGREGATE THAT THE SECRETARY MAY ALLOCATE SHALL BE REDUCED BY THE AMOUNT TRANSFERRED.

(II) FOR EACH FISCAL YEAR, THE GOVERNOR MAY INCLUDE IN THE BUDGET BILL AN APPROPRIATION FOR THE RESERVE FUND.

(III) NOTWITHSTANDING THE PROVISIONS OF § 7-213 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE GOVERNOR MAY NOT REDUCE AN APPROPRIATION FOR THE RESERVE FUND IN THE STATE BUDGET AS APPROVED BY THE GENERAL ASSEMBLY.

(4) (I) EXCEPT AS PROVIDED IN THIS PARAGRAPH, MONEY APPROPRIATED FOR THE RESERVE FUND SHALL REMAIN IN THE RESERVE FUND.

(II) 1. WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER, AS TO EACH QUALIFIED WORKFORCE HOUSING PROJECT FOR WHICH A

FINAL CREDIT CERTIFICATE WAS ISSUED DURING THE QUARTER, THE DEPARTMENT SHALL NOTIFY THE COMPTROLLER OF:

A. THE MAXIMUM CREDIT AMOUNT INITIALLY ALLOCATED TO THE PROJECT; AND

B. THE FINAL CERTIFIED CREDIT AMOUNT FOR THE PROJECT.

2. ON NOTIFICATION THAT THE FINAL CREDIT FOR A PROJECT HAS BEEN CERTIFIED, THE COMPTROLLER SHALL TRANSFER AN AMOUNT EQUAL TO THE CREDIT AMOUNT INITIALLY ALLOCATED TO THE PROJECT FROM THE RESERVE FUND TO THE GENERAL FUND OF THE STATE.

4-2504.

(A) ON OR BEFORE THE LAST DAY OF THE TAXABLE YEAR IN WHICH A QUALIFIED WORKFORCE HOUSING PROJECT THAT HAS BEEN ALLOCATED A PART OF THE STATE TAX CREDIT UNDER THIS SUBTITLE IS PLACED IN SERVICE, THE OWNER SHALL:

(1) NOTIFY THE SECRETARY THAT THE PROJECT HAS BEEN PLACED IN SERVICE; AND

(2) CERTIFY THAT THE PROJECT IS A QUALIFIED WORKFORCE HOUSING PROJECT ELIGIBLE FOR THE STATE TAX CREDIT.

(B) WITHIN 15 DAYS AFTER NOTIFICATION THAT A PROJECT HAS BEEN PLACED IN SERVICE, THE SECRETARY SHALL ISSUE TO THE OWNER A FINAL CREDIT CERTIFICATE FOR THE PROJECT STATING THE FINAL CREDIT AMOUNT FOR THE PROJECT, NOT TO EXCEED THE CREDIT AMOUNT INITIALLY ALLOCATED TO THE PROJECT.

(C) THE SECRETARY SHALL:

(1) DETERMINE WHETHER ANY EVENT HAS OCCURRED IN VIOLATION

OF THIS SUBTITLE OR REGULATIONS ADOPTED UNDER THIS SUBTITLE THAT MAKES THE PROJECT INELIGIBLE FOR THE STATE TAX CREDIT OR OTHERWISE TRIGGERS THE RECAPTURE OF ANY STATE TAX CREDIT AS PROVIDED UNDER § 10-749 OF THE TAX – GENERAL ARTICLE; AND

(2) PROMPTLY NOTIFY THE COMPTROLLER OF THE OCCURRENCE OF THE EVENT.

4-2505.

ON OR BEFORE DECEMBER 31 EACH YEAR, THE SECRETARY SHALL REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY:

(1) THE NUMBER OF QUALIFIED WORKFORCE HOUSING PROJECTS THAT RECEIVED A TAX CREDIT ALLOCATION DURING THE YEAR;

(2) THE NUMBER OF HOUSING UNITS SUPPORTED BY EACH QUALIFIED WORKFORCE HOUSING PROJECT THAT RECEIVED A TAX CREDIT ALLOCATION DURING THE YEAR;

(3) A DESCRIPTION OF EACH QUALIFIED WORKFORCE HOUSING PROJECT THAT INCLUDES:

(I) THE GEOGRAPHIC LOCATION OF THE PROJECT;

(II) DEMOGRAPHIC INFORMATION ON AND INCOME LEVELS OF THE RESIDENTS INTENDED TO BE SERVED BY THE PROJECT; AND

(III) THE RENT THAT IS AUTHORIZED TO BE CHARGED FOR A UNIT IN THE PROJECT; AND

(4) HOUSING MARKET AND DEMOGRAPHIC INFORMATION THAT DEMONSTRATES HOW EACH QUALIFIED WORKFORCE HOUSING PROJECT IS ADDRESSING THE NEED FOR WORKFORCE HOUSING WITHIN THE COMMUNITIES THAT THE PROJECT IS INTENDED TO SERVE.

Article – Tax – General10-749.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “QUALIFIED WORKFORCE HOUSING PROJECT” HAS THE MEANING STATED IN § 4-2501 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(3) “SECRETARY” MEANS THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT.

(B) AN INDIVIDUAL OR A CORPORATION MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN THE AMOUNT DETERMINED UNDER SUBSECTION (C) OF THIS SECTION FOR A QUALIFIED WORKFORCE HOUSING PROJECT.

(C) (1) THE CREDIT UNDER THIS SECTION EQUALS THE AMOUNT DETERMINED UNDER PARAGRAPH (2) OF THIS SUBSECTION FOR EACH QUALIFIED WORKFORCE HOUSING PROJECT.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE AMOUNT ALLOWED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR EACH QUALIFIED WORKFORCE HOUSING PROJECT EQUALS THE AMOUNT STATED IN THE FINAL CREDIT CERTIFICATE ISSUED BY THE SECRETARY UNDER TITLE 4, SUBTITLE 25 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(II) THE CREDIT AMOUNT ALLOWED FOR A PROJECT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE CLAIMED IN FULL FOR THE FIRST TAXABLE YEAR THE PROJECT IS PLACED IN SERVICE.

(D) IF THE CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE STATE INCOME TAX FOR THAT TAXABLE YEAR, AN INDIVIDUAL OR A CORPORATION MAY APPLY THE EXCESS AS A CREDIT AGAINST THE STATE INCOME TAX FOR SUCCEEDING TAXABLE YEARS UNTIL THE EARLIER OF:

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

(2) THE EXPIRATION OF THE NINTH TAXABLE YEAR AFTER THE TAXABLE YEAR IN WHICH THE FINAL CREDIT CERTIFICATE WAS ISSUED.

(E) AN INDIVIDUAL OR A CORPORATION CLAIMING THE STATE TAX CREDIT FOR A QUALIFIED WORKFORCE HOUSING PROJECT SHALL SUBMIT WITH THE INDIVIDUAL’S OR CORPORATION’S INCOME TAX RETURN A COPY OF THE FINAL CREDIT CERTIFICATE FOR THE PROJECT ISSUED BY THE SECRETARY UNDER TITLE 4, SUBTITLE 25 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(F) THE SECRETARY, IN CONSULTATION WITH THE COMPTROLLER, MAY ADOPT REGULATIONS PROVIDING FOR THE RECAPTURE OF THE STATE TAX CREDITS ALLOWED UNDER THIS SECTION FOR A QUALIFIED WORKFORCE HOUSING PROJECT THAT FAILS TO CONTINUE TO MEET THE REQUIREMENTS OF TITLE 4, SUBTITLE 25 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(G) AN INDIVIDUAL OR A CORPORATION MAY NOT CLAIM THE CREDIT ALLOWED UNDER THIS SECTION FOR A PROJECT FOR ANY TAXABLE YEAR IN WHICH THE OWNER OF THE PROJECT IS IN DEFAULT UNDER ANY REGULATORY AGREEMENT REQUIRED WITH RESPECT TO THE PROJECT UNDER § 4-2502 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.”.

On page 59, in lines 4, 17, 26, 28, 30, 32, and 33, strike “4.”, “5.”, “6.”, “7.”, “8.”, “9.”, and “8”, respectively, and substitute “5.”, “6.”, “7.”, “8.”, “9.”, “10.”, and “9”, respectively; and in line 30, strike “Section 3” and substitute “Sections 3 and 4”.

The preceding 7 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:

Senate Bill 653 – Senators Hester and Ready

AN ACT concerning

**County Boards of Education – Establishing Innovative Regional Schools –
Authority
(Cross-County Attendance to Achieve Efficiency Act of 2019)**

SB0653/995964/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 653
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “County” insert “Carroll and Howard”; in line 5, after “authorizing” insert “the”; in the same line, after “boards” insert “of education of Carroll County and Howard County”; strike beginning with “providing” in line 6 down through the semicolon in line 8 and substitute “requiring a certain memorandum of understanding to include certain provisions; authorizing the memorandum of understanding to establish a geographic area of attendance; specifying a process for the admission of certain students under certain circumstances;”; in line 12, after “law;” insert “limiting the source of funds for certain payments to innovative regional schools; 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; providing for the application of this Act;”; and in line 13, after “schools” insert “in Carroll County and Howard County”.

AMENDMENT NO. 2

On page 2, strike beginning with “ONE” in line 4 down through the first “TO” in line 5 and substitute “THE CARROLL COUNTY OR HOWARD COUNTY PUBLIC SCHOOL SYSTEMS UNDER”; after line 8, insert:

“(B) THIS SECTION APPLIES ONLY IN CARROLL COUNTY AND HOWARD COUNTY.

(C);

in line 9, strike “(B)”; in line 12, strike “(C)” and substitute “(D)”; in lines 6 and 10, in each instance, strike “(C)” and substitute “(D)”; in line 10, after the comma insert “THE”; in the

same line, after “BOARDS” insert “OF CARROLL COUNTY AND HOWARD COUNTY”; in line 13, strike “EACH COUNTY BOARD” and substitute “BOTH COUNTY BOARDS”; in line 15, strike “GOVERNING AND FINANCING” and substitute “THE GOVERNANCE, OPERATIONS, MAINTENANCE, AND FINANCING OF”; strike beginning with “AND” in line 16 down through “SECTION” in line 18; strike beginning with “EACH” in line 19 down through “UNDERSTANDING” in line 20 and substitute “CARROLL COUNTY AND HOWARD COUNTY”; in line 24, after “(3)” insert “THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY BOARDS OF CARROLL COUNTY AND HOWARD COUNTY SHALL INCLUDE PROVISIONS FOR:”

(I) EQUITABLE ACCESS TO THE INNOVATIVE REGIONAL SCHOOL FOR STUDENTS WITH DISABILITIES AND STUDENTS WHO ARE ELIGIBLE FOR FREE AND REDUCED PRICE MEALS;

(II) TRANSPORTATION TO ENSURE STUDENTS WITHOUT ACCESS TO A VEHICLE ARE ABLE TO ATTEND THE INNOVATIVE REGIONAL SCHOOL; AND

(III) COST SHARING RESPONSIBILITIES BETWEEN THE TWO COUNTY BOARDS RELATED TO MAINTENANCE OF THE SCHOOL BUILDING.

(4) (I) THE MEMORANDUM OF UNDERSTANDING MAY ESTABLISH A GEOGRAPHIC AREA OF ATTENDANCE FOR THE INNOVATIVE REGIONAL SCHOOL.

(II) IF MORE STUDENTS APPLY FOR ATTENDANCE AT THE INNOVATIVE REGIONAL SCHOOL THAN CAN BE ACCOMMODATED, THE INNOVATIVE REGIONAL SCHOOL SHALL ADMIT STUDENTS ON A LOTTERY BASIS.

(5) (I);

in the same line, after “SUBTITLE” insert “, AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH”; after line 26, insert:

“(II) THE SOURCE OF FUNDS FOR ANY PAYMENTS MADE BY EACH COUNTY SERVED BY THE INNOVATIVE REGIONAL SCHOOL SHALL BE LIMITED TO COUNTY APPROPRIATIONS ONLY.”;

in line 27, strike “(4)” and substitute “(6)”; and in line 29, strike “(D)” and substitute “(E)”.

On page 2 in line 32, and on page 3 in line 2, in each instance, strike “(C)(2)” and substitute “(D)(2)”.

On page 3, strike in their entirety lines 6 through 14, inclusive; and in line 21, 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 more than one county board.

(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 with amendments:

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

SB0743/895662/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 743

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “determination,” insert “requiring the State Administrator to notify certain persons in writing of the termination, in whole or in part, of a contract with an election service provider and the State Administrator’s reasons for terminating the contract within a certain period of time;”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“(2) “APPROPRIATE PERSONS” MEANS:

(I) THE STATE BOARD;

(II) THE GOVERNOR;

(III) THE PRESIDENT OF THE SENATE OF MARYLAND;

(IV) THE SPEAKER OF THE HOUSE OF DELEGATES;

(V) THE ATTORNEY GENERAL; AND

(VI) THE DEPARTMENT OF INFORMATION TECHNOLOGY.”;

in lines 3, 6, 11, and 21, strike “**(2)**”, “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “**(3)**”, “**(4)**”, “**(5)**”, and “**(6)**”, respectively.

On page 3, after line 22, insert:

“(E) WITHIN 7 DAYS AFTER THE STATE ADMINISTRATOR EXERCISES THE AUTHORITY TO TERMINATE, IN WHOLE OR IN PART, A CONTRACT WITH AN ELECTION SERVICE PROVIDER UNDER SUBSECTION (D) OF THIS SECTION, THE STATE ADMINISTRATOR SHALL NOTIFY THE APPROPRIATE PERSONS IN WRITING OF THE TERMINATION OF THE CONTRACT AND THE STATE ADMINISTRATOR’S REASONS FOR TERMINATING THE CONTRACT.”.

The preceding 2 amendments were 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 138 Members present.

(See Roll Call No. 1357)

CALENDAR OF THIRD READING SENATE BILLS NO. 50

**Senate Bill 27 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Maryland State Archives)**

AN ACT concerning

**State Archives – Acquisition of Fine Art or Decorative Art – Procurement
Exemption**

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

Affirmative – 134 Negative – 6 (See Roll Call No. 1358)

The Bill was then returned to the Senate.

Senate Bill 239 – Senator Feldman

AN ACT concerning

Health Insurance – Individual Market Stabilization – Provider Fee

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

Affirmative – 98 Negative – 41 (See Roll Call No. 1359)

The Bill was then returned to the Senate.

**Senate Bill 433 – Senators Zucker, Beidle, Elfreth, Guzzone, Hayes, Kagan,
Klausmeier, Kramer, Lam, McCray, Nathan–Pulliam, Pinsky, Rosapepe,
and Young**

AN ACT concerning

~~**Responsible Workforce Development Percentage Price Preference Act
State Procurement – State Funded Construction Projects – Payment of
Employee Health Care Expenses**~~

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

Affirmative – 102 Negative – 37 (See Roll Call No. 1360)

The Bill was then returned to the Senate.

Senate Bill 452 – Senators Carter, Lee, Smith, and Washington

AN ACT concerning

Juveniles Charged as Adults – Confidentiality of ~~Photos and Videos~~ Records

Delegate Wilson moved to make the Bill a Special Order for next session.

The motion was adopted.

Senate Bill 499 – Senator Hayes

AN ACT concerning

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

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1361)

The Bill was then returned to the Senate.

Senate Bill 568 – Senator Lee

AN ACT concerning

Crimes – Child Abuse and Neglect – Failure to Report

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1362)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 830 SPONSOR: Senator Elfreth

SUBJECT: Natural Resources – Fishery Management Plans
– Oysters

THIRD READING CALENDAR HOUSE NO. 20 SENATE NO. 43

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Environment and Transportation Committee Amendments (SB0830/440419/1) be adopted.

(2) That the attached Conference Committee Amendments (SB0830/373321/1) be adopted.

SB0830/440419/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 830

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 18 down through “purpose” in line 19; and in line 20, after “purpose” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 3, in line 21, strike “ONLY INCLUDE” and substitute “INCLUDE ONLY”; in lines 26 and 28, in each instance, strike the first “ASSOCIATION” and substitute “ASSOCIATION,”; in lines 30 and 32, in each instance, strike “INDUSTRY” and substitute “INDUSTRY,”; in line 29, after “4.” insert “A REPRESENTATIVE FROM THE BLACKS OF THE CHESAPEAKE FOUNDATION, DESIGNATED BY THE FOUNDATION;”

5.”;

and in line 31, strike “5.” and substitute “6.”.

AMENDMENT NO. 3

On page 4, in lines 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19, strike “6.”, “7.”, “8.”, “9.”, “10.”, “11.”, “12.”, “13.”, “14.”, and “15.”, respectively, and substitute “7.”, “8.”, “9.”, “10.”, “11.”, “12.”, “13.”, “14.”, “16.”, and “17.”, respectively; in line 2, strike “MARYLAND” and substitute “MARYLAND,”; in line 4, strike the first “FOUNDATION” and substitute “FOUNDATION,”; in line 6, strike the first “CONSERVANCY” and substitute “CONSERVANCY,”; in line 8, strike the first “ASSOCIATION” and substitute “ASSOCIATION,”; in line 10, strike the first “FEDERATION” and substitute “FEDERATION,”; in line 14, strike the first “COMMISSION” and substitute “COMMISSION,”; in line 16, strike the first “ENVIRONMENTAL” and substitute “ENVIRONMENTAL,”; in line 18, strike the first “AQUARIUM” and substitute “AQUARIUM,”; in line 20, strike “SCIENCE” and substitute “SCIENCE,”; after line 16, insert:

“15. A REPRESENTATIVE FROM THE CHESAPEAKE BAYSAVERS, DESIGNATED BY THE CHESAPEAKE BAYSAVERS;”;

in line 18, strike “AND”; and in line 20, after the second “CENTER” insert “; AND”

18. A REPRESENTATIVE FROM THE PATUXENT ENVIRONMENTAL AND AQUATIC RESEARCH LABORATORY, MORGAN STATE UNIVERSITY, DESIGNATED BY THE RESEARCH LABORATORY”.

AMENDMENT NO. 4

On page 5, strike in their entirety lines 27 through 29, inclusive.

AMENDMENT NO. 5

On page 6, in line 24, after “OYSTERS” insert “, INCLUDING THE PUBLIC FISHERY”.

AMENDMENT NO. 6

On page 8, in line 20, after “ARTICLE,” insert “AND WITH THE CONSENT OF A 75% MAJORITY OF ITS MEMBERS,”.

AMENDMENT NO. 7

On page 9, in line 16, after “Department” insert “of Natural Resources”.

SB0830/373321/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 830

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “actions;” insert “prohibiting the Department from using certain funds for a certain purpose;”.

AMENDMENT NO. 2

On page 5, after line 26, insert:

“(5) THE DEPARTMENT MAY NOT USE FUNDS ALLOCATED TO A COUNTY OYSTER COMMITTEE FOR THE COMMISSION ESTABLISHED UNDER THIS SUBSECTION.”

Senate Members:

House Members:

Chair, **Paul G. Pinsky**

Chair, **Dana Stein**

Ronald N. Young

Kumar P. Barve

(did not sign)

Bryan W. Simonaire

Sara Love

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 98 Negative – 42 (See Roll Call No. 1363)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 1364)

ADJOURNMENT

At 12:59 P.M. on motion of Delegate Dumais the House adjourned until 6:30 P.M. on Legislative Day March 29, 2019, Calendar Day, Friday, April 5, 2019.

Annapolis, Maryland
Legislative Day: March 29, 2019
Calendar Day: Friday, April 5, 2019
6:30 P.M. Session

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

The House met at 7:06 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Geraldine Valentino-Smith of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 1365)

EXCUSED:

Del. Bromwell – left early – illness

Del. Busch – medical

Del. Charkoudian – personal

Del. M. Fisher – personal

Del. Impallaria – personal

Del. Love – personal

Del. Morgan – illness

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

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 1366)

CALENDAR OF THIRD READING SENATE BILLS NO. 63

Senate Bill 340 – Senators Kagan, Augustine, Feldman, King, Peters, West, and Young

AN ACT concerning

Maryland Technology Development Corporation – Investments and Operations

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

Affirmative – 129 Negative – 0 (See Roll Call No. 1367)

The Bill was then returned to the Senate.

Senate Bill 370 – Senators West, Waldstreicher, ~~and Washington~~ Washington, Kagan, and Lam

AN ACT concerning

Environment – Recycling – ~~Commercial Properties~~ Office Buildings

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

Affirmative – 103 Negative – 30 (See Roll Call No. 1368)

The Bill was then returned to the Senate.

Senate Bill 581 – Senators Ferguson, Feldman, Guzzone, ~~and Klausmeier~~ Klausmeier, Eckardt, Edwards, Hayes, Hester, Rosapepe, and Serafini

AN ACT concerning

Economic, Housing, and Community Development ~~Tax Credits~~ – Opportunity Zone ~~Enhancement Program~~ Incentives

FLOOR AMENDMENT

SB0581/493523/2

BY: Delegate Lafferty

AMENDMENT TO SENATE BILL 581

(Third Reading File Bill)

On page 10, in lines 27 and 31, in each instance, strike “LOCATED”; in line 28, strike “IN” and substitute “LOCATED ENTIRELY WITHIN”; in line 29, after “RESOLUTION” insert “OR BY LETTER, DELIVERED TO THE DEPARTMENT BY THE MUNICIPAL CORPORATION’S AUTHORIZED DESIGNEE”; in line 32, after “NOT” insert “LOCATED ENTIRELY WITHIN”; and in line 33, after “RESOLUTION” insert “OR BY LETTER, DELIVERED TO THE DEPARTMENT BY THE COUNTY’S AUTHORIZED DESIGNEE”.

On page 21, in line 29, strike “IN” and substitute “ENTIRELY WITHIN”; and in line 30, after “RESOLUTION” insert “OR BY LETTER, DELIVERED TO THE DIRECTOR BY THE MUNICIPAL CORPORATION’S AUTHORIZED DESIGNEE”.

On page 22, in line 2, strike “IN” and substitute “ENTIRELY WITHIN”; and in the same line, after “RESOLUTION” insert “OR BY LETTER, DELIVERED TO THE DIRECTOR BY THE COUNTY’S AUTHORIZED DESIGNEE”.

The preceding amendment was read and adopted.

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

Affirmative – 126 Negative – 6 (See Roll Call No. 1369)

The Bill was then returned to the Senate.

Senate Bill 653 – Senators Hester and Ready

AN ACT concerning

County Boards of Education – Establishing Innovative Regional Schools – Authority (Cross-County Attendance to Achieve Efficiency Act of 2019)

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1370)

The Bill was then returned to the Senate.

Senate Bill 678 – Senators Jennings, Beidle, Benson, Cassilly, Eckardt, Edwards, Elfreth, Feldman, Griffith, Guzzone, Hayes, Hershey, Kelley, Kramer, Lam, Lee, McCray, Patterson, Peters, Pinsky, Ready, Reilly, Salling, Serafini, Smith, Waldstreicher, West, and Zirkin

AN ACT concerning

State Government – Notarial Acts and Notaries Public

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1371)

The Bill was then returned to the Senate.

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

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

Affirmative – 104 Negative – 29 (See Roll Call No. 1372)

The Bill was then returned to the Senate.

Senate Bill 922 – Senators Gallion, Bailey, Hershey, and Jennings

AN ACT concerning

~~**Agriculture – Milk and Milk-Based Products**~~ **Public Health – Milk – Labeling**

FLOOR COMMITTEE AMENDMENT

SB0922/550919/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 922

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “label” insert “of a food product”; in the same line, strike the second “a” and substitute “the”; and in the same line, strike “it” and substitute “the product”.

AMENDMENT NO. 2

On page 3, in line 23, after “LABEL” insert “OF A FOOD PRODUCT”; and in line 24, strike “IT” and substitute “THE PRODUCT”.

The preceding 2 amendments were read and adopted.

Delegate Stein moved to make the Bill a Special Order for Saturday.

The motion was adopted.

CALENDAR OF THIRD READING SENATE BILLS NO. 40

Senate Bill 259 – Cecil County Senators

AN ACT concerning

Cecil County – Special Taxing Districts – ~~Broadband~~ Internet Service

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

Affirmative – 125 Negative – 8 (See Roll Call No. 1373)

The Bill was then returned to the Senate.

Senate Bill 334 – Senator Hough

AN ACT concerning

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

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1374)

The Bill was then returned to the Senate.

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

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1375)

The Bill was then returned to the Senate.

Senate Bill 649 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

**Health Care Facilities – Change in Bed Capacity – Certificate of Need
Exemption**

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

Affirmative – 133 Negative – 2 (See Roll Call No. 1376)

The Bill was then returned to the Senate.

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)**

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

Affirmative – 103 Negative – 32 (See Roll Call No. 1377)

The Bill was then returned to the Senate.

Senate Bill 698 – Senators Kelley, Klausmeier, and West

AN ACT concerning

**Continuing Care Retirement Communities – Mediation – Representation by
Counsel**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1378)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 1379)

CALENDAR OF THIRD READING HOUSE BILLS NO. 116

House Bill 815 – Delegates Jacobs, Beitzel, Buckel, Ciliberti, Corderman, Cox, Grammer, Hornberger, Kerr, Pippy, and Wivell

SECOND PRINTING

AN ACT concerning

~~Agriculture – Milk and Milk-Based Products~~ Public Health – Milk – Labeling

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

The motion was adopted.

House Bill 884 – Delegate Mosby

AN ACT concerning

Sales and Use Tax – ~~Limited Residential Lodging~~ Short-Term Rentals

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

Affirmative – 101 Negative – 32 (See Roll Call No. 1380)

The Bill was then sent to the Senate.

APPROPRIATIONS COMMITTEE REPORT NO. 21

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 711 – Senator Beidle

AN ACT concerning

University System of Maryland – Regular Employees – Grievance Procedures and Disciplinary Actions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 751 – Senator Lam

AN ACT concerning

Governor’s Appointments ~~Office~~ Office, Appointing Authorities, and the Secretary of Budget and Management – ~~At-Will Employees~~ – Duties and Reports

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 755 – Senator Peters

AN ACT concerning

Interagency Agreements – Historically Black Colleges and Universities – ~~Goals~~ Reporting Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 1032 – Senator Nathan–Pulliam

AN ACT concerning

Morgan State University – Task Force on Reconciliation and Equity – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 30

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

Senate Bill 33 – Senator McCray

AN ACT concerning

Baltimore City – Home Inspectors – Residential Rental Inspections

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 26

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 426 – Senator West

AN ACT concerning

~~Natalie M. LaPrade Medical Cannabis Commission – Licensed Dispensaries~~
Medical Cannabis – Regulation of Dispensaries, Growers, and Processors

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 598 – Senator Nathan–Pulliam

AN ACT concerning

Maryland Medical Assistance Program – Coverage – Hepatitis C Drugs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 727 – Senators Guzzone, Eckardt, Edwards, Feldman, Jennings, Lee, Peters, Serafini, Young, ~~and Zucker~~ Zucker, Kelley, Augustine, Beidle, Benson, Hayes, Hershey, Klausmeier, Kramer, and Reilly

AN ACT concerning

Health – Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 904 – Senators Kelley and Elfreth

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 916 – Senator Lam

AN ACT concerning

Physicians – Dispensing Permit Exemption – ~~Prepackaged~~ Topical Medication

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 958 – Senator Jennings

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 1010 – Senator Hershey

AN ACT concerning

Maryland Health Care Commission – Assessment of Services at the University of Maryland Shore Medical Center in Chestertown

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 31

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

Senate Bill 123 – Senator Pinsky

AN ACT concerning

Election Law – Coordinated Expenditures and Donations – Investigation

Favorable report adopted.

Delegate Walker moved to make the Bill a Special Order for Monday.

The motion was adopted.

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

Senate Bill 529 – Senators Zucker, Guzzone, King, Lee, McCray, Nathan–Pulliam, Pinsky, Smith, and Young

AN ACT concerning

State Board of Education – Membership – ~~Teachers~~ Teacher and Parent Members

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:

Senate Bill 651 – Senator Young

AN ACT concerning

Election Law – Local Boards of Elections – Membership

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:

Senate Bill 747 – Senators Lam, Guzzone, and Rosapepe

SECOND PRINTING

AN ACT concerning

Education – Removal of County Superintendents – Procedures

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:

Senate Bill 816 – Senator Smith

AN ACT concerning

Property Tax Credit – Surviving Spouse of Veteran

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 32

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

House Bill 1339 – Delegates Guyton, Bhandari, Buckel, Cox, Hornberger, Metzgar, and Smith

AN ACT concerning

Property Tax Credit – Elderly Individuals – Eligibility**HB1339/765862/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1339

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Smith” and substitute “Smith, and Ivey”; in line 3, strike “altering the” and substitute “authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipality to provide, by law, the minimum”; in the same line, after “years” insert “, not exceeding a certain number of years,”; in line 4, strike beginning with “for” through “eligibility” and substitute “in order to be eligible”; and in line 6, after “tax;” insert “altering a certain definition;”.

AMENDMENT NO. 2

On page 1, strike beginning with “and” in line 21 down through “years” in line 22.

On page 2, in line 18, after “(2)” insert “THE MINIMUM NUMBER OF YEARS, NOT TO EXCEED 40 YEARS, THAT AN ELIGIBLE INDIVIDUAL NOT DESCRIBED UNDER SUBSECTION (A)(3)(II) OR (III) OF THIS SECTION MUST HAVE RESIDED IN THE SAME DWELLING;

(3)”;

in line 19, strike “(3)” and substitute “(4)”; and in line 21, strike “(4)” and substitute “(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:

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

SB0509/575468/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 509

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Foreclosure” insert “and Sale”; and in line 4, after “for” insert “foreclosure and”.

On page 2, in line 20, after “foreclosure” insert “and sale”.

AMENDMENT NO. 2

On page 3, in line 11, after “FOR” insert “FORECLOSURE AND”.

On page 4, after line 12, insert:

“(A) REAL PROPERTY MAY BE SUBJECT TO FORECLOSURE AND SALE UNDER THIS PART ONLY IF:

(1) THE PROPERTY CONSISTS OF A VACANT LOT OR IMPROVED PROPERTY CITED AS VACANT AND UNSAFE OR UNFIT FOR HABITATION OR OTHER AUTHORIZED USE ON A HOUSING OR BUILDING VIOLATION NOTICE; AND

(2) THE TOTAL AMOUNT OF LIENS FOR UNPAID TAXES ON THE PROPERTY EXCEEDS THE LESSER OF THE TOTAL VALUE OF THE PROPERTY AS LAST DETERMINED BY THE DEPARTMENT OR AS DETERMINED BY AN APPRAISAL REPORT PREPARED NOT MORE THAN 6 MONTHS BEFORE THE FILING OF A COMPLAINT UNDER THIS SECTION BY A REAL ESTATE APPRAISER WHO IS LICENSED UNDER TITLE 16 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.”;

in line 13, strike “(A)” and substitute “(B)”; in line 26, strike “(B)” and substitute “(C)”; and in the same line, strike “(C)” and substitute “(D)”.

On page 5, in line 7, strike “(C)” and substitute “(D)”.

AMENDMENT NO. 3

On page 8, strike beginning with “THE” in line 14 down through “CITY” in line 16 and substitute “THE COUNTY OR MUNICIPAL CORPORATION SHALL RECORD A JUDGMENT UNDER SUBSECTION (C) OF THIS SECTION IN THE LAND RECORDS OF THE COUNTY”.

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:

Senate Bill 950 – Senator Kagan

AN ACT concerning

Campaign Finance – Death of Candidate – Termination of Campaign Committee

SB0950/285867/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 950

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 2, strike “Death of Candidate – Termination of Campaign Committee” and substitute “Termination of Campaign Finance Entities”; in line 3, after the first “of” insert “authorizing any remaining balance in the account of a certain campaign finance entity before its termination to be paid to a certain legislative party caucus committee;”; in line 9, after “funds;” insert “making this Act an emergency measure;”; strike beginning with the second “the” in line 9 down through the second “candidate” in line 10 and substitute “campaign finance entities”; and in line 11, strike “without” and substitute “with”.

AMENDMENT NO. 2

On page 2, in line 16, strike “or”; after line 16, insert:

“(III) THE LEGISLATIVE PARTY CAUCUS COMMITTEE OF THE POLITICAL PARTY:

1. OF WHICH THE CANDIDATE IS A MEMBER; OR

2. FOR WHICH THE POLITICAL COMMITTEE IS ACTING;

OR”;

and in line 17, strike “(iii)” and substitute “(IV)”.

AMENDMENT NO. 3

On page 3, in line 2, strike “120 DAYS” and substitute “1 YEAR”.

AMENDMENT NO. 4

On page 3, strike in their entirety lines 14 and 15 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 ye 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 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB0743
SPONSOR: Delegate Dumais, et al
SUBJECT: Criminal Procedure – Incompetency and Criminal Responsibility
 – Dismissal of Charges

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Sydnor, Chairman
Delegate Moon
Delegate Arikan.

The Senate appoints:

Senator Lee, Chair
Senator Hough
Senator Waldstreicher

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB1001**
SPONSOR: Delegate Lewis, J., et al
SUBJECT: Correctional Services – Restrictive Housing – Reporting by
Correctional Units and Requirements Relating to Minors

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Moon, Chairman
Delegate D.M. Davis
Delegate Malone.

The Senate appoints:

Senator Hough, Chair
Senator Washington
Senator Waldstreicher

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 1246** SPONSOR: **Delegate Fraser-Hidalgo**

SUBJECT: **Clean Cars Act of 2019**

THIRD READING CALENDAR HOUSE NO. **92** SENATE NO. **24**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Finance Committee Amendments (HB1246/767672/1) be rejected.

(2) That the attached Conference Committee Amendments (HB1246/703224/1) be adopted.

HB1246/703224/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1246

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after “vehicle;” insert “prohibiting a person from selling hydrogen as a motor fuel in the State if the hydrogen was produced in a certain manner;”.

AMENDMENT NO. 2

On page 2, in line 1, after “term;” insert “providing for a delayed effective date for certain provisions of this Act;”.

AMENDMENT NO. 3

On page 5, after line 35, insert:

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

AMENDMENT NO. 4

On page 7, in line 27, strike the bracket.

On page 8, strike beginning with “product” in line 1 down through “capacity” in line 2 and substitute “AMOUNT OF EXCISE TAX PAID FOR THE PURCHASE”; and in line 3, strike “1 IS”.

AMENDMENT NO. 5

On page 16, after line 14, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2026.”

in line 15, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, except as provided in Section 3 of this Act.”.

Senate Members:

House Members:

Chair, **Brian J. Feldman**

Chair, **David Fraser-Hidalgo**

Pamela Beidle

Kumar P. Barve

Stephen S. Hershey, Jr.

Dana Stein

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 107 Negative – 27 (See Roll Call No. 1381)

The Bill was then sent to the Senate.

BILL NO.: **SB 546** SPONSOR: **Senator Pinsky**

SUBJECT: **Agriculture – Nutrient Management –
Monitoring and Enforcement**

THIRD READING CALENDAR HOUSE NO. **27** SENATE NO. **45**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Environment and Transportation Committee Amendments (SB0546/310911/1) be adopted.

(2) That the attached Conference Committee Amendment (SB0546/473126/1) be adopted.

SB0546/310911/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 546

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 12, strike “General”; strike beginning with “expanding” in line 15 down through the semicolon in line 18; and after line 35, insert:

“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)”.

On pages 2 and 3, strike in their entirety the lines beginning with line 41 on page 2 through line 1 on page 3, inclusive.

On page 3, strike in their entirety lines 12 through 21, inclusive.

AMENDMENT NO. 2

On page 4, in line 26, strike “90” and substitute “60”; and in line 30, strike “MORE” and substitute “LESS”.

AMENDMENT NO. 3

On page 15, in lines 1 and 7, in each instance, strike “GENERAL”.

On page 16, in lines 7 and 14, strike “\$2,000” and “\$1,200”, respectively, and substitute “\$500” and “\$500”, respectively; and in lines 8, 14, and 21, in each instance, strike “GENERAL”.

On page 19, in line 32, strike “General”.

AMENDMENT NO. 4

On pages 17 and 18, strike in their entirety the lines beginning with line 18 on page 17 through line 15 on page 18, inclusive; and after line 15, insert:

“Article – Natural Resources”.

On page 18, in line 25, strike “TRQ008” and substitute “TRQ0088”.

SB0546/473126/1

BY: Conference Committee

AMENDMENT TO SENATE BILL 546, AS AMENDED

(Third Reading File Bill)

On page 1 of the Environment and Transportation Committee Amendments (SB0546/310911/1), in line 2 of Amendment No. 3, strike “\$2,000”; in the same line, strike “\$1,200”; and in line 3, in each instance, strike “\$500”.

Senate Members:

House Members:

Chair, **Paul G. Pinsky**

Chair, **Stephen W. Lafferty**

Ronald N. Young

Dana Stein

Cheryl C. Kagan

Mary A. Lehman

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 93 Negative – 40 (See Roll Call No. 1382)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE

House Bill 768 – Delegates Pena–Melnik, D. Barnes, Acevero, Anderson, Atterbeary, Bagnall, B. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Cain, Cardin, Carey, Carr, Cassilly, Chang, Charkoudian, Charles, Ciliberti, Clippinger, Conaway, Corderman, Crosby, Crutchfield, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gaines, Ghrist, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Holmes, Impallaria, Ivey, Jackson, Jalisi, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, Luedtke, McIntosh, Metzgar, Moon, Mosby, Palakovich Carr, Patterson, Proctor, Qi, Queen, Reilly, Reznik, Rogers, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Walker, Washington, C. Watson, R. Watson, Wilkins, Wilson, K. Young, ~~and P. Young~~ P. Young, Pendergrass, Bhandari, and Cullison

AN ACT concerning

Health – Prescription Drug Affordability Board

Delegate Pendergrass moved that the House not concur in the Senate amendments.

HB0768/887275/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 768

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 22, strike “make certain determinations” and substitute “collect and review certain information, make a certain determination, monitor and review certain actions, assess certain information, study certain matters.”; in line 24, after “date.” insert “requiring the Board to verify that a certain state has obtained certain consent of a certain owner before taking certain actions; authorizing only certain Board members and staff to access certain information; requiring that the Board’s certain access, use, or sharing of certain information gives rise to a certain cause of action and results in the immediate termination of a certain memorandum of understanding; requiring that, if the Board willfully shares or discloses certain information for certain purposes, the Board shall provide for certain damages.”; strike beginning with “set” in line 36 down through “factors” in line 37 and substitute “recommend a certain strategy”; and strike beginning with “requiring” in line 42 down through “date.” in line 43.

On pages 2 and 3, strike beginning with “requiring” in line 45 on page 2 down through “list.” in line 1 on page 3.

On page 3, in line 25, strike “21-2C-14” and substitute “21-2C-13”.

AMENDMENT NO. 2

On page 7, in line 20, after “MANUFACTURERS” insert “, OR A PHARMACY BENEFITS MANAGER OR A TRADE ASSOCIATION FOR PHARMACY BENEFITS MANAGERS”.

On page 8, in line 24, after “SUBTITLE;” insert “AND”; strike lines 25 through 27, inclusive; and in line 28, strike “3.” and substitute “2.”.

On page 11, in line 4, strike “25” and substitute “26”; after line 26, insert:

“(V) ONE REPRESENTATIVE OF DENTISTS;”;

and in line 27, strike “(V)” and substitute “(VI)”.

On page 12, in lines 1, 3, and 4, strike “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “(VII)”, “(VIII)”, and “(IX)”, respectively.

On page 14, strike beginning with “ON” in line 15 down through “SHORTAGE” in line 24 and substitute “ON OR BEFORE DECEMBER 31, 2020, THE BOARD, IN CONSULTATION WITH THE STAKEHOLDER COUNCIL, SHALL:”

(1) COLLECT AND REVIEW PUBLICLY AVAILABLE INFORMATION REGARDING BRAND AND GENERIC BIOPHARMACEUTICAL MANUFACTURERS, HEALTH INSURERS, PHARMACEUTICAL WHOLESALERS, AND PHARMACY BENEFITS MANAGERS;

(2) REVIEW ANY INFORMATION REQUESTED UNDER § 21-2C-08(c)(2)(i) OF THIS SUBTITLE;

(3) DETERMINE WHAT ADDITIONAL DATA IS NECESSARY TO CARRY OUT ITS DUTIES UNDER THIS SUBTITLE AND HOW TO ACCESS THE DATA;

(4) REVIEW AND ASSESS THE PHARMACEUTICAL DISTRIBUTION AND PAYMENT SYSTEM IN THE STATE;

(5) MONITOR AND REVIEW POTENTIAL AND ACTUAL FEDERAL CHANGES TO THE PHARMACEUTICAL DISTRIBUTION AND PAYMENT SYSTEM, INCLUDING PROPOSED FEDERAL REGULATIONS THAT WOULD REDUCE OUT-OF-POCKET SPENDING ON PRESCRIPTION DRUGS;

(6) MONITOR AND REVIEW FEDERAL REGULATIONS GOVERNING THE MEDICAID DRUG REBATE PROGRAM TO SUPPORT VOLUNTARY, VALUE-BASED PURCHASING ARRANGEMENTS BETWEEN STATES AND MANUFACTURERS;

(7) ASSESS THE IMPACT OF POTENTIAL AND ACTUAL FEDERAL CHANGES TO THE PHARMACEUTICAL DISTRIBUTION AND PAYMENT SYSTEM;

(8) MONITOR AND REVIEW THE IMPACT OF STEPS TAKEN BY THE DEPARTMENT, THE MARYLAND INSURANCE ADMINISTRATION, AND OTHER STATE AGENCIES TO INCREASE TRANSPARENCY AND LOWER THE COST OF PRESCRIPTION DRUGS;

(9) STUDY DIFFERENT CAUSES OF DRUG SHORTAGES AND HOW DRUG SHORTAGES IMPACT THE COST OF PRESCRIPTION DRUG PRODUCTS;

(10) STUDY WHETHER UPPER PAYMENT LIMITS WOULD BE APPROPRIATE IN ADDRESSING COSTS; AND

(11) STUDY OTHER POLICY PROPOSALS FROM ACROSS THE COUNTRY TO LOWER THE COST OF PRESCRIPTION DRUGS, INCLUDING A REVERSE AUCTION MARKETPLACE”.

On page 15, after line 2, insert:

“(C) (1) BEFORE OBTAINING OR USING ANY INFORMATION OBTAINED THROUGH A MEMORANDUM OF UNDERSTANDING ENTERED INTO WITH ANOTHER STATE UNDER THIS SUBTITLE, THE BOARD SHALL VERIFY THAT THE STATE PROVIDING THE INFORMATION TO THE BOARD HAS OBTAINED THE EXPRESS CONSENT OF THE OWNER OF ANY TRADE SECRET INFORMATION, CONFIDENTIAL COMMERCIAL OR PROPRIETARY INFORMATION, OR INFORMATION DESIGNATED AS CONFIDENTIAL BY THE OWNER OF THE INFORMATION.

(2) ONLY BOARD MEMBERS AND STAFF MAY ACCESS THE INFORMATION OBTAINED THROUGH A MEMORANDUM OF UNDERSTANDING ENTERED INTO WITH ANOTHER STATE UNDER THIS SUBTITLE.

(3) THE BOARD’S UNAUTHORIZED ACCESS, USE, OR SHARING OF ANY TRADE SECRET INFORMATION, CONFIDENTIAL COMMERCIAL OR PROPRIETARY INFORMATION, OR INFORMATION DESIGNATED AS CONFIDENTIAL BY THE OWNER OF THE INFORMATION IN ACCORDANCE WITH A MEMORANDUM OF UNDERSTANDING SHALL:

(I) GIVE RISE TO A CAUSE OF ACTION, AND BE SUBJECT TO ALL APPLICABLE REMEDIES, INCLUDING CIVIL AND CRIMINAL PENALTIES UNDER ANY APPLICABLE FEDERAL AND STATE TRADE SECRET MISAPPROPRIATION LAW; AND

(II) RESULT IN THE IMMEDIATE TERMINATION OF THE MEMORANDUM OF UNDERSTANDING.

(4) IF THE BOARD WILLFULLY SHARES OR DISCLOSES FOR UNAUTHORIZED PURPOSES INFORMATION THAT IS TRADE SECRET INFORMATION,

CONFIDENTIAL COMMERCIAL OR PROPRIETARY INFORMATION, OR INFORMATION DESIGNATED AS CONFIDENTIAL BY THE OWNER OF THE INFORMATION, THE BOARD SHALL PROVIDE FOR STATUTORY DAMAGES TO THE OWNER OF THE INFORMATION THE AMOUNT OF \$200,000 PER VIOLATION, IN ADDITION TO BEING SUBJECT TO ANY PENALTIES AVAILABLE UNDER FEDERAL AND STATE LAWS, INCLUDING TRADE SECRET MISAPPROPRIATION LAWS, TO THE EXTENT ALLOWED BY LAW.”;

in line 3, strike “**(C)**” and substitute “**(D)**”; in line 8, after “**SECTION;**” insert “**AND**”; in line 11, strike “**;** **AND**” and substitute a period; and strike lines 12 through 14, inclusive.

On page 17, strike beginning with “**OR**” in line 19 down through “**SECTION**” in line 20.

On page 19, strike beginning with “**SET**” in line 23 down through “**DRUG**” in line 30 and substitute “**RECOMMEND A STRATEGY FOR MAKING THE DRUG MORE AFFORDABLE IN THE STATE**”.

On page 21, strike lines 7 through 28, inclusive.

On page 22, strike lines 1 through 9, inclusive; in lines 10, 17, 20, and 28, strike “**21-2C-10.**”, “**21-2C-11.**”, “**21-2C-12.**”, and “**21-2C-13.**”, respectively, and substitute “**21-2C-09.**”, “**21-2C-10.**”, “**21-2C-11.**”, and “**21-2C-12.**”, respectively; and strike beginning with “**THE**” in line 23 down through “**(C)**” in line 25.

On page 24, in line 18, strike “**21-2C-14.**” and substitute “**21-2C-13.**”; in line 19, strike “**2021**” and substitute “**2020**”; and in line 31, after “**STATE**” insert “**, INCLUDING TO EXPAND THE AUTHORITY OF THE BOARD**”.

On page 25, in line 24, strike “**eight**” and substitute “**nine**”.

On page 26, in line 18, strike “upper payment limits and”; in line 23, strike “the upper payment limits established” and substitute “**policy actions**”; and strike lines 29 through 33, inclusive.

On page 27, strike lines 1 through 7, inclusive; in line 8, strike “**6.**” and substitute “**5.**”; in line 17, strike “**7.**” and substitute “**6.**”; and in line 22, strike “**8.**” and substitute “**7.**”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0768**
SPONSOR: Delegate Pena–Melnyk, et al
SUBJECT: Health – Prescription Drug Affordability Board

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 Cullison, Chair
Delegate Pena–Melnyk
Delegate Kipke

Said Bill is returned herewith.

By Order,
Sylvia Siegert
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 253 **SPONSOR: Senator Hayes**
**SUBJECT: Major Information Technology Development
Project Fund – Exemption and Use of Fund**

THIRD READING CALENDAR **HOUSE NO. 28** **SENATE NO. 39**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That Delegate Kipke’s Amendments (SB0253/873726/1) be rejected.
- (2) That the attached Conference Committee Amendments (SB0253/503927/1) be adopted.

SB0253/503927/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 253

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Fund” insert “– Money Received by Baltimore City Community College”; in line 3, strike “and Use of Fund”; strike beginning with “requiring” in line 5 down through “system;” in line 7; and in line 16, strike “and (l)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 5 through 11, inclusive.

Senate Members:

House Members:

 Chair, **Ronald N. Young**

 Chair, **Alfred C. Carr, Jr.**

Obie Patterson

Kathy Szeliga

Shirley Nathan–Pulliam

Samuel I. Rosenberg

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

The motion was adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0403**
 SPONSOR: Delegate Ebersole

SUBJECT: Income Tax Credit – Qualified Farms – Food Donation Pilot Program – Expansion and Extension

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Walker, Chairman
Delegate Reilly
Delegate Mosby.

The Senate appoints:

Senator McCray, Chair
Senator Peters
Senator Edwards

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 47**

Senate Bill 1011 – Senator Peters

AN ACT concerning

**Prince George’s County – Public School Construction – Prince George’s County
~~Alternative Financing~~ Public-Private Partnership Fund**

FOR the purpose of exempting certain public school construction projects that use alternative financing methods and that receive State funding from certain requirements; requiring public school construction projects in Prince George’s County that use alternative financing methods and that receive State funding to comply with certain requirements and a certain memorandum of understanding; establishing the Prince George’s County ~~Alternative Financing~~ Public-Private Partnership Fund as a special fund; specifying the purpose of the Fund; requiring the ~~Prince George’s County public school system~~ Interagency Commission on School Construction to administer the Fund; specifying the contents of the Fund; specifying

~~the purpose for which the Fund may be used; altering the distribution of certain State lottery revenues and requiring the Comptroller to distribute certain State lottery revenues in the Prince George's County Alternative Financing Fund requiring the Prince George's County Board of Education and the Prince George's County Executive and County Council to provide certain information with the annual budget submission; 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; stating the intent of the General Assembly; and generally relating to alternative financing for school construction in Prince George's County.~~

BY repealing and reenacting, with amendments,
Article – Education
Section 4–126
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY adding to
Article – Education
Section 4–126.1 and 5–101(f)(1)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

~~BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120
Annotated Code of Maryland
(2014 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 Rules and Executive Nominations.

**YEAS AND NAYS NO. 11
HOUSE BILLS PASSED IN THE SENATE**

NUMBER	SPONSOR	CONTENT
HB 175	Chair, Ways and Means Committee	Maryland Research and Development Tax Credit – Sunset Extension
HB 183	Prince George’s County Delegation	Prince George’s County – Property Tax Credit for Security Camera Systems PG 413–19
HB 199	Wicomico County Delegation	Wicomico County – Deer Hunting – Sundays
HB 242	Cecil County Delegation	Cecil County – Natural Resources – Hunting
HB 262	Del. Luedtke	Higher Education – Tuition Rates – Exemptions
HB 326	Montgomery County Delegation and Prince George’s County Delegation	Washington Suburban Sanitary Commission – Office of the Inspector General – Technical Changes MC/PG 104–19
HB 465	Chair, Ways and Means Committee	State Department of Assessments and Taxation – Distribution of Recordation and Transfer Tax Revenues
HB 662	Montgomery County Delegation and Prince George’s County Delegation	Maryland–National Capital Park and Planning Commission – Glenn Dale Hospital Property MC/PG 110–19

NUMBER	SPONSOR	CONTENT
HB 678	Montgomery County Delegation and Prince George's County Delegation	M–NCPPC – Prince George's Co Recreation Programs – Youth Sports Program and Div MC/PG 115–19
HB 680	Del. Cullison	State Procurement – State Funded Construction Projects – Payment of Employee Health Care Expenses
HB 796	Del. Wilkins	Public Health – Maternal Mortality Review Program – Establishment of Local Teams
HB 809 (Emerg)	Del. Palakovich Carr	Sales and Use Tax – Taxable Services – Telephone Answering Service
HB 841	Del. Clark	Aquaculture – Submerged Aquatic Vegetation – Placement of Shellfish, Bags, Nets, and Structures
HB 934	Del. D.E. Davis	Consumer Protection – Resale of Tickets – Disclosures and Refunds
HB 1098	Del. Kipke	Health Insurance – Maryland Health Benefit Exchange – Small Business Tax Credit Subsidy

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 1383)

CALENDAR OF THIRD READING SENATE BILLS NO. 44

Senate Bill 124 – Senator Simonaire

AN ACT concerning

Anne Arundel County and Harford County – Court Dog and Child Witness Pilot Program – Extension

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1384)

The Bill was then returned to the Senate.

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~~

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1385)

The Bill was then returned to the Senate.

Senate Bill 144 – Senators Augustine, Smith, Elfreth, Kagan, Kelley, Lee, Rosapepe, Waldstreicher, West, Young, and Zucker

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 – 109 Negative – 23 (See Roll Call No. 1386)

The Bill was then returned to the Senate.

Senate Bill 230 – Senator Hough

AN ACT concerning

Election Law – Canvassing of Absentee Ballots – Reporting Unofficial Results

Delegate Atterbeary moved to make the Bill a Special Order for Saturday.

The motion was adopted.

Senate Bill 265 – Senators Zucker, Peters, Eckardt, Edwards, Elfreth, Ferguson, Griffith, Guzzone, King, McCray, Rosapepe, Salling, and Serafini

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 – 131 Negative – 0 (See Roll Call No. 1387)

The Bill was then returned to the Senate.

Senate Bill 654 – Senators Hester ~~and~~, Zucker, Eckardt, Edwards, Elfreth, Ferguson, Griffith, Guzzone, King, McCray, Peters, Rosapepe, Salling, and Serafini

AN ACT concerning

Property Tax Credit – Elderly Individuals – Eligibility

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1388)

The Bill was then returned to the Senate.

Senate Bill 780 – Senator Waldstreicher

AN ACT concerning

Transfer Tax – Transfers by Governmental Entities

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1389)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 49

Senate Bill 5 – Senator Kagan

AN ACT concerning

Public Information Act – 9-1-1 Communications – Denial of Part of a Public Record

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1390)

The Bill was then returned to the Senate.

Senate Bill 36 – Senator Lam

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 – 133 Negative – 0 (See Roll Call No. 1391)

The Bill was then returned to the Senate.

Senate Bill 284 – Senators Kagan and Reilly

AN ACT concerning

9-1-1 Specialists – Compensation and Benefits

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1392)

The Bill was then returned to the Senate.

Delegate Kipke moved to Special Order the remainder of this calendar until later today.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 1393)

SPECIAL ORDER CALENDAR**REMAINDER OF THIRD READING SENATE BILLS NO. 49**

STATUS OF BILLS: ALL OF THE FOLLOWING BILLS ARE ON 3RD READING.

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)~~

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1394)

The Bill was then returned to the Senate.

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

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

Affirmative – 127 Negative – 5 (See Roll Call No. 1395)

The Bill was then returned to the Senate.

Senate Bill 1012 – Senator Feldman

AN ACT concerning

Public Health – Death Certificates – Completion and Cause of Death Report

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1396)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 53

Senate Bill 137 – Senators Waldstreicher and West

AN ACT concerning

Corporations – Maryland General Corporation Law – Miscellaneous Provisions

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1397)

The Bill was then returned to the Senate.

Senate Bill 807 – Senator Patterson

AN ACT concerning

**State Real Estate Commission – Real Estate Brokerage Relationships,
Continuing Education, and Disclosures**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1398)

The Bill was then returned to the Senate.

Senate Bill 891 – Senators Feldman, Benson, Hayes, Hershey, and Klausmeier

AN ACT concerning

Consumer Protection – Resale of Tickets – Disclosures and Refunds

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1399)

The Bill was then returned to the Senate.

Senate Bill 955 – Senator Hershey

AN ACT concerning

Kent County Alcoholic Beverages Act of 2019

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1400)

The Bill was then returned to the Senate.

Senate Bill 960 – ~~Senator Jennings~~ Senators Jennings, Gallion, and Cassilly

AN ACT concerning

Harford County – Alcoholic Beverages – Seasonal Closing

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1401)

The Bill was then returned to the Senate.

ECONOMIC MATTERS COMMITTEE REPORT NO. 30

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

Senate Bill 62 – Chair, Finance Committee (By Request – Departmental – Uninsured Employers’ Fund)

AN ACT concerning

Uninsured Employers’ Fund – Solvency and Suspension and Resumption of Assessments – ~~Repeal~~ Study

SB0062/483499/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 62

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “and” in line 2 down through “Assessments” in line 3; and in line 13, strike “Executive”.

AMENDMENT NO. 2

On page 2, in line 30, strike “Executive”.

On page 3, in line 2, strike “2009,” and substitute “2012.”; in the same line, strike “September 30.” and substitute “August 31.”; in lines 4 and 5, in each instance, strike “increase” and substitute “adjust”; in line 7, strike “and analysis of claims made against” and substitute “of payments for compensation to claimants made from”; strike beginning with the first “and” in line 8 down through “paid” in line 9; in line 9, strike “October 1, 2009.” and substitute “September 1, 2017.”; in the same line, strike “September 30.” and substitute “August 31.”; in the same line, strike “and”; in line 10, strike “and analysis”; in line 11, strike “, including” and substitute “; and”

(3) a discussion of;

and in the same line, after “claims” insert “for compensation”.

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:

Senate Bill 584 – Senator Ferguson

AN ACT concerning

Baltimore City – Alcoholic Beverages – Licenses

SB0584/263391/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 584

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, after “fees;” insert “altering certain street boundaries for the Old Goucher Revitalization District; authorizing certain licenses to be transferred within the Old Goucher Revitalization District;”.

On page 2, in line 17, after “12-1002.1.” insert “12-1603(e).”.

AMENDMENT NO. 2

On page 3, in line 28, strike “6” and substitute “8”; and in the same line, strike “12 MIDNIGHT THE FOLLOWING DAY” and substitute “11 P.M.”.

On page 6, after line 25, insert:

“12-1603.

(e) (1) In this subsection, “Old Goucher Revitalization District” means the area surrounded by Howard Street on the west, 25th Street on the north, [St. Paul Street] HARGROVE STREET on the east, and 21st Street on the south.

(2) If an establishment has a minimum capital investment, not including land and acquisition costs, of \$50,000, the Board may issue one Class B-D-7 license for use in each of the following properties in the Old Goucher Revitalization District:

(i) a property that is surrounded by Maryland Avenue on the west, 24th Street on the north, Morton Street on the east, and 22nd Street on the south;

(ii) a property that is surrounded by Morton Street on the west, 23rd Street on the north, Charles Street on the east, and 22nd Street on the south;

(iii) a property that is surrounded by Morton Street on the west, Ware Street on the north, [Charles Street] LOVEGROVE STREET on the east, and 24th Street on the south; and

(iv) a property that is surrounded by Maryland Avenue on the west, 24th Street on the north, Morton Street on the east, and 23rd Street on the south.

(3) A Class B-D-7 license that may be issued under (c)(6) OR (7) of this section may be transferred within the Old Goucher Revitalization District.”.

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:

Senate Bill 927 – Carroll County Senators

AN ACT concerning

Carroll County – Alcoholic Beverages Licenses – Class D Beer License

Favorable report adopted.

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. 1402)

CALENDAR OF THIRD READING SENATE BILLS NO. 62

Senate Bill 252 – Senator Hayes

AN ACT concerning

Railroad Company – Movement of Freight – Required Crew

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

Affirmative – 99 Negative – 33 (See Roll Call No. 1403)

The Bill was then returned to the Senate.

Senate Bill 533 – Senators Guzzone and McCray

AN ACT concerning

Sales and Use Tax – ~~Limited Residential Lodging~~ Short-Term Rentals

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

Affirmative – 100 Negative – 31 (See Roll Call No. 1404)

The Bill was then returned to the Senate.

Senate Bill 945 – Senator Kramer

EMERGENCY BILL

AN ACT concerning

Sales and Use Tax – Taxable Services – Telephone Answering Service

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1405)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 60

Senate Bill 403 – Senators Augustine, Feldman, Beidle, and Hayes

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 – 133 Negative – 0 (See Roll Call No. 1406)

The Bill was then returned to the Senate.

Senate Bill 472 – Senators Nathan–Pulliam, Augustine, Benson, Eckardt, Ellis, Feldman, Ferguson, Kelley, Lam, Lee, Patterson, Smith, Young, and Zucker

AN ACT concerning

General Provisions – Commemorative ~~Days Months~~ – Caribbean ~~Day in~~ Maryland Heritage Month

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1407)

The Bill was then returned to the Senate.

Senate Bill 631 – Senator Augustine

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 – 132 Negative – 0 (See Roll Call No. 1408)

The Bill was then returned to the Senate.

Senate Bill 699 – Senators Kelley, Augustine, Beidle, Benson, Feldman, Guzzone, Hayes, Kramer, Lee, Nathan–Pulliam, and West

AN ACT concerning

Maryland Medical Assistance Program – Home– and Community–Based Waiver Services – Prohibition on Denial

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1409)

The Bill was then returned to the Senate.

Senate Bill 944 – Senator Eckardt

AN ACT concerning

Behavioral Health Programs – Outpatient Mental Health Centers – Medical Directors – ~~Psychiatric Nurse Practitioners~~

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1410)

The Bill was then returned to the Senate.

Senate Bill 983 – Senators Hayes, Augustine, Ellis, Griffith, and Smith

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 – 133 Negative – 0 (See Roll Call No. 1411)

The Bill was then returned to the Senate.

SPECIAL ORDERS

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 253** SPONSOR: **Senator Hayes**

SUBJECT: **Major Information Technology Development
Project Fund – Exemption and Use of Fund**

THIRD READING CALENDAR HOUSE NO. **28** SENATE NO. **39**

STATUS OF BILL: CONFERENCE COMMITTEE REPORT NOT ADOPTED.

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That Delegate Kipke’s Amendments (SB0253/873726/1) be rejected.
- (2) That the attached Conference Committee Amendments (SB0253/503927/1) be adopted.

SB0253/503927/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 253

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Fund” insert “– Money Received by Baltimore City Community College”; in line 3, strike “and Use of Fund”; strike beginning with “requiring” in line 5 down through “system,” in line 7; and in line 16, strike “and (l)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 5 through 11, inclusive.

Senate Members:

House Members:

Chair, **Ronald N. Young**

Chair, **Alfred C. Carr, Jr.**

Obie Patterson

Kathy Szeliga

Shirley Nathan-Pulliam

Samuel I. Rosenberg

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 1412)

The Bill was then returned to the Senate.

JUDICIARY COMMITTEE REPORT NO. 32

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

House Bill 542 – Delegates Cox, Adams, Atterbeary, Beitzel, Corderman, Fraser-Hidalgo, Hartman, Kipke, McComas, McKay, Metzgar, Miller, Moon, and Pippy

AN ACT concerning

Task Force to Study Crime Classification and Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 773 – Senator Smith

AN ACT concerning

Health Care Malpractice Qualified Expert – Qualification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 809 – Senators Lee, Benson, Carter, Elfreth, Feldman, Guzzone, Hayes, Hester, Kagan, Nathan–Pulliam, Patterson, Peters, Smith, Waldstreicher, Washington, West, Young, and Zucker

AN ACT concerning

Correctional Facilities – Restrictive Housing – Pregnant Inmates

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 947 – Calvert County Senators

AN ACT concerning

Calvert County – Correctional Officers’ Bill of Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 957 – Calvert County Senators

AN ACT concerning

Calvert County – Office of the Sheriff – Correctional Deputies

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 985 – Senators Hayes, Carter, Ferguson, and Washington

AN ACT concerning

Confidentiality of Juvenile Records – Baltimore City Mayor’s Office on Criminal Justice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 48**

**Senate Bill 177 – The Minority Leader (By Request – Administration) and
Senators Carozza, Bailey, Eckardt, Gallion, Hershey, Jennings, and West**

AN ACT concerning

Maryland Stadium Authority – Ocean City Convention Facility – Renovation

FOR the purpose of authorizing the Maryland Stadium Authority to provide for the renovation of the Ocean City Convention facility; altering the authority of the Board of Public Works to approve an issuance of certain bonds related to the Ocean City Convention facility without receiving authorization by the General Assembly; altering the requirement that the Authority, with certain exceptions, comply with certain requirements to finance certain activities; altering certain contribution amounts, allocations of savings, and leasehold ownership allocations that must be contained in a certain lease or other written agreement with Ocean City; altering the contents required in a certain deed, lease, or written agreement with Ocean City; altering the responsibility of certain operating deficits, certain capital improvements, and certain capital contribution amounts that must be contained in a certain written agreement with Ocean City; providing that an agreement entered into between Ocean City and the Authority in accordance with the provisions of this Act shall supersede certain prior agreements; and generally relating to the Maryland Stadium Authority and the Ocean City Convention facility.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–628(a)

Annotated Code of Maryland

(2018 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–628(c) and 10–643

Annotated Code of Maryland

(2018 Replacement Volume)

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

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0122**
SPONSOR: Delegate Dumais, et al
SUBJECT: Protective Orders – Relief Eligibility – Rape and Sexual Offenses

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate J. Lewis, Chairman
Delegate Shetty
Delegate Lopez.

The Senate appoints:

Senator Washington, Chair
Senator Hester
Senator Carter

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0301**
SPONSOR: Delegate Wilkins, et al
SUBJECT: Vehicle Laws – Race–Based Traffic Stops – Policy and Reporting Requirements

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Fraser–Hidalgo, Chairman
Delegate Love

Delegate Bridges.

The Senate appoints:

Senator Carter, Chair
Senator Washington
Senator West

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB1027**
SPONSOR: Delegate Lopez, et al
SUBJECT: Criminal Law – Child Pornography

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Atterbeary, Chairman
Delegate R. Watson
Delegate Pippy.

The Senate appoints:

Senator Cassilly, Chair
Senator West
Senator Waldstreicher

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.

Secretary

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 1413)

ADJOURNMENT

At 8:31 P.M. on motion of Delegate Dumais the House adjourned until 12:00 P.M. on Legislative Day March 30, 2019, Calendar Day, Saturday, April 6, 2019.

Annapolis, Maryland
Legislative Day: March 30, 2019
Calendar Day: Saturday, April 6, 2019
12:00 P.M. Session

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

The House met at 12:49 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Haven Shoemaker of Carroll County.

QUORUM CALL

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

(See Roll Call No. 1414)

EXCUSED:

Del. Busch – medical

Del. Charles – left early – personal

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

MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 49

Senate Bill 175 – The President (By Request – Administration)

AN ACT concerning

Economic Development – Maryland Technology Infrastructure Program

FOR the purpose of establishing the Maryland Technology Infrastructure Program in the Maryland Technology Development Corporation; establishing the purposes of the Program; establishing the Maryland Technology Infrastructure Authority; providing for the appointment of members, the selection of officers, and the purposes and procedures of the Authority; establishing the Maryland Technology Infrastructure Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Executive Director of the Maryland Technology Development Corporation or the Executive Director's designee to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in and expenditures from the

Fund; 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; requiring the Program to provide certain financial assistance to certain entities in the State subject to certain conditions; providing for the eligibility of certain entities for certain financial assistance; establishing certain priorities for certain financial assistance; requiring the Authority to adopt certain regulations; requiring the Corporation and the Authority to report to the Governor and the General Assembly each year; defining certain terms; declaring the intent of the General Assembly; specifying the terms of the initial members of the Authority; and generally relating to the Maryland Technology Infrastructure Program, the Maryland Technology Infrastructure Authority, and the Maryland Technology Infrastructure Fund.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 9–101(a) and (e) and 10–401(a) and (c)
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to
Article – Economic Development
Section 10–495.1 through 10–495.12 to be under the new part “Part XI. Maryland
Technology Infrastructure Program”
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–496(a) to be under the amended part “Part XII. Miscellaneous”
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)

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

Senate Bill 436 – Senators Klausmeier, Beidle, Feldman, and Hershey

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

FOR the purpose of establishing that the owner of a rental vehicle may satisfy a certain insurance requirement by maintaining a certain security that is ~~primary under certain circumstances and~~ secondary to any other valid and collectible coverage under certain circumstances and subject to a certain exception; providing that security maintained by the owner of a rental vehicle or replacement vehicle is primary under certain circumstances; establishing a certain insurer's right to subrogation for certain damages under certain circumstances; requiring the owner of a rental vehicle to provide a certain notice to the renter of the rental vehicle; authorizing certain persons to request certain information from a motor vehicle rental company in a certain manner; requiring a motor vehicle rental company to disclose certain information about a person that rents or is authorized to drive a rental vehicle to a certain person under certain circumstances; requiring a motor vehicle rental company to make a reasonable effort to obtain and disclose certain information about the person who was driving the rental vehicle at the time of the adverse event under certain circumstances; providing a certain exception to the requirement that a motor vehicle rental company disclose certain information; prohibiting a motor vehicle rental company from being compelled to disclose certain additional information; establishing a certain immunity from liability for a motor vehicle rental company that discloses certain information in accordance with this Act, subject to a certain exception; providing that a motor vehicle rental company shall be required to provide certain security on a primary basis for certain claims under certain circumstances; defining certain terms; providing for a delayed effective date; providing for the application of this Act; and generally relating to required security for certain rental vehicles.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 17–103

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 17–104 and 18–102

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

BY adding to

Article – Transportation

Section 17–104.3 and 18–106

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

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

Senate Bill 759 – Senators Klausmeier and Lam

AN ACT concerning

Health – Prescription Drug Affordability Board

FOR the purpose of establishing the Prescription Drug Affordability Board as an independent unit of State government; providing that the exercise by the Board of its authority under this Act is an essential governmental function; providing for the purpose of the Board; providing for the membership, terms, compensation, and chair of the Board; requiring certain conflicts of interest to be disclosed and considered when appointing members to the Board; specifying the terms of the initial members and alternate members of the Board; requiring the chair of the Board to hire certain staff and develop a certain budget and plan to be submitted to the Board for approval; requiring that the staff of the Board receive a certain salary; requiring the Board to meet in a certain manner and with a certain frequency with certain exceptions; requiring the Board to provide certain public notice of each Board meeting and to make certain materials available to the public in a certain manner; requiring the Board to provide the public with the opportunity to provide certain comments; authorizing the Board to allow expert testimony under certain circumstances; requiring the Board to access certain information for prescription drug products in a certain manner; requiring certain actions by the Board to be made in open session; providing that a majority of the members of the Board constitutes a quorum; requiring members of the Board to recuse themselves from certain decisions under certain circumstances; authorizing the Board to adopt certain regulations and enter into certain contracts; providing that certain third parties may not use certain information except under certain circumstances; providing for the application of certain procurement law to the Board; establishing the Prescription Drug Affordability Stakeholder Council; providing for the purpose of the Stakeholder Council; providing for the membership of the Stakeholder Council; specifying the terms of the initial members of the Stakeholder Council; requiring the Board to appoint certain chairs for the Stakeholder Council; prohibiting a member of the Stakeholder Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the disclosure of certain conflicts of interest within a certain time frame and in a certain manner; prohibiting certain persons from accepting certain gifts or donations; providing for the construction of certain provisions of this Act; requiring the Board in consultation with the Stakeholder Council to collect and review certain information, make a certain

determination, monitor and review certain actions, assess certain information, study certain matters, and adopt certain regulations on or before a certain date; requiring the Board to identify certain states and initiate a certain process on or before a certain date; requiring the Board to verify that a certain state has obtained certain consent of a certain owner before taking certain actions; authorizing only certain Board members and staff to access certain information; requiring that the Board's certain access, use, or sharing of certain information gives rise to a certain cause of action and results in the immediate termination of a certain memorandum of understanding; requiring that, if the Board willfully shares or discloses certain information for certain purposes, the Board shall provide for certain damages; requiring the Board to identify certain prescription drug products with certain costs; requiring the Board to determine in a certain manner whether to conduct a certain review for certain identified products; requiring the Board to request certain information from ~~a manufacturer~~ certain entities under certain circumstances; providing that information to conduct a certain cost review includes certain documents and research; providing that failure of ~~a manufacturer~~ certain entities to provide the Board with certain information does not affect certain Board authority; requiring that a certain review determine if certain utilization of a prescription drug product has led or will lead to certain challenges; requiring the Board to consider certain factors in making a certain determination on whether a certain drug product has led or will lead to certain challenges; authorizing the Board to consider certain additional factors if the Board is unable to make a certain determination; requiring the Board to ~~recommend or establish certain upper payment limits after considering certain factors~~ recommend a certain strategy; ~~requiring the Board to work with certain stakeholders to identify certain methodologies and establish certain data sources on or before a certain date;~~ providing for the application of certain provisions of this Act; ~~requiring the Board to consider certain information and recommend and publicize certain upper payment limits on or before a certain date;~~ requiring the Board to establish certain upper payment limits on or after a certain date; requiring that certain information be subject to public inspection to the extent allowed under certain provisions of law; providing that certain information and data is considered confidential and proprietary and is not subject to disclosure under certain provisions of law; authorizing the Office of the Attorney General to pursue certain remedies; authorizing certain appeals and judicial review of certain Board decisions; ~~establishing the Prescription Drug Affordability Fund; requiring the Board to be funded by a certain assessment; requiring the Board to assess and collect certain fees; requiring the State Treasurer to hold the Fund separately, and the Comptroller to account for the Fund; providing that the Fund is not subject to certain provisions of law but is subject to certain audit by the Office of Legislative Audits;~~ requiring the Board to determine a certain funding source and submit a certain recommendation to certain committees of the General Assembly on or before a certain date; requiring the Board to be funded in a certain manner; requiring the Board to submit certain reports to certain committees of the General Assembly and to the General Assembly on or before certain dates; ~~requiring the Health Services Cost Review Commission, in consultation with the Maryland Health Care Commission, to submit a certain report to the General Assembly on or before a certain date;~~ requiring the State Designated Health Information Exchange Board jointly to conduct a study with the

Board on providing certain data and report certain findings and recommendations to the General Assembly on or before a certain date; defining certain terms; making the provisions of this Act severable; and generally relating to the Prescription Drug Affordability Board.

BY adding to

Article – Health – General

Section 21-2C-01 through ~~21-2C-11~~ 21-2C-13 to be under the new subtitle
“Subtitle 2C. Prescription Drug Affordability Board”

Annotated Code of Maryland

(2015 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 Rules and Executive Nominations.

Senate Bill 917 – Senators Lam and Young

AN ACT concerning

Land Use – Comprehensive Plans – Housing Element

FOR the purpose of requiring the planning commissions for certain local jurisdictions to include a housing element in the comprehensive plan for their respective jurisdictions; ~~requiring the housing element in certain comprehensive plans to include a plan to address certain issues;~~ 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; and generally relating to the requirement of a housing element in comprehensive plans.

BY repealing and reenacting, with amendments,

Article – Land Use
Section 1–406 and 3–102
Annotated Code of Maryland
(2012 Volume and 2018 Supplement)

BY adding to
Article – Land Use
Section 1–407.1 and 3–114
Annotated Code of Maryland
(2012 Volume and 2018 Supplement)

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

**CONCURRENCE CALENDAR NO. 20
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

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~~ Sydnor, Guyton, Cain, Wilkins, Patterson, Luedtke, Smith, Walker, Washington, Mosby, Turner, Ivey, Palakovich Carr, Feldmark, and Kaiser

AN ACT concerning

Gender Diversity in the Boardroom – Annual Report ~~or Nonprofit Sales and Use Tax Exemption Application~~

Delegate Kaiser moved that the House concur in the Senate amendments.

HB1116/269239/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1116
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “year;” insert “providing for the termination of this Act;”.

On page 2, strike in their entirety lines 20 through 22, inclusive, and substitute:

“WHEREAS, Of the 70 publicly traded companies headquartered in the State in 2018, 27 have no women in executive positions, 15 have no women on their boards of directors, and 6 have no women on their boards of directors or in their executive suites; and”.

AMENDMENT NO. 2

On page 6, in line 6, after “A” insert “TAX-EXEMPT,”; in line 7, strike “STOCK” and substitute “NONSTOCK”; in line 8, strike “OR DOMESTIC NONSTOCK CORPORATION”; in line 9, after “\$5,000,000,” insert “OR A DOMESTIC STOCK CORPORATION WITH TOTAL SALES EXCEEDING \$5,000,000,”; and in line 20, after the period insert “It shall remain effective for a period of 10 years and, at the end of September 30, 2029, 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 concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 111 Negative – 29 (See Roll Call No. 1415)

**CONCURRENCE CALENDAR NO. 19
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 185 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Class BLX License for Movie
Theaters**

PG 302-19

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0185/694630/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 185

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “providing that a certain license may not be issued in a certain legislative district;”.

AMENDMENT NO. 2

On page 3, in line 1, after “MAY” insert “NOT”; and strike beginning with “ONLY” in line 2 down through “APPROPRIATE” in line 6.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 3 (See Roll Call No. 1416)

AMENDED IN THE SENATE

House Bill 311 – Dorchester County Delegation

AN ACT concerning

Dorchester County – Alcoholic Beverages – Class A Licenses

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0311/164335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 311

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “certain” and substitute “a”; in line 5, strike “Class B license or a Class D license” and substitute “certain license”; in line 6, strike “that the Board issues” and substitute “issued by the Board”; and in line 7, strike “alcoholic beverages in Dorchester County” and substitute “the issuance of Class A beer, wine, and liquor licenses in Dorchester County”.

AMENDMENT NO. 2

On page 2, in line 4, strike “A”; and in line 5, strike “A”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 1417)

AMENDED IN THE SENATE

House Bill 1010 – Delegates Atterbeary, Brooks, Anderton, Boteler, Bridges, Buckel, Carr, Cassilly, Chang, Charles, Corderman, Cullison, W. Fisher, Ghrist, Gilchrist, Grammer, Hornberger, Ivey, Jackson, Kelly, Kerr, Krimm, J. Lewis, Lierman, Lisanti, Lopez, Luedtke, Moon, Mosby, Palakovich Carr, Pippy, Queen, Reilly, Reznik, Saab, Shetty, Shoemaker, Smith, Solomon, Stewart, Szeliga, Valderrama, Washington, Wilkins, K. Young, and P. Young

AN ACT concerning

Brewery Modernization Act of 2019

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB1010/454134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1010
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 23, after “2–210,” insert “2–308(b) and (c).”.

AMENDMENT NO. 2

On page 16, after line 25, insert:

“2–308.

(b) The license may be issued only to a person that:

(1) holds a Class 5 manufacturer’s license, a Class 7 micro–brewery license, or a Class 8 farm brewery license; and

(2) produces in the aggregate from all of its locations not more than [22,500] **45,000** barrels of beer annually.

(c) The license authorizes the license holder to:

(1) sell and deliver its own beer produced at the license holder’s premises to:

(i) a holder of a retail license that is authorized to acquire beer from a wholesaler; and

(ii) a holder of a permit that is authorized to acquire beer from a wholesaler; and

(2) distribute not more than [3,000] **5,000** barrels of its own beer annually.”.

On page 17, in lines 4 and 8, in each instance strike “22,500” and substitute “**45,000**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1418)

**CONCURRENCE CALENDAR NO. 21
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

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

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0332/257470/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 332

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “State” insert “operating budget bill or”; and in the same line, after “budget” insert “bill”.

AMENDMENT NO. 2

On page 2, in line 28, strike “INSURES” and substitute “INURES”.

On page 3, in line 4, strike “INSURES” and substitute “INURES”.

On page 6, in line 2, after “STATE” insert “OPERATING BUDGET BILL OR”; and in line 3, after “BUDGET” insert “BILL”.

On page 7, in line 7, after “COMPLAINT” insert “AUTHORIZED”; and in the same line, strike “(B)” and substitute “(A)”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 2 (See Roll Call No. 1419)

AMENDED IN THE SENATE

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~~ 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

AN ACT concerning

**State Government – Regulations Impacting Small Businesses – Economic
Impact Analyses**

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB1124/344838/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1124

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “– Economic” in line 2 down through “Analyses” in line 3; strike beginning with “requiring” in line 4 down through “regulations;” in line 6; strike beginning with “altering” in line 8 down through “Review;” in line 10; in line 10, after “requiring” insert “a”; in the same line, strike “units” and substitute “unit”; strike beginning with “registry” in line 12 down through “has a” in line 13 and substitute “unit’s website by a certain date and provide an opportunity for certain comments if the promulgating unit estimates that the proposed regulation will have a certain”; in line 13, strike “certain” and substitute “promulgating”; in line 15, strike “a certain electronic registry” and substitute “the unit’s website”; strike beginning with “requiring” in line 15 down through “date;” in line 16; in line 16, strike “certain unit” and substitute “promulgating unit”; in line 17, strike “create” and substitute “prepare, update, and post on the unit’s website”.

On pages 1 and 2, strike beginning with “establishing” in line 18 on page 1 down through “date;” in line 3 on page 2 and substitute “repealing provisions of law relating to the Advisory Council on the Impact of Regulations on Small Businesses; repealing a requirement that a promulgating unit take certain actions if the promulgating unit estimates that a proposed regulation will have a certain significant small business impact; repealing provisions establishing the Advisory Council and its purpose; repealing provisions relating to the membership, chair, staffing, meetings, and duties of the Advisory Council; repealing certain reporting requirements; repealing certain definitions; making conforming changes; providing for the delayed effective date of certain provisions of this Act;”.

On page 2, in line 7, strike the first comma and substitute “and”; in the same line, strike “, and (f) through (j)”; strike in their entirety lines 10 through 14, inclusive; and after line 19, insert:

“BY repealing and reenacting, with amendments,

Article – State Government

Section 10–101, 10–110(d), and 10–224(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–110

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)

(As enacted by Section 1 of this Act)

BY repealing

Article – Economic Development

Section 3–501 through 3–508 and the subtitle “Subtitle 5. Advisory Council on the
Impact of Regulations on Small Businesses”

Annotated Code of Maryland

(2018 Replacement Volume)”.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 17 on page 3 through line 4 on page 5, inclusive.

On page 5, in line 7, strike “UNITS” and substitute “EXECUTIVE BRANCH AGENCIES”; in the same line, after “ECONOMIC” insert “IMPACT”; strike in their entirety lines 12 through 25, inclusive; in line 26, strike the brackets; and in the same line, strike “30”.

On page 7, in line 4, after “BUSINESS” insert “, NONPROFIT ORGANIZATION,”; strike beginning with “AND” in line 9 down through “IMPACT” in line 10; in line 11, strike the comma and substitute “AND”; in line 12, strike “, AND THE ADVISORY COUNCIL”; in line 13, strike the comma; and in line 15, strike “A” and substitute “THE”.

On pages 7 and 8, strike in their entirety the lines beginning with line 28 on page 7 through line 19 on page 8, inclusive.

On page 9, strike in their entirety lines 5 through 29, inclusive; and in line 30, after “That” insert “the laws of Maryland read as follows”.

On page 10, strike in their entirety lines 1 through 23, inclusive, and substitute:

“Article – State Government

10–101.

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

(b) “Administrator” means the Administrator of the Division of State Documents.

[(c) “Advisory Council” means the Advisory Council on the Impact of Regulations on Small Businesses established under § 3–502 of the Economic Development Article.]

[(d)(C) “Committee” means the Joint Committee on Administrative, Executive, and Legislative Review.

[(e)(D) “Local government unit” means:

(1) a county;

(2) a municipal corporation;

(3) a special district that is established by State law and that operates within a single county;

(4) a special district that is established by a county pursuant to public general law; or

(5) an office, board, or department that is established in each county under State law and that is funded, pursuant to State law, at least in part by the county governing body.

[(f)] (E) “Mandate” means a directive in a regulation that requires a local government unit to perform a task or assume a responsibility that has a discernible fiscal impact on the local government unit.

[(g)] (F) “Register” means the Maryland Register.

[(h)] (G) (1) “Regulation” means a statement or an amendment or repeal of a statement that:

(i) has general application;

(ii) has future effect;

(iii) is adopted by a unit to:

1. detail or carry out a law that the unit administers;

2. govern organization of the unit;

3. govern the procedure of the unit; or

4. govern practice before the unit; and

(iv) is in any form, including:

1. a guideline;

2. a rule;

3. a standard;

4. a statement of interpretation; or

5. a statement of policy.

(2) “Regulation” does not include:

(i) a statement that:

1. concerns only internal management of the unit; and

2. does not affect directly the rights of the public or the procedures available to the public;

(ii) a response of the unit to a petition for adoption of a regulation, under § 10–123 of this subtitle; or

(iii) a declaratory ruling of the unit as to a regulation, order, or statute, under Subtitle 3 of this title.

(3) “Regulation”, as used in §§ 10–110 and 10–111.1 of this subtitle, means all or any portion of a regulation.

[(i)] (1) “Significant small business impact” means a determination by the Advisory Council that a proposed regulation is likely to have a meaningful effect on the revenues or profits of a significant number of small businesses or a significant percentage of small businesses within a single industry in the State.

(2) “Significant small business impact” does not include an impact resulting from a proposed regulation that is necessary to comply with federal law, unless the Advisory Council determines that the regulation is more stringent than federal law, in accordance with § 3–505 of the Economic Development Article.]

[(j)] (H) “Small business” has the meaning stated in § 2–1505.2 of this article.

[(k)] (I) “Substantively” means in a manner substantially affecting the rights, duties, or obligations of:

(1) a member of a regulated group or profession; or

(2) a member of the public.

[(l)] (J) “Unit” means an officer or unit authorized by law to adopt regulations.

10–110.

(a) Except for subsection **[(d)] (C)** of this section, this section does not apply to a regulation adopted under § 10–111(b) of this subtitle.

(b) At least 15 days before the date a proposed regulation is submitted to the Maryland Register for publication under § 10–112 of this subtitle, the promulgating unit shall submit to the State Children’s Environmental Health and Protection Advisory Council established under § 13–1503 of the Health – General Article for review any proposed regulations identified by the promulgating unit as having an impact on environmental hazards affecting the health of children.

[(c) At least 15 days before the date a proposed regulation is submitted to the Maryland Register for publication under § 10–112 of this subtitle, the promulgating unit shall submit to the Advisory Council on the Impact of Regulations on Small Businesses established under § 3–502 of the Economic Development Article for review each proposed regulation and the estimated impact of the proposed regulation on small businesses identified by the promulgating unit.]

[(d)] (C) (1) At least 15 days before the date a proposed regulation is submitted to the Maryland Register for publication under § 10–112 of this subtitle, the promulgating unit shall submit the proposed regulation to the Committee and the Department of Legislative Services.

(2) (i) If the proposed regulation, either in whole or in part, submitted to the Committee and the Department of Legislative Services in accordance with paragraph (1) of this subsection includes an increase or decrease in a fee for a license to practice any business activity, business or health occupation, or business or health profession licensed or otherwise regulated under State law, the promulgating unit shall include clearly written explanatory reasons that justify the increase or decrease in the fee.

(ii) If a regulation submitted under subparagraph (i) of this paragraph proposes an increase in a fee for a license, the written justification also shall include information about:

1. the amount of money needed by the promulgating unit to operate effectively or to eliminate an imbalance between the revenues and expenditures of the unit;

2. the most recent year in which the promulgating unit had last increased its fees;

3. the structure of the promulgating unit as to whether it is one that retains the license fees it receives or passes them through to a national organization or association that creates and administers a uniform licensing examination that is taken by anyone in the United States who is seeking a license to practice a particular occupation or profession or business activity issued by the promulgating unit;

4. measures taken by the promulgating unit to avoid or mitigate the necessity of a fee increase and the results of those measures;

5. special circumstances about the activities and responsibilities of the promulgating unit, including investigations of individuals licensed by the unit, that have had an adverse impact on the unit's operating expenses;

6. consideration given by the promulgating unit to the hardship a license fee increase may have on individuals and trainees licensed or regulated by the unit; and

7. actions taken by the promulgating unit to elicit the opinions of the individuals who are licensed by the promulgating unit and the members of the public as to the effectiveness and performance of the promulgating unit.

(3) If the promulgating unit estimates that the proposed regulation will have a significant small business impact, the unit shall:

[(i) identify each provision in the proposed regulation that will have a significant small business impact;

(ii) quantify or describe the range of potential costs of the proposed regulation on small businesses in the State;

(iii) identify how many small businesses may be impacted by the proposed regulation;

(iv) identify any alternative provisions the unit considered that may have a less significant impact on small businesses in the State and the reason the alternative was not proposed;

(v) identify the beneficial impacts of the regulation, including to public health, safety, and welfare, or to the environment;]

[(vi)] (I) establish an electronic registry that allows any small business or other interested party to register to receive an electronic notification when the proposed regulation or the scope of the proposed regulation is posted on the unit's website in accordance with item [(vii)] (II) of this paragraph;

[(vii)] (II) post the proposed regulation or the scope of the proposed regulation on the unit's website at least 15 days before the date the proposed regulation is submitted to the Committee and the Department of Legislative Services in accordance with this section and provide an opportunity for comments on the unit's proposal;

[(viii)] (III) on posting a proposed regulation or the scope of the proposed regulation on the unit's website in accordance with item [(vii)] (II) of this paragraph, notify the parties registered in the electronic registry established under item [(vi)] (I) of this paragraph that the proposed regulation or the scope of the proposed regulation has been posted; AND

[(ix)] (IV) prepare a compliance guide written in clear, plain English to assist small businesses in complying with the proposed regulation, update the guide as needed until the regulation is final, and post the guide on the unit's website[; and

(x) coordinate with the Advisory Council not later than the date the proposed regulation is submitted to the Committee, the Department of Legislative Services, and the Advisory Council in accordance with this section].

[(e)] (D) (1) The Committee is not required to take any action with respect to a proposed regulation submitted to it pursuant to subsection [(d)] (C) of this section.

(2) Failure by the Committee to approve or disapprove the proposed regulation during the period of preliminary review provided by subsection [(d)] (C) of this section may not be construed to mean that the Committee approves or disapproves the proposed regulation.

(3) During the preliminary review period, the Committee may take any action relating to the proposed regulation that the Committee is authorized to take under §§ 10–111.1 and 10–112 of this subtitle.

[(4) (i) If the Advisory Council submits to the Committee and the Department of Legislative Services a written statement of its findings that a proposed regulation will have a significant small business impact as required by § 3–505 of the Economic Development Article, the Committee and the Department of Legislative Services shall review the findings.]

(ii) After notification that a proposed regulation will have a significant small business impact, any member of the Committee may request a hearing on the proposed regulation.

(iii) If a member requests a hearing, the Committee:

1. shall hold a hearing; and

2. may request that the promulgating unit delay adoption of the regulation.]

[(f) (E) Prior to the date specified in subsection [(d)] (C) of this section, the promulgating unit is encouraged to:]

(1) submit the proposed regulation to the Committee and to consult with the Committee concerning the form and content of that regulation[; and

(2) submit the proposed regulation to the Advisory Council and to consult with the Advisory Council concerning the estimated small business impact of the regulation and ways to reduce the small business impact].”;

strike beginning with “this” in line 24 down through “2019” in line 25 and substitute “Section(s) 3–501 through 3–508 and the subtitle “Subtitle 5. Advisory Council on the Impact of Regulations on Small Businesses” of Article – Economic Development of the Annotated Code of Maryland be repealed”; and after line 25, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That Sections 2 and 3 of this Act shall take effect October 1, 2021.

SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect July 1, 2019.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 1420)

AMENDED IN THE SENATE

House Bill 1288 – Delegate Barron

AN ACT concerning

Physicians – Dispensing Permit Exemption – ~~Prepackaged~~ Topical Medication

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB1288/884832/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1288

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 11 through 15, inclusive; after line 15, insert:

“BY renumbering

Article – Health Occupations

Section 12–102(c)(2)(iii) and (iv), respectively

to be Section 12–102(c)(2)(iv) and (v), respectively

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)”;

in line 16, strike “with” and substitute “without”; in line 18, strike “12–102(c)(2)(iii) and (iv)” and substitute “12–102(c)(2)(ii)1.C. and 4.M.”; and after line 20, 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)”.

On page 2, in line 6, after “That” insert “Section(s) 12–102(c)(2)(iii) and (iv), respectively, of Article – Health Occupations of the Annotated Code of Maryland be renumbered to be Section(s) 12–102(c)(2)(iv) and (v), respectively.”

SECTION 2. AND BE IT FURTHER ENACTED, That”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 21, inclusive; after line 21, insert:

“(ii) A licensed dentist, physician, or podiatrist from personally preparing and dispensing the dentist’s, physician’s, or podiatrist’s prescriptions when:

1. The dentist, physician, or podiatrist:

C. Has received a written permit from that board to dispense prescription drugs or devices except that a written permit is not required in order to dispense starter dosages or samples without charge; and

4. The dentist, physician, or podiatrist:

M. Completes ten continuing education credits over a 5–year period relating to the preparing and dispensing of prescription drugs, offered by the Accreditation Council for Pharmacy Education (ACPE) or as approved by the Secretary, in consultation with each respective board of licensure, as a condition of permit renewal;

(III) A LICENSED PHYSICIAN FROM DISPENSING A TOPICAL MEDICATION WITHOUT OBTAINING THE PERMIT REQUIRED UNDER ITEM (II)1C OF THIS PARAGRAPH OR COMPLETING THE CONTINUING EDUCATION REQUIRED UNDER ITEM (II)4M OF THIS PARAGRAPH WHEN THE PHYSICIAN:

1. OTHERWISE COMPLIES WITH ITEM (II) OF THIS PARAGRAPH; AND

2. HAS OBTAINED A SPECIAL WRITTEN PERMIT UNDER § 14–509 OF THIS ARTICLE;”;

and strike in their entirety lines 22 through 31, inclusive.

AMENDMENT NO. 3

On page 3, in line 10, after “HYPOTICHOSIS” insert “WITHOUT OBTAINING A DISPENSING PERMIT OR COMPLETING THE CONTINUING EDUCATION REQUIRED UNDER § 12–102(C)(2)(II) OF THIS ARTICLE”; and in line 11, strike “COMPLIES” and substitute “OTHERWISE COMPLIES”.

On page 4, in line 8, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1421)

AMENDED IN THE SENATE

House Bill 116 – Delegates Barron, Sydnor, and Pena–Melnik

AN ACT concerning

Public Health – Correctional Services – Opioid Use Disorder Examinations and Treatment

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0116/217672/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 116

(Third Reading File Bill)

On page 2, in line 3, after “Correctional” insert “Administrators”.

On page 10, in line 1, after “LONG–ACTING” insert “OPIOID”.

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 – 137 Negative – 3 (See Roll Call No. 1422)

**CONCURRENCE CALENDAR NO. 22
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 533 – Delegates B. Barnes, Dumais, Hettleman, Korman, Lehman, Pena-Melnyk, ~~and Solomon~~ Solomon, Haynes, Jackson, Jones, and Lierman

AN ACT concerning

University System of Maryland – Board of Regents – Transparency and Oversight

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0533/714432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 533
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 14 and 15, strike “requiring the Board to conduct certain activities in open”; in line 15, strike “or closed sessions;”; and in line 22, after “changes;” insert “requiring the Board to review certain annual statements; requiring the Board to provide certain education and training to certain Board members at certain times; requiring the Board to approve the membership of certain search committees; requiring the Board to notify certain individuals at least a certain number of days before certain financial incentives go into effect; providing for the termination of certain provisions of this Act;”.

On page 2, in line 3, strike “and 12–103” and substitute “, 12–103, 12–108(b)(3), and 12–109(a)”; and after line 5, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 12–104(a)

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

BY adding to

Article – Education
Section 12–104(p) and (q)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 4, strike beginning with the colon in line 28 down through “**INCLUDE**” in line 29 and substitute “**INCLUDE**”.

On pages 4 and 5, strike beginning with the semicolon in line 30 on page 4 down through “**SESSION**” in line 7 on page 5.

On page 5, after line 21, insert:

“12–104.

(a) In addition to any other powers granted and duties imposed by this title, and subject to the provisions of Title 11 of this article and any other restriction imposed by law by specific reference to the University System of Maryland, or by any trust agreement involving a pledge of property or money, the Board of Regents has the powers and duties set forth in this section.

(P) THE BOARD OF REGENTS SHALL REVIEW THE ANNUAL FINANCIAL DISCLOSURE STATEMENTS FILED BY THE CHANCELLOR AND THE PRESIDENTS OF EACH CONSTITUENT INSTITUTION IN ACCORDANCE WITH § 5–607 OF THE GENERAL PROVISIONS ARTICLE.

(Q) THE BOARD OF REGENTS SHALL PROVIDE EACH MEMBER APPOINTED TO THE BOARD, AT THE TIME OF APPOINTMENT, AND AT REASONABLE INTERVALS, WITH EDUCATION AND TRAINING ON THE BOARD’S GOVERNANCE POLICIES, FIDUCIARY RESPONSIBILITIES, LEGAL OBLIGATIONS, OVERSIGHT OF PERSONNEL POLICIES, OVERSIGHT OF CONSTITUENT INSTITUTIONS, AND OTHER RESPONSIBILITIES.

12-109.

(a) **(1)** Except as provided in Subtitle 3 of this title, AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, in consultation with the Chancellor and after a thorough search, the Board of Regents shall appoint a qualified person as president of each constituent institution.

(2) THE BOARD OF REGENTS SHALL APPROVE THE MEMBERSHIP OF ANY SEARCH COMMITTEE CONVENED TO RECOMMEND A QUALIFIED PERSON AS PRESIDENT OF A CONSTITUENT INSTITUTION.

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

Article – Education

12-108.

(b) **(3)** **(I)** [The] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE Chancellor is entitled to the compensation established by the Board.

(II) THE BOARD OF REGENTS SHALL NOTIFY THE GOVERNOR, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE AT LEAST 30 DAYS BEFORE A CONTRACTUAL SALARY INCREASE, NEGOTIATED SEVERANCE PACKAGE, OR ANY OTHER FINANCIAL BONUS FOR THE CHANCELLOR GOES INTO EFFECT.”.

On page 6, in line 14, strike “2.” and substitute “3.”; and in line 15, after the period insert “Section 2 of this Act 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.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1423)

AMENDED IN 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

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1266/924031/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1266

(Third Reading File Bill)

On page 4, in line 23, strike the second “AND”; and in line 24, after “**(9)**” insert “**CAREER AND TECHNICAL EDUCATION AND APPRENTICESHIP PROGRAMS; AND**

(10)”.

The preceding amendment was read and concurred in.

HB1266/593224/1

BY: Senator Patterson

AMENDMENTS TO HOUSE BILL 1266, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 4 of the bill, in line 23, after “PROGRAMS” insert “**, WHEN ASSOCIATED WITH OTHER PROJECTS LISTED UNDER THIS SUBSECTION**”.

AMENDMENT NO. 2

In line 2 of the Education, Health, and Environmental Affairs Committee Amendment (HB1266/924031/1), after “PROGRAMS” insert “**, WHEN ASSOCIATED WITH OTHER PROJECTS LISTED UNDER THIS SUBSECTION**”.

The preceding 2 amendments were read and concurred in.

HB1266/593022/1

BY: Senator Zucker

AMENDMENT TO HOUSE BILL 1266

(Third Reading File Bill)

On page 3, in line 14, after “**(1)**” insert “**(I)**”; in line 16, strike “**(2)**” and substitute “**(II)**”; and in line 18, after “COUNTY” insert “**; OR**”

(2) AN ENTERPRISE ZONE, AS DEFINED IN § 5-701 OF THE ECONOMIC DEVELOPMENT ARTICLE, IN MONTGOMERY COUNTY OR PRINCE GEORGE’S COUNTY”.

The preceding amendment was read and concurred in.

HB1266/183422/1

BY: Senator Pinsky

AMENDMENTS TO HOUSE BILL 1266, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

Strike Senator Zucker’s Amendment (HB1266/593022/1) in its entirety.

AMENDMENT NO. 2

On page 3 of the bill, in line 16, after “**(2)**” insert “**(I)**”; and in line 18, after “COUNTY” insert “**; OR**”

(II) AN ENTERPRISE ZONE, AS DEFINED IN § 5-701 OF THE ECONOMIC DEVELOPMENT ARTICLE, IN MONTGOMERY COUNTY OR PRINCE GEORGE’S COUNTY”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 101 Negative – 37 (See Roll Call No. 1424)

AMENDED IN THE SENATE

House Bill 959 – Delegates Mosby, Conaway, Glenn, Haynes, Smith, and Wells

AN ACT concerning

Baltimore City – Alcoholic Beverages – License Renewals and Adult Entertainment

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0959/444734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 959
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “establishment” insert “or is an active duty member of the armed forces of the United States”.

AMENDMENT NO. 2

On page 4, in line 3, after “**IS**” insert “:

(I);

and in line 4, after “**ESTABLISHMENT**” insert “;**OR**

(II) AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OF THE UNITED STATES”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1425)

AMENDED IN THE SENATE

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

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB1279/834536/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1279
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “under certain circumstances” and substitute “if the Commission makes a certain determination”; and strike beginning with “requiring” in line 12 down through “Act” in line 15 and substitute “requiring the Commission, in consultation with a certain certification agency, to complete a study to evaluate whether there is a compelling interest to implement certain remedial measures to assist minorities and women in participating in Commission procurement contracts; requiring a certain certification agency to consult with the Commission to identify information necessary to make a certain determination; requiring the Commission to obtain and provide certain information to the certification agency; requiring the Commission to make certain evaluations; requiring the Commission to report the findings of a certain study to certain persons on or before a certain date”.

On page 3, strike in their entirety lines 4 through 9, inclusive, and substitute:

“WHEREAS, The General Assembly desires for the Commission to assess whether there is a basis for the Commission to implement remedial measures for minority– and women–owned businesses; and

WHEREAS, Subject to the Commission’s determination that there is a basis for the Commission to implement remedial measures for minority– and women–owned firms that seek to do business with the Commission, the General Assembly desires to authorize”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 10 through 12, inclusive; strike in their entirety lines 20 through 24, inclusive, and substitute “PROGRAM IF THE COMMISSION DETERMINES THAT THERE IS A COMPELLING INTEREST TO IMPLEMENT REMEDIAL MEASURES TO ASSIST MINORITY– AND WOMEN–OWNED BUSINESSES WHO WISH TO PARTICIPATE IN COMMISSION PROCUREMENT CONTRACTS.”; and strike in their entirety lines 31 and 32.

On page 5, strike in their entirety lines 1 and 2 and substitute:

“(2) TO THE EXTENT AUTHORIZED BY STATE AND FEDERAL LAW BASED ON THE FINDINGS OF AN APPROPRIATE STUDY OR ANALYSIS, PROVISIONS TO EXTEND REASONABLE COMPETITIVE PREFERENCES FOR CERTIFIED MINORITY BUSINESS ENTERPRISES OR GOALS FOR UTILIZATION OF CERTIFIED MINORITY BUSINESS ENTERPRISES IN PARTICULAR PROCUREMENT ACTIVITIES UNDER APPROPRIATE CIRCUMSTANCES; AND”.

On page 6, strike in their entirety lines 23 through 27, inclusive.

On page 7, strike beginning with the comma in line 3 down through “construction” in line 7 and substitute “that there is a compelling interest to implement remedial measures to assist minority– and women–owned businesses who wish to participate in Commission procurement contracts”; strike in their entirety lines 13 through 15, inclusive, and substitute:

“(2) to the extent permitted by State and federal law based on the findings of an appropriate study or analysis, provisions to extend reasonable competitive preferences for certified minority business enterprises or goals for utilization of certified minority business enterprises in particular procurement activities under appropriate circumstances; and”.

On page 8, strike in their entirety lines 9 through 15, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Commission, in consultation with the certification agency designated by the Board of Public Works under § 14–303(b) of the State Finance and Procurement Article and the Office of the Attorney General, shall complete a study, which may include an analysis of the disparity study as set forth in subsection (b) of this section, to evaluate whether there is a compelling interest to implement remedial measures, including a program comparable to the State Minority Business Enterprise Program under Title 14, Subtitle 3 of the State Finance and Procurement Article, to assist minorities and women in participating in Commission procurement contracts.

(b) (1) The certification agency shall consult with the Commission to identify the information necessary to determine whether the disparity study entitled “Business Disparities in the Maryland Market Area”, published on February 8, 2017, applies to the types of goods and services procured by the Commission.

(2) The Commission shall obtain and provide information to the certification agency that the certification agency requires to make the determination under paragraph (1) of this subsection.

(c) In performing the study required under subsection (a) of this section, the Commission shall evaluate race–neutral programs or other methods that may be used to address the needs of minority– and women–owned businesses seeking to participate in Commission procurement contracts.

(d) On or before January 1, 2020, the Commission shall report to the Montgomery County and Prince George’s County delegations to the General Assembly and the Legislative Policy Committee, in accordance with § 2–1246 of the State Government Article, on the findings of the study required under subsection (a) of this section.”;

in line 19, after “whether” insert “there is discrimination against”; and in the same line, after the second “or” insert “whether”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1426)

AMENDED IN THE SENATE**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)

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0433/888570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 433

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 2, in line 10, after “(II)” insert “**SUBJECT TO SUBSECTION (B) OF THIS SECTION;**”; in line 13, after “CITIZENSHIP” insert “**AND THE APPLICATION IS STILL PENDING APPROVAL**”; strike beginning with “WITHIN” in line 17 down through “AGENCY” in line 18 and substitute “**AS REQUIRED BY SUBSECTION (A)(4)(II) OF THIS SECTION**”; strike in their entirety lines 25 through 27, inclusive; and in line 28, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 109 Negative – 28 (See Roll Call No. 1427)

QUORUM CALL

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

(See Roll Call No. 1428)

CALENDAR OF THIRD READING HOUSE BILLS NO. 117

House Bill 542 – Delegates Cox, Adams, Atterbeary, Beitzel, Corderman, Fraser-Hidalgo, Hartman, Kipke, McComas, McKay, Metzgar, Miller, Moon, and Pippy

AN ACT concerning

Task Force to Study Crime Classification and Penalties

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1429)

The Bill was then sent to the Senate.

House Bill 1339 – Delegates Guyton, Bhandari, Buckel, Cox, Hornberger, Metzgar, and ~~Smith~~ Smith, and Ivey

AN ACT concerning

Property Tax Credit – Elderly Individuals – Eligibility

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1430)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 67

Senate Bill 62 – Chair, Finance Committee (By Request – Departmental – Uninsured Employers’ Fund)

AN ACT concerning

Uninsured Employers’ Fund – Solvency and Suspension and Resumption of Assessments – ~~Repeal~~ Study

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1431)

The Bill was then returned to the Senate.

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

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

Affirmative – 139 Negative – 1 (See Roll Call No. 1432)

The Bill was then returned to the Senate.

Senate Bill 584 – Senator Ferguson

AN ACT concerning

Baltimore City – Alcoholic Beverages – Licenses

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1433)

The Bill was then returned to the Senate.

Senate Bill 950 – Senator Kagan

AN ACT concerning

Campaign Finance – Death of Candidate – Termination of Campaign Committee

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1434)

The Bill was then returned to the Senate.

APPROPRIATIONS COMMITTEE REPORT NO. 22

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 178 – The Speaker (By Request – Administration) and Delegates Hartman, Anderton, Arentz, Chisholm, Ciliberti, Clark, Corderman, Cox, Jacobs, Kipke, Kittleman, Malone, Mautz, Metzgar, Otto, Saab, and Szeliga

AN ACT concerning

Maryland Stadium Authority – Ocean City Convention Facility – Renovation

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 1237 – Delegate Rosenberg

AN ACT concerning

**Maryland Technology Internship Program – Qualifications for Participation –
Alteration**

HB1237/604962/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1237
(First Reading File Bill)

On page 1, in line 22 and on page 2 in lines 4 and 10, in each instance, strike “**2.0**” and substitute “**2.5**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 31

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

Senate Bill 516 – Senators Feldman, Beidle, Benson, Carter, Elfreth, Ellis, Ferguson, Griffith, Guzzone, Hester, Kagan, Kelley, King, Kramer, Lam, Lee, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker

AN ACT concerning

Clean Energy Jobs

SB0516/843998/2

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 516

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “interest;” insert “requiring the Department to report on certain matters to certain committees of the General Assembly by a certain date each year;”; and in line 21, after “Account” insert “and certain matters”.

On page 2, in line 17, strike the second “a”; in the same line, strike “memorandum” and substitute “memoranda”; in line 18, after “project;” insert “requiring the Commission to report each year to the Governor and certain committees on certain matters;”; strike beginning with “removing” in line 41 down through “date;” in line 42; and strike beginning with “providing” in line 44 down through “date;” in line 45.

On page 3, in line 1, after “Act;” insert “requiring the Power Plant Research Program to study and make recommendations regarding nuclear energy and its role as a renewable energy resource in the State; requiring the Program to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date;”; in line 18, after “5–1501(g)” insert “and (i)”; in line 33, strike “and (h)” and substitute “, (h), and (s)”; in line 38, strike the first comma and substitute “and”; in the same line, strike “and”; in the same line, strike “(r)(8) through (12),”; and in line 39, strike “7–704(a)(2) and (4)” and substitute “7–704(a)(4)”.

On page 4, in line 25, strike “and”.

AMENDMENT NO. 2

On page 6 in line 8, and on page 37 in line 35, in each instance, after “PAY” insert “ORDINARY AND REASONABLE”.

On page 6, in line 21, before “AN” insert “UP TO”; in the same line, strike “20%” and substitute “3%”; and after line 33, insert:

“(I) (1) ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT SHALL SUBMIT A REPORT ON THE STATUS OF MONEY RECEIVED FROM THE STRATEGIC ENERGY INVESTMENT FUND UNDER SUBSECTION (D) OF THIS SECTION TO THE SENATE FINANCE COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

(2) WITH RESPECT TO THE PRECEDING FISCAL YEAR AND EACH RELEVANT PRIOR FISCAL YEAR, THE REPORT SHALL INCLUDE:

(I) THE AMOUNTS RECEIVED FROM THE FUND;

(II) THE AMOUNTS PLACED AS GRANTS WITH ELIGIBLE FUND MANAGERS; AND

(III) WITH RESPECT TO EACH ELIGIBLE FUND MANAGER:

1. THE IDENTITY OF THE MANAGER;

2. THE MONEY PROVIDED TO THE MANAGER;

3. THE INVESTMENTS MADE BY THE MANAGER;

4. THE AMOUNTS RETAINED BY THE MANAGER AS EXPENSES AND MANAGEMENT FEES;

5. THE SMALL, MINORITY, WOMEN-OWNED, AND VETERAN-OWNED BUSINESSES RECEIVING THE INVESTMENTS; AND

6. THE STATUS OF THE INVESTMENTS LISTED UNDER ITEM 5 OF THIS ITEM, ALONG WITH ANY RETURN MADE ON EACH INVESTMENT.”.

On page 7, in line 5, strike “§ 9-20B-05(F)(10) AND (I)” and substitute “§ 9-20B-05(F)(10), (F-2), AND (F-3)”.

On page 9, in line 29, strike “AN UNREASONABLE AMOUNT” and substitute “MORE THAN 25%”.

On page 10, in line 12, after the semicolon insert “AND”; and strike beginning with “UNREASONABLE” in line 13 down through “(III)” in line 14.

On page 11, after line 26, insert:

“(C) THE INFORMATION REPORTED UNDER SUBSECTION (B)(6) OF THIS SECTION SHALL CONTAIN SPECIFIC INFORMATION CONCERNING THE ENTITIES PROVIDING PRE-APPRENTICESHIP, YOUTH APPRENTICESHIP, AND REGISTERED APPRENTICESHIP JOB TRAINING PROGRAMS FROM THE CLEAN ENERGY WORKFORCE ACCOUNT, INCLUDING:

(1) THE NAME AND LOCATION OF EACH PROGRAM;

(2) THE POPULATIONS TARGETED BY EACH PROGRAM;

(3) THE TRAINING AND CURRICULUM PROVIDED;

(4) PROGRAM ENROLLMENT AND GRADUATION RATES; AND

(5) THE NUMBER AND TYPES OF PLACEMENTS ACHIEVED BY TRAINEES WHO COMPLETE EACH PROGRAM.”.

AMENDMENT NO. 3

On page 13, strike in their entirety lines 8 and 9; strike in their entirety lines 22 through 24, inclusive; and after line 28, insert:

“(s) “Tier 2 renewable source” means hydroelectric power other than pump storage generation.”.

On page 19, strike beginning with the colon in line 5 down through “(1)” in line 6; in line 6, strike “FROM” and substitute “IN”; and strike beginning with “THROUGH” in line 6 down through “2030” in line 7.

On page 23, in line 28, strike “and”; and in line 33, after “project” insert “; AND”

4. AS A CONDITION TO THE COMMISSION’S APPROVAL OF THE OFFSHORE WIND PROJECT, SIGN A MEMORANDUM OF UNDERSTANDING WITH THE COMMISSION THAT REQUIRES THE APPLICANT TO USE AT LEAST 25% OF THE TOTAL NUMBER OF CONTRACTORS AND SUBCONTRACTORS FOR THE PROJECT THAT ARE MINORITY BUSINESS ENTERPRISES, TO THE EXTENT PRACTICABLE”.

On page 24, in line 26, after “MINORITIES” insert “;

5. PROVIDES FOR THE USE OF A WORKFORCE INCLUDING AT LEAST 25% MINORITIES, TO THE EXTENT PRACTICABLE”;

in line 27, strike “5.” and substitute “6.”; and in line 34, strike “(II)” and substitute “(III)”.

On page 26, after line 29, insert:

“(3) ON OR BEFORE MARCH 1 EACH YEAR, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE ON:

(I) COMPLIANCE BY APPLICANTS WITH THE MINORITY BUSINESS ENTERPRISE PARTICIPATION REQUIREMENTS UNDER SUBSECTION (D)(4) OF THIS SECTION; AND

(II) WITH RESPECT TO THE COMMUNITY BENEFIT AGREEMENT UNDER SUBSECTION (E)(1) OF THIS SECTION:

1. THE AVAILABILITY AND USE OF OPPORTUNITIES FOR LOCAL BUSINESSES AND SMALL, MINORITY, WOMEN-OWNED, AND VETERAN-OWNED BUSINESSES;

2. THE SUCCESS OF EFFORTS TO PROMOTE CAREER TRAINING OPPORTUNITIES IN THE CONSTRUCTION INDUSTRY FOR LOCAL RESIDENTS, VETERANS, WOMEN, AND MINORITIES; AND

3. COMPLIANCE WITH THE MINORITY WORKFORCE REQUIREMENT UNDER SUBSECTION (E)(1)(I)5 OF THIS SECTION.

On page 39, strike in their entirety lines 5 through 23, inclusive.

On page 41, strike in their entirety lines 4 through 6, inclusive.

AMENDMENT NO. 4

On page 34, in line 7, strike “AND”; and in line 14, after “IMPACTED” insert “; AND”

(III) THE FINDINGS AND RECOMMENDATIONS OF THE STUDY OF NUCLEAR ENERGY AND ITS ROLE AS A RENEWABLE OR CLEAN ENERGY RESOURCE CONDUCTED BY THE PROGRAM UNDER CHAPTER ____, § 2 (S.B. 516) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2019

On page 40, after line 27, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Power Plant Research Program shall:

(1) conduct a study of nuclear energy and its role as a renewable or clean energy resource that can effectively combat climate change in the State; and

(2) include in the study:

(i) an evaluation and summary of the current state of nuclear energy in Maryland;

(ii) an identification of the benefits of nuclear energy usage in Maryland and the environmental benefits that may help to combat climate change;

(iii) an assessment of emerging nuclear energy technologies, including traveling-wave reactors, that may enhance the potential of nuclear energy as a viable renewable energy resource;

(iv) an assessment of countries and other states in which nuclear energy makes up more than 50% of total energy production that:

1. includes an analysis of the carbon emission reductions undertaken by these countries or states; and

2. examines how these countries or states have paired nuclear energy with other alternative renewable energy resources;

(v) an identification of the potential for a new nuclear power initiative to be deployed in the State using one or more nuclear technologies that include:

1. major barriers to deploying a successful nuclear power initiative; and

2. a time frame for deploying a successful nuclear power initiative;

(vi) an assessment of the practicality of adding nuclear energy to Maryland's Renewable Energy Portfolio Standard; and

(vii) recommendations regarding initiatives for the State and the General Assembly to responsibly and efficiently grow the nuclear energy industry in the State, support new emerging nuclear energy technologies that may improve nuclear energy as a viable renewable energy resource, and utilize nuclear energy as a resource to help the State combat climate change.

(b) On or before January 1, 2020, the Program shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”.

On page 41, in line 9, strike “6.” and substitute “5.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR COMMITTEE AMENDMENT

SB0516/643692/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 516

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 39, strike “7–705(b)” and substitute “7–705(a), (b).”.

AMENDMENT NO. 2

On page 14, in line 18, after “TO” insert “:

(I);

and in line 20, after “ARTICLE” insert “;AND

(II) PROVIDE OPPORTUNITIES FOR SMALL, MINORITY, WOMEN–OWNED, AND VETERAN–OWNED BUSINESSES TO PARTICIPATE IN AND DEVELOP A HIGHLY SKILLED WORKFORCE FOR CLEAN ENERGY INDUSTRIES IN THE STATE”.

On page 27, after line 25, insert:

“(a) Each electricity supplier shall submit a report to the Commission each year in a form and by a date specified by the Commission that:

(1) **(I) demonstrates that the electricity supplier has complied with the applicable renewable energy portfolio standard under § 7–703 of this subtitle and includes the submission of the required amount of renewable energy credits; or**

[(2)] (II) demonstrates the amount of electricity sales by which the electricity supplier failed to meet the applicable renewable energy portfolio standard; AND

(2) DOCUMENTS THE LEVEL OF PARTICIPATION OF MINORITY BUSINESS ENTERPRISES AND MINORITIES IN THE ACTIVITIES THAT SUPPORT THE CREATION OF RENEWABLE ENERGY CREDITS USED TO SATISFY THE STANDARD UNDER § 7–703 OF THIS SUBTITLE, INCLUDING DEVELOPMENT, INSTALLATION, AND OPERATION OF GENERATING FACILITIES THAT CREATE CREDITS.”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0516/643629/1

BY: Delegate Morgan

AMENDMENTS TO SENATE BILL 516

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after “report;” insert “requiring a person developing a solar photovoltaic generating facility to deposit with the Public Service Commission a bond executed by a surety company authorized to do business in the State;”.

On page 2, in line 12, strike “Public Service”.

On page 4, in line 5, after “Section” insert “7-216 and”.

AMENDMENT NO. 2

On page 11, after line 27, insert:

“7-216.

A PERSON DEVELOPING A SOLAR PHOTOVOLTAIC GENERATING FACILITY SHALL DEPOSIT WITH THE COMMISSION A BOND EXECUTED BY A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE.”.

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

Affirmative – 43 Negative – 93 (See Roll Call No. 1435)

FLOOR AMENDMENT

SB0516/943029/1

BY: Delegate Grammer

AMENDMENT TO SENATE BILL 516

(Third Reading File Bill)

On page 7, in line 8, after “PROGRAMS” insert “BASED IN THE UNITED STATES”.

On page 9, in line 19, after “**PARTS**” insert “, **SUBCOMPONENTS,**”; in line 20, after “**PARTS**” insert “**AND SUBCOMPONENTS**”; in line 21, strike “, **REGARDLESS OF THE ORIGIN OF THE SUBCOMPONENTS**”.

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

Affirmative – 33 Negative – 77 (See Roll Call No. 1436)

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 32

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

Senate Bill 512 – Senators Ellis, Augustine, Bailey, Beidle, Benson, Carozza, Carter, Elfreth, Feldman, Ferguson, Griffith, Guzzone, Hayes, Hester, Jennings, Kagan, King, Klausmeier, Kramer, Lam, Lee, McCray, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Reilly, Rosapepe, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker

EMERGENCY BILL

AN ACT concerning

Government Shutdowns – Employees – Protections

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 801 – Senators Hayes, Carter, Feldman, Guzzone, Hershey, Hester, Hough, Jennings, Klausmeier, Lam, McCray, Nathan–Pulliam, Reilly, Salling, Smith, Washington, West, Young, and Zucker

AN ACT concerning

Brewery Modernization Act of 2019

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 29

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

Senate Bill 43 – Senator McCray

AN ACT concerning

Baltimore City – ~~At-Will Supervisory~~ Members of the Command Staff of the Police Department – Residency Requirements

SB0043/970516/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 43

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, before “providing” insert “requiring a certain local law, ordinance, or policy enacted or adopted by the Mayor and City Council of Baltimore to include certain provisions:”.

AMENDMENT NO. 2

On page 2, in line 26, strike “THE” and substitute “(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE”; and after line 28, insert:

“(B) A LOCAL LAW, ORDINANCE, OR POLICY ENACTED OR ADOPTED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE UNDER THIS SECTION SHALL INCLUDE PROVISIONS FOR GRANTING A WAIVER OR EXEMPTION FROM THE LOCAL LAW, ORDINANCE, OR POLICY FOR A MEMBER OF THE COMMAND STAFF WHO IS MARRIED TO AN INDIVIDUAL WHO IS EMPLOYED BY A GOVERNMENT ENTITY THAT HAS SIMILAR EMPLOYEE RESIDENCY REQUIREMENTS.”

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:

Senate Bill 939 – Senator Klausmeier

AN ACT concerning

Natural Resources – Shellfish Nursery Operations – Wetlands License Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 27

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 526 – Delegates Cullison, Bagnall, Kelly, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Sample–Hughes, Szeliga, and K. Young

AN ACT concerning

Medical Laboratories – Laboratory Tests and Procedures – Advertising

HB0526/146186/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 526

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “person” insert “, subject to certain limitations.”; and in line 5, after “law;” insert “requiring a certain person to make a certain disclosure; providing that a certain person is a covered entity or business associate of a covered entity for purposes of certain provisions of federal law; authorizing the Secretary of Health to take a certain legal action under certain circumstances; providing for the application of this Act.”.

AMENDMENT NO. 2

On page 1, in line 20, after “(B)” insert “(1) (I) THIS SUBSECTION APPLIES ONLY TO:”

1. A DIAGNOSTIC LABORATORY TEST OR PROCEDURE FOR THE PURPOSE OF SCREENING, DIAGNOSING, MANAGING, OR TREATING A PHYSICAL OR MENTAL CONDITION OR DISEASE; AND

2. ANCESTRY TESTING USING Y-CHROMOSOME MITOCHONDRIAL DNA OR AUTOSOMAL DNA TESTING LIMITED TO THE DETECTION AND REPORTING OF GENETIC EVIDENCE OF PARENTAL LINEAGE AND GENETIC ETHNICITY.

(II) THIS SUBSECTION DOES NOT APPLY TO GERMLINE GENETIC OR GENOMIC TESTING DONE IN CONNECTION WITH THE ANALYSIS, DIAGNOSIS, OR PREDICTION OF HUMAN DISEASES.

(2)”;

in the same line, strike “A” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A”; in line 21, after the first “A” insert “DIAGNOSTIC”; and after line 23, insert:

“(3) A PERSON THAT DIRECTLY OR INDIRECTLY ADVERTISES FOR OR SOLICITS BUSINESS IN THE STATE FOR A DIAGNOSTIC LABORATORY TEST OR PROCEDURE UNDER THIS SUBSECTION:

(I) IS A COVERED ENTITY OR BUSINESS ASSOCIATE OF A COVERED ENTITY FOR PURPOSES OF THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 AND THE FEDERAL HEALTH INFORMATION TECHNOLOGY FOR ECONOMIC AND CLINICAL HEALTH ACT;

(II) MAY NOT MAKE A CLAIM ABOUT THE RELIABILITY AND VALIDITY OF THE TEST OR PROCEDURE THAT IS INCONSISTENT WITH THE TEST OR PROCEDURE’S PERFORMANCE AS MEASURED UNDER 42 U.S.C. § 263A; AND

(III) SHALL DISCLOSE THAT THE DIAGNOSTIC LABORATORY TEST OR PROCEDURE MAY OR MAY NOT BE COVERED BY HEALTH INSURANCE.

(4) THE SECRETARY MAY TAKE LEGAL ACTION TO RESTRICT THE MARKETING OF A DIAGNOSTIC LABORATORY TEST OR PROCEDURE IF THE SECRETARY DETERMINES THAT:

(I) THERE IS A PUBLIC HEALTH THREAT; OR

(II) THE DIAGNOSTIC LABORATORY TEST OR PROCEDURE IS NOT IN COMPLIANCE WITH THE REQUIREMENTS 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1293 – Delegates Krimm, Arentz, Buckel, Cox, Mautz, McKay, Metzgar, Otto, and Pippy

AN ACT concerning

Health – Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program

HB1293/766181/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1293

(First Reading File Bill)

On page 4, in line 23, strike “**\$500,000**” 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.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1384 – Delegates Bhandari, Arikan, Charles, Crosby, W. Fisher, Fraser-Hidalgo, Guyton, Ivey, Kerr, R. Lewis, Metzgar, Stein, Turner, Washington, and Wilkins

AN ACT concerning

Deaf or Hard of Hearing Individuals – Support for Parents

HB1384/956386/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1384

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike “any” and substitute “a”; in line 15, after “hospital” insert “, to the extent practicable.”; and in lines 17 and 18, strike “requiring the Department of Disabilities to provide to hospitals in the State a certain list for a certain purpose;”.

On page 2, strike in their entirety lines 10 through 14, inclusive.

On page 7, after line 24, insert:

“(2) “DEAF OR HARD OF HEARING CHILD” MEANS A MINOR WHO HAS HEARING LOSS AS DETERMINED THROUGH A UNIVERSAL NEWBORN HEARING SCREENING UNDER § 19–308.5 OF THE HEALTH – GENERAL ARTICLE OR A SIMILAR SCREENING.”;

and in line 25, strike “(2)” and substitute “(3)”.

On page 8, strike in their entirety lines 7 through 10, inclusive.

AMENDMENT NO. 2

On page 8, in line 16, after “CHILD” insert “:

(1) MAY TAKE ONE COURSE THAT TEACHES A LANGUAGE OR COMMUNICATION MODE AT AN INSTITUTION OF HIGHER EDUCATION; AND

(2) IS;

in the same line, strike “IS”; in line 17, strike “ANY” and substitute “**THE**”; in line 18, strike beginning with “THAT” down through “MODE”; in line 27, after “DISCHARGE” insert “**AND TO THE EXTENT PRACTICABLE**”; and in line 32, strike “UNBIASED RESOURCES” and substitute “**RESOURCES**”.

AMENDMENT NO. 3

On page 9, strike in their entirety lines 8 through 17, 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

Senate Bill 495 – Senators Kelley, Beidle, Benson, Feldman, Hayes, Klausmeier, and Reilly

AN ACT concerning

Medical Laboratories – Laboratory Tests and Procedures – Advertising

SB0495/626087/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 495

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “law;” insert “**requiring a certain person to make a certain disclosure; providing that a certain person is a covered entity or business associate of a covered entity for purposes of certain provisions of federal law;**”.

AMENDMENT NO. 2

On page 2, in line 9, strike “OR” and substitute “OF”; in line 11, after “TO” insert “GERMLINE”; and strike beginning with the colon in line 12 down through “CONDITIONS” in line 16 and substitute “THE ANALYSIS, DIAGNOSIS, OR PREDICTION OF HUMAN DISEASES”.

AMENDMENT NO. 3

On page 2, in line 24, strike “MUST BE A COVERED ENTITY UNDER” and substitute “IS A COVERED ENTITY OR BUSINESS ASSOCIATE OF A COVERED ENTITY FOR PURPOSES OF”.

AMENDMENT NO. 4

On page 2, in line 27, strike “AND”; and in line 30, after “§ 263A” insert “; AND”

(III) SHALL DISCLOSE THAT THE DIAGNOSTIC LABORATORY TEST OR PROCEDURE MAY OR MAY NOT BE COVERED BY HEALTH INSURANCE”.

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:

Senate Bill 677 – Senator West

AN ACT concerning

Deaf or Hard of Hearing Individuals – Support for Parents

SB0677/676089/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 677

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike “any” and substitute “a”; and in line 15, after “hospital” insert “, to the extent practicable.”.

On page 7, after line 29, insert:

“(2) “DEAF OR HARD OF HEARING CHILD” MEANS A MINOR WHO HAS HEARING LOSS AS DETERMINED THROUGH A UNIVERSAL NEWBORN HEARING SCREENING UNDER § 19–308.5 OF THE HEALTH – GENERAL ARTICLE OR A SIMILAR SCREENING.”.

On page 8, in line 1, strike “(2)” and substitute “(3)”; and strike in their entirety lines 13 through 16, inclusive.

AMENDMENT NO. 2

On page 8, in line 22, after “CHILD” insert “:

(1) MAY TAKE ONE COURSE THAT TEACHES A LANGUAGE OR COMMUNICATION MODE AT AN INSTITUTION OF HIGHER EDUCATION; AND

(2) IS”;

in the same line, strike “IS”; in line 23, strike “ANY” and substitute “**THE**”; and in line 24, strike beginning with “THAT” down through “MODE”.

On page 9, in line 1, after “DISCHARGE” insert “**AND TO THE EXTENT PRACTICABLE**”; and in line 6, strike “UNBIASED RESOURCES” and substitute “**RESOURCES**”.

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. 20

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:

Senate Bill 175 – The President (By Request – Administration)

AN ACT concerning

Economic Development – Maryland Technology Infrastructure Program

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:

Senate Bill 177 – The Minority Leader (By Request – Administration) and Senators Carozza, Bailey, Eckardt, Gallion, Hershey, Jennings, and West

AN ACT concerning

Maryland Stadium Authority – Ocean City Convention Facility – Renovation

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 Economic Matters:

Senate Bill 436 – Senators Klausmeier, Beidle, Feldman, and Hershey

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

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 Health and Government Operations:

Senate Bill 759 – Senators Klausmeier and Lam

AN ACT concerning

Health – Prescription Drug Affordability Board

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 Environment and Transportation:

Senate Bill 917 – Senators Lam and Young

AN ACT concerning

Land Use – Comprehensive Plans – Housing Element

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 Ways and Means:

Senate Bill 988 – Senator King

AN ACT concerning

Video Lottery Operation License – Renewal

The Bill was re-referred to the Committee on Ways and Means.

AMENDED IN THE SENATE**House Bill 354 – Washington County Delegation**

AN ACT concerning

Washington County – Alcoholic Beverages – Wineries – Special Event Permits

Delegate Davis, D.E. moved that the House not concur in the Senate amendments.

HB0354/384331/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 354

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “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;”; strike beginning with “of” in line 10 down through “Act” in line 11; in line 11, before “and” insert “providing for the termination of this Act;”; in line 15, strike the first

comma and substitute “and”; in the same line, strike “, and 31–402.1”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 31–402.1

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 3, in line 16, after “(c)” insert “**(1)**”; in lines 18 and 20, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; and after line 23, insert:

“(2) THE BOARD MAY AUTHORIZE A LICENSE HOLDER TO SELL FOR ON-PREMISES CONSUMPTION NATURALLY OR ARTIFICIALLY CARBONATED SPARKLING WINE NOT PRODUCED BY THE LICENSE HOLDER.”.

On page 4, in line 4, strike “**3 YEARS AND 6 MONTHS**” and substitute “**4 YEARS**”; in line 5, strike “**DECEMBER 31, 2020**” and substitute “**JUNE 30, 2021**”; in line 8, strike “1 year and 7 months” and substitute “2 years and 1 month”; and in line 9, strike “December 31, 2020,” and substitute “June 30, 2021,”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0354**
SPONSOR: Washington County Delegation
SUBJECT: Washington County – Alcoholic Beverages – Wineries – Special
Event Permits

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 Bromwell, Chair

Delegate Branch
Delegate Miller

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0417
SPONSOR: Senator Carter, et al
SUBJECT: Vehicle Laws – Race–Based Traffic Stops – Policy and Reporting Requirements

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Carter, Chair
Senator Washington
Senator West

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0417
SPONSOR: Senator Carter, et al

SUBJECT: Vehicle Laws – Race–Based Traffic Stops – Policy and Reporting Requirements

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Carter, Chairman
Senator Washington
Senator West.

The House appoints:

Delegate Fraser–Hidalgo, Chair
Delegate Love
Delegate Bridges

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0209**
SPONSOR: Senator Zirkin, et al
SUBJECT: Peace Orders – Relief Eligibility and Duration – Rape and Sexual Offenses

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Washington, Chair
Senator Hester
Senator Carter

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0209
SPONSOR: Senator Zirkin, et al
SUBJECT: Peace Orders – Relief Eligibility and Duration – Rape and Sexual Offenses

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Washington, Chairman
Senator Hester
Senator Carter.

The House appoints:

Delegate J. Lewis, Chair
Delegate Shetty
Delegate Lopez

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0460**
SPONSOR: Senator Waldstreicher, et al
SUBJECT: Pedestrian Safety Fund Act of 2019

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Waldstreicher, Chair
Senator Washington
Senator West

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0460**
SPONSOR: Senator Waldstreicher, et al
SUBJECT: Pedestrian Safety Fund Act of 2019

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Waldstreicher, Chairman

Senator Washington
Senator West.

The House appoints:

Delegate Stein, Chair
Delegate Stewart
Delegate Ciliberti

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0242**
SPONSOR: Senator Lee, et al
SUBJECT: Criminal Procedure – Incompetency and Criminal Responsibility
– Dismissal of Charges

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Lee, Chair
Senator Hough
Senator Waldstreicher

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0242
SPONSOR: Senator Lee, et al
SUBJECT: Criminal Procedure – Incompetency and Criminal Responsibility
– Dismissal of Charges

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Lee, Chairman
Senator Hough
Senator Waldstreicher.

The House appoints:

Delegate Sydnor, Chair
Delegate Moon
Delegate Arikan

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB0774
SPONSOR: Senator Smith, et al
SUBJECT: Correctional Services – Restrictive Housing – Reporting by
Correctional Units and Requirements Relating to Minors

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Hough, Chair
Senator Washington
Senator Waldstreicher

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0774
SPONSOR: Senator Smith, et al
SUBJECT: Correctional Services – Restrictive Housing – Reporting by
Correctional Units and Requirements Relating to Minors

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Hough, Chairman
Senator Washington
Senator Waldstreicher.

The House appoints:

Delegate Moon, Chair
Delegate D.M. Davis
Delegate Malone

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0736**
SPONSOR: Senator Lee, et al
SUBJECT: Criminal Law – Child Pornography

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Cassilly, Chair
Senator West
Senator Waldstreicher

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0736**
SPONSOR: Senator Lee, et al
SUBJECT: Criminal Law – Child Pornography

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Cassilly, Chairman
Senator West
Senator Waldstreicher.

The House appoints:

Delegate Atterbeary, Chair
Delegate R. Watson
Delegate Pippy

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 1437)

CALENDAR OF THIRD READING SENATE BILLS NO. 64

Senate Bill 33 – Senator McCray

AN ACT concerning

Baltimore City – Home Inspectors – Residential Rental Inspections

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

Affirmative – 102 Negative – 33 (See Roll Call No. 1438)

The Bill was then returned to the Senate.

Senate Bill 426 – Senator West

AN ACT concerning

~~Natalie M. LaPrade Medical Cannabis Commission – Licensed Dispensaries~~
Medical Cannabis – Regulation of Dispensaries, Growers, and Processors

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

Affirmative – 129 Negative – 7 (See Roll Call No. 1439)

The Bill was then returned to the Senate.

Senate Bill 598 – Senator Nathan–Pulliam

AN ACT concerning

Maryland Medical Assistance Program – Coverage – Hepatitis C Drugs

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1440)

The Bill was then returned to the Senate.

Senate Bill 711 – Senator Beidle

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 – 105 Negative – 33 (See Roll Call No. 1441)

The Bill was then returned to the Senate.

**Senate Bill 727 – Senators Guzzone, Eckardt, Edwards, Feldman, Jennings, Lee,
Peters, Serafini, Young, ~~and Zucker~~ Zucker, Kelley, Augustine, Beidle,
Benson, Hayes, Hershey, Klausmeier, Kramer, and Reilly**

AN ACT concerning

**Health – Professional and Volunteer Firefighter Innovative Cancer Screening
Technologies Program**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1442)

The Bill was then returned to the Senate.

Senate Bill 751 – Senator Lam

AN ACT concerning

Governor’s Appointments ~~Office~~ Office, Appointing Authorities, and the Secretary of Budget and Management – ~~At-Will Employees~~ Duties and Reports

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

Affirmative – 105 Negative – 32 (See Roll Call No. 1443)

The Bill was then returned to the Senate.

Senate Bill 755 – Senator Peters

AN ACT concerning

Interagency Agreements – Historically Black Colleges and Universities – ~~Goals~~ Reporting Requirements

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1444)

The Bill was then returned to the Senate.

Senate Bill 985 – Senators Hayes, Carter, Ferguson, and Washington

AN ACT concerning

Confidentiality of Juvenile Records – Baltimore City Mayor’s Office on Criminal Justice

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1445)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 66

Senate Bill 773 – Senator Smith

AN ACT concerning

Health Care Malpractice Qualified Expert – Qualification

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

Affirmative – 135 Negative – 3 (See Roll Call No. 1446)

The Bill was then returned to the Senate.

Senate Bill 809 – Senators Lee, Benson, Carter, Elfreth, Feldman, Guzzone, Hayes, Hester, Kagan, Nathan–Pulliam, Patterson, Peters, Smith, Waldstreicher, Washington, West, Young, and Zucker

AN ACT concerning

Correctional Facilities – Restrictive Housing – Pregnant Inmates

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1447)

The Bill was then returned to the Senate.

Senate Bill 816 – Senator Smith

AN ACT concerning

Property Tax Credit – Surviving Spouse of Veteran

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1448)

The Bill was then returned to the Senate.

Senate Bill 927 – Carroll County Senators

AN ACT concerning

Carroll County – Alcoholic Beverages Licenses – Class D Beer License

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1449)

The Bill was then returned to the Senate.

Senate Bill 947 – Calvert County Senators

AN ACT concerning

Calvert County – Correctional Officers’ Bill of Rights

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1450)

The Bill was then returned to the Senate.

Senate Bill 957 – Calvert County Senators

AN ACT concerning

Calvert County – Office of the Sheriff – Correctional Deputies

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1451)

The Bill was then returned to the Senate.

Senate Bill 1032 – Senator Nathan–Pulliam

AN ACT concerning

Morgan State University – Task Force on Reconciliation and Equity – Extension

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1452)

The Bill was then returned to the Senate.

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

House Bill 493 – Delegates Valentino–Smith, Barron, Corderman, Holmes, and McComas

AN ACT concerning

Crimes – Solicitation to Commit Murder – Penalty

HB0493/882617/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 493

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and McComas” and substitute “McComas, Grammer, Hartman, R. Watson, Arian, Cox, and Malone”; in line 2, after “Solicitation” insert “and Conspiracy”; in the same line, strike “– Penalty” and substitute “Resulting in Death”; after line 2, insert:

“(Stacey’s Law)”;

strike beginning with “providing” in line 3 down through “Act;” in line 8 and substitute “clarifying that a person who solicits another or conspires with another to commit murder in the first degree is guilty of murder in the first degree if the death of another occurs as a result of the solicitation or conspiracy;”; in line 8, after “solicitation” insert “and conspiracy”; strike in their entirety lines 10 through 14, inclusive; and in line 16, strike “2–211” and substitute “2–201”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 16 on page 2, inclusive, and substitute:

“Article – Criminal Law”

2–201.

(a) A murder is in the first degree if it is:

- (1) a deliberate, premeditated, and willful killing;
- (2) committed by lying in wait;
- (3) committed by poison; or
- (4) committed in the perpetration of or an attempt to perpetrate:
 - (i) arson in the first degree;
 - (ii) burning a barn, stable, tobacco house, warehouse, or other
outbuilding that:
 - 1. is not parcel to a dwelling; and
 - 2. contains cattle, goods, wares, merchandise, horses, grain,
hay, or tobacco;
 - (iii) burglary in the first, second, or third degree;
 - (iv) carjacking or armed carjacking;
 - (v) escape in the first degree from a State correctional facility or a
local correctional facility;
 - (vi) kidnapping under § 3–502 or § 3–503(a)(2) of this article;
 - (vii) mayhem;
 - (viii) rape;
 - (ix) robbery under § 3–402 or § 3–403 of this article;
 - (x) sexual offense in the first or second degree;
 - (xi) sodomy; or

(xii) a violation of § 4-503 of this article concerning destructive devices.

(b) (1) A person who commits a murder in the first degree is guilty of a felony and on conviction shall be sentenced to:

(i) imprisonment for life without the possibility of parole; or

(ii) imprisonment for life.

(2) Unless a sentence of imprisonment for life without the possibility of parole is imposed in compliance with § 2-203 of this subtitle and § 2-304 of this title, the sentence shall be imprisonment for life.

(C) A PERSON WHO SOLICITS ANOTHER OR CONSPIRES WITH ANOTHER TO COMMIT MURDER IN THE FIRST DEGREE IS GUILTY OF MURDER IN THE FIRST DEGREE IF THE DEATH OF ANOTHER OCCURS AS A RESULT OF THE SOLICITATION OR CONSPIRACY.

On page 2, in line 17, 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 Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 745 – Delegates W. Fisher, Acevero, Atterbeary, Barron, Bridges, Cardin, Carr, Charles, Conaway, Crutchfield, D.E. Davis, Dumais, Gilchrist, Glenn, Guyton, Hettleman, Ivey, Jackson, Jalisi, Kelly, Korman, J. Lewis, Lierman, Love, Moon, Mosby, Palakovich Carr, Pena-Melnyk, Qi, Sample-Hughes, Shetty, Stewart, Sydnor, Turner, Washington, R. Watson, Wells, and Wilkins

AN ACT concerning

Correctional Facilities – Restrictive Housing – Pregnant Inmates

HB0745/332711/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 745

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 19 down through “manner;” in line 20; and strike beginning with “requiring” in line 23 down through “Assembly;” in line 24.

On page 2, in line 12, strike “9–602(j)(2)(xi)” and substitute “9–601(j)(2)(xi)”.

AMENDMENT NO. 2

On page 3, in line 9, after “TO” insert “:

(I);

in lines 10 and 11, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively; in line 10, after “HARM” insert “**TO THE INMATE OR ANOTHER**”; and in line 12, after “MEANS” insert “;**OR**”

(II) A SITUATION THAT POSES A RISK OF SPREADING A COMMUNICABLE DISEASE THAT CANNOT BE REASONABLY MITIGATED BY OTHER MEANS”.

On page 4, strike beginning with the first “THE” in line 6 down through “**(III)**” in line 8; in line 10, strike “**(IV)**” and substitute “**(III)**”; strike beginning with “**(I)**” in line 16 down through “**(III)**” in line 23; in line 28, strike “SECRETARY” and substitute “**COMMISSIONER OF CORRECTION, THE COMMISSIONER OF PRETRIAL DETENTION AND SERVICES,**”; and in the same line, strike “TO”.

On page 5, strike in their entirety lines 8 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 Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 228 – Senators Ready, Bailey, Carozza, Hester, Hough, ~~and Salling~~
Salling, Zirkin, Smith, Carter, Cassilly, Lee, Waldstreicher, Washington,
and West**

AN ACT concerning

Criminal Procedure – Pretrial Release – Sex Offenders

SB0228/152115/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 228

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “offender” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 1, in line 17, before “**OR**” insert a comma; in the same line, after “**OR**” insert “**IF THE COMMISSIONER KNOWS THE DEFENDANT IS**”; and in the same line, after “**REGISTER**” insert a comma.

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. 34

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

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)**

SB0561/332611/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 561

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 through 4, inclusive, and substitute “Justice for Vulnerable Populations Act”; strike beginning with “providing” in line 10 down through “penalty” in line 15 and substitute “altering the statute of limitations in certain civil actions relating to child sexual abuse; repealing a certain definition; altering a certain definition; prohibiting a person from committing a certain crime of violence against another person when the person knows or believes that the other person is pregnant; establishing a certain penalty for a violation of this Act; providing that a sentence imposed”; in line 15, strike “is” and substitute “may be imposed”; in line 16, strike “a sentence for” and substitute “or concurrent with”; in the same line, after “sentence;” insert “providing for the application of a certain provision of this Act;”; in line 17, strike “crimes of violence against pregnant persons” and substitute “vulnerable populations”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–117

Annotated Code of Maryland

(2013 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

“Article – Courts and Judicial Proceedings

5–117.

(a) **[(1)** In this section the following words have the meanings indicated.

(2) “Alleged perpetrator” means the individual alleged to have committed the specific incident or incidents of sexual abuse that serve as the basis of an action under this section.

(3) “Sexual] IN THIS SECTION, “SEXUAL abuse” [has the meaning stated in § 5–701 of the Family Law Article] MEANS ANY ACT THAT INVOLVES:

(I) ALLOWING OR ENCOURAGING A CHILD TO ENGAGE IN:

1. OBSCENE PHOTOGRAPHY, FILMS, POSES, OR SIMILAR ACTIVITY;

2. PORNOGRAPHIC PHOTOGRAPHY, FILMS, POSES, OR SIMILAR ACTIVITY; OR

3. PROSTITUTION;

(II) INCEST;

(III) RAPE;

(IV) SEXUAL OFFENSE IN ANY DEGREE;

(V) SODOMY; OR

(VI) UNNATURAL OR PERVERTED SEXUAL PRACTICES.

(b) An action for damages arising out of an alleged incident or incidents of sexual abuse that occurred while the victim was a minor shall be filed:

(1) At any time before the victim reaches the age of majority; or

(2) Subject to subsections (c) and (d) of this section, within the later of:

(i) [20] 40 years after the date that the victim reaches the age of majority; or

(ii) 3 years after the date that the defendant is convicted of a crime relating to the [alleged incident or incidents under:

1. § 3–602 of the Criminal Law Article; or
2. The laws of another state or the United States that would be a crime under § 3–602 of the Criminal Law Article] **SEXUAL ABUSE.**

(c) In an action brought under this section more than 7 years after the victim reaches the age of majority, damages may be awarded against a person or governmental entity that is not the alleged perpetrator of the sexual abuse only if:

- (1) The person or governmental entity owed a duty of care to the victim;
- (2) The person or governmental entity employed the alleged perpetrator or exercised some degree of responsibility or control over the alleged perpetrator; and
- (3) There is a finding of gross negligence on the part of the person or governmental entity.

(d) In no event may an action for damages arising out of an alleged incident or incidents of sexual abuse that occurred while the victim was a minor be filed against a person or governmental entity that is not the alleged perpetrator more than [20] **40** years after the date on which the victim reaches the age of majority.

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

On page 3, in line 10, strike “**5–101 OF THE PUBLIC SAFETY ARTICLE**” and substitute “**14–101 OF THIS TITLE**”; in line 11, after “**KNOWS**” insert “**OR BELIEVES**”; in line 12, after “**IS**” insert “**GUILTY OF A FELONY AND, IN ADDITION TO ANY OTHER PENALTY IMPOSED FOR THE UNDERLYING CRIME OF VIOLENCE, ON CONVICTION IS**”; strike beginning with “**IN**” in line 13 down through “**VIOLENCE**” in line 14; strike beginning with “**COURT**” in line 15 down through “**PENALTY**” in line 26 and substitute “**SENTENCE**”; in line 26, strike “**SHALL BE**” and substitute “**MAY BE IMPOSED**”; in line 27, after “**TO**” insert “**OR CONCURRENT WITH**”; in line 29, strike “**2.**” and substitute “**3.**”; in the same line, after “That” insert “**Section 1 of**”; and in the same line, after “shall” insert “**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.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall”.

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. 35

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

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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 36

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

Senate Bill 198 – Senators Hough ~~and Cassilly~~, Cassilly, Zirkin, Ready, Waldstreicher, Hester, and West

AN ACT concerning

Crimes – Solicitation to Commit Murder – Penalty

SB0198/372415/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 198
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Solicitation” insert “and Conspiracy”; in the same line, strike “– Penalty” and substitute “Resulting in Death”; after line 2, insert:

“(Stacey’s Law)”;

strike beginning with “repealing” in line 3 down through “Act;” in line 6 and substitute “clarifying that a person who solicits another or conspires with another to commit murder in the first degree is guilty of murder in the first degree if the death of another occurs as a result of the solicitation or conspiracy;”; in line 7, after “solicitation” insert “and conspiracy”; strike in their entirety lines 9 through 13, inclusive; and in line 15, strike “2–211” and substitute “2–201”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 14 on page 2, inclusive, and substitute:

“Article – Criminal Law”

2–201.

(a) A murder is in the first degree if it is:

(1) a deliberate, premeditated, and willful killing;

(2) committed by lying in wait;

(3) committed by poison; or

(4) committed in the perpetration of or an attempt to perpetrate:

(i) arson in the first degree;

(ii) burning a barn, stable, tobacco house, warehouse, or other outbuilding that:

1. is not parcel to a dwelling; and
2. contains cattle, goods, wares, merchandise, horses, grain, hay, or tobacco;
 - (iii) burglary in the first, second, or third degree;
 - (iv) carjacking or armed carjacking;
 - (v) escape in the first degree from a State correctional facility or a local correctional facility;
 - (vi) kidnapping under § 3–502 or § 3–503(a)(2) of this article;
 - (vii) mayhem;
 - (viii) rape;
 - (ix) robbery under § 3–402 or § 3–403 of this article;
 - (x) sexual offense in the first or second degree;
 - (xi) sodomy; or
 - (xii) a violation of § 4–503 of this article concerning destructive devices.

(b) (1) A person who commits a murder in the first degree is guilty of a felony and on conviction shall be sentenced to:

- (i) imprisonment for life without the possibility of parole; or
- (ii) imprisonment for life.

(2) Unless a sentence of imprisonment for life without the possibility of parole is imposed in compliance with § 2–203 of this subtitle and § 2–304 of this title, the sentence shall be imprisonment for life.

(C) A PERSON WHO SOLICITS ANOTHER OR CONSPIRES WITH ANOTHER TO COMMIT MURDER IN THE FIRST DEGREE IS GUILTY OF MURDER IN THE FIRST DEGREE IF THE DEATH OF ANOTHER OCCURS AS A RESULT OF THE SOLICITATION OR CONSPIRACY.

On page 2, in line 15, 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.

QUORUM CALL

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

(See Roll Call No. 1453)

CALENDAR OF THIRD READING SENATE BILLS NO. 65

Senate Bill 529 – Senators Zucker, Guzzone, King, Lee, McCray, Nathan–Pulliam, Pinsky, Smith, and Young

AN ACT concerning

State Board of Education – Membership – ~~Teachers~~ Teacher and Parent Members

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

Affirmative – 97 Negative – 41 (See Roll Call No. 1454)

The Bill was then returned to the Senate.

Senate Bill 651 – Senator Young

AN ACT concerning

Election Law – Local Boards of Elections – Membership

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1455)

The Bill was then returned to the Senate.

Senate Bill 747 – Senators Lam, Guzzone, and Rosapepe

SECOND PRINTING

AN ACT concerning

Education – Removal of County Superintendents – Procedures

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

Affirmative – 137 Negative – 2 (See Roll Call No. 1456)

The Bill was then returned to the Senate.

Senate Bill 904 – Senators Kelley and Elfreth

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

FLOOR AMENDMENT

SB0904/153521/1

BY: Delegate Grammer

AMENDMENTS TO SENATE BILL 904

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Maryland Department of Health” and substitute “Public Health”; in the same line, strike “– Funding” and substitute “and the Pain–Capable Unborn Child Protection Act”; in line 7, before “and” insert “prohibiting, except under certain circumstances, the performance or inducement or attempted performance or inducement of an abortion on a pregnant woman unless a certain determination as to the probable age of the unborn child is made by a certain physician; providing that the failure of a physician to perform certain actions is deemed “unprofessional conduct”; prohibiting the performance or inducement or attempted performance or inducement of an abortion on a pregnant woman if the probable age of an unborn child is a certain number of weeks, except under certain circumstances; requiring an abortion to be performed in a certain manner under”

certain circumstances; requiring certain physicians to submit a certain report to the Maryland Department of Health that includes certain information; requiring the Department to issue a certain public report by a certain date each year that includes certain information; requiring the Department to adopt certain regulations on or before a certain date; establishing certain civil and criminal penalties; authorizing certain persons to bring a civil action under certain circumstances; authorizing certain persons to apply to a certain court for permanent or temporary injunctive relief against a certain person under certain circumstances; providing for the award of certain attorney’s fees under certain circumstances; prohibiting the award of damages to a plaintiff under certain circumstances; requiring a court to make a certain determination in a certain proceeding; requiring a court to issue certain orders under certain circumstances; requiring certain persons to use a pseudonym to bring a certain action in court under certain circumstances; providing for the construction of various provisions of this Act; stating certain findings of the General Assembly; defining certain terms;”; in line 8, strike “funding for” and substitute “the Pain–Capable Unborn Child Protection Act and”; and after line 18, insert:

“BY adding to

Article – Health – General

Section 20–217 through 20–225 to be under the new part “Part V. Pain–Capable Unborn Child Protection Act”

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 3, after line 20, insert:

“20–215. RESERVED.

20–216. RESERVED.

PART V. PAIN–CAPABLE UNBORN CHILD PROTECTION ACT.

20–217.

THE GENERAL ASSEMBLY FINDS THAT:

(1) PAIN RECEPTORS (NOCICEPTORS) ARE PRESENT THROUGHOUT AN UNBORN CHILD’S ENTIRE BODY, AND NERVES LINK THESE RECEPTORS TO THE

BRAIN'S THALAMUS AND SUBCORTICAL PLATE BY NOT LATER THAN 20 WEEKS;

(2) BY 8 WEEKS AFTER FERTILIZATION, AN UNBORN CHILD REACTS TO TOUCH AND, AFTER 20 WEEKS, AN UNBORN CHILD REACTS TO STIMULI THAT WOULD BE RECOGNIZED AS PAINFUL IF APPLIED TO AN ADULT HUMAN;

(3) IN AN UNBORN CHILD, APPLICATION OF PAINFUL STIMULI IS ASSOCIATED WITH SIGNIFICANT INCREASES IN STRESS HORMONES KNOWN AS THE STRESS RESPONSE;

(4) SUBJECTION TO PAINFUL STIMULI IS ASSOCIATED WITH LONG-TERM HARMFUL NEURODEVELOPMENTAL EFFECTS, INCLUDING ALTERED PAIN SENSITIVITY AND, POSSIBLY, EMOTIONAL, BEHAVIORAL, AND LEARNING DISABILITIES LATER IN LIFE;

(5) FOR THE PURPOSES OF SURGERY ON UNBORN CHILDREN, FETAL ANESTHESIA IS ROUTINELY ADMINISTERED AND IS ASSOCIATED WITH A DECREASE IN STRESS HORMONES COMPARED TO THEIR LEVEL WHEN PAINFUL STIMULI ARE APPLIED WITHOUT FETAL ANESTHESIA;

(6) THE POSITION, ASSERTED BY SOME MEDICAL EXPERTS, THAT AN UNBORN CHILD IS INCAPABLE OF EXPERIENCING PAIN UNTIL A POINT LATER IN PREGNANCY THAN 20 WEEKS AFTER FERTILIZATION PREDOMINANTLY RESTS ON THE ASSUMPTION THAT THE ABILITY TO EXPERIENCE PAIN DEPENDS ON THE CEREBRAL CORTEX AND REQUIRES NERVE CONNECTIONS BETWEEN THE THALAMUS AND THE CORTEX, BUT RECENT MEDICAL RESEARCH AND ANALYSIS, ESPECIALLY SINCE 2007, PROVIDE STRONG EVIDENCE FOR THE CONCLUSION THAT A FUNCTIONING CORTEX IS NOT NECESSARY TO EXPERIENCE PAIN;

(7) SUBSTANTIAL EVIDENCE INDICATES THAT CHILDREN BORN MISSING THE BULK OF THE CEREBRAL CORTEX, THOSE WITH HYDRANENCEPHALY, NEVERTHELESS EXPERIENCE PAIN;

(8) IN ADULTS, STIMULATION OR ABLATION OF THE CEREBRAL CORTEX DOES NOT ALTER PAIN PERCEPTION, WHILE STIMULATION OR ABLATION OF THE THALAMUS DOES;

(9) SUBSTANTIAL EVIDENCE INDICATES THAT STRUCTURES USED FOR PAIN PROCESSING IN EARLY DEVELOPMENT DIFFER FROM THOSE OF ADULTS, USING DIFFERENT NEURAL ELEMENTS AVAILABLE AT SPECIFIC TIMES DURING DEVELOPMENT, INCLUDING THE SUBCORTICAL PLATE, TO FULFILL THE ROLE OF PAIN PROCESSING;

(10) THE POSITION, ASSERTED BY SOME MEDICAL EXPERTS, THAT AN UNBORN CHILD REMAINS IN A COMA-LIKE SLEEP STATE THAT PRECLUDES AN UNBORN CHILD EXPERIENCING PAIN IS INCONSISTENT WITH THE DOCUMENTED REACTION OF UNBORN CHILDREN TO PAINFUL STIMULI AND WITH THE EXPERIENCE OF FETAL SURGEONS WHO HAVE FOUND IT NECESSARY TO SEDATE AN UNBORN CHILD WITH ANESTHESIA TO PREVENT THE UNBORN CHILD FROM THRASHING ABOUT IN REACTION TO INVASIVE SURGERY;

(11) CONSEQUENTLY, THERE IS SUBSTANTIAL MEDICAL EVIDENCE THAT AN UNBORN CHILD IS CAPABLE OF EXPERIENCING PAIN BY 20 WEEKS AFTER FERTILIZATION;

(12) IT IS THE DUTY OF THE STATE TO ASSERT A COMPELLING STATE INTEREST IN PROTECTING THE LIVES OF UNBORN CHILDREN FROM THE STAGE AT WHICH SUBSTANTIAL MEDICAL EVIDENCE INDICATES THAT THEY ARE CAPABLE OF FEELING PAIN; AND

(13) THE STATE’S COMPELLING INTEREST IN PROTECTING THE LIVES OF UNBORN CHILDREN FROM THE STAGE AT WHICH SUBSTANTIAL MEDICAL EVIDENCE INDICATES THAT THEY ARE CAPABLE OF FEELING PAIN IS INTENDED TO BE SEPARATE FROM AND INDEPENDENT OF THE STATE’S COMPELLING INTEREST IN PROTECTING THE LIVES OF UNBORN CHILDREN FROM THE STAGE OF VIABILITY, AND NEITHER STATE INTEREST IS INTENDED TO REPLACE THE OTHER.

20–218.

(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) “ABORTION” MEANS THE INTENTIONAL USE OF ANY INSTRUMENT,

MEDICINE, DRUG, OR ANY OTHER SUBSTANCE OR DEVICE TO TERMINATE THE PREGNANCY OF A WOMAN KNOWN TO BE PREGNANT.

(2) "ABORTION" DOES NOT INCLUDE THE INTENTIONAL TERMINATION OF A PREGNANCY FOR THE PURPOSE OF:

(I) INCREASING THE PROBABILITY OF A LIVE BIRTH;

(II) PRESERVATION OF THE LIFE OR HEALTH OF THE CHILD AFTER LIVE BIRTH; OR

(III) REMOVING A DEAD UNBORN CHILD WHO DIED IN UTERO AS THE RESULT OF NATURAL CAUSES, ACCIDENTAL TRAUMA, OR A CRIMINAL ASSAULT ON THE PREGNANT WOMAN OR HER UNBORN CHILD THAT CAUSES THE PREMATURE TERMINATION OF A PREGNANCY.

(C) "ATTEMPT TO PERFORM OR INDUCE AN ABORTION" MEANS AN ACT, OR AN OMISSION OF A STATUTORILY REQUIRED ACT, THAT, UNDER THE CIRCUMSTANCES AS THE ACTOR BELIEVES THEM TO BE, CONSTITUTES A SUBSTANTIAL STEP IN A COURSE OF CONDUCT PLANNED TO CULMINATE IN THE PERFORMANCE OR INDUCEMENT OF AN ABORTION.

(D) "FERTILIZATION" MEANS THE FUSION OF A HUMAN SPERMATOZOON WITH A HUMAN OVUM.

(E) (1) "MEDICAL EMERGENCY" MEANS A CONDITION THAT, IN REASONABLE MEDICAL JUDGMENT, SO COMPLICATES THE MEDICAL CONDITION OF THE PREGNANT WOMAN THAT IT NECESSITATES THE IMMEDIATE ABORTION OF HER PREGNANCY WITHOUT FIRST DETERMINING POSTFERTILIZATION AGE TO AVERT THE WOMAN'S DEATH OR FOR WHICH THE DELAY NECESSARY TO DETERMINE POSTFERTILIZATION AGE WILL CREATE SERIOUS RISK OF SUBSTANTIAL AND IRREVERSIBLE PHYSICAL IMPAIRMENT OF A MAJOR BODILY FUNCTION, NOT INCLUDING PSYCHOLOGICAL OR EMOTIONAL CONDITIONS.

(2) "MEDICAL EMERGENCY" DOES NOT INCLUDE A CONDITION BASED ON A CLAIM OR DIAGNOSIS THAT THE WOMAN WILL ENGAGE IN CONDUCT THAT SHE

INTENDS TO RESULT IN HER DEATH OR IN SUBSTANTIAL AND IRREVERSIBLE PHYSICAL IMPAIRMENT OF A MAJOR BODILY FUNCTION.

(F) “PHYSICIAN” MEANS ANY INDIVIDUAL LICENSED BY THE STATE BOARD OF PHYSICIANS TO PRACTICE MEDICINE IN THE STATE.

(G) “POSTFERTILIZATION AGE” MEANS THE AGE OF THE UNBORN CHILD AS CALCULATED FROM THE FUSION OF A HUMAN SPERMATOZOON WITH A HUMAN OVUM.

(H) “PROBABLE POSTFERTILIZATION AGE OF THE UNBORN CHILD” MEANS THE AGE THAT, IN REASONABLE MEDICAL JUDGMENT, WILL WITH REASONABLE PROBABILITY BE THE POSTFERTILIZATION AGE OF THE UNBORN CHILD AT THE TIME THE ABORTION IS PLANNED TO BE PERFORMED OR INDUCED.

(I) “REASONABLE MEDICAL JUDGMENT” MEANS A MEDICAL JUDGMENT THAT WOULD BE MADE BY A REASONABLY PRUDENT PHYSICIAN WHO IS KNOWLEDGEABLE ABOUT THE CASE AND THE TREATMENT POSSIBILITIES WITH RESPECT TO THE MEDICAL CONDITIONS INVOLVED.

(J) “UNBORN CHILD” OR “FETUS” MEANS AN INDIVIDUAL ORGANISM OF THE SPECIES HOMO SAPIENS FROM FERTILIZATION UNTIL LIVE BIRTH.

(K) “WOMAN” MEANS A FEMALE HUMAN BEING WHETHER OR NOT SHE HAS REACHED THE AGE OF MAJORITY.

20-219.

(A) (1) EXCEPT IN THE CASE OF A MEDICAL EMERGENCY, AN ABORTION MAY NOT BE PERFORMED OR INDUCED OR BE ATTEMPTED TO BE PERFORMED OR INDUCED UNLESS THE PHYSICIAN PERFORMING OR INDUCING THE ABORTION:

(I) HAS MADE A DETERMINATION OF THE PROBABLE POSTFERTILIZATION AGE OF THE UNBORN CHILD; OR

(II) IS RELYING ON THE DETERMINATION OF THE PROBABLE POSTFERTILIZATION AGE OF THE UNBORN CHILD MADE BY ANOTHER PHYSICIAN.

(2) IN MAKING A DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE PHYSICIAN SHALL:

(i) MAKE INQUIRIES OF THE PREGNANT WOMAN; AND

(ii) PERFORM OR CAUSE TO BE PERFORMED MEDICAL EXAMINATIONS AND TESTS THAT A REASONABLY PRUDENT PHYSICIAN, KNOWLEDGEABLE ABOUT THE CASE AND THE MEDICAL CONDITIONS INVOLVED, WOULD CONSIDER NECESSARY TO PERFORM IN MAKING AN ACCURATE DIAGNOSIS OF THE POSTFERTILIZATION AGE.

(B) THE FAILURE OF A PHYSICIAN TO CONFORM TO THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION IS DEEMED “UNPROFESSIONAL CONDUCT” UNDER § 14-404 OF THE HEALTH OCCUPATIONS ARTICLE.

20-220.

(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL MAY NOT PERFORM OR INDUCE OR ATTEMPT TO PERFORM OR INDUCE AN ABORTION ON A PREGNANT WOMAN IF THE PROBABLE POSTFERTILIZATION AGE OF THE WOMAN’S UNBORN CHILD HAS BEEN DETERMINED BY A PHYSICIAN TO BE 20 WEEKS OR MORE.

(2) IF, IN THE REASONABLE MEDICAL JUDGMENT OF A PHYSICIAN, THE PREGNANT WOMAN HAS A MEDICAL EMERGENCY, A PHYSICIAN MAY PERFORM OR INDUCE AN ABORTION ON A PREGNANT WOMAN WHOSE UNBORN CHILD HAS A PROBABLE POSTFERTILIZATION AGE OF 20 WEEKS OR MORE AS DETERMINED BY A PHYSICIAN.

(B) (1) WHEN AN ABORTION IS PERFORMED OR INDUCED ON A PREGNANT WOMAN UNDER SUBSECTION (A)(2) OF THIS SECTION, THE PHYSICIAN SHALL TERMINATE THE PREGNANCY IN THE MANNER THAT, IN THE PHYSICIAN’S REASONABLE MEDICAL JUDGMENT, PROVIDES THE BEST OPPORTUNITY FOR THE UNBORN CHILD TO SURVIVE, UNLESS USING THAT METHOD WOULD, IN THE PHYSICIAN’S REASONABLE MEDICAL JUDGMENT, POSE A GREATER RISK OF THE

DEATH OR OF THE SUBSTANTIAL AND IRREVERSIBLE PHYSICAL IMPAIRMENT OF A MAJOR BODILY FUNCTION OF THE PREGNANT WOMAN, NOT INCLUDING PSYCHOLOGICAL OR EMOTIONAL CONDITIONS.

(2) A MANNER OF ABORTION DOES NOT INCLUDE A GREATER RISK OF DEATH OR SUBSTANTIAL AND IRREVERSIBLE PHYSICAL IMPAIRMENT OF A MAJOR BODILY FUNCTION IF IT IS BASED ON A CLAIM OR DIAGNOSIS THAT THE WOMAN WILL ENGAGE IN CONDUCT THAT SHE INTENDS TO RESULT IN HER DEATH OR IN SUBSTANTIAL AND IRREVERSIBLE PHYSICAL IMPAIRMENT OF A MAJOR BODILY FUNCTION.

20–221.

(A) A PHYSICIAN WHO PERFORMS OR INDUCES OR ATTEMPTS TO PERFORM OR INDUCE AN ABORTION SHALL SUBMIT A REPORT TO THE DEPARTMENT THAT INCLUDES INFORMATION ON:

(1) THE POSTFERTILIZATION AGE OF THE UNBORN CHILD OF THE PREGNANT WOMAN:

(I) IF A DETERMINATION OF PROBABLE POSTFERTILIZATION AGE WAS MADE, WHETHER ULTRASOUND WAS EMPLOYED IN MAKING THE DETERMINATION, AND THE WEEK OF PROBABLE POSTFERTILIZATION AGE DETERMINED; AND

(II) IF A DETERMINATION OF PROBABLE POSTFERTILIZATION AGE WAS NOT MADE, THE BASIS OF THE DETERMINATION THAT A MEDICAL EMERGENCY EXISTED;

(2) THE METHOD OF ABORTION PERFORMED OR INDUCED, INCLUDING:

(I) MEDICATION ABORTION, INCLUDING MIFEPRISTONE/MISOPROSTOL, METHOTREXATE/MISOPROSTOL, OR ANY OTHER MEDICATION USED;

(II) MANUAL VACUUM ASPIRATION;

(III) ELECTRICAL VACUUM ASPIRATION;

(IV) DILATION AND EVACUATION;

(V) COMBINED INDUCTION ABORTION AND DILATION AND EVACUATION;

(VI) INDUCTION ABORTION WITH PROSTAGLANDINS;

(VII) INDUCTION ABORTION WITH INTRAAMNIOTIC INSTILLATION, INCLUDING SALINE OR UREA;

(VIII) INDUCTION ABORTION;

(IX) INTACT DILATION AND EXTRACTION (PARTIAL-BIRTH); OR

(X) ANY OTHER METHOD USED;

(3) WHETHER AN INTRAFETAL INJECTION WAS USED IN AN ATTEMPT TO INDUCE FETAL DEMISE, INCLUDING THE USE OF INTRAFETAL POTASSIUM CHLORIDE OR DIGOXIN;

(4) THE AGE AND RACE OF THE PREGNANT WOMAN; AND

(5) IF THE PROBABLE POSTFERTILIZATION AGE WAS DETERMINED TO BE 20 OR MORE WEEKS:

(I) THE BASIS OF THE PHYSICIAN'S DETERMINATION THAT THE PREGNANT WOMAN HAD A CONDITION THAT SO COMPLICATED HER MEDICAL CONDITION AS TO NECESSITATE THE ABORTION OF HER PREGNANCY TO AVERT HER DEATH OR TO AVERT SERIOUS RISK OF SUBSTANTIAL AND IRREVERSIBLE PHYSICAL IMPAIRMENT OF A MAJOR BODILY FUNCTION, NOT INCLUDING PSYCHOLOGICAL OR EMOTIONAL CONDITIONS; AND

(II) WHETHER OR NOT THE METHOD OF ABORTION USED WAS ONE THAT, IN REASONABLE MEDICAL JUDGMENT, PROVIDED THE BEST OPPORTUNITY FOR THE UNBORN CHILD TO SURVIVE AND, IF SUCH A METHOD WAS NOT USED, THE BASIS OF THE DETERMINATION THAT TERMINATION OF THE PREGNANCY IN THAT MANNER WOULD POSE A GREATER RISK OF THE DEATH OF THE PREGNANT WOMAN OR OF THE SUBSTANTIAL AND IRREVERSIBLE PHYSICAL IMPAIRMENT OF A MAJOR BODILY FUNCTION, NOT INCLUDING PSYCHOLOGICAL OR EMOTIONAL CONDITIONS, OF THE WOMAN THAN OTHER AVAILABLE METHODS OF ABORTION.

(B) (1) A REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION:

(i) MAY NOT INCLUDE:

1. THE NAME OR THE ADDRESS OF THE WOMAN WHOSE PREGNANCY WAS TERMINATED; OR

2. ANY OTHER PERSONAL INFORMATION THAT COULD IDENTIFY THE PREGNANT WOMAN; AND

(ii) SHALL INCLUDE A UNIQUE MEDICAL RECORD IDENTIFYING NUMBER TO ENABLE MATCHING THE PHYSICIAN'S REPORT TO THE INDIVIDUAL'S MEDICAL RECORDS.

(2) A REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE SUBMITTED ON THE FORMS AND ON A SCHEDULE REQUIRED BY THE DEPARTMENT IN REGULATION.

(3) (i) EXCEPT AS PROVIDED IN SUBPARAGRAPH (ii) OF THIS PARAGRAPH, A REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE CONFIDENTIAL AND NOT AVAILABLE FOR PUBLIC INSPECTION.

(ii) ON REQUEST, A REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE MADE AVAILABLE:

1. TO THE ATTORNEY GENERAL OR A STATE'S

ATTORNEY PURSUANT TO A CRIMINAL OR CIVIL INVESTIGATION; OR2. ON A COURT ORDER.

(C) (1) ON OR BEFORE JUNE 30 EACH YEAR, THE DEPARTMENT SHALL ISSUE A PUBLIC REPORT PROVIDING STATISTICS FOR THE PREVIOUS CALENDAR YEAR COMPILED FROM ALL THE REPORTS COVERING THAT YEAR SUBMITTED IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION FOR EACH OF THE ITEMS LISTED IN SUBSECTION (A) OF THIS SECTION.

(2) THE REPORT SHALL INCLUDE THE STATISTICS FOR ALL PREVIOUS CALENDAR YEARS, ADJUSTED TO REFLECT ANY ADDITIONAL INFORMATION FROM LATE OR CORRECTED REPORTS.

(3) THE REPORT MAY NOT INCLUDE PERSONAL IDENTIFYING INFORMATION OF ANY PREGNANT WOMAN ON WHOM AN ABORTION WAS PERFORMED, INDUCED, OR ATTEMPTED.

(D) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION ON OR BEFORE JANUARY 1, 2020.

(2) THE REGULATIONS SHALL REQUIRE THAT THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION INCLUDE ALL ABORTIONS PERFORMED OR INDUCED ON AND AFTER THE FIRST DAY OF THE FIRST CALENDAR MONTH FOLLOWING THE DATE THE REGULATIONS ARE ADOPTED.

(E) (1) A PHYSICIAN MAY NOT KNOWINGLY FAIL TO FILE OR KNOWINGLY MAKE A LATE FILING OF A REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.

(2) ANY PHYSICIAN WHO FAILS TO SUBMIT A REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION WITHIN 30 DAYS AFTER THE REPORTING DEADLINE IN VIOLATION OF THIS SUBSECTION IS SUBJECT TO A CIVIL PENALTY OF \$1,000 FOR EACH 30-DAY PERIOD OR PORTION OF A 30-DAY PERIOD THE REPORT IS OVERDUE.

(3) (I) A PHYSICIAN WHO FAILS TO FILE A REPORT OR KNOWINGLY FILES AN INCOMPLETE REPORT MORE THAN 6 MONTHS AFTER JUNE 30 OF THE REPORTING YEAR MAY, IN AN ACTION BROUGHT BY THE DEPARTMENT, BE DIRECTED BY A COURT OF COMPETENT JURISDICTION TO SUBMIT A COMPLETE REPORT WITHIN A PERIOD OF TIME STATED BY COURT ORDER OR BE CITED FOR CIVIL CONTEMPT.

(II) A WILLFUL FAILURE BY ANY PHYSICIAN TO CONFORM TO ANY REQUIREMENT OF THIS SECTION, OTHER THAN LATE FILING OF A REPORT, SHALL BE DEEMED “UNPROFESSIONAL CONDUCT” UNDER § 14-404 OF THE HEALTH OCCUPATIONS ARTICLE.

(III) A WILLFUL FAILURE BY ANY PHYSICIAN TO SUBMIT A COMPLETE REPORT IN ACCORDANCE WITH A COURT ORDER UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE DEEMED “UNPROFESSIONAL CONDUCT” UNDER § 14-404 OF THE HEALTH OCCUPATIONS ARTICLE.

(4) (I) A PHYSICIAN MAY NOT WILLFULLY FALSIFY A REPORT REQUIRED UNDER THIS SECTION.

(II) A PHYSICIAN WHO VIOLATES THIS PARAGRAPH IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000.

20-222.

(A) (1) A WOMAN ON WHOM AN ABORTION IS PERFORMED OR INDUCED OR THE FATHER OF THE UNBORN CHILD WHO WAS THE SUBJECT OF AN ABORTION PERFORMED IN VIOLATION OF THIS PART MAY BRING A CIVIL ACTION AGAINST THE PERSON WHO PERFORMED OR INDUCED THE ABORTION IN INTENTIONAL OR RECKLESS VIOLATION OF THIS PART FOR COMPENSATORY AND PUNITIVE DAMAGES.

(2) A WOMAN ON WHOM AN ABORTION WAS ATTEMPTED IN VIOLATION OF THIS PART MAY BRING A CIVIL ACTION AGAINST THE PERSON WHO ATTEMPTED TO PERFORM OR INDUCE THE ABORTION IN INTENTIONAL OR RECKLESS VIOLATION OF THIS PART FOR COMPENSATORY AND PUNITIVE DAMAGES.

(B) A WOMAN ON WHOM AN ABORTION WAS PERFORMED OR INDUCED OR ATTEMPTED TO BE PERFORMED OR INDUCED IN VIOLATION OF THIS PART, THE WOMAN'S SPOUSE, PARENT, GUARDIAN, OR SIBLING, OR THE WOMAN'S CURRENT OR FORMER LICENSED HEALTH CARE PROVIDER, THE DEPARTMENT, THE ATTORNEY GENERAL, OR THE STATE'S ATTORNEY FOR THE COUNTY WHERE THE ABORTION WAS PERFORMED MAY APPLY TO THE APPROPRIATE COURT FOR A TEMPORARY OR PERMANENT INJUNCTION TO RESTRAIN THE PERSON THAT PERFORMED OR INDUCED THE ABORTION OR ATTEMPTED TO PERFORM OR INDUCE AN ABORTION ON THE WOMAN FOR VIOLATING THIS PART:

- (1) WHETHER OR NOT AN ADEQUATE REMEDY AT LAW EXISTS;
- (2) IN ADDITION TO OTHER REMEDIES PROVIDED BY LAW; AND
- (3) NOTWITHSTANDING ANY OTHER LAW.

(C) (1) IF A JUDGMENT IS RENDERED IN FAVOR OF THE PLAINTIFF IN AN ACTION TAKEN UNDER THIS SECTION, THE COURT ALSO SHALL RENDER JUDGMENT FOR REASONABLE ATTORNEY'S FEES IN FAVOR OF THE PLAINTIFF AGAINST THE DEFENDANT.

(2) IF JUDGMENT IS RENDERED IN FAVOR OF THE DEFENDANT AND THE COURT FINDS THAT THE PLAINTIFF'S ACTION WAS FRIVOLOUS AND BROUGHT IN BAD FAITH, THE COURT SHALL RENDER JUDGMENT FOR REASONABLE ATTORNEY'S FEES IN FAVOR OF THE DEFENDANT AGAINST THE PLAINTIFF.

(D) (1) NO DAMAGES OR ATTORNEY'S FEES MAY BE ASSESSED AGAINST THE WOMAN ON WHOM AN ABORTION WAS PERFORMED OR INDUCED OR ATTEMPTED TO BE PERFORMED OR INDUCED EXCEPT UNDER SUBSECTION (C)(2) OF THIS SECTION.

(2) NO DAMAGES MAY BE AWARDED TO A PLAINTIFF IF THE COURT FINDS THAT PREGNANCY RESULTED FROM THE PLAINTIFF'S CRIMINAL CONDUCT.

(A) IN A CIVIL ACTION OR CRIMINAL PROCEEDING BROUGHT UNDER THIS PART, THE COURT SHALL DETERMINE WHETHER THE ANONYMITY OF A WOMAN ON WHOM AN ABORTION HAS BEEN PERFORMED OR INDUCED OR ATTEMPTED TO BE PERFORMED OR INDUCED SHALL BE PRESERVED FROM PUBLIC DISCLOSURE IF SHE DOES NOT GIVE HER CONSENT TO DISCLOSURE.

(B) (1) IF A COURT FINDS THAT A WOMAN’S ANONYMITY SHOULD BE PRESERVED UNDER SUBSECTION (A) OF THIS SECTION, THE COURT SHALL:

(I) ISSUE A GAG ORDER TO THE PARTIES, WITNESSES, AND COUNSEL;

(II) SEAL THE RECORD; AND

(III) EXCLUDE UNAUTHORIZED INDIVIDUALS FROM COURTROOMS OR HEARING ROOMS TO THE EXTENT NECESSARY TO SAFEGUARD THE WOMAN’S IDENTITY FROM PUBLIC DISCLOSURE.

(2) EACH ORDER ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ACCOMPANIED BY A SPECIFIC WRITTEN FINDING EXPLAINING:

(I) WHY THE ANONYMITY OF THE WOMAN SHOULD BE PRESERVED FROM PUBLIC DISCLOSURE;

(II) WHY THE ORDER IS ESSENTIAL TO PRESERVING THE WOMAN’S ANONYMITY;

(III) HOW THE ORDER IS NARROWLY TAILORED TO SERVE THE WOMAN’S INTERESTS; AND

(IV) WHY NO REASONABLE LESS RESTRICTIVE ALTERNATIVE EXISTS.

(C) IF A WOMAN ON WHOM AN ABORTION HAS BEEN PERFORMED OR

INDUCED OR ATTEMPTED TO BE PERFORMED OR INDUCED REFUSES TO CONSENT TO DISCLOSURE OF HER NAME IN A COURT PROCEEDING UNDER SUBSECTION (A) OF THIS SECTION, ANY PERSON LISTED IN § 20-222 OF THIS PART, OTHER THAN A PUBLIC OFFICIAL, WHO BRINGS AN ACTION UNDER THIS PART SHALL USE A PSEUDONYM FOR THE WOMAN.

(D) THIS SECTION MAY NOT BE CONSTRUED TO AUTHORIZE THE CONCEALMENT OF THE IDENTITY OF THE PLAINTIFF OR OF A WITNESS FROM THE DEFENDANT OR FROM AN ATTORNEY FOR THE DEFENDANT.

20-224.

(A) THIS PART MAY NOT BE CONSTRUED TO REPEAL § 20-209 OF THIS SUBTITLE OR ANY OTHER APPLICABLE PROVISION OF STATE LAW REGULATING OR RESTRICTING ABORTION.

(B) (1) AN ABORTION THAT COMPLIES WITH THE PROVISIONS OF §§ 20-219 AND 20-220 OF THIS PART BUT VIOLATES THE PROVISIONS OF § 20-209(B)(1) OF THIS SUBTITLE OR ANY OTHER APPLICABLE PROVISION OF LAW SHALL BE DEEMED UNLAWFUL AS PROVIDED IN THE APPLICABLE PROVISION OF LAW.

(2) AN ABORTION THAT COMPLIES WITH THE PROVISIONS OF § 20-209(B)(1) OF THIS SUBTITLE OR ANY OTHER APPLICABLE PROVISION OF LAW REGULATING OR RESTRICTING ABORTION BUT VIOLATES THE PROVISIONS OF THIS PART SHALL BE DEEMED UNLAWFUL.

(3) IF SOME OR ALL OF THE PROVISIONS OF THIS PART ARE TEMPORARILY OR PERMANENTLY RESTRAINED OR ENJOINED BY JUDICIAL ORDER, ALL OTHER PROVISIONS OF LAW REGULATING OR RESTRICTING ABORTION SHALL BE ENFORCED AS THOUGH THE RESTRAINED OR ENJOINED PROVISIONS HAD NOT BEEN ADOPTED, EXCEPT THAT WHENEVER THE TEMPORARY OR PERMANENT RESTRAINING ORDER OR INJUNCTION IS STAYED OR DISSOLVED, OR OTHERWISE CEASES TO HAVE EFFECT, THE AFFECTED PROVISIONS SHALL HAVE FULL FORCE AND EFFECT.

20–225.

THIS PART MAY BE CITED AS THE MARYLAND PAIN–CAPABLE UNBORN CHILD PROTECTION ACT.”.

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

Affirmative – 44 Negative – 91 (See Roll Call No. 1457)

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

Affirmative – 95 Negative – 42 (See Roll Call No. 1458)

The Bill was then returned to the Senate.

Senate Bill 916 – Senator Lam

AN ACT concerning

Physicians – Dispensing Permit Exemption – ~~Prepackaged~~ Topical Medication

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1459)

The Bill was then returned to the Senate.

Senate Bill 958 – Senator Jennings

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 – 137 Negative – 2 (See Roll Call No. 1460)

The Bill was then returned to the Senate.

Senate Bill 1010 – Senator Hershey

AN ACT concerning

Maryland Health Care Commission – Assessment of Services at the University of Maryland Shore Medical Center in Chestertown

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1461)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 57

Senate Bill 140 – Washington County Senators

AN ACT concerning

Washington County – Archery Hunting – Safety Zone

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

Affirmative – 135 Negative – 3 (See Roll Call No. 1462)

The Bill was then returned to the Senate.

Senate Bill 592 – Senator Serafini

AN ACT concerning

Washington County – Gross Maximum Vehicle Weight – Warfordsburg Road

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1463)

The Bill was then returned to the Senate.

Senate Bill 600 – ~~Senator Nathan Pulliam~~ Senators Nathan Pulliam, Ellis, Feldman, Patterson, Smith, and Young

AN ACT concerning

Health – Sickle Cell Disease – Steering Committee, and Services, Testing, and Funding

~~(Sickle Cell Treatment Act of 2019)~~

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1464)

The Bill was then returned to the Senate.

Senate Bill 888 – Senator Eckardt

AN ACT concerning

Dorchester County – Sunday Hunting – Deer Firearms Season

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

Affirmative – 133 Negative – 5 (See Roll Call No. 1465)

The Bill was then returned to the Senate.

Senate Bill 889 – Senator Eckardt

AN ACT concerning

Dorchester County – Sunday Hunting – Deer Bow Hunting Season

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

Affirmative – 130 Negative – 9 (See Roll Call No. 1466)

The Bill was then returned to the Senate.

Senate Bill 890 – Senator Eckardt

AN ACT concerning

Dorchester County – Sunday Hunting – Deer Muzzle Loader Season

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

Affirmative – 129 Negative – 9 (See Roll Call No. 1467)

The Bill was then returned to the Senate.

Senate Bill 935 – Senator Waldstreicher

AN ACT concerning

Vehicle Laws – Electric Bicycles – Equipment and Operation

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1468)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 46

House Bill 774 – Delegate Bartlett

AN ACT concerning

Office of the Attorney General – Crime Firearms – Study

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. 55

Senate Bill 123 – Senator Pinsky

AN ACT concerning

Election Law – Coordinated Expenditures and Donations – Investigation

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

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 56

Senate Bill 230 – Senator Hough

AN ACT concerning

Election Law – Canvassing of Absentee Ballots – Reporting Unofficial Results

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 137 Negative – 2 (See Roll Call No. 1469)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 53

Senate Bill 452 – Senators Carter, Lee, Smith, and Washington

AN ACT concerning

Juveniles Charged as Adults – Confidentiality of ~~Photos and Videos~~ Records

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 132 Negative – 7 (See Roll Call No. 1470)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 49

Senate Bill 622 – Senator Carter

AN ACT concerning

**~~Office of the Attorney General~~ Governor's Office of Crime Control and
Prevention – Crime Firearms – Study**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1471)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 52

Senate Bill 712 – Senators Beidle, Feldman, and Klausmeier

AN ACT concerning

Household Goods Movers Registration

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 100 Negative – 39 (See Roll Call No. 1472)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 57

Senate Bill 922 – Senators Gallion, Bailey, Hershey, and Jennings

AN ACT concerning

~~Agriculture – Milk and Milk-Based Products~~ Public Health – Milk – Labeling

STATUS OF BILL: BILL ON 3RD READING. FLOOR COMMITTEE AMENDMENT ADOPTED.

FLOOR COMMITTEE AMENDMENT

SB0922/600717/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 922

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “time:” insert “providing for the application of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 3, in line 23, after “**(B)**” insert “**(1) THIS SUBSECTION DOES NOT APPLY TO HUMAN BREAST MILK.**

(2)”.

The preceding 2 amendments were read and adopted.

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

Affirmative – 118 Negative – 21 (See Roll Call No. 1473)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 54

House Bill 815 – Delegates Jacobs, Beitzel, Buckel, Ciliberti, Corderman, Cox, Grammer, Hornberger, Kerr, Pippy, and Wivell

AN ACT concerning

Agriculture – Milk and Milk-Based Products – Labeling

STATUS OF BILL: BILL ON 3RD READING.

Delegate Stein moved to reconsider the vote by which **House Bill 815** was ordered printed for Third Reading.

The motion was adopted.

FLOOR COMMITTEE AMENDMENT

HB0815/840517/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 815

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “label” insert “of a food product”; in the same line, strike the second “a” and substitute “the”; in the same line, strike “it” and substitute “the product”; and in line 11, after “time;” insert “providing for the application of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 3, in line 23, after “**(B)**” insert “**(1) THIS SUBSECTION DOES NOT APPLY TO HUMAN BREAST MILK.**”

(2)”;

in the same line, after “LABEL” insert “OF A FOOD PRODUCT”; and in line 24, strike “IT” and substitute “THE PRODUCT”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 29

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 17 – Delegate Glenn

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Food Containing Medical Cannabis

HB0017/226983/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 17

(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 Glenn” and substitute “Delegates Glenn, Pena–Melnyk, R. Lewis, Carr, Kipke, Kerr, K. Young, Bagnall, Cullison, Hill, and Pendergrass”; in lines 2 and 3, strike “Food Containing Medical Cannabis” and substitute “Processing and Dispensing Medical Cannabis”; in line 4, after “of” insert “authorizing an institution of higher education or a 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 there is a change in a certain project or there is a withdrawal of the registration; 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 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 list of persons that may not be subject to arrest, prosecution, or certain penalties or be denied any right or privilege for the medical use 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;”; in line 5, strike “process;”; in lines 6, 9, and 11, in each instance, strike “food containing medical cannabis” and substitute “edible cannabis products”; in line 7, after “caregiver;” insert “requiring the Commission, in consultation with the Maryland Department of Health, to adopt certain regulations;”; in line 12, after “laboratory;” insert “altering the amount of time a holder of certain licenses must actively in engage in certain activities before they may sell or transfer ownership of the license; prohibiting certain persons from being subject to revocation of mandatory supervision, parole, or probation for the medical use of or possession of medical cannabis; requiring that certain advertisements for medical cannabis, medical cannabis products, edible cannabis products, or medical cannabis–related services be supported by certain evidence or data and include certain information about side effects or risks associated with the use of cannabis; prohibiting certain advertisements from being false or misleading; prohibiting certain advertisements from containing certain designs, illustrations, pictures, and representations; requiring that all advertising for medical cannabis, medical cannabis products, or edible cannabis products include a certain statement; requiring a website owned, managed, or operated by certain entities to employ a certain neutral age–screening mechanism; requiring an advertisement places on social media or a mobile application to include a certain notification; prohibiting advertisements for medical cannabis, medical cannabis products, edible cannabis products, or medical cannabis–related services from being placed within a certain distance of certain locations; requiring the Natalie M. LaPrade Medical Cannabis Commission to adopt certain regulations; providing for the application of certain provisions of this Act;”; in the same line, strike “a certain term;” and substitute “certain terms; making conforming changes;”; in line 13, after “corrections;” insert “making this Act an emergency measure;”; in lines 13 and 14, strike “the processing and distribution of food containing”; in line 17, strike “13–3301(a), (e), and (f);”; in the same line, strike the fourth comma and substitute “and”; in the same line, strike “, and 21–101(a) and (i)”; after line 19, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–3301, 13–3306(b) and (c), 13–3307(e) through (i), 13–3309(e)

through (h), and 13–3313

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)”;

in line 22, after “13–3301(g),” insert “13–3304.1.”; in the same line, after “13–3307(e)” insert “and (i)”; in the same line, strike “and”; in the same line, after “13–3309(e)” insert “and (i), and 13–3313.1”; and strike in their entirety lines 25 through 27, inclusive.

On page 2, strike in their entirety lines 1 and 2.

AMENDMENT NO. 2

On page 2, after line 7, insert:

“(B) “ACADEMIC RESEARCH REPRESENTATIVE” MEANS AN EMPLOYEE OR AGENT OF AN INSTITUTION OF HIGHER EDUCATION, A RELATED MEDICAL FACILITY, OR AN AFFILIATED BIOMEDICAL RESEARCH FIRM THAT FILED A REGISTRATION WITH THE COMMISSION UNDER § 13–3304.1 OF THIS SUBTITLE WHO IS AUTHORIZED TO PURCHASE MEDICAL CANNABIS FOR THE INSTITUTION OF HIGHER EDUCATION OR RELATED MEDICAL FACILITY.

[(b) (C) “Caregiver” means:

(1) A person who has agreed to assist with a qualifying patient’s medical use of cannabis; and

(2) For a qualifying patient under the age of 18 years, a parent or legal guardian.

[(c) (D) “Certifying provider” means an individual who:

(1) (i) 1. Has an active, unrestricted license to practice medicine that was issued by the State Board of Physicians under Title 14 of the Health Occupations Article; and

2. Is in good standing with the State Board of Physicians;

(ii) 1. Has an active, unrestricted license to practice dentistry that was issued by the State Board of Dental Examiners under Title 4 of the Health Occupations Article; and

2. Is in good standing with the State Board of Dental Examiners;

(iii) 1. Has an active, unrestricted license to practice podiatry that was issued by the State Board of Podiatric Medical Examiners under Title 16 of the Health Occupations Article; and

2. Is in good standing with the State Board of Podiatric Medical Examiners; or

(iv) 1. Has an active, unrestricted license to practice registered nursing and has an active, unrestricted certification to practice as a nurse practitioner or a nurse midwife that were issued by the State Board of Nursing under Title 8 of the Health Occupations Article; and

2. Is in good standing with the State Board of Nursing;

(2) Has a State controlled dangerous substances registration; and

(3) Is registered with the Commission to make cannabis available to patients for medical use in accordance with regulations adopted by the Commission.

[(d)] (E) “Commission” means the Natalie M. LaPrade Medical Cannabis Commission established under this subtitle.”;

in lines 8, 13, 16, 18, 22, 25, and 27, strike “(e)”, “(f)”, “(H)”, “(I)”, “(J)”, “(K)”, and “(L)”, respectively, and substitute “(F)”, “(G)”, “(I)”, “(J)”, “(K)”, “(L)”, and “(M)”, respectively; in line 9, strike “processes,”; in line 11, strike “food” and substitute “EDIBLE CANNABIS PRODUCTS”; and strike line 15 in its entirety and substitute:

“(H) (1) “EDIBLE CANNABIS PRODUCT” MEANS A MEDICAL CANNABIS PRODUCT INTENDED FOR HUMAN CONSUMPTION BY ORAL INGESTION, IN WHOLE OR IN PART.

(2) “EDIBLE CANNABIS PRODUCT” INCLUDES MEDICAL CANNABIS PRODUCTS THAT DISSOLVE OR DISINTEGRATE IN THE MOUTH.

(3) “EDIBLE CANNABIS PRODUCT” DOES NOT INCLUDE ANY:

(I) MEDICAL CANNABIS CONCENTRATE;

(II) MEDICAL CANNABIS-INFUSED PRODUCT, INCLUDING AN OIL, A WAX, AN OINTMENT, A SALVE, A TINCTURE, A CAPSULE, A SUPPOSITORY, A DERMAL PATCH, OR A CARTRIDGE; OR

(III) OTHER DOSAGE FORM THAT IS RECOGNIZED BY THE UNITED STATES PHARMACOPEIA, THE NATIONAL FORMULARY, OR THE FOOD AND DRUG ADMINISTRATION AND IS APPROVED BY THE COMMISSION.”.

On page 3, in lines 1, 3, and 7, strike “(M)”, “(N)”, and “(O)”, respectively, and substitute “(N)”, “(O)”, and “(P)”, respectively; in line 24, strike “PROCESS,”; after line 19, insert:

“13-3304.1

(A) (1) AN INSTITUTION OF HIGHER EDUCATION, A RELATED MEDICAL FACILITY, OR AN AFFILIATED BIOMEDICAL RESEARCH FIRM MAY FILE WITH THE COMMISSION A REGISTRATION TO PURCHASE MEDICAL CANNABIS FOR THE PURPOSE OF CONDUCTING A BONA FIDE RESEARCH PROJECT RELATING TO THE MEDICAL USES, PROPERTIES, OR COMPOSITION OF CANNABIS.

(2) A REGISTRATION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) THE NAME OF THE PRIMARY RESEARCHER;

(II) THE EXPECTED DURATION OF THE RESEARCH; AND

(III) THE PRIMARY OBJECTIVES OF RESEARCH.

(3) A REGISTRATION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL REMAIN VALID UNTIL THERE IS A CHANGE IN THE RESEARCH PROJECT OR A WITHDRAWAL OF THE REGISTRATION.

(B) AN ACADEMIC RESEARCH REPRESENTATIVE MAY PURCHASE MEDICAL CANNABIS FROM A LICENSED DISPENSARY.

(C) AN ACADEMIC RESEARCH REPRESENTATIVE MAY NOT BE PENALIZED OR ARRESTED UNDER STATE LAW FOR ACQUIRING, POSSESSING, OR DISPENSING CANNABIS, PRODUCTS CONTAINING CANNABIS, RELATED SUPPLIES, OR EDUCATIONAL MATERIALS FOR USE IN A BONA FIDE RESEARCH PROJECT RELATING TO THE MEDICAL USES, PROPERTIES, OR COMPOSITION OF CANNABIS.

(D) THE COMMISSION MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

13-3306.

(b) An entity licensed to grow medical cannabis under this section may provide cannabis only to:

- (1) Processors licensed by the Commission under this subtitle;
- (2) Dispensaries licensed by the Commission under this subtitle;
- (3) Qualified patients;
- (4) Caregivers; [and]

(5) Independent testing laboratories registered with the Commission under this subtitle; AND

(6) ACADEMIC RESEARCH REPRESENTATIVES PURCHASING MEDICAL CANNABIS UNDER § 13-3304.1 OF THIS SUBTITLE.

(c) (1) An entity licensed to grow cannabis under this section may dispense cannabis from a facility of a grower licensed as a dispensary.

(2) A qualifying patient [or], A caregiver, OR AN ACADEMIC RESEARCH REPRESENTATIVE PURCHASING MEDICAL CANNABIS UNDER § 13-3304.1 OF THIS SUBTITLE may obtain medical cannabis from a facility of a grower licensed as a dispensary.

(3) An entity licensed to grow medical cannabis under this section may grow and process medical cannabis on the same premises.”;

in line 25, strike “**FOOD CONTAINING MEDICAL CANNABIS**” and substitute “**EDIBLE CANNABIS PRODUCTS**”; in line 26, strike “**OR**” and substitute a comma; in the same line, after “**CAREGIVER**” insert “**, OR AN ACADEMIC RESEARCH REPRESENTATIVE PURCHASING MEDICAL CANNABIS UNDER § 13-3304.1 OF THIS SUBTITLE**”; in line 29, strike “processing.”; in line 31, strike “or” and substitute a comma; and in the same line, after “caregiver” insert “**, OR AN ACADEMIC RESEARCH REPRESENTATIVE PURCHASING MEDICAL CANNABIS UNDER § 13-3304.1 OF THIS SUBTITLE**”.

On page 4, after line 4, insert:

“(I) THE COMMISSION, IN CONSULTATION WITH THE DEPARTMENT, SHALL ADOPT REGULATIONS TO REQUIRE A DISPENSARY TO MEET ANY ADDITIONAL REQUIREMENTS THAT THE COMMISSION DETERMINES ARE NECESSARY, INCLUDING REQUIRING A PERMIT, FOR THE DISPENSING OF EDIBLE CANNABIS PRODUCTS.”;

in lines 5 and 7, strike “**(I)**” and “**(J)**”, respectively, and substitute “**(J)**” and “**(K)**”, respectively; in lines 25 and 26, strike “**FOOD CONTAINING MEDICAL CANNABIS**” and substitute “**EDIBLE CANNABIS PRODUCTS**”; in line 26, strike “**OR**” and substitute a comma; in the same line, after “**CAREGIVER**” insert “**, OR AN ACADEMIC RESEARCH REPRESENTATIVE PURCHASING MEDICAL CANNABIS UNDER § 13-3304.1 OF THIS SUBTITLE**”; and in line 27, strike “**FOOD CONTAINING MEDICAL CANNABIS**” and substitute “**EDIBLE CANNABIS PRODUCTS**”.

On page 5, in line 3, strike “or” and substitute a comma; in the same line, after “caregiver” insert “**, OR AN ACADEMIC RESEARCH REPRESENTATIVE PURCHASING MEDICAL CANNABIS UNDER § 13-3304.1 OF THIS SUBTITLE**”; after line 10, insert:

“(I) THE COMMISSION, IN CONSULTATION WITH THE DEPARTMENT, SHALL ADOPT REGULATIONS:

(1) INCLUDING BUT NOT LIMITED TO THE PACKAGING, LABELING, MARKETING, AND APPEARANCE OF EDIBLE CANNABIS PRODUCTS, TO ENSURE THE SAFETY OF MINORS; AND

(2) TO REQUIRE A PROCESSOR TO MEET ANY ADDITIONAL REQUIREMENTS THAT THE COMMISSION DETERMINES ARE NECESSARY, INCLUDING REQUIRING A PERMIT, FOR THE PROCESSING OF EDIBLE CANNABIS PRODUCTS.”;

in line 11, strike “(I)” and substitute “(J)”; strike in their entirety lines 13 through 19, inclusive, and substitute:

“13–3311.1.

(a) (1) The holder of a medical cannabis grower, processor, or dispensary license may sell or transfer ownership of the license if the licensee was physically and actively engaged in the cultivation, processing, or dispensing of medical cannabis for at least [2] 3 years immediately preceding the sale or transfer of the ownership of the license.

(2) Nothing in paragraph (1) of this subsection may be construed to limit the ability of the Commission to enforce this subtitle.

13–3313.

(a) Any of the following persons acting in accordance with the provisions of this subtitle may not be subject to arrest, prosecution, **REVOCATION OF MANDATORY SUPERVISION, PAROLE, OR PROBATION**, or any civil or administrative penalty, including a civil penalty or disciplinary action by a professional licensing board, or be denied any right or privilege, for the medical use of or possession of medical cannabis:

(1) A qualifying patient:

(i) In possession of an amount of medical cannabis determined by the Commission to constitute a 30–day supply; or

(ii) In possession of an amount of medical cannabis that is greater than a 30–day supply if the qualifying patient’s certifying provider stated in the written certification that a 30–day supply would be inadequate to meet the medical needs of the qualifying patient;

(2) A grower licensed under § 13–3306 of this subtitle or a grower agent registered under § 13–3306 of this subtitle;

(3) A certifying provider;

(4) A caregiver;

(5) AN ACADEMIC RESEARCH REPRESENTATIVES PURCHASING MEDICAL CANNABIS UNDER § 13-3304.1 OF THIS SUBTITLE;

[(5)] (6) A dispensary licensed under § 13-3307 of this subtitle or a dispensary agent registered under § 13-3308 of this subtitle;

[(6)] (7) A processor licensed under § 13-3309 of this subtitle or a processor agent registered under § 13-3310 of this subtitle;

[(7)] (8) A hospital, medical facility, or hospice program where a qualifying patient is receiving treatment; or

[(8)] (9) A third-party vendor authorized by the Commission to test, transport, or dispose of medical cannabis, medical cannabis products, or medical cannabis waste under the provisions of this subtitle.

(b) (1) A person may not distribute, possess, manufacture, or use cannabis that has been diverted from a qualifying patient, a caregiver, AN ACADEMIC RESEARCH REPRESENTATIVE, a licensed grower, or a licensed dispensary.

(2) A person who violates this subsection is guilty of a felony and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$10,000 or both.

(3) The penalty under this subsection is in addition to any penalties that a person may be subject to for manufacture, possession, or distribution of marijuana under the Criminal Law Article.

13-3313.1.

(A) ALL ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, EDIBLE CANNABIS PRODUCTS, OR MEDICAL CANNABIS-RELATED SERVICES THAT MAKE THERAPEUTIC OR MEDICAL CLAIMS SHALL:

(1) BE SUPPORTED BY SUBSTANTIAL CLINICAL EVIDENCE OR SUBSTANTIAL CLINICAL DATA; AND

(2) INCLUDE INFORMATION ON THE MOST SIGNIFICANT SIDE EFFECTS OR RISKS ASSOCIATED WITH THE USE OF CANNABIS.

(B) AN ADVERTISEMENT FOR A GROWER, A PROCESSOR, A DISPENSARY, AN INDEPENDENT TESTING LABORATORY, A CERTIFYING PROVIDER, OR A THIRD-PARTY VENDOR MAY NOT:

(1) MAKE ANY STATEMENT THAT IS FALSE OR MISLEADING IN ANY MATERIAL WAY OR IS OTHERWISE A VIOLATION OF §§ 13-301 THROUGH 13-320 OF THE COMMERCIAL LAW ARTICLE; OR

(2) CONTAIN A DESIGN, AN ILLUSTRATION, A PICTURE, OR A REPRESENTATION THAT:

(I) ENCOURAGES OR REPRESENTS THE RECREATIONAL USE OF CANNABIS;

(II) TARGETS OR IS ATTRACTIVE TO MINORS, INCLUDING A CARTOON CHARACTER, A MASCOT, OR ANY OTHER DEPICTION THAT IS COMMONLY USED TO MARKET PRODUCTS TO MINORS;

(III) DISPLAYS THE USE OF CANNABIS, INCLUDING THE CONSUMPTION, SMOKING, OR VAPING OF CANNABIS;

(IV) ENCOURAGES OR PROMOTES CANNABIS FOR USE AS AN INTOXICANT; OR

(V) ARE OBSCENE.

(C) ALL ADVERTISING FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, OR EDIBLE CANNABIS PRODUCTS SHALL INCLUDE A STATEMENT THAT THE PRODUCT IS FOR USE ONLY BY A QUALIFYING PATIENT.

(D) (1) ANY WEBSITE OWNED, MANAGED, OR OPERATED BY A CERTIFYING PROVIDER, DISPENSARY, GROWER, OR PROCESSOR SHALL EMPLOY A NEUTRAL AGE-SCREENING MECHANISM THAT VERIFIES THAT THE USER IS AT LEAST 18 YEARS OF AGE, INCLUDING BY USING AN AGE-GATE, AGE-SCREEN, OR AGE VERIFICATION MECHANISM.

(2) AN ADVERTISEMENT PLACED ON SOCIAL MEDIA OR A MOBILE APPLICATION SHALL INCLUDE A NOTIFICATION THAT:

(I) A PERSON MUST BE AT LEAST 18 YEARS OLD TO VIEW THE CONTENT; AND

(II) MEDICAL CANNABIS IS FOR USE BY CERTIFIED PATIENTS ONLY.

(E) (1) THIS SUBSECTION DOES NOT APPLY TO AN ADVERTISEMENT PLACED ON PROPERTY OWNED OR LEASED BY A DISPENSARY, GROWER, OR PROCESSOR.

(2) ANY ADVERTISEMENT FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, EDIBLE CANNABIS PRODUCTS, OR MEDICAL CANNABIS-RELATED SERVICES MAY NOT BE PLACED WITHIN 500 FEET OF:

(I) A SUBSTANCE ABUSE OR TREATMENT FACILITY;

(II) A PRIMARY OR SECONDARY SCHOOL IN THE STATE OR A CHILD CARE CENTER LICENSED OR A FAMILY CHILD CARE HOME REGISTERED UNDER TITLE 9.5 OF THE EDUCATION ARTICLE; OR

(III) A PLAYGROUND, RECREATION CENTER, LIBRARY, OR PUBLIC PARK.

(F) THE COMMISSION SHALL ADOPT REGULATIONS TO ESTABLISH:

(1) PROCEDURES FOR THE ENFORCEMENT OF THIS SECTION; AND

(2) A PROCESS FOR AN INDIVIDUAL TO VOLUNTARILY SUBMIT AN ADVERTISEMENT TO THE COMMISSION FOR AN ADVISORY OPINION ON WHETHER THE ADVERTISEMENT COMPLIES WITH THE RESTRICTIONS ON ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, EDIBLE CANNABIS PRODUCTS, AND MEDICAL CANNABIS-RELATED SERVICES.”;

and in lines 20 and 21, strike “shall take effect October 1, 2019” and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea or 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 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 868 – Delegates Barron, Lopez, Malone, and Parrott

AN ACT concerning

Medical Records – Compulsory Process Requests – Advisory Protocol and Voluntary Training

HB0868/276384/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 868

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Parrott” and substitute “Parrott, Pendergrass, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young”; in line 3, after “Training” insert “Webinar”; in line 5, strike “program;” and substitute “webinar;”; in the same line, after “requiring” insert “and authorizing”; in line 7, strike “program;” and substitute “webinar; requiring the Office”

to post a certain advisory protocol and voluntary training webinar on its website on or before a certain date; requiring the Office to track the traffic on a certain website to the extent practicable beginning on a certain date; encouraging certain health occupations boards to disseminate, to the extent practicable, a certain advisory protocol and voluntary training webinar; requiring the Office, in consultation with 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 in line 8, after “training” insert “webinar”.

AMENDMENT NO. 2

On page 1, in line 12, strike “program” and substitute “webinar”; in line 14, after “regarding” insert “:

(1);

in lines 15, 17, and 18, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(i)”, “(ii)”, and “(iii)”, respectively; in line 17, strike “and”; in line 18, after “Article” insert “; and

(iv) Maryland Court Rules; and

(2) the differences between the types of compulsory process requests, including subpoenas, summonses, warrants, and court orders”;

in line 19, strike “program” and substitute “webinar”; in line 20, strike “shall consult”; in line 21, strike “the Maryland Department of Health” and substitute “may consult with the Maryland State Bar Association, the Maryland Hospital Association, or any other interested health organization”; in the same line, after the semicolon insert “and”; and in line 22, strike “MedChi, the Maryland State Medical Society;” and substitute “shall consult any health occupations board established under the Health Occupations Article that requests to be consulted in the development in the advisory protocol and voluntary training webinar.”.

On page 2, strike in their entirety lines 1 through 8, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) On or before September 30, 2020, the Office of the Attorney General shall post on its website an advisory protocol and voluntary training webinar for health care providers regarding how to respond to compulsory process requests for medical records.

(2) Beginning on September 30, 2020, the Office of the Attorney General shall track the traffic on the website established under paragraph (1) of this subsection, to the extent practicable.

(b) Each health occupations board established under the Health Occupations Article is encouraged to disseminate, to the extent practicable, information regarding the advisory protocol and voluntary training webinar posted on the Office of the Attorney General’s website under subsection (a)(1) of this section.

(c) On or before December 31, 2020, the Office of the Attorney General shall report on the implementation and effectiveness of this Act to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.”;

in line 9, strike “2.” and substitute “3.”; and in line 10, after the period insert “Section 1 of this Act shall remain effective for a period of 1 year and 3 months and, at the end of September 30, 2020, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. Section 2 of this Act 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.”.

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. 28

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

Senate Bill 619 – Senator Carter

EMERGENCY BILL

AN ACT concerning

**University of Maryland Medical System Corporation – Board of ~~Directors~~
Conflicts of Interest, Prestige of Office, and Financial Disclosure
Directors, Ethics, and Performance Audits**

SB0619/726288/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 619

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "Performance"; and in line 18, after "Assembly," insert "prohibiting a member of the Board from being a State or local elected official;"

On page 2, in line 9, in each instance, strike "Board" and substitute "Medical System Corporation"; in line 11, strike the second "Board" and substitute "Medical System Corporation"; in line 12, after "contracts;" insert "requiring the award of certain contracts or payments to a member of the Board or a certain business to be subject to the approval of the full Board; requiring the compliance officer of the Medical System Corporation to take certain actions before the Corporation awards a certain contract or makes a certain payment to a member of the Board; requiring the Board to develop a certain policy governing certain contracts and payments; requiring the Board to submit a certain report to certain entities on or before a certain date each year"; in line 13, strike "employ a certain independent entity with certain expertise" and substitute "competitively bid for a certified public accounting firm"; in line 16, after "entities;" insert "providing that a certain certified public accounting firm is ineligible to bid on a certain contract; requiring a certain certified public accounting firm to consult with the Joint Audit Committee and the Office of Legislative Audits in the development of the scope and objectives of a certain audit at a certain time"; in line 18, strike "a certain date;" and substitute "certain dates; requiring the Office of Legislative Audits to conduct a forensic audit of the Medical System Corporation for certain years that includes certain information; requiring the Office of Legislative Audits to submit a certain report to certain entities on or before a certain date"; in line 20, strike "and"; in the same line, after "Speaker" insert ", and the Office of Legislative Audits"; in the same line, after "date;" insert "requiring the Office of Legislative Audits to review and comment on a certain report to certain entities"; in line 21, strike "terms" and substitute "appointments"; in the same line, strike "terminate" and substitute "end"; in line 26, after "requirements;" insert "providing that certain members appointed under a certain provision of law are considered appointed to fill a vacancy for a certain member's term; providing for the term and reappointment of certain members appointed to the Board under a certain provision of law as enacted by this Act"; and in line 36, strike "and (m)" and substitute "(m), (n), and (o)".

AMENDMENT NO. 2

On page 4, after line 9, insert:

“(III) STANDARDS FOR RECUSAL FROM VOTING;”;

and in lines 10 and 13, strike **“(III)”** and **“(IV)”**, respectively, and substitute **“(IV)”** and **“(V)”**, respectively.

On page 6, after line 4, insert:

“(2) A MEMBER OF THE BOARD MAY NOT BE A STATE OR LOCAL ELECTED OFFICIAL.”;

and in lines 5, 9, 10, 15, 18, 20, and 23, strike **“(2)”**, **“(3)”**, **“(4)”**, **“(5)”**, **“(6)”**, **“(7)”**, and **“(8)”**, respectively, and substitute **“(3)”**, **“(4)”**, **“(5)”**, **“(6)”**, **“(7)”**, **“(8)”**, and **“(9)”**, respectively.

On page 8, in lines 1 and 7, in each instance, strike **“BOARD”** and substitute **“MEDICAL SYSTEM CORPORATION”**; after line 10, insert:

“(N) (1) THE AWARD OF A CONTRACT OR THE MAKING OF A PAYMENT TO A MEMBER OF THE BOARD OF DIRECTORS OR AN ASSOCIATED BUSINESS OF A MEMBER SHALL BE SUBJECT TO THE APPROVAL OF THE FULL BOARD OF DIRECTORS.”

(2) BEFORE THE MEDICAL SYSTEM CORPORATION AWARDS A CONTRACT OR MAKES A PAYMENT TO A MEMBER OF THE BOARD OF DIRECTORS, THE COMPLIANCE OFFICER SHALL:

(I) REVIEW THE CONTRACT OR PAYMENT AND ADVISE THE MEMBER OF THE BOARD OF DIRECTORS AS TO WHETHER THE CONTRACT OR PAYMENT IS APPROPRIATE AND CONSISTENT WITH THE POLICIES OF THE MEDICAL SYSTEM CORPORATION; AND

(II) MAKE A RECOMMENDATION TO THE BOARD OF DIRECTORS AS TO WHETHER THE CONTRACT OR PAYMENT SHOULD BE APPROVED OR DISAPPROVED BY THE BOARD.

(O) (1) THE BOARD OF DIRECTORS SHALL DEVELOP A POLICY GOVERNING CONTRACTS WITH AND PAYMENTS TO A MEMBER OF THE BOARD OF DIRECTORS OR MEMBERS OF THE BOARD OF DIRECTORS OF HOSPITALS AFFILIATED WITH THE MEDICAL SYSTEM CORPORATION BY:

(I) THE MEDICAL SYSTEM CORPORATION; OR

(II) THE AFFILIATED HOSPITAL.

(2) ON OR BEFORE DECEMBER 1 EACH YEAR, THE BOARD OF DIRECTORS SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE, THE JOINT AUDIT COMMITTEE, THE SENATE FINANCE COMMITTEE, AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE ON:

(I) THE POLICY ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) HOW THE BOARD OF DIRECTORS HAS ENSURED COMPLIANCE WITH THE POLICY BY THE AFFILIATED HOSPITALS AND THE MEMBERS OF THE BOARD OF DIRECTORS OF THE AFFILIATED HOSPITALS.”;

and in line 11, strike “(N)” and substitute “(P)”.

AMENDMENT NO. 3

On page 9, in line 1, strike “On” and substitute “Subject to paragraph (3) of this subsection, on”; strike beginning with “employ” in line 2 down through “accountants” in line 3 and substitute “competitively bid for a certified public accounting firm”; strike beginning with the first “the” in line 9 down through the first “or” in line 10; after line 11, insert:

“(3) (i) A certified public accounting firm that provides services to the Medical System Corporation or an affiliated hospital is not eligible to bid on the performance audit contract under paragraph (1) of this subsection.

(ii) On the award of the performance audit contract to a certified public accounting firm under paragraph (1) of this subsection and before commencement of

the performance audit, the certified public accounting firm shall consult with the Joint Audit Committee and the Office of Legislative Audits in the development of the scope and objectives of the performance audit.”;

in line 12, after “(b)” insert “(1)”; after line 15, insert:

“(2) On or before December 31, 2022, the Medical System Corporation shall submit a certified copy of a performance audit conducted during the calendar year 2022 that meets the requirements under subsection (a) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the President of the Senate and the Speaker of the House.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Office of Legislative Audits shall conduct a forensic audit of the University of Maryland Medical System Corporation for the calendar years 2016 through the effective date of this Act or earlier as deemed appropriate by the Office of Legislative Audits that:

(1) identifies all of the members of the Board of Directors of the Medical System Corporation and each member’s associated businesses;

(2) obtains all disbursement records from the Medical System Corporation;

(3) identifies all contracts with or payments to the members of the Board of Directors and a member’s associated businesses;

(4) identifies the basis for the procurement and the Medical System Corporation official and department that initiated and approved the payment;

(5) identifies the procurement method used and tests for propriety of the procurement, including whether it was conducted in accordance with a formal Medical System Corporation policy and whether the full Board of Directors approved the contract or payment;

(6) evaluate whether all proper steps were taken and, if a payment or contract was sole source, whether the rationale was documented and supportable; and

(7) evaluate whether the contract or payment made to a member of the Board of Directors or the member's associated business was monitored effectively to ensure that all deliverables paid for were provided.

(b) (1) On or before December 15, 2019, the Office of Legislative Audits shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the President of the Senate, the Speaker of the House, the Joint Audit Committee, the Senate Finance Committee, and the House Health and Government Operations Committee on the findings of the forensic audit conducted under this section.

(2) The report required under paragraph (1) of this subsection shall include any recommendations by the Office of Legislative Audits regarding how best to evaluate the procurement and contracting processes and any contracts with and payments to University of Maryland Medical System affiliated hospitals and members of the Board of Directors of the Medical System Corporation or the members of the boards of directors of the affiliated hospitals.”;

in lines 16 and 23, strike “3.” and “4.”, respectively, and substitute “4.” and “5.”, respectively; in line 16, strike the first “the” and substitute “:

(a) The”;

in line 18, after “procedures” insert “, including policies for enforcing statutory limits on consecutive terms of appointment for members and continued service after the expiration of a members term”; in line 22, strike “and” and substitute a comma; in the same line, after “House” insert “, and the Office of Legislative Audits”; after line 22, insert:

“(b) The Office of Legislative Audits shall review and comment on the report submitted under subsection (a) of this section to the Joint Audit Committee, the Senate Finance Committee, and the House Health and Government Operations Committee.”; in lines 24, 27, 29, and 31, in each instance, strike “terms” and substitute “appointment”; in lines 26, 28, 30, and 31, in each instance, strike “terminate” and substitute “end”; and in line 34, strike “term is terminated” and substitute “appointment ends”.

On page 10, after line 6, insert:

“(4) A new member appointed under this subsection shall be considered appointed to fill a vacancy and shall serve for the remainder of the term of the member who was not reappointed under this subsection.

SECTION 6. AND BE IT FURTHER ENACTED, That the terms of the members appointed to the Board of Directors of the University of Maryland Medical System Corporation under § 13–304(c)(4) and (5) of the Education Article as enacted by Section 1 of this Act:

(1) shall be a for a term of 5 years from the date of appointment; and

(2) may be reappointed but may not serve more than two consecutive 5 year terms;”;

and in line 7, strike “5.” and substitute “7.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kipke moved to put **Senate Bill 619** on Third Reading on the same day in compliance with the Constitution.

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1474)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 619** was placed on Third Reading.

Senate Bill 619 – Senator Carter

EMERGENCY BILL

AN ACT concerning

**University of Maryland Medical System Corporation – Board of ~~Directors~~
Conflicts of Interest, Prestige of Office, and Financial Disclosure
Directors, Ethics, and Performance Audits**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1475)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 1476)

CALENDAR OF THIRD READING SENATE BILLS NO. 55

Senate Bill 6 – ~~Senator Eckardt~~ Wicomico County Senators

AN ACT concerning

Wicomico County – Alcoholic Beverages – Basket of Cheer Permit

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1477)

The Bill was then returned to the Senate.

Senate Bill 19 – ~~Senator Eckardt~~ Wicomico County Senators

AN ACT concerning

Wicomico County – Alcoholic Beverages – Bed and Breakfast License

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1478)

The Bill was then returned to the Senate.

Senate Bill 335 – Senator Carozza

AN ACT concerning

Somerset County – Alcoholic Beverages – Liquor Control Board Reserve Fund

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1479)

The Bill was then returned to the Senate.

Senate Bill 337 – Senator Carozza

AN ACT concerning

**Somerset County – Alcoholic Beverages – Board of License Commissioners –
Salaries**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1480)

The Bill was then returned to the Senate.

Senate Bill 338 – Senator Carozza

AN ACT concerning

**Somerset County – Alcoholic Beverages Licenses – Proximity to Places of
Worship, Schools, Public Libraries, or Youth Centers**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1481)

The Bill was then returned to the Senate.

Senate Bill 427 – Senator Hershey

AN ACT concerning

Queen Anne’s County – Alcohol Awareness Program

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1482)

The Bill was then returned to the Senate.

Senate Bill 428 – Senator Hershey

AN ACT concerning

Queen Anne’s County – Alcoholic Beverages – Beauty Salon and Barbershop License

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1483)

The Bill was then returned to the Senate.

Senate Bill 920 – Senator Eckardt

AN ACT concerning

Talbot County – Alcoholic Beverages – Election Days

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1484)

The Bill was then returned to the Senate.

Senate Bill 943 – Senator Eckardt

AN ACT concerning

Talbot County – Alcoholic Beverages – Substitute Member for Board of License Commissioners

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1485)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB0269
SPONSOR: Senator Hester, et al
SUBJECT: Comprehensive Flood Management Grant Program – Awards for Flood Damage and Funding

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Peters, Chair
Senator Griffith
Senator Eckardt

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0269
SPONSOR: Senator Hester, et al
SUBJECT: Comprehensive Flood Management Grant Program – Awards for Flood Damage and Funding

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Peters, Chairman
Senator Griffith
Senator Eckardt.

The House appoints:

Delegate Lafferty, Chair
Delegate Cassilly
Delegate Gaines

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB0330
SPONSOR: Senator Smith, et al
SUBJECT: Public Buildings – Diaper–Changing Facilities

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Waldstreicher, Chair
Senator Hester
Senator Washington

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0330
SPONSOR: Senator Smith, et al
SUBJECT: Public Buildings – Diaper–Changing Facilities

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Waldstreicher, Chairman
Senator Hester
Senator Washington.

The House appoints:

Delegate Hill, Chair
Delegate Charles
Delegate Chisholm

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 1486)

ADJOURNMENT

At 3:30 P.M. on motion of Delegate Dumais the House adjourned until 11:00 A.M. on Legislative Day March 31, 2019, Calendar Day, Monday, April 8, 2019.

Annapolis, Maryland
Legislative Day: March 31, 2019
Calendar Day: Monday, April 8, 2019
11:00 A.M. Session

**Speaker Michael E. Busch of Anne Arundel County passed away on Sunday,
April 7, 2019.**

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

The House met at 11:25 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate David Fraser–Hidalgo of Montgomery County.

QUORUM CALL

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

(See Roll Call No. 1487)

EXCUSED:

Del. Busch – deceased

Del. Fraser–Hidalgo – left briefly – business

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

QUORUM CALL

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

(See Roll Call No. 1488)

CALENDAR OF THIRD READING HOUSE BILLS NO. 118

**House Bill 178 – The Speaker (By Request – Administration) and Delegates
Hartman, Anderton, Arentz, Chisholm, Ciliberti, Clark, Corderman, Cox,
Jacobs, Kipke, Kittleman, Malone, Mautz, Metzgar, Otto, Saab, and Szeliga**

AN ACT concerning

Maryland Stadium Authority – Ocean City Convention Facility – Renovation

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1489)

The Bill was then sent to the Senate.

House Bill 493 – Delegates Valentino-Smith, Barron, Corderman, Holmes, ~~and McComas~~ McComas, Grammer, Hartman, R. Watson, Arikan, Cox, and Malone

AN ACT concerning

**Crimes – Solicitation and Conspiracy to Commit Murder ~~– Penalty~~ Resulting in Death
(Stacey’s Law)**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1490)

The Bill was then sent to the Senate.

House Bill 526 – Delegates Cullison, Bagnall, Kelly, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

Medical Laboratories – Laboratory Tests and Procedures – Advertising

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1491)

The Bill was then sent to the Senate.

House Bill 1237 – Delegate Rosenberg

AN ACT concerning

Maryland Technology Internship Program – Qualifications for Participation – Alteration

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1492)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 119

House Bill 745 – Delegates W. Fisher, Acevero, Atterbeary, Barron, Bridges, Cardin, Carr, Charles, Conaway, Crutchfield, D.E. Davis, Dumais, Gilchrist, Glenn, Guyton, Hettleman, Ivey, Jackson, Jalisi, Kelly, Korman, J. Lewis, Lierman, Love, Moon, Mosby, Palakovich Carr, Pena–Melnik, Qi, Sample–Hughes, Shetty, Stewart, Sydnor, Turner, Washington, R. Watson, Wells, and Wilkins

AN ACT concerning

Correctional Facilities – Restrictive Housing – Pregnant Inmates

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1493)

The Bill was then sent to the Senate.

House Bill 774 – Delegate Bartlett

AN ACT concerning

~~**Office of the Attorney General**~~

Governor’s Office of Crime Control and Prevention – Crime Firearms – Study

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1494)

The Bill was then sent to the Senate.

House Bill 815 – Delegates Jacobs, Beitzel, Buckel, Ciliberti, Corderman, Cox, Grammer, Hornberger, Kerr, Pippy, and Wivell

SECOND PRINTING

AN ACT concerning

~~**Agriculture – Milk and Milk-Based Products**~~ **Public Health – Milk – Labeling**

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

Affirmative – 107 Negative – 32 (See Roll Call No. 1495)

The Bill was then sent to the Senate.

House Bill 868 – Delegates Barron, Lopez, Malone, ~~and Parrott~~ Parrott, Pendergrass, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

AN ACT concerning

Medical Records – Compulsory Process Requests – Advisory Protocol and Voluntary Training Webinar

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1496)

The Bill was then sent to the Senate.

House Bill 1293 – Delegates Krimm, Arentz, Buckel, Cox, Mautz, McKay, Metzgar, Otto, and Pippy

AN ACT concerning

Health – Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1497)

The Bill was then sent to the Senate.

House Bill 1384 – Delegates Bhandari, Arikan, Charles, Crosby, W. Fisher, Fraser–Hidalgo, Guyton, Ivey, Kerr, R. Lewis, Metzgar, Stein, Turner, Washington, and Wilkins

AN ACT concerning

Deaf or Hard of Hearing Individuals – Support for Parents

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1498)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 120

House Bill 17 – ~~Delegate Glenn~~ Delegates Glenn, Pena–Melnik, R. Lewis, Carr, Kipke, Kerr, K. Young, Bagnall, Cullison, Hill, and Pendergrass

EMERGENCY BILL

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – ~~Food Containing Medical Cannabis~~ Processing and Dispensing Medical Cannabis

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

Affirmative – 130 Negative – 10 (See Roll Call No. 1499)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 68

Senate Bill 123 – Senator Pinsky

AN ACT concerning

Election Law – Coordinated Expenditures and Donations – Investigation

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

Affirmative – 112 Negative – 27 (See Roll Call No. 1500)

The Bill was then returned to the Senate.

Senate Bill 512 – Senators Ellis, Augustine, Bailey, Beidle, Benson, Carozza, Carter, Elfreth, Feldman, Ferguson, Griffith, Guzzone, Hayes, Hester, Jennings, Kagan, King, Klausmeier, Kramer, Lam, Lee, McCray, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Reilly, Rosapepe, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker

EMERGENCY BILL

AN ACT concerning

Government Shutdowns – Employees – Protections

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

Affirmative – 107 Negative – 32 (See Roll Call No. 1501)

The Bill was then returned to the Senate.

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**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1502)

The Bill was then returned to the Senate.

Senate Bill 801 – Senators Hayes, Carter, Feldman, Guzzone, Hershey, Hester, Hough, Jennings, Klausmeier, Lam, McCray, Nathan–Pulliam, Reilly, Salling, Smith, Washington, West, Young, and Zucker

AN ACT concerning

Brewery Modernization Act of 2019

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1503)

The Bill was then returned to the Senate.

Senate Bill 939 – Senator Klausmeier

AN ACT concerning

**Natural Resources – Shellfish Nursery Operations – Wetlands License
Requirements**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1504)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 69

Senate Bill 43 – Senator McCray

AN ACT concerning

**Baltimore City – ~~At-Will Supervisory~~ Members of the Command Staff of the
Police Department – Residency Requirements**

Delegate Branch moved to make the Bill a Special Order for next session.

The motion was adopted.

**Senate Bill 198 – Senators Hough ~~and Cassilly~~, Cassilly, Zirkin, Ready,
Waldstreicher, Hester, and West**

AN ACT concerning

Crimes – Solicitation to Commit Murder – Penalty

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1505)

The Bill was then returned to the Senate.

**Senate Bill 228 – Senators Ready, Bailey, Carozza, Hester, Hough, ~~and Salling~~
Salling, Zirkin, Smith, Carter, Cassilly, Lee, Waldstreicher, Washington,
and West**

AN ACT concerning

Criminal Procedure – Pretrial Release – Sex Offenders

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1506)

The Bill was then returned to the Senate.

**Senate Bill 495 – Senators Kelley, Beidle, Benson, Feldman, Hayes, Klausmeier,
and Reilly**

AN ACT concerning

Medical Laboratories – Laboratory Tests and Procedures – Advertising

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1507)

The Bill was then returned to the Senate.

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)**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1508)

The Bill was then returned to the Senate.

Senate Bill 677 – Senator West

AN ACT concerning

Deaf or Hard of Hearing Individuals – Support for Parents

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1509)

The Bill was then returned to the Senate.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 30

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 136 – Delegates Hill, Bartlett, Ebersole, Hettleman, Lafferty, R. Lewis,
and Moon**

AN ACT concerning

Department of General Services – Energy–Conserving and Bird–Safe Building
Standards
(Maryland Sustainable Buildings Act of 2019)

HB0136/936284/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 136

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Moon” and substitute “Moon, and Terrasa”; in line 5, after “establish” insert “and periodically update”; in line 7, after “each” insert “State”; in line 8, strike “Department” and substitute “State”; in the same line, after “practicable” insert “and within budgetary constraints”; in line 9, strike “public” and substitute “State”; and in line 10, after “regulations;” insert “establishing that certain requirements do not apply to certain contracts or projects; defining “State building”;”.

AMENDMENT NO. 2

On page 2, after line 25, insert:

(A) IN THIS SECTION, “STATE BUILDING” MEANS:

(1) A BUILDING ACQUIRED THROUGH ANY MEANS BY THE STATE FOR USE BY A STATE AGENCY OR DEPARTMENT;

(2) A BUILDING CONSTRUCTED OR RENOVATED BY OR FOR THE STATE FOR OCCUPANCY BY A STATE AGENCY OR DEPARTMENT; OR

(3) A BUILDING ACQUIRED, CONSTRUCTED, OR RENOVATED FOR WHICH MORE THAN 50% OF THE MONEY FOR THE ACQUISITION, CONSTRUCTION, OR RENOVATION CAME FROM STATE FUNDS.

(B) THIS SECTION DOES NOT APPLY TO:

(1) A PUBLIC WORK CONTRACT OF LESS THAN \$500,000;

(2) A PUBLIC WORK CONTRACT FOR WHICH 50% OR LESS OF THE FUNDS USED FOR THE PROJECT ARE STATE FUNDS; OR

(3) A PROJECT FOR WHICH FUNDING IS PROVIDED IN THE CAPITAL BUDGET AS A GRANT TO A NONPROFIT.

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 through line 30 on page 3, inclusive, and substitute:

“(C) (1) THE DEPARTMENT SHALL ESTABLISH STANDARDS FOR STATE BUILDINGS TO CONSERVE ENERGY AND MINIMIZE ADVERSE IMPACTS ON BIRDS THAT ARE CONSISTENT WITH GREEN BUILDING COUNCIL LEED PILOT CREDIT 55 FOR REDUCING BIRD COLLISIONS AND THE AMERICAN BIRD CONSERVANCY BIRD-FRIENDLY DESIGN RECOMMENDATIONS.

(2) THE DEPARTMENT SHALL UPDATE THE STANDARDS DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION EVERY 5 YEARS.

On page 3, in line 31, strike “(6)” and substitute “(3)”; in the same line, before “EXCEPT” insert “**THE STANDARDS DEVELOPED UNDER THIS SUBSECTION SHALL SPECIFY THAT,**”; and in line 32, after “NECESSARY” insert “**, INCLUDING FOR PUBLIC SAFETY OR OTHER PURPOSES**”.

On page 4, in lines 4, 8, and 13, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 4, after “EACH” insert “**STATE**”; in line 5, strike “DEPARTMENT” and substitute “**STATE**”; in lines 5 and 9, in each instance, after “PRACTICABLE” insert “**AND WITHIN BUDGETARY CONSTRAINTS**”; in line 7, strike “(A)” and substitute “(C)”; in line 8, strike “PUBLIC” and substitute “**STATE**”; and in line 10, strike “(A)(6)” and substitute “(C)(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:

Senate Bill 314 – Senators Lam and Guzzone

AN ACT concerning

**Department of General Services – Energy–Conserving and Bird–Safe Building
Standards
(Maryland Sustainable Buildings Act of 2019)**

SB0314/496682/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 314

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “establish” insert “and periodically update”; in line 7, after “each” insert “State”; in line 8, strike “Department” and substitute “State”; in the same line, after “practicable” insert “and within budgetary constraints”; in line 9, strike “public” and substitute “State”; and in line 10, after “regulations;” insert “establishing that certain requirements do not apply to certain contracts or projects; defining “State building”;”.

AMENDMENT NO. 2

On page 2, after line 29, insert:

“(A) IN THIS SECTION, “STATE BUILDING” MEANS:

(1) A BUILDING ACQUIRED THROUGH ANY MEANS BY THE STATE FOR USE BY A STATE AGENCY OR DEPARTMENT;

(2) A BUILDING CONSTRUCTED OR RENOVATED BY OR FOR THE STATE FOR OCCUPANCY BY A STATE AGENCY OR DEPARTMENT; OR

(3) A BUILDING ACQUIRED, CONSTRUCTED, OR RENOVATED FOR WHICH MORE THAN 50% OF THE MONEY FOR THE ACQUISITION, CONSTRUCTION, OR RENOVATION CAME FROM STATE FUNDS.

(B) THIS SECTION DOES NOT APPLY TO:

(1) A PUBLIC WORK CONTRACT OF LESS THAN \$500,000;

(2) A PUBLIC WORK CONTRACT FOR WHICH 50% OR LESS OF THE FUNDS USED FOR THE PROJECT ARE STATE FUNDS; OR

(3) A PROJECT FOR WHICH FUNDING IS PROVIDED IN THE CAPITAL BUDGET AS A GRANT TO A NONPROFIT.

On pages 2 through 4, strike in their entirety the lines beginning with line 30 on page 2 through line 4 on page 4, inclusive, and substitute:

“(C) (1) THE DEPARTMENT SHALL ESTABLISH STANDARDS FOR STATE BUILDINGS TO CONSERVE ENERGY AND MINIMIZE ADVERSE IMPACTS ON BIRDS THAT ARE CONSISTENT WITH GREEN BUILDING COUNCIL LEED PILOT CREDIT 55 FOR REDUCING BIRD COLLISIONS AND THE AMERICAN BIRD CONSERVANCY BIRD-FRIENDLY DESIGN RECOMMENDATIONS.

(2) THE DEPARTMENT SHALL UPDATE THE STANDARDS DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION EVERY 5 YEARS.

On page 4, in line 5, strike “(6)” and substitute “(3)”; in the same line, before “EXCEPT” insert “THE STANDARDS DEVELOPED UNDER THIS SUBSECTION SHALL SPECIFY THAT,”; in line 6, after “NECESSARY” insert “, INCLUDING FOR PUBLIC SAFETY OR OTHER PURPOSES”; in lines 10, 14, and 19, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 10, after “EACH” insert “STATE”; in line 11, strike “DEPARTMENT” and substitute “STATE”; in lines 11 and 15, in each instance, after “PRACTICABLE” insert “AND WITHIN BUDGETARY CONSTRAINTS”; in line 13, strike “(A)” and substitute “(C)”; in line 14, strike “PUBLIC” and substitute “STATE”; and in line 16, strike “(A)(6)” and substitute “(C)(3)”.

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. 37

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

Senate Bill 101 – Senator Zirkin

AN ACT concerning

Civil Actions – Prelitigation Discovery of Insurance Coverage

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 236 – Senators Carter and Smith

AN ACT concerning

Jury Service – Qualification Criteria – Criminal Conviction or Charge

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 38

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

Senate Bill 767 – Senator Smith

AN ACT concerning

Criminal Procedure – Sexual Assault Evidence Collection Kits – Analysis

SB0767/632010/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 767

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, strike the second “a”; and in line 20, strike “victim’s”.

AMENDMENT NO. 2

On page 6, in line 15, strike “January 1, 2020” and substitute “December 1, 2019”; after line 15, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect January 1, 2020.”;

in line 16, 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 “January 1, 2020” and substitute “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.

WAYS AND MEANS COMMITTEE REPORT NO. 33

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

House Bill 1161 – Delegates Qi, Acevero, Bromwell, Brooks, Cain, Carey, Carr, Corderman, Crosby, D.E. Davis, Dumais, Fennell, Fraser–Hidalgo, Healey, Hill, Hornberger, Jalisi, Kelly, Kerr, Kittleman, Korman, R. Lewis, Lierman, Lopez, Luedtke, Palakovich Carr, Patterson, Queen, Reznik, Shetty, Shoemaker, Smith, Solomon, Stewart, Valderrama, Wilkins, and Wilson

AN ACT concerning

**Maryland Small Business Innovation Research and Technology Transfer
Incentive Program**

HB1161/245069/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1161

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Department of Commerce – Small Business Innovation Research and Technology Transfer – Study”; and strike beginning with “establishing” in line 4 down through “Program” in line 24 and substitute “requiring the Department of Commerce to conduct a certain study on financing options for recipients of federal small business innovation research and technology transfer grants; requiring the Department to conduct the study in a certain manner; requiring the Department to report certain findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a study on financing options for recipients of certain federal grants”.

AMENDMENT NO. 2

On pages 1 through 8, strike in their entirety the lines beginning with line 25 on page 1 through line 9 on page 8, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That:

(a) The Department of Commerce shall:

(1) explore ways to:

(i) foster job creation and economic development in the State by capitalizing on the federal presence in the State;

(ii) encourage small businesses to engage in federal research and development that has the potential for commercialization;

(iii) facilitate the transfer of technology from small businesses; and

(iv) encourage small businesses to apply for federal small business innovation research grants and small business technology transfer grants;

(2) study the laws and regulations of other states governing financial assistance programs for recipients of federal small business innovation research grants and small business technology transfer grants; and

(3) make recommendations regarding financing options for recipients of federal small business innovation research grants and small business technology transfer grants.

(b) On or before December 31, 2019, the Department of Commerce shall submit its findings and recommendations to the General Assembly, in accordance with § 2–1246 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. 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:

Senate Bill 11 – Chair, Finance Committee (By Request – Departmental – Commerce)

AN ACT concerning

Distressed Counties – References and Definitions

SB0011/615060/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 11

(Third Reading File Bill)

On page 8, in line 14, strike beginning with “a” through the bracket; after line 14, insert:

“(1) BALTIMORE CITY; AND

(2) A COUNTY:”;

in lines 15, 17, 19, 21, and 24, strike “(1)”, “(i)”, “(ii)”, “(2)”, and “(3)”, respectively, and substitute “**(I)**”, “**1.**”, “**2.**”, “**(II)**”, and “**(III)**”, respectively; and strike beginning with the bracket in line 26 down through “**ARTICLE**” in line 27.

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:

Senate Bill 574 – Senator Feldman

AN ACT concerning

**Maryland Small Business Innovation Research and Technology Transfer
Incentive Program**

SB0574/615362/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 574

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike lines 2 and 3 in their entirety and substitute “Department of Commerce – Small Business Innovation Research and Technology Transfer – Study”; and strike beginning with “establishing” in line 4 down through “Program” in line 24 and substitute “requiring the Department of Commerce to conduct a certain study on financing options for recipients of federal small business innovation research and technology transfer grants; requiring the Department to conduct the study in a certain manner; requiring the Department to report certain findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a study on financing options for recipients of federal grants”.

AMENDMENT NO. 2

On pages 2 through 8, strike in their entirety the lines beginning with line 1 on page 2 through line 17 on page 8, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That:

(a) The Department of Commerce shall:

(1) explore ways to:

(i) foster job creation and economic development in the State by capitalizing on the federal presence in the State;

(ii) encourage small businesses to engage in federal research and development that has the potential for commercialization;

(iii) facilitate the transfer of technology from small businesses; and

(iv) encourage small businesses to apply for federal small business innovation research grants and small business technology transfer grants;

(2) study the laws and regulations of other states governing financial assistance programs for awardees of federal small business innovation research grants and small business technology transfer grants; and

(3) make recommendations regarding financing options for recipients of federal small business innovation research grants and small business technology transfer grants.

(b) On or before December 31, 2019, the Department of Commerce shall submit its findings and recommendations to the General Assembly, in accordance with § 2–1246 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. 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.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 50**

Senate Bill 192 – Senators Kelley, Augustine, Beidle, Carter, Eckardt, Ellis, Feldman, Ferguson, Griffith, Hayes, Jennings, Lam, Lee, McCray, Nathan–Pulliam, Patterson, Peters, Pinsky, Reilly, Rosapepe, Smith, Waldstreicher, Washington, Young, and Zucker

AN ACT concerning

Estates and Trusts – Elective Share of Surviving Spouse

FOR the purpose of repealing certain provisions of law relating to a surviving spouse making an election to take a certain share of the net estate of the decedent instead of the property left to the surviving spouse under the will; establishing certain purposes of this Act; providing that a surviving spouse may take a certain elective share amount of a certain estate subject to election; specifying the manner in which the value of certain qualifying lifetime transfers, augmented estate, and estate subject to election shall be calculated; recodifying certain provisions of law relating to the right of election of a surviving spouse and certain time limits for electing to take an elective share; providing that the right of election may be exercised by a certain guardian of the property of the surviving spouse or a certain agent of the surviving spouse under certain circumstances; requiring the guardian of the property or the agent to provide certain notice before exercising the right of election of a surviving spouse; providing that an exercise of the right of election by the guardian of the property or the agent is valid except under certain circumstances; establishing certain procedures and a certain form for an election to take an elective share; authorizing the waiver of a certain right of election; requiring certain fiduciaries to deliver certain information and provide certain notice relating to a certain elective share of a surviving spouse; requiring a certain trustee to provide certain notice relating to the trust within a certain period of time; requiring the surviving spouse to deliver certain information to certain fiduciaries under certain circumstances; establishing the priority to be used in determining the sources from which a certain elective share amount is payable; establishing the manner of payment of a certain elective share under certain circumstances; providing certain immunity for certain payors and other third parties who make certain payments or transfers before receiving notice of a certain election; establishing the effect of an election to take a certain elective share on the rights of the surviving spouse under a certain will and a certain revocable trust; requiring certain persons, on the payment of an elective share, to file with a certain register of wills a certain statement; requiring the register, on a certain request, to redact from the statement certain information; requiring the register, on receipt of a certain request, to certify

in a certain manner the accuracy of the calculation and payment of the elective share; requiring certain persons to deliver to the register certain information and documentation; prohibiting the register from disclosing certain information or documentation; authorizing the orphans' court, or the court exercising jurisdiction of the orphans' court in a county, to pass orders that may be necessary to determine the value or sources of payment of a certain elective share; authorizing the court, in a certain action, to modify, under certain circumstances, certain calculations or sources of payment of a certain elective share, consider the circumstances of certain transfers or arrangements, award certain attorney's fees, pass certain orders requiring certain individuals to provide certain information to the court, and transmit certain issues of fact to a certain circuit court; providing that a personal representative is entitled to certain reimbursement for certain commissions and attorney's fees in connection with an election to take an elective share; authorizing a court, with respect to a certain minor or disabled person, to authorize or direct an election to take an elective share without first appointing a guardian; altering certain provisions in certain statutory forms for a power of attorney relating to authority to elect to take an elective share in accordance with this Act; defining certain terms; making stylistic changes; providing for the application of this Act; providing for a delayed effective date; and generally relating to the elective share of a surviving spouse.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 2–102(a); the subtitle designation “Subtitle 2. Family Allowance; Dower and Curtesy” immediately preceding Section 3–201; and 7–603, 13–204(a), 17–202, and 17–203

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 3–201(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

BY repealing

Article – Estates and Trusts

Section 3–203 through 3–208

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

BY adding to

Article – Estates and Trusts

Section 3–401 through 3–413 to be under the new subtitle “Subtitle 4. Elective Share of Surviving Spouse”; and 14.5–606

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 395 – Senators Waldstreicher, Smith, and Washington

AN ACT concerning

Criminal Law – Decriminalization of Attempted Suicide

FOR the purpose of providing that attempted suicide is not a crime in the State; ~~prohibiting a certain act, in itself, from being the basis of a certain criminal charge;~~ providing for the construction of this Act; providing that the common law offense of attempted suicide is abrogated and repealed; and generally relating to attempted suicide.

BY adding to

Article – Criminal Law

Section 3–101.1 to be under the amended subtitle “Subtitle 1. Suicide”

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

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

Senate Bill 477 – Senator Kramer

AN ACT concerning

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

FOR the purpose of altering a subtraction modification under the Maryland income tax for certain law enforcement officers to include law enforcement officers who are members of the Maryland Transportation Authority Police and reside in a political subdivision with a certain crime rate; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for members of the Maryland Transportation Authority Police.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–207(cc)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

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

Senate Bill 676 – Senator West

AN ACT concerning

Criminal Procedure – Postconviction Review – State’s Motion to Vacate

FOR the purpose of authorizing a court to vacate a certain probation before judgment or judgment of conviction under certain circumstances; establishing the requirements for a certain motion; requiring the State to notify a certain defendant of the filing of a certain motion in a certain manner; authorizing the defendant to file a response to a certain motion within a certain time period; requiring that a certain victim or victim’s representative be notified of a certain hearing; providing that a victim or victim’s representative has the right to attend a certain hearing; requiring the court to hold a hearing on a certain motion under certain circumstances; authorizing the court to dismiss a certain motion without a hearing under certain circumstances; authorizing the court to take certain actions in ruling on a certain motion; requiring the court to state the reasons for a certain ruling in a certain manner; establishing that the State has the burden of proof in a certain proceeding; authorizing certain parties to take an appeal from a certain order; and generally relating to postconviction review.

BY adding to

Article – Criminal Procedure
Section ~~8-303~~ 8-301.1
Annotated Code of Maryland
(2018 Replacement Volume)

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

Senate Bill 737 – Senators Lee, Beidle, Elfreth, Feldman, Guzzone, Kramer, Patterson, and Peters

AN ACT concerning

Public Safety – Rifles and Shotguns – Transactions Sales, Rentals, Transfers, and Loans

FOR the purpose of providing that a person who is not a certain licensee may not complete the ~~transfer sale~~ transfer sale of a certain rifle or shotgun ~~in a certain role~~, except under certain circumstances; requiring, before a certain ~~transfer sale~~ transfer sale is conducted, the ~~transferor seller and transferee purchaser~~ transferor seller and transferee purchaser to meet jointly with a certain licensee and request that the licensee facilitate the ~~transfer sale~~ transfer sale; requiring a certain licensee to take certain actions when facilitating a certain ~~transfer sale~~ transfer sale; exempting a certain person from a certain background check under certain circumstances; authorizing a certain

~~transferor seller to remove a certain rifle or shotgun from certain premises under certain circumstances; prohibiting a certain licensee and transferor seller from completing a certain transfer sale if a certain background check has a certain result; authorizing a certain transferor seller to remove a certain rifle or shotgun from certain premises if a certain background check has a certain result; authorizing a certain licensee to charge a reasonable fee for facilitating a certain transfer sale; establishing certain penalties for violating this Act and for providing false information while conducting a transfer sale under this Act; excluding certain transfers sales from the scope of this Act; providing that a certain licensee or other person may not sell, rent, transfer, or loan a rifle or shotgun to a certain person under certain circumstances; prohibiting a licensee or any other person from selling, renting, or transferring a certain rifle or shotgun for a certain period of time following the execution of a federal firearms transaction record; requiring a person who sells, rents, or transfer a certain rifle or shotgun to forward a certain written notification of the transaction to the Secretary of State Police within a certain amount of time; requiring the Secretary to maintain a permanent record of all notifications received in the State; prohibiting a person from purchasing more than one certain rifle or shotgun in a 30-day period; providing for certain exceptions to the prohibition on purchasing more than one certain rifle or shotgun in a 30-day period; requiring a certain person who moves into the State to register certain rifles and shotguns with the Secretary within a certain period of time; requiring the Secretary to prepare and provide a certain application for registering rifles and shotguns; providing that certain registration data is not open to public inspection; prohibiting a certain person from selling, renting, or transferring a certain rifle or shotgun unless the person presents a long gun qualification license issued by the Secretary or certain credentials or identification; providing for certain exceptions to the requirement to present and possess a long gun qualification license under certain circumstances; establishing certain requirements and procedures for the issuance and renewal of a long gun qualification license; authorizing the Secretary to revoke a long gun qualification license under certain circumstances; requiring a certain person to return a long gun qualification license under certain circumstances; establishing certain requirements and procedures for the issuance of a replacement long gun qualification license under certain circumstances; authorizing the Secretary to adopt certain regulations; prohibiting a certain dealer or other person from knowingly participating in the illegal sale, rental, transfer, purchase, possession, or receipt of a certain rifle or shotgun under certain circumstances; establishing certain penalties; defining certain terms; and generally relating to rifles and shotguns.~~

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–201
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to
Article – Public Safety

Section 5–204.1 through ~~5–204.4, 5–207, and 5–208~~ and 5–207
Annotated Code of Maryland
(2018 Replacement Volume)

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

Senate Bill 754 – Senators Peters, Griffith, King, Rosapepe, and Zucker

SECOND PRINTING

AN ACT concerning

National Capital Strategic Economic Development Program – Established

FOR the purpose of establishing the National Capital Strategic Economic Development Program; providing for the administration and purpose of the Program; establishing the type of community enhancement projects eligible to receive Program funds; authorizing certain ~~housing authorities~~ government agencies, including housing authorities and certain community development organizations to apply to receive Program funds; requiring an eligible institution's application to contain certain information; providing that community enhancement projects may be located in more than one political subdivision; requiring the Department of Housing and Community Development to establish a certain quantitative system to evaluate each application; providing for the review of each application; requiring certain notification to certain political subdivisions before an application may be approved; requiring the Department and the recipient of Program funds to enter into a certain agreement; authorizing the Department to exercise certain powers necessary to implement the Program and determine certain terms and conditions of the financial assistance; requiring the recipient of financial assistance from the Program to submit a certain quarterly progress report; altering the purpose and use of the National Capital Strategic Economic Development Fund; requiring the Governor, in certain fiscal years, to include certain appropriations in the annual operating budget to the Fund; requiring the Governor, in certain fiscal years, to include certain appropriations in the annual operating or capital budget ~~bill~~ for the Fund; defining certain terms; and generally relating to the establishment of the National Capital Strategic Economic Development Program.

BY renumbering

Article – Housing and Community Development
Section 4–510
to be Section 6–710
Annotated Code of Maryland
(2006 Volume and 2018 Supplement)

BY adding to

Article – Housing and Community Development

Section 6–701 through 6–709 to be under the new subtitle “Subtitle 7. National Capital Strategic Economic Development Program”
Annotated Code of Maryland
(2006 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–710
Annotated Code of Maryland
(2006 Volume and 2018 Supplement)
(As enacted by Section 1 of this Act)

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

Senate Bill 766 – Senator Smith

AN ACT concerning

Public Schools – Student Discipline – Restorative Approaches

FOR the purpose of ~~requiring a school principal to exhaust certain procedures before suspending or expelling a student; authorizing a principal to suspend or expel a student before exhausting certain procedures under certain circumstances; requiring a principal or a school administrator to promptly call certain individuals if a student is suspended or expelled; requiring the State Board of Education to provide technical assistance and training to county boards of education regarding the use of restorative approaches under certain circumstances; requiring certain conferences regulations to incorporate the use of restorative approaches; requiring each county board of education to develop a multiyear plan for the adoption, implementation, and continued monitoring of restorative approaches to student discipline; providing for the contents of a certain plan;~~ requiring the State Board of Education to provide technical assistance and training to county boards of education regarding the use of restorative approaches under certain circumstances; requiring certain conferences regulations to incorporate the use of restorative approaches; requiring each county board of education to develop a multiyear plan for the adoption, implementation, and continued monitoring of restorative approaches to student discipline; providing for the contents of a certain plan; requiring certain regulations to state the purpose of certain disciplinary actions; requiring the State Department of Education to submit a certain annual report to the Governor and the General Assembly on or before a certain date; requiring a certain report to be disaggregated in a certain manner; defining ~~certain terms~~ a certain term; and generally relating to restorative approaches to student discipline.

BY repealing and reenacting, with amendments,
Article – Education
Section ~~7–305 and~~ 7–306
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

Senate Bill 804 – Senators Lee and Smith

AN ACT concerning

**Vehicle Laws – ~~Injury or Death of Vulnerable Individual – Penalties~~
Reckless Driving Contributing to an Accident – Required Court Appearance**

FOR the purpose of ~~prohibiting a person from causing the serious physical injury or death of a vulnerable individual as a result of the person operating a vehicle in a careless or distracted manner or in violation of certain provisions of the Maryland Vehicle Law; establishing certain penalties for a violation of this Act; establishing that a person charged with a violation of this Act must appear in court and may not prepay the fine; requiring the Motor Vehicle Administration to suspend for a certain amount of time the driver's license of a person convicted of a violation of this Act; defining the term "vulnerable individual" for purposes of this Act; and generally relating to penalties for causing the serious physical injury or death of a vulnerable individual requiring a person charged with reckless driving that contributes to an accident to appear in court and prohibiting the person from prepaying the fine; and generally relating to reckless driving that contributes to an accident.~~

~~BY repealing and reenacting, without amendments,
Article – Transportation
Section 11-101 and 11-145
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)~~

~~BY adding to
Article – Transportation
Section 21-901.3
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21-901.1
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

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

Senate Bill 969 – Senator Peters

AN ACT concerning

**Family Investment Program – ~~Transitional Assistance for Education Pilot Program~~
Program Work Activity Requirement – Authorized Activities and Report**

FOR the purpose of ~~establishing the Transitional Assistance for Education Pilot Program within the Family Investment Program in the Department of Human Services;~~

~~exempting the Pilot Program from a requirement that certain transitional assistance be paid to a certain third party payee; establishing the purpose of the Pilot Program; requiring the Department to establish the Pilot Program in certain counties; specifying certain eligibility requirements for participation in the Pilot Program; requiring the transitional assistance provided to a certain recipient under the Pilot Program to equal a certain benefit; authorizing a certain recipient to reapply for a certain benefit and requiring the benefit to be provided in a certain manner; expressing the intent of the General Assembly that any general funds appropriated for the Pilot Program shall supplement, and not supplant, funds otherwise appropriated for the Department; requiring the Department, in consultation with the University of Maryland School of Social Work, to collect and report certain information to certain committees of the General Assembly on or before a certain date each year; requiring the Secretary of Human Services to adopt certain regulations; defining a certain term; providing for the termination of this Act; and generally relating to the Transitional Assistance for Education Pilot Program~~
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 vocational education or education 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.

BY repealing and reenacting, without amendments,

Article – Human Services

Section ~~5-301(a), (b), (d), (e), and (g) and 5-312(f)(1)~~ (h)

Annotated Code of Maryland

(2007 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section ~~5-312(f)(2)~~ 5-308(a)

Annotated Code of Maryland

(2007 Volume and 2018 Supplement)

BY adding to

Article – Human Services

Section ~~5-312.1~~ 5-322

Annotated Code of Maryland

(2007 Volume and 2018 Supplement)

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

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 994** SPONSOR: **Delegate Mosby**SUBJECT: **Labor and Employment – Criminal Record
Screening Practices (Ban the Box)**THIRD READING CALENDAR HOUSE NO. **70** SENATE NO. **24**Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Finance Committee Amendments (HB0994/747070/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0994/703526/1) be adopted.

HB0994/703526/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 994

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “including” in line 12 down through “applicant” in line 14 and substitute “requiring an applicant for employment to disclose certain information regarding the criminal record of the applicant except under certain circumstances before the first in-person interview; providing that certain provisions of this Act do not prohibit an employer from making a certain inquiry or taking certain other action”.

AMENDMENT NO. 2

On page 4, in line 15, after “**(4)**” insert “THE MARKING OF A CHARGE “STET” ON THE DOCKET;

(5)”;

in line 16, strike “**(5)**” and substitute “**(6)**”; and strike beginning with the colon in line 19 down through “**(II)**” in line 21.

On page 5, in line 16, before “AN” insert “(A)”; in the same line, strike “AN” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN”; and strike beginning with “INCLUDE” in line 29 down through “APPLICANT” in line 32 and substitute “, AT ANY TIME BEFORE THE FIRST IN-PERSON INTERVIEW, REQUIRE AN APPLICANT TO DISCLOSE WHETHER THE APPLICANT HAS A CRIMINAL RECORD OR HAS HAD CRIMINAL ACCUSATIONS BROUGHT AGAINST THE APPLICANT.”

(B) AN EMPLOYER MAY REQUIRE AN APPLICANT TO DISCLOSE DURING THE FIRST IN-PERSON INTERVIEW WITH THE APPLICANT WHETHER THE APPLICANT HAS A CRIMINAL RECORD OR HAS HAD CRIMINAL ACCUSATIONS BROUGHT AGAINST THE APPLICANT”.

Senate Members:

Chair, **Malcolm Augustine**

Antonio Hayes

Joanne C. Benson

House Members:

Chair, **C. T. Wilson**

Brian M. Crosby

Courtney Watson

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 97 Negative – 40 (See Roll Call No. 1510)

The Bill was then sent to the Senate.

BILL NO.: **SB 839** SPONSOR: **Senator Carter**

SUBJECT: **Labor and Employment – Criminal Record
Screening Practices (Ban the Box)**

THIRD READING CALENDAR HOUSE NO. **30** SENATE NO. **59**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That the Economic Matters Committee Amendments (SB0839/613797/1) be rejected.
- (2) That the attached Conference Committee Amendments (SB0839/603823/1) be adopted.

SB0839/603823/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 839

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 14 down through “relief;” in line 18; and in line 20, strike “establishing a certain civil penalty;” 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 7, strike “3–1406” and substitute “3–1405”.

AMENDMENT NO. 2

On page 4, in line 24, before “**THIS**” insert “(A)”.

On page 5, in line 1, strike “**FEDERAL, STATE, OR LOCAL LAW**” and substitute “FEDERAL OR STATE LAW”; after line 4, 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.”;

in line 9, after “INTERVIEW” insert a comma; in line 19, after “**FIRST**” insert “IN-PERSON”; and strike in their entirety lines 23 through 32, inclusive.

On page 6, in line 1, strike “3-1405.”; in line 6, strike “3-1406.” and substitute “3-1405.”; and strike in their entirety lines 7 through 10, 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.”.

Senate Members:

House Members:

Chair, **Malcolm Augustine**

Chair, **C. T. Wilson**

Antonio Hayes

Brian M. Crosby

Joanne C. Benson

Courtney Watson

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 97 Negative – 42 (See Roll Call No. 1511)

The Bill was then returned to the Senate.

**CLERK'S OFFICE RECEIPTS AND MESSAGES TO THE
SECRETARY OF STATE FOR 2019 OVERRIDDEN VETOED BILLS**

(See Exhibit BB of Appendix II)

QUORUM CALL

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

(See Roll Call No. 1512)

ADJOURNMENT

At 12:05 P.M. on motion of Delegate Dumais the House adjourned until 4:30 P.M. on Legislative Day April 1, 2019, Calendar Day, Monday, April 8, 2019.

Annapolis, Maryland
Legislative Day: April 1, 2019
Calendar Day: Monday, April 8, 2019
4:30 P.M. Session

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

The House met at 4:48 P.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 132 Members present.

(See Roll Call No. 1514)

EXCUSED:

Del. Busch – deceased

Del. Impallaria – left early – illness

Del. Kittleman – illness

The Journal of April 8, 2019 was read and approved.

YEAS AND NAYS NO. 12
HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 48	Del. Grammer	eSports Act
HB 107	Chair, Environment and Transportation Committee	Real Property – Residential Property Foreclosure Procedures
HB 130	Del. R. Lewis	Maryland Transit Administration and Baltimore City Department of Transportation – Study of Dedicated Bus Lanes

NUMBER	SPONSOR	CONTENT
HB 161	Del. Mosby	Baltimore City – Tax Sales of Real Property – Water Liens (Water Taxpayer Protection Act of 2019)
HB 168	Chair, Judiciary Committee	Public Safety – Reporting of Hate Crimes
HB 169	Chair, Judiciary Committee	State Advisory Board for Juvenile Services – Duties and Access to Records
HB 180	Chair, Environment and Transportation Committee	Motor Vehicle Administration – Licenses and Identification Cards – Electronic Credentials
HB 222	Del. Holmes	Real Property – Residential Real Estate Transactions – Escrow Agents
HB 274	Del. Barron	Justice Reinvestment Act – Diminution Credits – Sentencing
HB 277	Del. Korman	Regional Inttv to Limit or Reduce Grnhs Gas Emissions in Trnsprtn Sector – Athrztm (Regional Trnsprtn and Climate Prtctn Act of 2019)
HB 307	Del. Pena–Melnyk	Maryland Lynching Truth and Reconciliation Commission
HB 387	Del. Hornberger	Income Tax – Subtraction Modification – Maryland Transportation Authority Police
HB 454	Del. Kipke	Sales and Use Tax – List of Tangible Personal Property and Services – Publication
HB 481	Del. Mosby	Criminal Law – Sale of a Minor – Felony
HB 515	Del. Hornberger	Municipalities – Municipal Infraction Proceedings – Designation of a Building Inspector or an Enforcement Officer to Testify

NUMBER	SPONSOR	CONTENT
HB 543	Del. Jones	Maryland Technology Development Corporation – Investments and Operations
HB 560	Del. Healey	Transportation – State Highway Administration – Traffic Calming Devices
HB 616	Montgomery County Delegation	Montgomery County – Department of Liquor Control – Renaming MC 2–19
HB 707	Del. Crutchfield	Drunk and Drugged Driving Offenses – Penalties
HB 742	Del. Dumais	Child Support – Extraordinary Medical Expenses
HB 790	Del. Queen	Equal Pay for Equal Work – Enforcement – Civil Penalties (Equal Pay Remedies and Enforcement Act)
HB 801	Del. Glenn	Maryland Stadium Authority – Baltimore Convention Facility – Renovation
HB 808	Del. Ghrist	Weed Control – Noxious Weeds – Regulations and Penalties
HB 843	Chair, Judiciary Committee	Department of Human Services – Child Abuse and Neglect – Disclosure of Information
HB 1045	Del. Lierman	Land Use – Comprehensive Plans – Housing Element
HB 1135	Del. Shoemaker	Carroll County – Gaming – Home Games – Bingo
HB 1140	Del. Chisholm	Wills – Execution of Wills – Witnesses and Wills Executed Outside the State
HB 1160	Del. Lierman	Public Health – Breathe Easy East Baltimore Pilot Program
HB 1233	Del. R. Lewis	Environment – Reduction of Lead Risk in Housing – Elevated Blood Lead Levels and Environmental Investigations (Md Healthy Children Act)

NUMBER	SPONSOR	CONTENT
HB 1255	Del. Fraser–Hidalgo	School Bus Transition – Zero–Emission Vehicles – Grant Program and Fund
HB 1268	Del. Hettleman	Public Safety – Rape Kit Testing Grant Fund – Established
HB 1350	Del. Clark	Property Tax Assessments – Conservation Property – Alteration of Definition
HB 1366	Del. Cain	Maryland Association of Environmental and Outdoor Education Grant (Maryland Green Schools Act of 2019)
HB 1388	Del. Crutchfield	Long–Term Care Insurance – Annual Notice
HB 1421	Chair, Health and Government Operations Committee	Maryland Health Benefit Exchange – Functions and Outreach

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

**YEAS AND NAYS NO. 13
HOUSE BILLS PASSED IN THE SENATE**

NUMBER	SPONSOR	CONTENT
HB 186	Prince George’s County Delegation	Prince George’s County – Alcoholic Beverages – Family Entertainment Permit PG 301–19
HB 189	Prince George’s County Delegation	Prince George’s County – Alcoholic Beverages – Class BLX Licenses PG 304–19

NUMBER	SPONSOR	CONTENT
HB 197	Wicomico County Delegation	Wicomico County – Alcoholic Beverages – Bed and Breakfast License
HB 198	Wicomico County Delegation	Wicomico County – Alcoholic Beverages – Basket of Cheer Permit
HB 287	Frederick County Delegation	Frederick County – Alcoholic Beverages – Promoter’s Permit
HB 288	Frederick County Delegation	Frederick County – Alcoholic Beverages Licenses – Sunday Sales
HB 289	Frederick County Delegation	Frederick County – Alcoholic Beverages – Cinema/Theater License
HB 290	Del. Otto	Somerset County – Alcoholic Beverages – Board of License Commissioners – Salaries
HB 291	Del. Otto	Somerset County – Alcoholic Beverages – Liquor Control Board Reserve Fund
HB 292	Del. Otto	Somerset County – Alcoholic Beverages Licenses – Proximity to Places of Worship, Schools, Public Libraries, or Youth Centers
HB 293	Frederick County Delegation	Frederick County – Alcoholic Beverages – Volunteer Fire Company or Volunteer Ambulance Company License
HB 297	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Sale of Chilled Beer and Chilled Wine MC 4–19
HB 312	Frederick County Delegation	Frederick County – Alcoholic Beverages – Multiple Licenses Allowed

NUMBER	SPONSOR	CONTENT
HB 314	Frederick County Delegation	Frederick County – Alcoholic Beverages License Applications – Repeal of Petition of Support – Notice
HB 334	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Community Performing Arts Facility Special Event Permit MC 30–19
HB 335	Montgomery County Delegation	Montgomery County – Alcoholic Beverages Licenses – Fee Refunds MC 28–19
HB 345	Montgomery County Delegation	Montgomery County – Damascus – Alcoholic Beverages Licenses MC 9–19
HB 353	Frederick County Delegation	Frederick County – Alcoholic Beverages – Theater Licenses – Seating Capacity
HB 374	Anne Arundel County Delegation	Anne Arundel County – Alcoholic Beverages – Racetrack and Racetrack Concessionaire Licenses
HB 445	Prince George’s County Delegation	Prince George’s County – Alcoholic Beverages – Class B–ECF/DS Beer, Wine, and Liquor License PG 306–19
HB 447	Frederick County Delegation	Frederick County – Alcoholic Beverages – Basket of Cheer
HB 459	Anne Arundel County Delegation	Anne Arundel County – Alcohol Awareness
HB 475	Queen Anne’s County Delegation	Queen Anne’s County – Alcohol Awareness Program

NUMBER	SPONSOR	CONTENT
HB 476	Queen Anne's County Delegation	Queen Anne's County – Alcoholic Beverages – Beauty Salon and Barbershop License
HB 572	Carroll County Delegation	Carroll County – Alcoholic Beverages – Class BC Beer, Wine, and Liquor License
HB 576	Carroll County Delegation	Carroll County – Alcoholic Beverages – Required Information on Application
HB 613	Carroll County Delegation	Carroll County – Alcoholic Beverages – Class D Beer and Wine Licenses
HB 723	Del. Beitzel	Garrett County – Alcoholic Beverages – Revisions
HB 866	Allegany County Delegation	Allegany County – Alcoholic Beverages – Licenses
HB 1077	Talbot County Delegation	Talbot County – Alcoholic Beverages – Election Days
HB 1095	Talbot County Delegation	Talbot County – Alcoholic Beverages – Substitute Member for Board of License Commissioners

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0787**
SPONSOR: Delegate Atterbeary, et al
SUBJECT: Crimes – Child Abuse and Neglect – Failure to Report

The Senate recesses from its position on HB0787.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

APPROPRIATIONS COMMITTEE REPORT NO. 23

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 177 – The Minority Leader (By Request – Administration) and
Senators Carozza, Bailey, Eckardt, Gallion, Hershey, Jennings, and West**

AN ACT concerning

Maryland Stadium Authority – Ocean City Convention Facility – Renovation

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:

Senate Bill 897 – Senator Ferguson

AN ACT concerning

**University of Maryland Joint Steering Council – Renaming ~~and~~ Duties, and
Funding**

SB0897/914163/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 897

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 7 and 9, in each instance, after “Council” insert “and the University of Maryland Baltimore County”.

AMENDMENT NO. 2

On page 3, after line 14, insert:

“(2) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET FOR THE UNIVERSITY OF MARYLAND BALTIMORE COUNTY, TO FURTHER ITS MISSION AS A RESEARCH UNIVERSITY AND TO COMPLEMENT THE ECONOMIC DEVELOPMENT AND RESEARCH ACTIVITIES OF THE MPOWERING JOINT STEERING COUNCIL, A GENERAL FUND APPROPRIATION IN THE FOLLOWING AMOUNTS:

(I) \$400,000 IN FISCAL YEAR 2021;

(II) \$800,000 IN FISCAL YEAR 2022;

(III) \$1,200,000 IN FISCAL YEAR 2023;

(IV) \$1,600,000 IN FISCAL YEAR 2024; AND

(V) \$2,000,000 IN FISCAL YEAR 2025 AND EACH YEAR THEREAFTER.”;

in line 15, strike “(2)” and substitute “(3)”; in the same line, strike “PARAGRAPH (1)” and substitute “PARAGRAPHS (1) AND (2)”; and in line 17, after “COUNCIL” insert “OR THE UNIVERSITY OF MARYLAND 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.

JUDICIARY COMMITTEE REPORT NO. 39

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

Senate Bill 1043 – Senator Hough

AN ACT concerning

Children in Need of Assistance – Qualified Residential Treatment Programs

(Family First Prevention Services Act)

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 21

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:

Senate Bill 477 – Senator Kramer

AN ACT concerning

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

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:

**Senate Bill 737 – Senators Lee, Beidle, Elfreth, Feldman, Guzzone, Kramer,
Patterson, and Peters**

AN ACT concerning

**Public Safety – Rifles and Shotguns – ~~Transactions~~ Sales, Rentals, Transfers,
and Loans**

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 and the Committee on Environment and Transportation:

Senate Bill 754 – Senators Peters, Griffith, King, Rosapepe, and Zucker

SECOND PRINTING

AN ACT concerning

National Capital Strategic Economic Development Program – Established

The Bill was re-referred to the Committee on Appropriations and 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 Economic Matters:

Senate Bill 949 – Senator Serafini

AN ACT concerning

Labor and Employment – Grant Program for Workforce Skills Assessment

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:

Senate Bill 969 – Senator Peters

AN ACT concerning

Family Investment Program – ~~Transitional Assistance for Education Pilot Program~~ Work Activity Requirement – Authorized Activities and Report

The Bill was re-referred to the Committee on Appropriations.

WAYS AND MEANS COMMITTEE REPORT NO. 34

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

House Bill 160 – Delegates Ebersole, Boteler, Buckel, Feldmark, Palakovich Carr, Patterson, C. Watson, Wilkins, and P. Young

AN ACT concerning

Property Tax Credits – Real Property Used for Robotics Programs

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:

Senate Bill 122 – Senator Guzzone

AN ACT concerning

Property Tax Credits – Real Property Used for Robotics Programs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 35

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

Senate Bill 364 – Senators Simonaire, Bailey, Carozza, Ellis, Gallion, Kagan, Lam, Patterson, and Young

AN ACT concerning

Election Law – Election Day Page Program – Establishment

SB0364/385763/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 364

(Third Reading File Bill)

On page 4, strike in their entirety lines 3 through 8, inclusive, and substitute “**BE AT LEAST 14 YEARS OLD;**”.

On page 5, in line 2, after the first “**OF**” insert “**THE**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 31

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

Senate Bill 917 – Senators Lam and Young

AN ACT concerning

Land Use – Comprehensive Plans – Housing Element

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0205
SPONSOR: President
SUBJECT: Judgeships – Circuit Court and District Court

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Ready, Chair
Senator Hester
Senator Hough

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0205
SPONSOR: President
SUBJECT: Judgeships – Circuit Court and District Court

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Ready, Chairman
Senator Hester
Senator Hough.

The House appoints:

Delegate Clippinger, Chair
Delegate Malone
Delegate Bartlett

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 159 – The Speaker (By Request)

AN ACT concerning

Judgeships – Circuit Court and District Court

Delegate Clippinger moved that the House not concur in the Senate amendments.

HB0159/508070/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 159

(Third Reading File Bill)

On page 3, in line 13, strike the brackets; and in the same line, strike “10”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0159**
SPONSOR: Speaker
SUBJECT: Judgeships – Circuit Court and District Court

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 Clippinger, Chair
Delegate Malone
Delegate Bartlett

Said Bill is returned herewith.

By Order,
Sylvia Siegert
Chief Clerk

Read and adopted.

ECONOMIC MATTERS COMMITTEE REPORT NO. 33

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

House Bill 1302 – Delegate Cardin

AN ACT concerning

Abandoned Property in Possession of a Museum

HB1302/223398/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1302
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after the second “to” insert “certain”; and in line 14, strike “on loan to the museum”.

AMENDMENT NO. 2

On page 2, in line 18, strike “ADDRESS”.

On page 3, in line 22, after “MUSEUM” insert “WITHIN 1 YEAR”.

On page 5, in line 4, after “(1)” insert “THIS SUBSECTION APPLIES ONLY TO PROPERTY THAT IS DOCUMENTED AS LOANED TO A MUSEUM ON OR AFTER OCTOBER 1, 2019.”

(2)”;

after line 7, insert:

“(3) AT THE TIME A MUSEUM TAKES POSSESSION OF ANY PROPERTY OBTAINED BY A PERMANENT LOAN OR A LOAN WITHOUT AN EFFECTIVE EXPIRATION DATE, THE MUSEUM SHALL DISCLOSE TO THE LENDER OR DESIGNATED AGENT OF THE LENDER THAT THE MUSEUM MAY TERMINATE THE LOAN AND OBTAIN CLEAR AND UNRESTRICTED TITLE TO THE PROPERTY IF THE LENDER FAILS TO RESPOND:

(I) WITHIN 60 DAYS TO NOTICE GIVEN BY CERTIFIED MAIL; OR

(II) WITHIN 30 DAYS TO NOTICE GIVEN BY PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION.”;

in lines 8 and 17, strike “(2)” and “(3)”, respectively, and substitute “(4)” and “(5)”, respectively; in line 9, strike “(1)” and substitute “(2)”; and in line 23, strike “7” and substitute “20”.

On page 6, in line 15, after “NOTICE” insert “IN ACCORDANCE WITH § 17-403 OF THIS SUBTITLE”; and in line 27, strike “A” and substitute “AN UNCONDITIONAL”.

On pages 6 and 7, strike in their entirety the lines beginning with line 33 on page 6 through line 6 on page 7, inclusive, and substitute:

“(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A MUSEUM MAY APPLY CONSERVATION MEASURES TO:

(1) PROPERTY ON LOAN TO THE MUSEUM WITHOUT RECEIVING THE LENDER’S PERMISSION OR GIVING THE LENDER FORMAL NOTICE, UNLESS THERE IS AN AGREEMENT OTHERWISE BETWEEN THE MUSEUM AND THE LENDER;

(2) UNDOCUMENTED PROPERTY; OR

(3) AN UNSOLICITED DONATION.

(B) A MUSEUM MAY APPLY CONSERVATION MEASURES TO PROPERTY SPECIFIED UNDER SUBSECTION (A) OF THIS SECTION ONLY IF:

(1) ACTION IS REQUIRED TO PROTECT THE PROPERTY FROM IRREPARABLE HARM; OR

(2) THE PROPERTY IS A HAZARD TO THE HEALTH AND SAFETY OF THE PUBLIC OR THE MUSEUM STAFF.”.

On page 7, in line 7, strike “(B)” and substitute “(C)”.

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:

Senate Bill 255 – Senators Hayes ~~and Miller~~, Miller, and West

AN ACT concerning

Abandoned Property in Possession of a Museum

SB0255/593899/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 255

(Third Reading File Bill)

On page 5, in line 5, after “**(1)**” insert “**THIS SUBSECTION APPLIES ONLY TO PROPERTY THAT IS DOCUMENTED AS LOANED TO A MUSEUM ON OR AFTER OCTOBER 1, 2019.**”

(2)”;

after line 8, insert:

“(3) AT THE TIME A MUSEUM TAKES POSSESSION OF ANY PROPERTY OBTAINED BY A PERMANENT LOAN OR A LOAN WITHOUT AN EFFECTIVE EXPIRATION DATE, THE MUSEUM SHALL DISCLOSE TO THE LENDER OR DESIGNATED AGENT OF THE LENDER THAT THE MUSEUM MAY TERMINATE THE LOAN AND OBTAIN CLEAR AND UNRESTRICTED TITLE TO THE PROPERTY IF THE LENDER FAILS TO RESPOND:

(I) WITHIN 60 DAYS TO NOTICE GIVEN BY CERTIFIED MAIL; OR

(II) WITHIN 30 DAYS TO NOTICE GIVEN BY PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION.”;

in lines 9 and 18, strike “**(2)**” and “**(3)**”, respectively, and substitute “**(4)**” and “**(5)**”, respectively; in line 10, strike “**(1)**” and substitute “**(2)**”; and in line 24, strike “**7**” and substitute “**20**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

ECONOMIC MATTERS COMMITTEE REPORT NO. 34

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

Senate Bill 309 – Senators Beidle, Elfreth, Reilly, and Rosapepe

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – ~~Racetrack License~~ and Racetrack Concessionaire Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1515)

CALENDAR OF THIRD READING HOUSE BILLS NO. 121

House Bill 1161 – Delegates Qi, Acevero, Bromwell, Brooks, Cain, Carey, Carr, Corderman, Crosby, D.E. Davis, Dumais, Fennell, Fraser-Hidalgo, Healey, Hill, Hornberger, Jalisi, Kelly, Kerr, Kittleman, Korman, R. Lewis, Lierman, Lopez, Luedtke, Palakovich Carr, Patterson, Queen, Reznik, Shetty, Shoemaker, Smith, Solomon, Stewart, Valderrama, Wilkins, and Wilson

AN ACT concerning

~~**Maryland Small Business Innovation Research and Technology Transfer Incentive Program**~~

Department of Commerce – Small Business Innovation Research and Technology Transfer – Study

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1516)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 72

Senate Bill 11 – Chair, Finance Committee (By Request – Departmental – Commerce)

AN ACT concerning

Distressed Counties – References and Definitions

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1517)

The Bill was then returned to the Senate.

Senate Bill 574 – Senator Feldman

AN ACT concerning

Maryland Small Business Innovation Research and Technology Transfer Incentive Program

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1518)

The Bill was then returned to the Senate.

Senate Bill 767 – Senator Smith

AN ACT concerning

Criminal Procedure – Sexual Assault Evidence Collection Kits – Analysis

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1519)

The Bill was then returned to the Senate.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 31

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 705 – Senators Feldman, Augustine, Guzzone, Peters, and Rosapepe

AN ACT concerning

Organ Donation – Prohibition on Discrimination by Insurer and Unpaid Leave

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 1001 SPONSOR: Delegate Lewis, J.

**SUBJECT: Correctional Services – Restrictive Housing –
Reporting by Correctional Units and Requirements
Relating to Minors**

THIRD READING CALENDAR HOUSE NO. 88 SENATE NO. 35

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That Amendment No. 1 of the attached Judicial Proceedings Committee Amendments (HB1001/288978/1) be adopted.
- (2) That Amendments Nos. 2 and 3 of the attached Judicial Proceedings Committee Amendments (HB1001/288978/1) be rejected.
- (3) That the attached Conference Committee Amendments (HB1001/213128/1) be adopted.

HB1001/288978/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1001

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 5 down through “Assembly” in line 6 and substitute “altering a certain reporting requirement”; strike beginning with “compile” in line 7 down through “Assembly” in line 8 and substitute “submit a certain report to the General Assembly in a certain manner”; in line 11, after “conditions” insert “,

subject to a certain exception”; and strike beginning with “authorizing” in line 12 down through “circumstances;” in line 13.

AMENDMENT NO. 2

On page 3, in line 15, after “shall” insert “make the information submitted in accordance with paragraph (1) of this subsection available on its [Web site] WEBSITE AND, WHEN THE INFORMATION HAS BEEN RECEIVED FROM EVERY CORRECTIONAL UNIT IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, PROMPTLY SUBMIT THE INFORMATION IN A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.”;

in the same line, strike the colon; strike in their entirety lines 16 through 20, inclusive; in line 28, strike “THERE IS” and substitute “THE MINOR POSES”; and in the same line, strike “AND” and substitute “OR”.

AMENDMENT NO. 3

On page 4, in line 16, strike “MAXIMIZED” and substitute “UNLESS IT WOULD POSE A RISK OF PHYSICAL HARM TO THE MINOR OR ANOTHER,”; and strike in their entirety lines 22 through 26, inclusive.

HB1001/213128/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1001

(Third Reading File Bill)

AMENDMENT NO. 1

In the Judicial Proceedings Committee Amendments (HB1001/288978/1), strike in their entirety Amendment Nos. 2 and 3.

AMENDMENT NO. 2

On page 3, in line 15, after “shall” insert “make the information submitted in accordance with paragraph (1) of this subsection available on its [Web site] WEBSITE AND, WHEN THE INFORMATION HAS BEEN RECEIVED FROM EVERY CORRECTIONAL UNIT IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, PROMPTLY SUBMIT THE INFORMATION IN A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.”;

in the same line, strike the colon; and strike in their entirety lines 16 through 20, inclusive.

On page 4, in line 16, before “MAXIMIZED” insert “UNLESS IT WOULD POSE A RISK OF PHYSICAL HARM TO THE MINOR OR ANOTHER,”; and strike in their entirety lines 22 through 26, inclusive.

Senate Members:

House Members:

Chair, **Michael J. Hough**

(not signed)

Mary Washington

(not signed)

Jeff Waldstreicher

Chair, **David Moon**

Debra Davis

Michael E. Malone

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 118 Negative – 18 (See Roll Call No. 1520)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB0104
SPONSOR: Washington County Senators
SUBJECT: Washington County – Alcoholic Beverages – Wineries – Special Event Permits

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Young, Chair
Senator Simonaire

Senator Ellis

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0104**
SPONSOR: Washington County Senators
SUBJECT: Washington County – Alcoholic Beverages – Wineries – Special
Event Permits

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Young, Chairman
Senator Simonaire
Senator Ellis.

The House appoints:

Delegate Bromwell, Chair
Delegate Branch
Delegate Miller

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB0567
SPONSOR: Senator Lee, et al
SUBJECT: Workgroup to Study Child Custody Court Proceedings Involving
Child Abuse or Domestic Violence Allegations

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Lee, Chair
Senator West
Senator Cassilly

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

Senate Bill 567 – ~~Senator Lee~~ Senators Lee, Zirkin, Smith, Carter, Cassilly, Hester, Hough, Ready, Waldstreicher, Washington, and West

AN ACT concerning

Workgroup to Study Child Custody Court ~~Decisions~~ Proceedings Involving Child Abuse or Domestic Violence Allegations

Delegate Clippinger moved that the House recede on its amendment.

SB0567/362914/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 567
(Third Reading File Bill)

On page 2, in line 23, strike “Department of Legislative Services” and substitute “Administrative Office of the Courts”.

House receded and the amendment was removed.

MESSAGE TO THE SENATE

BILL: **SB0567**
SPONSOR: Senator Lee, et al
SUBJECT: Workgroup to Study Child Custody Court Proceedings Involving
Child Abuse or Domestic Violence Allegations

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates recedes from its position on SB0567.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

House receded and the amendment was removed.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1521)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR NO. 23 HOUSE BILLS AMENDED IN THE SENATE

AMENDED IN THE SENATE

House Bill 118 – Delegates Washington, Wilkins, Acevero, Bagnall, Barron, Bridges, Cain, Charles, Fennell, W. Fisher, Fraser-Hidalgo, Hettleman, Ivey, Kaiser, Lehman, J. Lewis, Lierman, Luedtke, Mosby, Patterson, Pena-Melnyk, Sample-Hughes, Valderrama, ~~and Wells~~ Wells, and Solomon

AN ACT concerning

Higher Education – Senatorial and Delegate Scholarships – In-State Tuition

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0118/964537/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 118

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “tuition;” insert “making conforming changes;”; and in line 13, after “18–402” insert “, 18–406(a), (b), and (g), 18–406.1.”.

AMENDMENT NO. 2

On page 3, after line 13, insert:

“18–406.

(a) Except as otherwise provided in this section, each recipient of a senatorial scholarship may hold the scholarship for 4 undergraduate academic years, subject to § 18–406.1 of this subtitle, and 4 graduate academic years if the recipient:

(1) Is a full–time student;

(2) Continues to be [a resident of this State] ELIGIBLE FOR IN–STATE TUITION UNDER THIS ARTICLE; and

(3) Continues to be a student at the institution and takes at least 12 semester hours of courses as an undergraduate or 9 semester hours of courses as a graduate student each semester leading to a degree.

(b) A recipient of an undergraduate or graduate senatorial scholarship may hold the scholarship, appropriately prorated, for 8 academic years if the recipient:

(1) Is a part–time student;

(2) Continues to be [a resident of this State] ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE; and

(3) Continues to be a student at the institution and takes at least 6 semester hours of courses each semester leading to a degree.

(g) A recipient of a senatorial scholarship who is an individual who is on active duty with the United States military and otherwise meets the conditions of subsection (a) or (b) of this section may be domiciled in this State rather than [a resident of this State] ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE.

18-406.1.

A recipient may hold a scholarship for a fifth undergraduate academic year or for a semester subsequent to the end of a fourth undergraduate academic year if the recipient:

(1) Requests a scholarship from the Senator for a fifth undergraduate academic year or for a semester subsequent to the end of a fourth undergraduate academic year;

(2) Is a full-time student;

(3) Continues to be [a resident of the State] ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE;

(4) Continues to be a student at the institution and takes courses leading to a degree; and

(5) Has exhausted the funds available under § 18-406(a) of this subtitle.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 87 Negative – 49 (See Roll Call No. 1522)

AMENDED IN 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

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1404/789232/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1404
(Third Reading File Bill)

On page 1, after line 3, insert:

“(The John C. Merrill Act)”.

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 – 109 Negative – 28 (See Roll Call No. 1523)

AMENDED IN THE SENATE

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

Delegate Barve moved that the House concur in the Senate amendments.

HB0428/859436/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 428

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike “each” and substitute “certain”; and in the same line, strike “submission” and substitute “submissions”.

AMENDMENT NO. 2

On page 6, strike beginning with “**FOR**” in line 8 down through the first “**THE**” in line 9 and substitute “**THE**”; in line 10, strike “**OF AT LEAST \$5,000,000**”; and in line 11, after “**PROGRAM**” insert “**OF AT LEAST:**”

- 1. FOR FISCAL YEAR 2021, \$3,000,000;**
- 2. FOR FISCAL YEAR 2022, \$3,000,000; AND**
- 3. FOR FISCAL YEAR 2023, \$2,000,000”.**

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 116 Negative – 21 (See Roll Call No. 1524)

AMENDED IN THE SENATE

House Bill 77 – Delegates Moon, Acevero, Atterbeary, Barron, Charkoudian, Hettleman, Korman, Lierman, Luedtke, Stewart, Sydnor, and Wilkins

AN ACT concerning

Criminal Law – Decriminalization of Attempted Suicide

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0077/528971/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 77

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 3 down through “charge;” in line 4.

AMENDMENT NO. 2

On page 2, strike beginning with “**THE**” in line 1 down through “**(C)**” in line 4.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 104 Negative – 34 (See Roll Call No. 1525)

AMENDED IN THE SENATE

House Bill 1198 – Delegate Cox

AN ACT concerning

Human Trafficking – Required ~~Reporters~~ Posting

Delegate Clippinger moved that the House concur in the Senate amendments.

HB1198/548972/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1198

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 13 down through “locations;” in line 16.

On page 2, strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 25 on page 4 through line 7 on page 5, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1526)

AMENDED IN THE SENATE

House Bill 237 – Delegate Washington

AN ACT concerning

Election Law – Early Voting Centers – Hours of Operation

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0237/614133/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 237

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Hours of Operation” and substitute “Establishment”; in line 3, after “of” insert “authorizing all counties, rather than 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;”; strike beginning with “altering” in line 3 down through “elections;” in line 4; and in line 8, strike “10–301.1(d)” and substitute “10–301.1(b)”.

AMENDMENT NO. 2

On page 1, after line 14, insert:

“(b) (1) Each county shall have at least one early voting center established in the county as prescribed in this subsection.

(2) A county with fewer than 125,000 registered voters shall have one early voting center established in the county.

(3) A county with more than 125,000 registered voters but fewer than 200,000 registered voters shall have three early voting centers established in the county.

(4) A county with more than 200,000 registered voters but fewer than 300,000 registered voters shall have four early voting centers established in the county.

(5) A county with more than 300,000 registered voters but fewer than 450,000 registered voters shall have seven early voting centers established in the county.

(6) A county with more than 450,000 registered voters shall have eleven early voting centers.

(7) In addition to the early voting centers required in this subsection, each county [with fewer than 200,000 registered voters] may establish one additional early voting center if the State Board, in collaboration with the local board, and the governing body of the county agree to establish an additional early voting center.”.

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 4 on page 2, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 119 Negative – 18 (See Roll Call No. 1527)

AMENDED IN 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

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0482/119231/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 482

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Income Tax Credits – Endowments of Maryland Historically Black Colleges and Universities and Film Production Activity – Establishment and Alterations”; after line 17, insert “altering a certain definition to include certain entities incorporated in Maryland for at least a certain time period to be eligible for the film production activity tax credit;”; in line 18, strike “providing for the application and termination of this Act” and substitute “providing for the application of this Act; providing for the termination of certain provisions of this Act”; in line 19, strike “a”; in the same line, strike “credit” and substitute “credits”; and in line 20, after “funds” insert “and film production activity”.

On page 2, in line 2, strike the first “and” and substitute a comma; in the same line, after “(d)(6)” insert “, and 10-730(b)(1)”; and in line 7, after “10-204(l)” insert “and 10-730(a)(4)”.

AMENDMENT NO. 2

On page 4, after line 25, insert:

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

Article – Tax – General

10-730.

(a) (4) “Maryland small or independent film entity” means a qualified film production entity that:

- (i) has been incorporated in Maryland for at least [1 year] 3 MONTHS;
- (ii) is independently owned and operated;
- (iii) is not a subsidiary of another entity;
- (iv) is not dominant in its field of operation;
- (v) employs 25 or fewer full-time employees; and
- (vi) employs Maryland residents as at least 40% of its workforce in the film production activity.

(b) (1) A qualified film production entity may claim a credit against the State income tax for film production activities in the State in an amount equal to the amount stated in the final tax credit certificate approved by the Secretary for film production activities.”;

in line 26, strike “2.” and substitute “3.”; strike beginning with “but” in line 27 down through “It” in line 28 and substitute “. Section 1 of this Act”; and in line 29, after “2023.” insert “Section 1 of”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1528)

AMENDED IN THE SENATE

House Bill 564 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Gaming – Bingo Games

MC 1-19

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0564/579234/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 564

(Third Reading File Bill)

On page 1, in line 18, strike “**21**” and substitute “**55**”.

On page 2, in line 7, after “**INDIVIDUAL**” insert “**OR AN ORGANIZATION**”.

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 – 138 Negative – 0 (See Roll Call No. 1529)

AMENDED IN THE SENATE

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

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0725/984330/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 725

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “requiring the State Board of Education to provide technical assistance and training to county boards of education regarding the use of restorative approaches under certain circumstances;”; and in line 12, after “actions;” insert “requiring the State Department of Education to submit a certain annual report to the Governor and the General Assembly on or before a certain date; requiring a certain report to be disaggregated in a certain manner;”.

AMENDMENT NO. 2

On page 5, in line 31, strike “**PRIMARILY**” and substitute “**PREVENTIVE AND**”; and in the same line, strike “**AND PREVENTIVE**”.

On page 6, in line 23, strike the second “and”; after line 23, insert:

“(2) ON REQUEST, PROVIDE TECHNICAL ASSISTANCE AND TRAINING TO COUNTY BOARDS REGARDING THE USE OF RESTORATIVE APPROACHES; AND”;

and in line 24, strike “(2)” and substitute “**(3)**”.

AMENDMENT NO. 3

On page 7, in line 26, after “(1)” insert “**ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, A STUDENT DISCIPLINE DATA REPORT THAT INCLUDES A DESCRIPTION OF THE USES OF RESTORATIVE APPROACHES IN THE STATE AND A REVIEW OF DISCIPLINARY PRACTICES AND POLICIES IN THE STATE.**”

(2);

in line 29, strike “and”; and in the same line, after “proficiency” insert “**, AND TYPE OF DISCIPLINE**”.

On page 8, in line 2, strike “(2)” and substitute “**(3)**”; and strike beginning with “paragraph” in line 2 down through “of” in line 3.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 132 Negative – 5 (See Roll Call No. 1530)

**CONCURRENCE CALENDAR NO. 24
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 99 – Delegate Dumais

AN ACT concerning

Estates and Trusts – Elective Share of Surviving Spouse

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0099/758573/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 99
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 25, after “Act;” insert “providing for a delated effective date;”.

AMENDMENT NO. 2

On page 52, in line 20, strike “2019” and substitute “2020”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1531)

AMENDED IN THE SENATE

House Bill 814 – Delegates Pena–Melnik, 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)**

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0814/877971/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 814

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Maryland” in line 2 down through “2019” in line 3 and substitute “Maryland Easy Enrollment Health Insurance Program”; in lines 4 and 12, in each instance, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”; and in lines 5 and 11, in each instance, strike “Option” and substitute “Program”.

On page 2, in lines 13 and 16, in each instance, strike “check-off” and substitute “checkoff”.

On page 3, in line 22, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”.

AMENDMENT NO. 2

On page 9, in line 9, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”; and in lines 13 and 14, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”.

On page 10, strike in their entirety lines 3 and 4; in line 5, strike “(H)” and substitute “(G)”; in lines 7 and 9, strike “(I)” and “(J)”, respectively, and substitute “(H)” and “(I)”, respectively; and after line 22, insert:

“(J) “PROGRAM” MEANS THE MARYLAND EASY ENROLLMENT HEALTH INSURANCE PROGRAM ESTABLISHED UNDER § 31-202 OF THIS SUBTITLE.”.

On page 11, in line 9, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”; and in line 10, strike “**OPTION**” and substitute “**PROGRAM**”.

On page 12 in lines 2, 11, 20, and 24 and on page 13 in line 15, in each instance, strike “**OPTION**” and substitute “**PROGRAM**”.

On page 12, in lines 22 and 23, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”.

On page 15, in line 20, strike “**CHECK-OFF**” and substitute “**CHECKOFF**”.

On page 16, in line 13, strike “**(D)**” and substitute “**(C)**”.

On page 20, in lines 30 and 33, in each instance, strike “**OPTION**” and substitute “**PROGRAM**”.

AMENDMENT NO. 3

On page 22, strike in their entirety lines 9 and 10; in line 11, strike “**(9)**” and substitute “**(8)**”; after line 12, insert:

“(9) “PROGRAM” MEANS THE MARYLAND EASY ENROLLMENT HEALTH INSURANCE PROGRAM ESTABLISHED UNDER § 31-202 OF THE INSURANCE ARTICLE.”;

and in line 16, strike “**THIS TITLE**” and substitute “**THE INSURANCE ARTICLE**”.

On page 23, in lines 3, 6, and 16, in each instance, strike “**CHECK-OFF**” and substitute “**CHECKOFF**”.

On page 24, in line 1, strike “CHECK-OFF” and substitute “CHECKOFF”; and in lines 4, 15, 24, and 29, in each instance, strike “CHECK-OFF” and substitute “CHECKOFF”.

AMENDMENT NO. 4

On page 39, in lines 20 and 21, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”; and in line 28, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 123 Negative – 15 (See Roll Call No. 1532)

QUORUM CALL

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

(See Roll Call No. 1533)

CALENDAR OF THIRD READING SENATE BILLS NO. 70

Senate Bill 516 – Senators Feldman, Beidle, Benson, Carter, Elfreth, Ellis, Ferguson, Griffith, Guzzone, Hester, Kagan, Kelley, King, Kramer, Lam, Lee, Nathan-Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker

AN ACT concerning

Clean Energy Jobs

FLOOR COMMITTEE AMENDMENT

SB0516/673692/2

BY: Chair, Economic Matters Committee

AMENDMENT TO SENATE BILL 516, AS AMENDED

On page 4 of the Economic Matters Committee Amendments (SB0516/843998/2), strike beginning with “AT” in line 11 of Amendment No. 3 down through the second “OF”

in line 12 and substitute “BEST EFFORTS AND EFFECTIVE OUTREACH TO OBTAIN, AS A GOAL,”; in line 14, after “PRACTICABLE” insert “, AS SUPPORTED BY A DISPARITY STUDY”; and in line 16, after “FOR” insert “BEST EFFORTS AND EFFECTIVE OUTREACH TO OBTAIN, AS A GOAL,”; and in line 17, strike “AT LEAST 25%”.

On page 5 of the Economic Matters Committee Amendments, in line 9 of Amendment No. 3, strike “REQUIREMENTS” and substitute “GOALS”; and in line 20, strike “REQUIREMENT” and substitute “GOAL”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0516/763921/1

BY: Delegate Cox

AMENDMENTS TO SENATE BILL 516, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2 of the bill, in line 41, after “program;” insert “removing certain types of energy from the definition of “Tier 1 renewable source” after a certain date;”.

On page 3 of the bill, in line 38, after “(n),” insert “and (r)(8) through (12).”.

On page 1 of the Economic Matters Committee Amendments (SB0516/843998/2), in line 15 of Amendment No. 1, strike “and” and substitute a comma; and in line 17, strike “7-704(a)(4)” and substitute “7-704(a)(2) and (4)”.

AMENDMENT NO. 2

On page 4 of the Economic Matters Committee Amendments, in line 3 of Amendment No. 3, before “(s)” insert:

“(r) “Tier 1 renewable source” means one or more of the following types of energy sources:

(8) a small hydroelectric power plant of less than [30] 60 megawatts in capacity that is licensed or exempt from licensing by the Federal Energy Regulatory Commission;”.

On page 39 of the bill, after line 4, insert:

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

Article – Public Utilities

7-701.

(r) “Tier 1 renewable source” means one or more of the following types of energy sources:

(9) poultry litter-to-energy; AND

(10) [waste-to-energy;

(11) refuse-derived fuel; and

(12)] thermal energy from a thermal biomass system.

7-704.

(a) (2) (i) Energy from a Tier 1 renewable source under § 7-701(r)(1), (5), OR (9)[, (10), or (11)] of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard only if the source is connected with the electric distribution grid serving Maryland.

(ii) If the owner of a solar generating system in this State chooses to sell solar renewable energy credits from that system, the owner must first offer the credits for sale to an electricity supplier or electric company that shall apply them toward compliance with the renewable energy portfolio standard under § 7-703 of this subtitle.”.

On page 6 of the Economic Matters Committee Amendments, in line 8 of Amendment No. 4, strike “2.” and substitute “3.”.

On page 40 of the bill, in line 28, strike “3.” and substitute “4.”; and in line 30, strike “4.” and substitute “5.”.

On page 41 of the bill, after line 3, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall apply to all renewable energy portfolio standard compliance years beginning after December 31, 2019.”.

On page 8 of the Economic Matters Committee Amendments, in line 1 of Amendment No. 4, strike “5.” and substitute “7.”.

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

Affirmative – 40 Negative – 93 (See Roll Call No. 1534)

FLOOR AMENDMENT

SB0516/883823/1

BY: Delegate Adams

AMENDMENT TO SENATE BILL 516

(Third Reading File Bill)

On page 17, in lines 6, 10, 14, 18, and 22, in each instance, strike “AND”; and in lines 8, 12, 16, 20, and 24, in each instance, after the semicolon insert “AND

(III) 2.5% FROM TIER 2 RENEWABLE SOURCES;”.

On page 18, in lines 5, 10, 15, and 21, in each instance, strike “AND”; and in lines 3, 8, 13, and 18, in each instance, after the semicolon insert “AND

(III) 2.5% FROM TIER 2 RENEWABLE SOURCES;”;

and in line 24, after “PROJECTS” insert “; AND

(III) 2.5% FROM TIER 2 RENEWABLE SOURCES”.

On page 19, strike beginning with “through” in line 10 through “**2020**” in line 11.

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

Affirmative – 38 Negative – 86 (See Roll Call No. 1535)

FLOOR AMENDMENT

SB0516/733129/1

BY: Delegate Adams

AMENDMENTS TO SENATE BILL 516

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “establishing that an offshore wind energy activity is an ultrahazardous and abnormally dangerous activity; establishing that a person that causes a spill of oil or gas while engaged in an offshore wind energy activity is strictly liable for certain damages; voiding as against public policy a provision of any contract or agreement that attempts or purports to waive certain rights or reduce certain liability for injury, death, or loss to person or property caused by an oil or gas spill as a result of an offshore wind energy activity; establishing that certain provisions concerning a certain bond do not apply to a judgment in a civil action for damages relating to an offshore wind energy activity;”; and on page 3, after line 5, insert:

“BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–2101 through 3–2104 to be under the amended subtitle “Subtitle 21.
Offshore Drilling and Wind Energy Liability Act”

Annotated Code of Maryland

(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 12–301.1(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 4, after line 32, insert:

“Article – Courts and Judicial Proceedings

Subtitle 21. Offshore Drilling AND WIND ENERGY Liability Act.

3–2101.

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

(b) (1) “Gas” means any natural gas or other fluid hydrocarbons that are produced from a natural reservoir.

(2) “Gas” includes:

(i) Carbon dioxide; and

(ii) Hydrogen sulfide.

(c) “Offshore drilling activity” means:

(1) The exploration, development, or production of oil or gas in, on, or under the federal outer continental shelf waters; and

(2) Transporting oil or gas by pipeline, ship, or otherwise from a specific site of exploration, development, or production of oil or gas on the federal outer continental shelf.

(D) “OFFSHORE WIND ENERGY ACTIVITY” MEANS ANY ACTIVITY RELATED TO THE GENERATION OF OFFSHORE WIND ENERGY, AS DEFINED IN § 7–701 OF THE PUBLIC UTILITIES ARTICLE.

[(d)] (E) “Oil” means oil of any kind or in any form, including petroleum, petroleum by-products, fuel oil, sludge, crude oil, oil refuse, and oil mixed with wastes.

3–2102.

(a) [An offshore] OFFSHORE drilling [activity is an] ACTIVITIES AND OFFSHORE WIND ENERGY ACTIVITIES ARE ultrahazardous and abnormally dangerous [activity] ACTIVITIES.

(b) A person that causes a spill of oil or gas while engaged in an offshore drilling activity OR AN OFFSHORE WIND ENERGY ACTIVITY is strictly liable for damages for any injury, death, or loss to person or property that is caused by the spill.

3-2103.

A provision in any contract or agreement that attempts or purports to waive the right to bring an action under this subtitle or reduce any liability for injury, death, or loss to person or property that is caused by a spill of oil or gas as a result of an offshore drilling activity OR AN OFFSHORE WIND ENERGY ACTIVITY is void as against public policy.

3-2104.

This subtitle may be cited as the Offshore Drilling AND WIND ENERGY Liability Act.

12-301.1.

(a) (1) This section does not apply to a judgment in an action for damages under § 3-2102 of this article.

(2) Except as provided in subsection (d) of this section and notwithstanding any other law or court rule, in a civil action the amount of the supersedeas bond necessary to obtain a stay of enforcement of a judgment granting any type of relief during the entire course of all appeals or discretionary reviews may not exceed the lesser of \$100,000,000 or the amount of the judgment for each appellant, regardless of the amount of the judgment appealed.”.

Delegate Gilchrist moved the previous question.

The motion was adopted.

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

Affirmative – 36 Negative – 93 (See Roll Call No. 1536)

FLOOR AMENDMENT

SB0516/653828/1

BY: Delegate Mautz

AMENDMENT TO SENATE BILL 516

(Third Reading File Bill)

On page 14, in line 7, strike “and”; and in line 9, after “resources” insert “;AND”

(5) SITE IN-STATE SOLAR ENERGY PROJECTS IN AREAS WITH LOW POTENTIAL FOR CONFLICT WITH NATURAL AND AGRICULTURAL RESOURCES, INCLUDING:

(I) ON DEGRADED LANDS, INCLUDING BROWNFIELDS, CLOSED LANDFILLS, SUPERFUND SITES, RESOURCE RECOVERY AND CONSERVATION ACT (RCRA) LANDS, AND CLOSED MINES;

(II) ON DEGRADED OR UNPRODUCTIVE FARMLAND;

(III) IN RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL AREAS, INCLUDING ON ROOFTOPS;

(IV) ON EXISTING PUBLIC UTILITY RIGHTS-OF-WAY; AND

(V) AT PUBLICLY OWNED INSTITUTIONS”.

Delegate Gilchrist moved the previous question.

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

Affirmative – 91 Negative – 39 (See Roll Call No. 1537)

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

Affirmative – 43 Negative – 90 (See Roll Call No. 1538)

FLOOR AMENDMENT

SB0516/143628/1

BY: Delegate Miller

AMENDMENT TO SENATE BILL 516

(Third Reading File Bill)

On page 28, in lines 6, 7, 8, 9, 10, 11, 12, 20, 21, 22, 23, 24, and 25, strike “3”, “2.75”, “2.5”, “2.475”, “2.45”, “2.25”, “2.235”, “10”, “10”, “8”, “6”, “4.5”, and “4”, respectively, and substitute “1.5”, “1.375”, “1.25”, “1.23”, “1.225”, “1.125”, “1.117”, “5”, “5”, “4”, “3”, “2.25”, and “2”, respectively.

On page 29, in lines 1, 2, 3, 4, and 5, strike “3.5”, “3”, “2.5”, “2.25”, and “2.235”, respectively, and substitute “1.75”, “1.5”, “1.25”, “1.12”, and “1.119”, respectively.

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

Affirmative – 40 Negative – 93 (See Roll Call No. 1539)

FLOOR AMENDMENT

SB0516/383328/1

BY: Delegate Miller

AMENDMENTS TO SENATE BILL 516

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 27, after “obligations;” insert “requiring the Commission to report each year to the General Assembly certain information regarding the sale, purchase, or other transfer of renewable energy credits in the State;”.

On page 3, in line 40, after “(e),” insert “7-708.”.

AMENDMENT NO. 2

On page 30, after line 38, insert:

“7-708.

(a) (1) The Commission shall establish and maintain a market-based renewable electricity trading system to facilitate the creation and transfer of renewable energy credits.

(2) To the extent practicable, the trading system shall be consistent with and operate in conjunction with the trading system developed by PJM Interconnection, Inc., if available.

(3) The Commission may contract with a for-profit or a nonprofit entity to assist in the administration of the electricity trading system required under paragraph (1) of this subsection.

(b) (1) The system shall include a registry of pertinent information regarding all:

(i) available renewable energy credits; and

(ii) renewable energy credit transactions among electricity suppliers in the State, including:

1. the creation and application of renewable energy credits;

2. the number of renewable energy credits sold or transferred; and

3. the price paid for the sale or transfer of renewable energy credits.

(2) (i) The registry shall provide current information to electricity suppliers and the public on the status of renewable energy credits created, sold, or transferred in the State.

(ii) Registry information shall be available by computer network access through the Internet.

(C) ON OR BEFORE DECEMBER 31 EACH YEAR, THE COMMISSION SHALL PROVIDE TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, A REPORT CONTAINING THE NAMES OF PERSONS WHO HAVE BOUGHT, SOLD, OR OTHERWISE TRANSFERRED OR OBTAINED RENEWABLE ENERGY CREDITS IN THE STATE.”

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

SB0516/423625/1

BY: Delegate Wivell

AMENDMENTS TO SENATE BILL 516

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “altering” in line 22 down through “years;” in line 26 and substitute “repealing certain provisions relating to the imposition of certain compliance fees;”.

On page 3, in line 39, before the first comma insert “and (e)”; and in lines 39 and 40, strike “7-705(b) and (e)” and substitute “7-705(e), 7-706”.

On page 4, after line 7, insert:

“BY repealing

Article – Public Utilities

Section 7-705(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 19, after line 12, insert:

“(e) (1) In this subsection, “customer” means:

(i) an industrial electric customer that is not on standard offer service; or

(ii) a renewable on-site generator.

(2) This subsection does not apply to offshore wind renewable energy credits.

(3) (i) A customer may independently acquire renewable energy credits to satisfy the standards applicable to the customer’s load, including credits created by a renewable on–site generator.

(ii) Credits that a customer transfers to its electricity supplier to meet the standard and that the electricity supplier relies on in submitting its compliance report may not be resold or retransferred by the customer or by the electricity supplier.

(4) A renewable on–site generator may retain or transfer at its sole option any credits created by the renewable on–site generator, including credits for the portion of its on–site generation from a Tier 1 renewable source or a Tier 2 renewable source that displaces the purchase of electricity by the renewable on–site generator from the grid.

(5) [A customer that satisfies the standard applicable to the customer’s load under this subsection may not be required to contribute to a compliance fee recovered under § 7–706 of this subtitle.

(6) The Commission shall adopt regulations governing the application and transfer of credits under this subsection consistent with federal law.”.

On pages 27 through 29, strike in their entirety the lines beginning with line 26 on page 27 through line 26 on page 29, inclusive.

On page 30, after line 38, insert:

“7–706.

(a) [(1) Except as provided in [paragraph (2) of this subsection] **SUBSECTION (B) OF THIS SECTION**, in accordance with the obligation to provide standard offer service through the bid process created under § 7–510 of this title, the Commission shall allow an electricity supplier to recover actual dollar–for–dollar costs incurred[, including a compliance fee under § 7–705 of this subtitle.] in complying with a State–mandated renewable energy portfolio standard.

[(2) (B) In accordance with the Phase II settlement agreement approved by the Commission in Order No. 78710 in Case No. 8908 on September 30, 2003, for any full–service agreement executed before the renewable energy standard under this subtitle applies to an electric company, the electric company and its wholesale electricity suppliers may pass through their commercially reasonable additional costs, if any, associated with

complying with the standard, through the end of the year of standard offer service in which the requirement took effect.

[(b) An electricity supplier may recover a compliance fee if:

(1) the payment of a compliance fee is the least-cost measure to customers as compared to the purchase of Tier 1 renewable sources to comply with a renewable energy portfolio standard;

(2) there are insufficient Tier 1 renewable sources available for the electricity supplier to comply with a renewable energy portfolio standard; or

(3) a wholesale electricity supplier defaults or otherwise fails to deliver renewable energy credits under a supply contract approved by the Commission.

(c) Any cost recovery under this section:

(1) for all electricity suppliers, may be in the form of a generation surcharge payable by all current electricity supply customers, except as otherwise provided in § 7-704(e) of this subtitle;

(2) shall be disclosed to customers in a manner to be determined by the Commission; and

(3) may not include the costs for a power purchase contract under the federal Public Utility Regulatory Policy Act contemplated in rates or restructuring proceedings.

(d) (1) In accordance with regulations adopted by the Commission in consultation with the Department of Commerce, the Commission may waive the recovery of all or part of the compliance fee assessed on the load of a particular industrial or nonretail commercial customer for a particular year, based on a demonstration by the applicant of an extreme economic hardship that significantly impairs the continued operation of the applicant.

(2) Any compliance fee recovery that is waived under this subsection may not be assessed against other customers.

(3) An electricity supplier is not liable for any compliance fee that is waived under this subsection.]”.

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

Affirmative – 40 Negative – 91 (See Roll Call No. 1540)

FLOOR AMENDMENT

SB0516/553422/1

BY: Delegate M. Fisher

AMENDMENTS TO SENATE BILL 516

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after “report;” insert “prohibiting a person from clear-cutting an area of a certain size to make room for a commercial solar photovoltaic system;”.

On page 3, in line 5, after “to” insert “renewable energy;” and in the same line, after “standard” insert a comma.

On page 4, in line 5, after “Section” insert “7-207.3 and”.

AMENDMENT NO. 2

On page 11, after line 27, insert:

“7-207.3.

(A) IN THIS SECTION, “CLEAR-CUT” MEANS THE UNIFORM FELLING OF TREES IN A GIVEN AREA.

(B) A PERSON MAY NOT CLEAR-CUT AN AREA EQUAL TO OR LARGER THAN ONE-HALF ACRE TO MAKE ROOM FOR A COMMERCIAL SOLAR PHOTOVOLTAIC SYSTEM.”.

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

Affirmative – 42 Negative – 90 (See Roll Call No. 1541)

FLOOR AMENDMENT

SB0516/883727/1

BY: Delegate M. Fisher

AMENDMENTS TO SENATE BILL 516
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 41, after “program;” insert “requiring a certain person to provide to adjacent property owners certain appraisals on receipt of the Commission’s approval for certain construction;”.

On page 4, in line 5, after “Section” insert “7-207(h) and”.

AMENDMENT NO. 2

On page 11, after line 27, insert:

“7-207.

(H) ON RECEIPT OF THE COMMISSION’S APPROVAL FOR CONSTRUCTION UNDER § 7-207.1 OF THIS SUBTITLE, THE APPLICANT SHALL PROVIDE TO ADJACENT PROPERTY OWNERS APPRAISALS CONCERNING THE IMPACT OF THE CONSTRUCTION ON THE ADJACENT PROPERTY OWNER’S PROPERTY.”

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

Affirmative – 40 Negative – 92 (See Roll Call No. 1542)

FLOOR AMENDMENT

SB0516/793129/1

BY: Delegate Arentz

AMENDMENTS TO SENATE BILL 516
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after “report;” insert “providing that a certain solar photovoltaic generating facility may be owned only by a person that is incorporated in the State or whose principal place of business is located in the State under certain circumstances; providing that a certain photovoltaic generating facility shall, to the extent practicable, hire Maryland residents;”.

On page 4, in line 5, after “Section” insert “7-216 and”.

AMENDMENT NO. 2

On page 10, after line 24, insert:

“(F) A PROGRAM THAT RECEIVES A GRANT FROM THE ACCOUNT SHALL PROVIDE JOBS TRAINING SOLELY FOR MARYLAND RESIDENTS.”;

and on page 11, after line 27, insert:

“7-216.

(A) THIS SECTION APPLIES ONLY TO A SOLAR PHOTOVOLTAIC GENERATING FACILITY:

(1) FOR WHICH A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER § 7-207 OF THIS SUBTITLE HAS BEEN OBTAINED, OR APPROVAL FOR CONSTRUCTION UNDER § 7-201.1 OF THIS SUBTITLE HAS BEEN GRANTED ON OR AFTER OCTOBER 1, 2019; AND

(2) THAT:

(I) HAS THE CAPACITY TO PRODUCE MORE THAN 2 MEGAWATTS OF ELECTRICITY; AND

(II) IS DESIGNED TO PRODUCE ELECTRICITY FOR SALE ON THE WHOLESALE MARKET.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PHOTOVOLTAIC GENERATING FACILITY MAY BE OWNED ONLY BY A PERSON:

(1) THAT IS INCORPORATED IN THE STATE; OR

(2) WHOSE PRINCIPAL PLACE OF BUSINESS IS LOCATED IN THE STATE.

(C) A PHOTOVOLTAIC GENERATING FACILITY IN THE STATE SHALL, TO THE EXTENT PRACTICABLE, HIRE MARYLAND RESIDENTS.”.

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

Affirmative – 41 Negative – 94 (See Roll Call No. 1543)

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

Affirmative – 95 Negative – 41 (See Roll Call No. 1544)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0768**
SPONSOR: Delegate Pena–Melnyk, et al
SUBJECT: Health – Prescription Drug Affordability Board

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Cullison, Chairman
Delegate Pena–Melnyk
Delegate Kipke.

The Senate appoints:

Senator Feldman, Chair
Senator Klausmeier
Senator Reilly

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 22

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 192 – Senators Kelley, Augustine, Beidle, Carter, Eckardt, Ellis, Feldman, Ferguson, Griffith, Hayes, Jennings, Lam, Lee, McCray, Nathan-Pulliam, Patterson, Peters, Pinsky, Reilly, Rosapepe, Smith, Waldstreicher, Washington, Young, and Zucker

AN ACT concerning

Estates and Trusts – Elective Share of Surviving Spouse

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 Judiciary:

Senate Bill 676 – Senator West

AN ACT concerning

Criminal Procedure – Postconviction Review – State’s Motion to Vacate

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:

Senate Bill 1011 – Senator Peters

AN ACT concerning

**Prince George’s County – Public School Construction – Prince George’s County
~~Alternative Financing~~ Public-Private Partnership Fund**

The Bill was re-referred to the Committee on Appropriations.

SPECIAL ORDERS

Senate Bill 255 – Senators Hayes ~~and Miller~~, Miller, and West

AN ACT concerning

Abandoned Property in Possession of a Museum

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

FLOOR AMENDMENT

SB0255/453626/1

BY: Delegate Wilson

AMENDMENT TO SENATE BILL 255, AS AMENDED

In the Economic Matters Committee Amendment (SB0255/593899/1), in line 11, strike the colon and substitute “WITHIN 60 DAYS TO NOTICE GIVEN BY CERTIFIED MAIL OR PUBLICATION”; and strike beginning with “**(I)**” in line 12 down through “CIRCULATION” in line 15.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Bromwell moved to put **Senate Bill 255** on Third Reading on the same day in compliance with the Constitution.

The motion was adopted.

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 255** was placed on Third Reading.

Senate Bill 255 – Senators Hayes ~~and Miller~~, Miller, and West

AN ACT concerning

Abandoned Property in Possession of a Museum

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1545)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 1546)

CALENDAR OF THIRD READING SENATE BILLS NO. 71

Senate Bill 101 – Senator Zirkin

AN ACT concerning

Civil Actions – Prelitigation Discovery of Insurance Coverage

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

Affirmative – 94 Negative – 43 (See Roll Call No. 1547)

The Bill was then returned to the Senate.

Senate Bill 236 – Senators Carter and Smith

AN ACT concerning

Jury Service – Qualification Criteria – Criminal Conviction or Charge

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

Affirmative – 95 Negative – 43 (See Roll Call No. 1548)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 58

Senate Bill 43 – Senator McCray

AN ACT concerning

Baltimore City – ~~At-Will Supervisory~~ Members of the Command Staff of the Police Department – Residency Requirements

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 125 Negative – 11 (See Roll Call No. 1549)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 48

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

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

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

The motion was adopted.

**CONCURRENCE CALENDAR NO. 25
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 549 – Delegates Miller, Lisanti, Healey, Krebs, R. Lewis, and Mautz, ~~and Miller,~~

AN ACT concerning

Alcoholic Beverages – Class 1 Distillery License – On-Site Consumption Permit

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0549/284534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 549

(Third Reading File Bill)

On page 1, in line 4, after “and” insert “certain”; and strike beginning with “allowing” in line 6 down through “holder;” in line 9.

On page 3, in lines 6 and 25, in each instance, after “**OTHER**” insert “NONALCOHOLIC”.

On pages 3 and 4, strike in their entirety the lines beginning with line 26 on page 3 through line 2 on page 4, inclusive.

On page 4, in line 3, strike “**(IV)**” and substitute “**(II)**”.

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 – 138 Negative – 0 (See Roll Call No. 1550)

AMENDED IN THE SENATE**House Bill 1003 – Delegates Valderrama, D.E. Davis, and Lisanti**

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB1003/667274/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1003

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, strike “providing for the application of this Act;”; and in line 25, after “terms;” insert “providing for a delayed effective date; providing for the application of this Act;”.

AMENDMENT NO. 2

On page 4, in line 1, strike “**(4)**” and substitute “**(5)**”; after line 14, insert:

“~~[(3)]~~ **(4)** If an owner of a replacement vehicle provides coverage as provided under paragraph [(2)] (3) of this subsection, the agreement for the replacement vehicle to be signed by the renter or the individual to whom the vehicle is loaned shall contain a provision on the face of the agreement, in at least 10 point bold type, that informs the individual that the coverage on the vehicle being serviced or repaired is primary coverage for the replacement vehicle and the coverage maintained by the owner on the replacement vehicle is secondary.”;

and in line 15, strike “**(4)**” and substitute “**(5)**”.

On page 8, in line 36, strike “**§ 17-104(E)(4)**” and substitute “**§ 17-104(E)(5)**”.

On page 9, after line 4, insert:

“~~[(iii)]~~ **(IV)** If an owner of a replacement vehicle provides coverage as provided under subparagraph [(ii)] (III) of this paragraph, the agreement for the replacement vehicle to be signed by the renter or the individual to whom the vehicle is loaned shall contain a provision on the face of the agreement, in at least 10 point bold type, that informs the individual that the coverage on the vehicle being serviced or repaired is primary coverage for the replacement vehicle and the coverage maintained by the owner on the replacement vehicle is secondary.”.

On page 12, in line 15, strike “October 1, 2019” and substitute “January 1, 2020, and shall apply to all claims arising in the State on or after January 1, 2020”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 403** SPONSOR: **Delegate Ebersole**

**SUBJECT: Income Tax Credit – Qualified Farms – Food
Donation Pilot Program – Expansion and Extension**

THIRD READING CALENDAR HOUSE NO. 44 SENATE NO. 36

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Budget and Taxation Committee Amendments (HB0403/949933/1) be rejected.

(2) That the attached Conference Committee Amendment (HB0403/563629/1) be adopted.

HB0403/563629/1

BY: Conference Committee

AMENDMENT TO HOUSE BILL 403

(Third Reading File Bill)

On page 1, in line 6, strike “Baltimore County” and substitute “the State rather than certain counties”.

On page 2, strike beginning with “Anne” in line 8 down through the third “County” in line 10, and substitute “THE STATE”.

Senate Members:

House Members:

Chair, **Cory V. McCray**

Chair, **Jay Walker**

Douglas J. J. Peters

Teresa E. Reilly

George C. Edwards

Nick Mosby

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1552)

The Bill was then sent to the Senate.

BILL NO.: HB 301 SPONSOR: Delegate Wilkins

**SUBJECT: Vehicle Laws – Race-Based Traffic Stops – Policy
and Reporting Requirements**

THIRD READING CALENDAR HOUSE NO. 85 SENATE NO. 34

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendments (HB0301/448576/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0301/613826/1) be adopted.

HB0301/613826/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “stops;” insert “repealing a certain reporting requirement of the Maryland Statistical Analysis Center on certain traffic stop data and requiring the Maryland Statistical Analysis Center on or before a certain date each year to place on its website in a certain manner a filterable data display showing certain traffic stop data; requiring the Governor’s Office of Crime Control and Prevention to provide certain notice to the General Assembly when the filterable data display is updated;”.

AMENDMENT NO. 2

On page 5, in line 18, after “(2)” insert “**(I)**”; in the same line, strike “The” and substitute “**ON OR BEFORE SEPTEMBER 1 EACH YEAR, THE**”; strike beginning with “submit” in line 18 down through “year” in line 21 and substitute “**POST ON ITS WEBSITE IN A LOCATION THAT IS EASILY ACCESSIBLE TO THE PUBLIC A FILTERABLE DATA DISPLAY SHOWING ALL DATA COLLECTED UNDER THIS SECTION FOR THE PREVIOUS CALENDAR YEAR**”; and after line 21, insert:

“(II) A FILTERABLE DATA DISPLAY UNDER THIS PARAGRAPH SHALL ALLOW A PERSON TO:

1. FILTER THE TRAFFIC STOP DATA BY COUNTY OR MUNICIPALITY OR LAW ENFORCEMENT AGENCY; AND

2. REVIEW VARIOUS VISUALS ASSOCIATED WITH DATA ITEMS REPORTED UNDER SUBSECTION (D) OF THIS SECTION.

(III) BEGINNING WITH DATA COLLECTED FOR CALENDAR YEAR 2018, THE MARYLAND STATISTICAL ANALYSIS CENTER SHALL INCLUDE AND MAINTAIN DATA FROM ALL PRIOR YEARS IN THE FILTERABLE DATA DISPLAY.

(IV) WHEN THE MARYLAND STATISTICAL ANALYSIS CENTER UPDATES A FILTERABLE DATA DISPLAY UNDER THIS SECTION, THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION SHALL PROVIDE ELECTRONIC AND WRITTEN NOTICE OF THE UPDATE TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.”.

AMENDMENT NO. 3

On page 6, in line 23, strike “October” and substitute “July”.

Senate Members:

House Members:

Chair, **Jill P. Carter**

Chair, **David Fraser-Hidalgo**

Mary Washington

Sara Love

Chris West

Tony Bridges

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 1553)

The Bill was then sent to the Senate.

BILL NO.: **SB 774** SPONSOR: **Senator Smith**

SUBJECT: Correctional Services – Restrictive Housing – Reporting by Correctional Units and Requirements Relating to Minors

THIRD READING CALENDAR HOUSE NO. **48** SENATE NO. **54**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That Amendment Nos. 1 and 3 of the attached House Judiciary Committee Amendments (SB0774/562013/1) be rejected.

(2) That Amendment No. 2 of the attached House Judiciary Committee Amendments (SB0774/562013/1) be adopted.

(3) That the attached Conference Committee Amendments (SB0774/163229/1) be adopted.

SB0774/562013/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 774

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “circumstances;” insert “authorizing a certain aggrieved minor to take certain actions under certain circumstances;”.

AMENDMENT NO. 2

On page 3, in line 24, strike “**THE MINOR POSES**” and substitute “**THERE IS**”; and in the same line, strike “**OR**” and substitute “**AND**”.

AMENDMENT NO. 3

On page 4, in line 11, after “**ANOTHER,**” insert “**MAXIMIZED**”; and after line 16, 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.”

SB0774/163229/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 774, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

In the House Judiciary Committee Amendments (SB0774/562013/1), strike in their entirety Amendment Nos. 1 and 3.

AMENDMENT NO. 2

On page 4, in line 11, after “**ANOTHER,**” insert “**MAXIMIZED**”.

Senate Members:

House Members:

Chair, **Michael J. Hough**

Chair, **David Moon**

(not signed)

Mary Washington

Debra Davis

(not signed)

Jeff Waldstreicher

Michael E. Malone

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 121 Negative – 17 (See Roll Call No. 1554)

The Bill was then returned to the Senate.

BILL NO.: **SB 346** SPONSOR: **Senator Ferguson**

**SUBJECT: Public Safety – Regulated Firearms – Sell, Rent,
Transfer, or Loan**

THIRD READING CALENDAR HOUSE NO. **29** SENATE NO. **46**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendments (SB0346/652811/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0346/243726/1) be adopted.

SB0346/243726/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 346

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sell, Rent, Transfer, or Loan” and substitute “Prohibition of Loans”; strike beginning with “providing” in line 5 down through “harm;” in line 9 and substitute “prohibiting a certain dealer or other person from loaning a regulated firearm to a certain borrower under certain circumstances; prohibiting a certain dealer or other person from selling, renting, loaning, or transferring 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; creating a certain exception to a certain prohibition on selling, renting, loaning, or transferring a regulated firearm to a person under a certain age;” in

line 10, strike “recipient of a loan” and substitute “borrower”; in line 11, after “course;” insert “making certain conforming changes;”; and in line 14, strike “5–134” and substitute “5–134(b) and (c)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 29, inclusive, and substitute:

“(b) A dealer or other person may not sell, rent, **LOAN**, or transfer a regulated firearm to a purchaser, lessee, **BORROWER**, or transferee who the dealer or other person knows or has reasonable cause to believe:

(1) is under the age of 21 years, **UNLESS THE REGULATED FIREARM IS LOANED TO A BORROWER WHO MAY POSSESS THE REGULATED FIREARM UNDER § 5–133(D) OF THIS SUBTITLE;**

(2) has been convicted of a disqualifying crime;

(3) has been convicted of a conspiracy to commit a felony;

(4) has been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;

(5) is a fugitive from justice;

(6) is a habitual drunkard;

(7) is addicted to a controlled dangerous substance or is a habitual user;

(8) suffers from a mental disorder as defined in § 10–101(i)(2) of the Health – General Article, and has a history of violent behavior against the purchaser, lessee, **BORROWER**, or transferee or another, unless the purchaser, lessee, **BORROWER**, or transferee possesses a physician’s certificate that the recipient is capable of possessing a regulated firearm without undue danger to the purchaser, lessee, **BORROWER**, or transferee or to another;

(9) has been confined for more than 30 consecutive days to a facility as defined in § 10–101 of the Health – General Article, unless the purchaser, lessee, **BORROWER**, or transferee possess a physician’s certificate that the recipient is capable of

possessing a regulated firearm without undue danger to the purchaser, lessee, BORROWER, or transferee or to another:".

On page 4, in line 15, strike the brackets; in the same line, strike “(D)”; and in line 27, strike “RECIPIENT OF A LOAN” and substitute “BORROWER”.

On pages 4 and 5, strike in their entirety the lines beginning with line 28 on page 4 through line 9 on page 5, inclusive.

Senate Members:

House Members:

Chair, **Michael J. Hough**

Chair, **Luke Clippinger**

Jill P. Carter

Vanessa E. Atterbeary

Jeff Waldstreicher

Charles E. Sydnor, III

Conference Committee Report read and adopted.

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

The motion was adopted.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 51**

Senate Bill 459 – Senator Waldstreicher

AN ACT concerning

**Medical Records – Compulsory Process Requests – Advisory Protocol and
Voluntary Training Webinar**

FOR the purpose of requiring, on or before a certain date, the Office of the Attorney General to develop a certain advisory protocol and voluntary training ~~program;~~ webinar; requiring and authorizing the Office to consult certain entities in developing the advisory protocol and voluntary training ~~program;~~ webinar; requiring the Office to post a certain advisory protocol and voluntary training webinar on its website on or before a certain date; requiring the Office to track the traffic on a certain website to the extent practicable beginning on a certain date; encouraging certain health occupations boards to disseminate, to the extent practicable, a certain advisory

protocol and voluntary training webinar; requiring the Office, in consultation with 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 an advisory protocol and voluntary training webinar on the disclosure of medical records in response to compulsory process.

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

Senate Bill 642 – Senators Klausmeier, Beidle, Benson, Carozza, Eckardt, Hayes, and Smith

AN ACT concerning

Task Force to Study Transportation Access

FOR the purpose of establishing the Task Force to Study Transportation Access; stating the purpose of the Task Force; providing for the composition, chair, and staffing of the Task Force; authorizing the Task Force to establish subcommittees; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its interim and final findings and recommendations to the Governor and the General Assembly on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to the Task Force to Study Transportation Access.

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

Senate Bill 978 – Senator Serafini

AN ACT concerning

Real Property – Agricultural Land Preservation Easements – Separate Parcels

FOR the purpose of extending the termination date for certain provisions of law establishing that, unless a certain deed expressly provides otherwise, the grant of a certain agricultural land preservation easement governing two or more separate parcels of land owned by the same grantor under separate deeds or two or more parcels separately identified and described in the same deed does not consolidate the parcels for any other purpose under certain circumstances; extending the termination date for certain provisions of law establishing that a certain parcel of land subject to an agricultural land preservation easement may be conveyed separately to a certain child of a certain grantor with certain approval of the Maryland Agricultural Land Preservation Foundation, but shall remain subject to the easement in perpetuity; extending the termination date for a certain provision of law requiring the Foundation to apply certain acreage requirements for agricultural subdivision as a part of its review of a certain request for a certain agricultural

subdivision and a certain corrective easement; and generally relating to agricultural land preservation easements.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–513.2
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 2–118(f)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Chapter 662 of the Acts of the General Assembly of 2017
Section 3

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

ECONOMIC MATTERS COMMITTEE REPORT NO. 35

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

Senate Bill 227 – Senator Kelley

AN ACT concerning

Insurance – Principle–Based Reserves

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 247 – Senator Jennings

AN ACT concerning

Rental and Replacement Vehicles – Age–Based Service Determinations – Prohibition

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 436 – Senators Klausmeier, Beidle, Feldman, and Hershey

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

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 573 – Senator Feldman

AN ACT concerning

Energy Storage Pilot Project Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

**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

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

FLOOR COMMITTEE AMENDMENT

SB0165/125165/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 165

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 9 down through “circumstances;” in line 10; in line 11, strike “not subject to” and substitute “subject to the protections from disclosure under”; and in line 12, after “Act” insert “except in certain circumstances”.

AMENDMENT NO. 2

On page 3, strike beginning with the colon in line 20 down through “NOT” in line 23 and substitute “IS”; and in line 23, after “TO” insert “THE PROTECTIONS FROM”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 269 SPONSOR: Senator Hester

**SUBJECT: Comprehensive Flood Management Grant
Program – Awards for Flood Damage and Funding**

THIRD READING CALENDAR HOUSE NO. 59 SENATE NO. 56

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Environment and Transportation Committee Amendments (SB0269/840518/1) be adopted.

(2) That the attached Conference Committee Amendments (SB0269/163523/1) be adopted.

SB0269/840518/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 269

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “and” insert “Mandatory”; and in line 13, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 3, in line 6, strike “**DEBRIS REMOVAL**” and substitute “**WATERSHED RESTORATION**”.

On page 5, after line 3, 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 GRANT 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 GRANT PROGRAM.”;

in lines 4 and 14, strike “(II)” and “(III)”, respectively, and substitute “(III)” and “(IV)”, respectively; in line 7, strike “**DEBRIS REMOVAL**” and substitute “**WATERSHED RESTORATION**”; in lines 9 and 10, strike “**DEBRIS REMOVAL**” and substitute “**WATERSHED MANAGEMENT**”; in line 28, strike “**FOR EACH FISCAL YEAR**” and substitute “**FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER**”; in the same line, strike “MAY” and substitute “SHALL”; and in line 29, after “**APPROPRIATION**” insert “**OF AT LEAST \$5,000,000**”.

SB0269/163523/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 269, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 14, strike “each” and substitute “certain”; in line 15 of the bill, strike “submission” and substitute “submissions”; in line 17, after “to” insert “a”; and in the same line, strike “provisions” and substitute “provision”.

AMENDMENT NO. 2

On page 1 of the Environment and Transportation Committee Amendments (SB0269/840518/1), in lines 8 and 11 of Amendment No. 2, in each instance, strike “GRANT”.

AMENDMENT NO. 3

On page 1 of the Environment and Transportation Committee Amendments, in line 16 of Amendment No. 2, after “YEAR” insert “, THE”.

On page 2 of the Environment and Transportation Committee Amendments, in line 1 of Amendment No. 2, strike “FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER” and substitute “THE”.

On page 2 of the Environment and Transportation Committee Amendments, in line 3 of Amendment No. 2, strike “APPROPRIATION”; and in the same line, strike “OF AT LEAST \$5,000,000”.

AMENDMENT NO. 4

On page 5 of the bill, in line 30, after “PROGRAM” insert “OF AT LEAST:”

- 1. FOR FISCAL YEAR 2021, \$3,000,000;**
- 2. FOR FISCAL YEAR 2022, \$3,000,000; AND**
- 3. FOR FISCAL YEAR 2023, \$2,000,000”.**

Senate Members:

House Members:

Chair, **Douglas J. J. Peters**

Chair, **Stephen W. Lafferty**

Melony Griffith

Andrew Cassilly

Adelaide C. Eckardt

Tawanna P. Gaines

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 107 Negative – 24 (See Roll Call No. 1555)

The Bill was then returned to the Senate.

BILL NO.: **SB 417** SPONSOR: **Senator Carter**

**SUBJECT: Vehicle Laws – Race-Based Traffic Stops – Policy
and Reporting Requirements**

THIRD READING CALENDAR HOUSE NO. **58** SENATE NO. **60**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Environment and Transportation Committee Amendments (SB0417/760113/1) be adopted.

(2) That the attached Conference Committee Amendments (SB0417/553227/1) be adopted.

SB0417/760113/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 417

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “altering” and substitute “repealing”; and strike beginning with “requiring” in line 11 down through “agency;” in line 13.

AMENDMENT NO. 2

On page 5, in line 18, strike “, **DISAGGREGATED BY JURISDICTION AND LAW ENFORCEMENT AGENCY,**”.

AMENDMENT NO. 3

On page 6, strike beginning with “It” in line 19 down through “effect.” in line 21.

SB0417/553227/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 417

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “stops;” insert “repealing a certain reporting requirement of the Maryland Statistical Analysis Center on certain traffic stop data and requiring the Maryland Statistical Analysis Center on or before a certain date each year to place on its website in a certain manner a filterable data display showing certain traffic stop data; requiring the Governor’s Office of Crime Control and Prevention to provide certain notice to the General Assembly when the filterable data display is updated;”.

AMENDMENT NO. 2

On page 5, in line 17, strike “The” and substitute “**(I) ON OR BEFORE SEPTEMBER 1 EACH YEAR, THE**”; strike beginning with “submit” in line 17 down through “year” in line 20 and substitute “**POST ON ITS WEBSITE IN A LOCATION THAT IS EASILY ACCESSIBLE TO THE PUBLIC A FILTERABLE DATA DISPLAY SHOWING ALL DATA COLLECTED UNDER THIS SECTION FOR THE PREVIOUS CALENDAR YEAR**”; and after line 20, insert:

“(II) A FILTERABLE DATA DISPLAY UNDER THIS PARAGRAPH SHALL ALLOW A PERSON TO:

1. FILTER THE TRAFFIC STOP DATA BY COUNTY OR MUNICIPALITY OR LAW ENFORCEMENT AGENCY; AND

2. REVIEW VARIOUS VISUALS ASSOCIATED WITH DATA ITEMS REPORTED UNDER SUBSECTION (D) OF THIS SECTION.

(III) BEGINNING WITH DATA COLLECTED FOR CALENDAR YEAR 2018, THE MARYLAND STATISTICAL ANALYSIS CENTER SHALL INCLUDE AND MAINTAIN DATA FROM ALL PRIOR YEARS IN THE FILTERABLE DATA DISPLAY.

(IV) WHEN THE MARYLAND STATISTICAL ANALYSIS CENTER UPDATES A FILTERABLE DATA DISPLAY UNDER THIS SECTION, THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION SHALL PROVIDE ELECTRONIC AND WRITTEN NOTICE OF THE UPDATE TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.”.

AMENDMENT NO. 3

On page 6, in line 23, strike “October” and substitute “July”.

Senate Members:

House Members:

Chair, **Jill P. Carter**

Chair, **David Fraser-Hidalgo**

Mary Washington

Sara Love

Chris West

Tony Bridges

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 1556)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

April 8, 2019

By the Majority Leader:
Ladies and Gentlemen of the Senate:

We propose with your concurrence a Joint Session of the General Assembly at 11:30 p.m. on April 8, 2019 for the purpose of honoring Speaker Michael E. Busch.

We have appointed Delegates Branch and Szeliga to escort your Honorable Body to the House Chamber for this Joint Session.

By Order, Sylvia Siegert, Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 1557)

ADJOURNMENT

At 7:40 P.M. on motion of Delegate Dumais the House adjourned until 9:00 P.M. on Legislative Day April 2, 2019, Calendar Day, Monday, April 8, 2019.

Annapolis, Maryland
Legislative Day: April 2, 2019
Calendar Day: Monday, April 8, 2019
9:00 P.M. Session

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM PRESIDING

The House met at 9:11 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Samuel I. Rosenberg of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 1558)

EXCUSED:

Del. Busch – deceased
Del. D.E. Davis – late – illness
Del. Impallaria – illness
Del. Kittleman – illness

The Journal of April 8, 2019 was read and approved.

YEAS AND NAYS NO. 14
HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 22	Del. Sydnor	Occupational Licenses or Certificates – Application Determinations – Use of Criminal History
HB 173	Chair, Ways and Means Committee	Economic Development – Job Creation Tax Credit – Sunset Extension
HB 187	Prince George’s County Delegation	Prince George’s County – Speed Monitoring Systems – Maryland Route 210 (Indian Head Highway) PG 305–19

NUMBER	SPONSOR	CONTENT
HB 215	Del. Jackson	Public Information Act – 9–1–1 Communications – Denial of Part of a Public Record
HB 365	Del. Bagnall	State Grants and Contracts – Reimbursement of Nonprofit Indirect Costs – Application
HB 425	Del. Sydnor	Civil Actions – Unfair, Abusive, or Deceptive Trade Practices by Mortgage Servicer – Statute of Limitations
HB 440	Del. Harrison	Pathways in Technology Early College High (P–TECH) Expansion Act of 2019
HB 539	Del. Cassilly	Environment – Reuse of Water Diverted From Septic Systems
HB 552	Del. Malone	Interception of Oral Communication – Law Enforcement Officer
HB 659	Del. Shetty	Juvenile Law – Continued Detention – Minimum Age
HB 770	Anne Arundel County Delegation	Anne Arundel County – Alcoholic Beverages Licenses – Multiple License Interests
HB 787	Del. Atterbeary	Crimes – Child Abuse and Neglect – Failure to Report
HB 1136	Del. Pippy	Task Force to Study the Frederick County Public School System’s Elementary School Social–Emotional Learning Pilot Program
HB 1155	Prince George’s County Delegation	Prince George’s County – Illegal Disposal of Bulky Items – Penalties PG 418–19
HB 1274	Del. Rosenberg	Opioid Restitution Fund
HB 1306	Howard County Delegation	Howard County – Howard County Housing Commission – Subsidiary Entities Ho. Co. 26–19

NUMBER	SPONSOR	CONTENT
HB 1343 (Emerg)	Del. Atterbeary	Public Safety – Handgun Permit Review Board – Repeal
HB 1362	Prince George’s County Delegation	Prince George’s County Environmental Justice Commission – Alterations and Extension PG 421–19
HB 1390	Del. Smith	Baltimore City – Property Tax Credit – Low–Income Employees
HB 1409	Howard County Delegation	Howard County – School Facilities Surcharge – Rates Ho. Co. 03–19
HB 1410	Del. Beitzel	Upper Potomac River Commission – Pension Plans
HB 1411	Del. Smith	CASH Campaign of Maryland Grant
HB 1420	Chair, Health and Government Operations Committee	Maryland Department of Health – Services for Individuals With Developmental Disabilities – Fee–for–Service Payment Pilot Program
HJ 9	Del. Cain	Freedom of the Press Day

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

SPECIAL ORDERS

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

STATUS OF BILL: BILL ON THIRD READING AND FINAL PASSAGE. CONFERENCE COMMITTEE REPORT ADOPTED.

Delegate Clippinger 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 136 Members present.

(See Roll Call No. 1559)

CALENDAR OF THIRD READING SENATE BILLS NO. 77

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

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

Affirmative – 106 Negative – 29 (See Roll Call No. 1560)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 73

Senate Bill 122 – Senator Guzzone

AN ACT concerning

Property Tax Credits – Real Property Used for Robotics Programs

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1561)

The Bill was then returned to the Senate.

Senate Bill 177 – The Minority Leader (By Request – Administration) and Senators Carozza, Bailey, Eckardt, Gallion, Hershey, Jennings, and West

AN ACT concerning

Maryland Stadium Authority – Ocean City Convention Facility – Renovation

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1562)

The Bill was then returned to the Senate.

Senate Bill 309 – Senators Beidle, Elfreth, Reilly, and Rosapepe

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – ~~Racetrack License~~ and Racetrack Concessionaire Licenses

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1563)

The Bill was then returned to the Senate.

Senate Bill 705 – Senators Feldman, Augustine, Guzzone, Peters, and Rosapepe

AN ACT concerning

Organ Donation – Prohibition on Discrimination by Insurer and Unpaid Leave

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

Affirmative – 133 Negative – 1 (See Roll Call No. 1564)

The Bill was then returned to the Senate.

Senate Bill 917 – Senators Lam and Young

AN ACT concerning

Land Use – Comprehensive Plans – Housing Element

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

Affirmative – 96 Negative – 40 (See Roll Call No. 1565)

The Bill was then returned to the Senate.

Senate Bill 1043 – Senator Hough

AN ACT concerning

**Children in Need of Assistance – Qualified Residential Treatment Programs
(Family First Prevention Services Act)**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1566)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 122

**House Bill 136 – Delegates Hill, Bartlett, Ebersole, Hettleman, Lafferty, R. Lewis,
~~and Moon~~ Moon, and Terrasa**

AN ACT concerning

**Department of General Services – Energy–Conserving and Bird–Safe Building
Standards
(Maryland Sustainable Buildings Act of 2019)**

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

Affirmative – 93 Negative – 40 (See Roll Call No. 1567)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 123

**House Bill 160 – Delegates Ebersole, Boteler, Buckel, Feldmark, Palakovich Carr,
Patterson, C. Watson, Wilkins, and P. Young**

AN ACT concerning

Property Tax Credits – Real Property Used for Robotics Programs

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1568)

The Bill was then sent to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 330** SPONSOR: **Senator Smith**

SUBJECT: **Public Buildings – Diaper–Changing Facilities**

THIRD READING CALENDAR HOUSE NO. **33** SENATE NO. **50**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Health and Government Operations Committee Amendments (SB0330/666282/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0330/973328/1) be adopted.

SB0330/973328/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 330

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 13 down through “Act;” in line 14.

AMENDMENT NO. 2

On page 3, in line 4, strike “**\$10,000**” and substitute “**\$30,000**”.

Senate Members:

House Members:

Chair, **Jeff Waldstreicher**

Chair, **Terri L. Hill**

Katie Fry Hester

Nick Charles

(not signed)

Mary Washington

Brian Chisholm

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 117 Negative – 17 (See Roll Call No. 1569)

The Bill was then returned to the Senate.

BILL NO.: **SB 460** SPONSOR: **Senator Waldstreicher**

SUBJECT: **Pedestrian Safety Fund Act of 2019**

THIRD READING CALENDAR HOUSE NO. 15 SENATE NO. 46

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Environment and Transportation Committee Amendments (SB0460/540811/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0460/943329/1) be adopted.

SB0460/943329/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 460

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “establishing the minimum” and substitute “increasing the maximum”.

AMENDMENT NO. 2

On page 3, in line 18, strike “**OF NOT LESS THAN \$150 AND**”; and in line 19, strike “\$500” and substitute “**\$1,000**”.

AMENDMENT NO. 3

On page 4, in line 1, strike “**\$150 FROM EACH FINE**” and substitute “**THE FINES**”.

Senate Members:

House Members:

Chair, **Jeff Waldstreicher**

Chair, **Dana Stein**

Mary Washington

Vaughn Stewart

Chris West

Barrie S. Ciliberti

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 120 Negative – 14 (See Roll Call No. 1570)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0678

SPONSOR: Senator Jennings, et al

SUBJECT: State Government – Notarial Acts and Notaries Public

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Hester, Chair
 Senator West
 Senator Washington

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0678
SPONSOR: Senator Jennings, et al
SUBJECT: State Government – Notarial Acts and Notaries Public

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Hester, Chairman
Senator West
Senator Washington.

The House appoints:

Delegate Pena–Melnyk, Chair
Delegate Johnson
Delegate Krebs

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0354**
SPONSOR: Washington County Delegation
SUBJECT: Washington County – Alcoholic Beverages – Wineries – Special
Event Permits

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Bromwell, Chairman
Delegate Branch
Delegate Miller.

The Senate appoints:

Senator Young, Chair
Senator Simonaire
Senator Ellis

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0561**
SPONSOR: Senator Ready, et al
SUBJECT: Criminal Law – Crime of Violence Against Pregnant Person –
Enhanced Penalty (Laura and Reid’s Law)

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Zirkin, Chair

Senator Hough
Senator Ready

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0561**
SPONSOR: Senator Ready, et al
SUBJECT: Criminal Law – Crime of Violence Against Pregnant Person –
Enhanced Penalty (Laura and Reid’s Law)

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Zirkin, Chairman
Senator Hough
Senator Ready.

The House appoints:

Delegate Clippinger, Chair
Delegate Atterbeary
Delegate Malone

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0228**
SPONSOR: Senator Ready, et al
SUBJECT: Criminal Procedure – Pretrial Release – Sex Offenders

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Ready, Chair
Senator Carter
Senator Lee

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0228**
SPONSOR: Senator Ready, et al
SUBJECT: Criminal Procedure – Pretrial Release – Sex Offenders

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Ready, Chairman

Senator Carter
Senator Lee.

The House appoints:

Delegate J. Lewis, Chair
Delegate Grammer
Delegate Crutchfield

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 122 SPONSOR: Delegate Dumais

SUBJECT: Protective Orders – Relief Eligibility – Rape and Sexual Offenses

THIRD READING CALENDAR HOUSE NO. 12 SENATE NO. 31

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendments (HB0122/388470/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0122/963220/1) be adopted.

HB0122/963220/1

BY: Conference Committee

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “respondent” insert “that occurred a certain period of time before the filing of the petition”.

AMENDMENT NO. 2

On page 5, in line 2, after “ARTICLE” insert “IF THE RAPE OR SEXUAL OFFENSE OCCURRED WITHIN 6 MONTHS BEFORE THE FILING OF THE PETITION”; and in line 3, after “DEGREE” insert “IF THE ATTEMPTED RAPE OR SEXUAL OFFENSE OCCURRED WITHIN 6 MONTHS BEFORE THE FILING OF THE PETITION”.

Senate Members:

House Members:

Chair, **Mary Washington**

Chair, **Jazz Lewis**

Katie Fry Hester

Emily Shetty

(not signed)
Jill P. Carter

Lesley J. Lopez

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 117 Negative – 18 (See Roll Call No. 1571)

The Bill was then sent to the Senate.

APPROPRIATIONS COMMITTEE REPORT NO. 24

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 969 – Senator Peters

AN ACT concerning

Family Investment Program – ~~Transitional Assistance for Education Pilot Program~~ Work Activity Requirement – Authorized Activities and Report

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:

Senate Bill 1011 – Senator Peters

AN ACT concerning

**Prince George’s County – Public School Construction – Prince George’s County
~~Alternative Financing~~ Public-Private Partnership Fund**

SB1011/224366/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 1011

(Third Reading File Bill)

On page 5, in line 22, after “PRIVATE” insert “OR PUBLIC”.

On page 8, in line 4, strike “, **THE BOARD OF PUBLIC WORKS,**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Jackson moved to put **Senate Bill 1011** on Third Reading on the same day in compliance with the Constitution.

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1572)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 1011** was placed on Third Reading.

Senate Bill 1011 – Senator Peters

AN ACT concerning

**Prince George's County – Public School Construction – Prince George's County
~~Alternative Financing~~ Public-Private Partnership Fund**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1573)

The Bill was then returned to the Senate.

WAYS AND MEANS COMMITTEE REPORT NO. 36

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

Senate Bill 477 – Senator Kramer

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**CONCURRENCE CALENDAR NO. 26
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 1157 – Prince George's County Delegation

AN ACT concerning

**Prince George's County – Alcoholic Beverages – ~~Transfer of Class A~~ Off-Sale
Licenses and Permits**

PG 303-19

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB1157/284437/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1157

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Alcoholic” in line 2 down through “Permits” in line 3 and substitute “Workgroup on Alcohol Outlet Density Zones”; strike beginning with “repealing” in line 5 down through “circumstances;” in line 10; in line 14, strike “requiring” and substitute “authorizing”; in line 15, strike “designate” and substitute “identify”; strike beginning with “requiring” in line 18 down through “contingency;” in line 21; in line 21, strike “certain provisions of”; and in line 22, strike “licenses and permits”.

AMENDMENT NO. 2

On pages 2 through 4, strike beginning with “BY” in line 1 on page 2 down through “ENACTED” in line 22 on page 4, and substitute “SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On page 4, in line 30, after “(3)” insert “the Dean of the University of Maryland School of Public Health, or the Dean’s designee;”

(4);

and in line 32, strike “(4)” and substitute “(5)”.

On page 5, in lines 1, 3, 5, and 6, strike “(5)”, “(6)”, “(7)”, and “(8)”, respectively, and substitute “(6)”, “(7)”, “(8)”, and “(9)”, respectively; in line 17, strike “shall designate” and substitute “may identify potential”; in line 19, strike “designation” and substitute “identification of potential areas”; in line 20, strike “shall” and substitute “may”; in line 21, strike “designate” and substitute “propose”; in the same line, strike “each” and substitute “any”; and strike in their entirety lines 29 through 31, inclusive.

On page 6, strike in their entirety lines 1 through 12, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. It shall remain effective for a period of 1 year and 6 months and, at the end of December 31, 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 concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1574)

AMENDED IN THE SENATE

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

Delegate Barve moved that the House concur in the Senate amendments.

HB0923/887371/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 923

(Third Reading File Bill)

On page 3, in line 7, strike “and”; and in line 8, after “(15)” insert “one representative of the Greater Baltimore Committee, selected by the Greater Baltimore Committee;

(16) one representative of the Maryland Chamber of Commerce, selected by the Maryland Chamber of Commerce;

(17) one representative of the Greater Washington Board of Trade, selected by the Greater Washington Board of Trade; and

(18)”.

On pages 3 and 4, strike in their entirety the lines beginning with line 23 on page 3 through line 17 on page 4, inclusive, and substitute:

“(1) review information, findings, and recommendations from available recent and current human services transportation plans, pilot projects, and reports; and

(2) make and report findings and recommendations for policies or actions to improve transportation access in accordance with the purpose of the Task Force described under subsection (c) of this Act.”.

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 – 104 Negative – 32 (See Roll Call No. 1575)

AMENDED IN THE SENATE

House Bill 1019 – Delegates Guyton and Luedtke

AN ACT concerning

State Board of Education – Public High School Students – Assessments and Graduation Requirements

Delegate Kaiser moved that the House concur in the Senate amendments.

HB1019/874333/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1019

(Third Reading File Bill)

On page 1, in line 4, after “of” insert “requiring the State Board of Education to use a certain assessment for a certain purpose only under certain circumstances;”; and strike beginning with “providing” in line 7 down through “changes;” in line 12.

On page 3, in line 1, after “(F)” insert “THE STATE BOARD MAY ONLY REQUIRE A PASSING SCORE ON A STANDARDIZED ASSESSMENT TO EVALUATE A STUDENT FOR GRADUATION FROM HIGH SCHOOL AFTER THE ASSESSMENT HAS BEEN FIELD-TESTED AND PILOTED FOR AT LEAST 1 YEAR.”; and strike in their entirety lines 5 through 12, inclusive.

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 – 136 Negative – 0 (See Roll Call No. 1576)

AMENDED IN 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

Delegate Kaiser moved that the House concur in the Senate amendments.

HB1209/349530/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1209

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “requiring” in line 8 on page 1 through “court;” in line 21 on page 2 and substitute “authorizing the governing body of a county or a municipal corporation to withhold from tax sale a dwelling owned by a homeowner who meets certain criteria; requiring certain notices sent to property owners whose properties are subject to tax sale to include a certain summary of the tax sale process and certain information concerning the State Tax Sale Ombudsman;”.

On page 2, strike beginning with “authorizing” in line 27 down through “rules;” in line 28; strike beginning with “providing” in line 28 down through the first “date;” in line 30; strike beginning with “14–873” in line 34 down through “Reports” in line 36 and substitute “and 14–873 and 14–874 to be under the new part “Part V. Tax Sale Reports””; and in line 41, strike “14–603(a) and 14–811(a)” and substitute “14–812”.

On page 3, in line 2, strike “14–801(d)” and substitute “14–817.1”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 16 and 17 and substitute:

“(2) ‘‘HOMEOWNER’’ HAS THE MEANING STATED IN § 9-105 OF THIS ARTICLE.”;

and in line 27, strike ‘‘ELIGIBLE’’.

On page 4, in lines 1, 3, 5, 6, 14, 16, and 24, in each instance, strike ‘‘ELIGIBLE’’; in line 15, after ‘‘SITUATION;’’ insert ‘‘AND’’; and strike beginning with semicolon in line 18 down through ‘‘BASIS’’ in line 21.

AMENDMENT NO. 3

On pages 4 through 12, strike in their entirety the lines beginning with line 26 on page 4 through line 13 on page 12, inclusive, and substitute:

‘‘14-811.

(E) (1) IN THIS SUBSECTION, ‘‘DWELLING’’ AND ‘‘HOMEOWNER’’ HAVE THE MEANINGS STATED IN § 9-105 OF THIS ARTICLE.

(2) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY WITHHOLD FROM SALE A DWELLING OWNED BY A HOMEOWNER WHO IS LOW-INCOME, AT LEAST 65 YEARS OLD, OR DISABLED IF THE HOMEOWNER MEETS ELIGIBILITY CRITERIA ESTABLISHED BY THE COUNTY OR MUNICIPAL CORPORATION.

14-812.

(a) (1) At least 30 days before any property is first advertised for sale under this subtitle, the collector shall have mailed to the person who last appears as owner of the property on the collector’s tax roll, at the last address shown on the tax roll, a statement giving the name of the person, and the amounts of taxes due.

(2) On the statement required under paragraph (1) of this subsection there shall also appear the following notice:

.....
‘‘Date’’

“This Is a Final Bill and Legal Notice to the Person Whose Name Appears on This Notice.”

“According to the collector’s tax roll you are the owner of the property appearing on this notice. Some of the taxes listed are in arrears. Notice is given you that unless all taxes in arrears are paid on or before 30 days from the above date, the collector will proceed to sell the above property to satisfy your entire indebtedness. Interest and penalties must be added to the total at the time of payment.”

(b) The mailing required under subsection (a) of this section shall include a separate insert that includes the following:

(1) A CLEAR, CONCISE, AND EASILY UNDERSTANDABLE SUMMARY OF THE TAX SALE PROCESS NOT EXCEEDING ONE PAGE IN LENGTH THAT INCLUDES A SIMPLE EXPLANATION OF THE STEPS THAT A PROPERTY OWNER IS REQUIRED TO TAKE TO RETAIN THE PROPERTY AT EACH STAGE IN THE PROCESS;

[(1)] (2) the statement “If this property is your principal residence and you are having difficulty paying the taxes on the property, there are programs that may help you.”;

(3) A STATEMENT THAT THE STATE TAX SALE OMBUDSMAN ESTABLISHED UNDER § 2-112 OF THIS ARTICLE OR THE COUNTY TAX SALE OMBUDSMAN, IF APPLICABLE, IS AVAILABLE TO:

(I) ANSWER QUESTIONS ABOUT THE TAX SALE PROCESS; AND

(II) ASSIST HOMEOWNERS WITH APPLYING FOR TAX CREDITS AND OTHER BENEFITS THAT MAY HELP HOMEOWNERS TO PAY DELINQUENT TAXES AND RETAIN THEIR HOMES;

(4) THE TOLL-FREE TELEPHONE NUMBER AND WEBSITE ADDRESS OF THE STATE TAX SALE OMBUDSMAN OR THE COUNTY TAX SALE OMBUDSMAN, IF APPLICABLE;

[(2)] (5) a statement that free counseling is available to help homeowners make plans to pay their bills and keep their homes by calling the telephone number of:

(i) the Homeowner's HOPE Hotline; or

(ii) another similar local housing counseling service chosen by the collector;

[(3)] (6) the following information concerning the homeowners' property tax credit under § 9–104 of this article:

(i) the statement “The homeowners' property tax credit may significantly reduce the property taxes you owe if you have limited income and assets. You may be eligible for the credit at any age, but if you are 70 years old or older, you may be eligible for a special benefit that may reduce the taxes you owe for the past 3 years.”; and

(ii) the website address and telephone number of the State [Department of Assessments and Taxation] TAX SALE OMBUDSMAN where more information is available about the homeowners' property tax credit and how to apply;

[(4)] (7) if the collector uses the tax sale process to enforce a lien for unpaid charges for water or sewer service and a water or sewer utility serving the collector's jurisdiction offers a program for discounted water or sewer rates for low-income customers:

(i) a brief description of the program for discounted water or sewer rates for low-income customers; and

(ii) information on how to apply for the program, including, if applicable, a website address and telephone number where more information and applications are available; and

[(5)] (8) any other information that may assist low-income homeowners in avoiding tax sale costs or foreclosure that the collector considers appropriate.

(c) For any individual who last appears as an owner of the property on the collector's tax roll who has been listed as an owner of the property on the collector's tax roll for at least the last 25 years, the collector shall provide, at least 30 days before the property is first advertised, a list that includes the individual's name and address and notice to the area agency, as defined in § 10–101 of the Human Services Article.

(d) Failure of the collector to mail the statement and notice to the last address of the person last assessed for the property, as it appears on the collector's tax roll, to mail, if

applicable, a list including the name and address of an individual receiving the statement who has been listed as an owner of the property on the collector's tax roll for at least the last 25 years and notice to the area agency, or to include any taxes in the statement and notice, does not invalidate or otherwise affect any tax, except a tax that is required to be but has not been certified as provided in § 14–810 of this subtitle, or any sale made under this subtitle to enforce payment of taxes, nor prevent nor stay any proceedings under this subtitle, nor affect the title of any purchaser.

14–817.1.

(a) Within 60 days after a property is sold at a tax sale, the collector shall send to the person who last appears as owner of the property on the collector's tax roll, at the last address shown on the tax roll, a notice that includes:

(1) a statement that the property has been sold to satisfy unpaid taxes;

(2) the date of the tax sale;

(3) the amount of the highest bid;

(4) the lien amount on the property at the time of sale;

(5) a statement that the owner has the right to redeem the property until a court forecloses that right;

(6) a statement that the purchaser of the property may institute an action to foreclose the property:

(i) as early as 6 months from the date of the sale; or

(ii) if a government agency certifies that the property requires, or shall require, substantial repair to comply with applicable building codes, as early as 60 days from the date of the sale;

(7) a statement that if the property is redeemed before an action to foreclose the right of redemption is filed, the amount that shall be paid to redeem the property is:

(i) the total lien amount on the property at the time of sale, with interest;

(ii) any taxes, interest, and penalties paid by the holder of the certificate of sale; and

(iii) any taxes, interest, and penalties accruing after the date of the tax sale;

(8) a statement that, if the property is redeemed more than 4 months after the date of the tax sale, and before an action to foreclose the right of redemption is filed, the holder of the certificate of sale may be reimbursed for:

(i) attorney's fees for recording the certificate of sale;

(ii) a title search fee, not to exceed \$250; and

(iii) reasonable attorney's fees, not to exceed \$500;

(9) a statement that, if the property is redeemed after an action to foreclose the right of redemption has been filed, the amount that shall be paid to redeem the property is the sum of:

(i) the total lien amount on the property at the time of sale, with interest;

(ii) any taxes, interest, and penalties paid by the holder of the certificate of sale;

(iii) any taxes, interest, and penalties accruing after the date of the tax sale; and

(iv) attorney's fees and expenses to which the holder of the certificate of sale may be entitled under § 14-843(a)(4) and (5) of this subtitle; and

(10) the provisions of § 14-843(a) of this subtitle, reproduced as they appear in the Code.

(b) The notice required under subsection (a) of this section shall be sent by first-class mail.

(c) The mailing required under this section shall include a separate insert that includes all of the information required under § 14–812(b) of this subtitle.

14–871. RESERVED.

14–872. RESERVED.

PART V. TAX SALE REPORTS.

14–873.”.

AMENDMENT NO. 4

On page 12, in line 16, strike “OR PART V”; and strike beginning with “AN” in line 23 down through “SUBTITLE” in line 24 and substitute “A HOMEOWNER AS DEFINED IN § 9–105 OF THIS ARTICLE”.

On page 13, strike in their entirety lines 8 through 26, inclusive, and substitute:

“(C) THE DEPARTMENT SHALL OBTAIN:

(1) THE NUMBER OF COUNTIES AND MUNICIPAL CORPORATIONS THAT HAVE WITHHELD FROM SALE UNDER § 14–811(E) OF THIS SUBTITLE A DWELLING OWNED BY A HOMEOWNER WHO IS LOW-INCOME, AT LEAST 65 YEARS OLD, OR DISABLED;

(2) THE ELIGIBILITY CRITERIA USED BY EACH COUNTY AND MUNICIPAL CORPORATION TO WITHHOLD A DWELLING FROM SALE UNDER § 14–811(E) OF THIS SUBTITLE; AND

(3) THE NUMBER OF DWELLINGS WITHHELD FROM SALE BY EACH COUNTY AND MUNICIPAL CORPORATION UNDER § 14–811(E) OF THIS SUBTITLE.

14–874.”;

and in line 28, strike “14-881” and substitute “14-873”.

On page 14, strike in their entirety lines 5 through 8, inclusive; in line 9, strike “6.” and substitute “2.”; and strike beginning with “That,” in line 9 down through “Act,” in line 10 and substitute “That”.

The preceding 4 amendments were 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. 1577)

SPECIAL ORDERS

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

STATUS OF BILL: BILL ON THIRD READING AND FINAL PASSAGE. CONFERENCE COMMITTEE REPORT ADOPTED.

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

Affirmative – 100 Negative – 37 (See Roll Call No. 1578)

The Bill was then returned to the Senate.

JUDICIARY COMMITTEE REPORT NO. 40

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

Senate Bill 1049 – Senator Waldstreicher

AN ACT concerning

Civil Actions – Office of Asbestos Case Mediation and Resolution

SB1049/252612/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 1049

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Civil Actions – Office of” and substitute “Joint Committee on Asbestos Litigation Oversight –”.

On pages 1 and 2, strike beginning with “establishing” in line 3 on page 1 through “Resolution” in line 2 on page 2 and substitute “establishing the Joint Committee on Asbestos Litigation Oversight; specifying the members of the Committee; providing for the appointment of the members of the Committee; providing for the appointment of the cochairs of the Committee; establishing the powers and duties of the Committee; requiring the Committee to submit a certain report to the Governor and the General Assembly on or before a certain date each year; requiring the Court of Appeals to report to the Committee and the General Assembly on certain matters concerning asbestos litigation on or before a certain date each year; declaring the intent of the General Assembly; and generally relating to the Joint Committee on Asbestos Litigation Oversight and asbestos case mediation and resolution”.

On page 2, strike in their entirety lines 3 through 8, inclusive, and substitute:

“BY adding to

Article – State Government

Section 2–10A–16 and 2–10A–17

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 11 on page 2 through line 32 on page 5, and substitute:

“Article – State Government

2–10A–16.

(A) THERE IS A JOINT COMMITTEE ON ASBESTOS LITIGATION OVERSIGHT.

(B) THE COMMITTEE CONSISTS OF 15 MEMBERS.

(C) OF THE 15 MEMBERS:

(1) FIVE MEMBERS SHALL BE MEMBERS OF THE SENATE OF MARYLAND, INCLUDING TWO MEMBERS WHO SHALL BE MEMBERS OF THE JUDICIAL PROCEEDINGS COMMITTEE AND TWO MEMBERS WHO SHALL BE MEMBERS OF THE BUDGET AND TAXATION COMMITTEE, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) FIVE MEMBERS SHALL BE MEMBERS OF THE HOUSE OF DELEGATES, INCLUDING TWO MEMBERS WHO SHALL BE MEMBERS OF THE HOUSE JUDICIARY COMMITTEE AND TWO MEMBERS WHO SHALL BE MEMBERS OF THE APPROPRIATIONS COMMITTEE, APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES;

(3) THREE MEMBERS SHALL BE APPOINTED JOINTLY BY THE PRESIDENT AND THE SPEAKER AS FOLLOWS:

(I) A REPRESENTATIVE OF THE MARYLAND STATE BAR ASSOCIATION;

(II) A REPRESENTATIVE OF THE MARYLAND ASSOCIATION FOR JUSTICE; AND

(III) A REPRESENTATIVE OF THE MARYLAND DEFENSE COUNSEL; AND

(4) TWO MEMBERS SHALL BE RETIRED JUDGES OF THE MARYLAND JUDICIARY APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS.

(D) (1) A MEMBER OF THE COMMITTEE WHO IS APPOINTED BY A PRESIDING OFFICER OR THE PRESIDING OFFICERS SERVES AT THE PLEASURE OF THE PRESIDING OFFICER OR PRESIDING OFFICERS WHO APPOINTED THE MEMBER.

(2) A MEMBER OF THE COMMITTEE WHO IS APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS SERVES AT THE PLEASURE OF THE CHIEF JUDGE OF THE COURT OF APPEALS.

(E) THE PRESIDENT AND THE SPEAKER SHALL JOINTLY APPOINT A SENATOR AND A DELEGATE EACH TO SERVE AS COCHAIR.

(F) THE COMMITTEE, IN EACH REPORT DESCRIBED IN SUBSECTION (G) OF THIS SECTION, SHALL:

(1) MAKE RECOMMENDATIONS REGARDING INCREASING THE USE OF MEDIATION IN ASBESTOS LITIGATION;

(2) EXAMINE AND EVALUATE THE EFFECT OF ALL LAWS, INCLUDING COURT RULES, ON THE ASBESTOS LITIGATION IN THE STATE;

(3) CONSIDER REPORTS PROVIDED BY THE COURT OF APPEALS CONCERNING ASBESTOS LITIGATION;

(4) CONSIDER INFORMATION PROVIDED BY REPRESENTATIVES OF LITIGANTS CONCERNING ASBESTOS LITIGATION;

(5) EXAMINE AND CONSIDER CONSOLIDATING CASES BY JOB SITE LOCATION OR DISEASE TYPE; AND

(6) STUDY THE ESTABLISHMENT OF A SEPARATE ASBESTOS COURT AS USED IN OTHER STATES.

(G) (1) THE COMMITTEE SHALL REPORT TO THE GOVERNOR AND THE LEGISLATIVE POLICY COMMITTEE ON OR BEFORE DECEMBER 31 OF EACH YEAR.

(2) THE REPORT SHALL INCLUDE ANY RECOMMENDATIONS OF THE COMMITTEE.

ON OR BEFORE OCTOBER 1, 2019, AND EACH YEAR THEREAFTER, THE COURT OF APPEALS SHALL REPORT TO THE JOINT COMMITTEE ON ASBESTOS LITIGATION OVERSIGHT AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, THE FOLLOWING INFORMATION:

(1) A SUMMARY OF ASBESTOS CASE STATUS OR DISPOSITION, INCLUDING THE NUMBER OF:

(I) OPEN TRIAL DATES;

(II) TRIAL DATES ACTUALLY USED;

(III) ALL INACTIVE CASES BY FILING DATE;

(IV) ACTIVE CASES FILED BEFORE JANUARY 1, 2019, BY FILING DATE;

(V) ACTIVE CASES FILED ON OR AFTER JANUARY 1, 2019, BY FILING DATE;

(VI) ACTIVE CASES CLOSED ON OR AFTER JANUARY 1, 2019;

(VII) ACTIVE AND INACTIVE CASES INVOLVING ONE OR MORE BANKRUPT DEFENDANTS;

(VIII) OTHER CASES; AND

(IX) STATUS CONFERENCES HELD;

(2) THE PERCENTAGE OF CASES RESOLVED AFTER A STATUS CONFERENCE WAS CONDUCTED;

(3) AN ITEMIZATION OF JUDICIARY RESOURCES, INCLUDING FUNDS THAT HAVE BEEN ASSIGNED TO THE ASBESTOS DOCKET SINCE FISCAL YEAR 2014;

(4) A DESCRIPTION AND ASSESSMENT OF THE SPECIFIC MEASURES THAT HAVE BEEN IMPLEMENTED TO SUPPORT THE EXPEDITIOUS RESOLUTION OF ASBESTOS CLAIMS;

(5) AN ASSESSMENT OF WHETHER ADDITIONAL MEASURES ARE NECESSARY FOR THE EFFECTIVE MANAGEMENT OF THE ASBESTOS DOCKET, INCLUDING A FULL DESCRIPTION AND COST ANALYSIS OF ANY ADDITIONAL RESOURCES NECESSARY TO IMPLEMENT THOSE MEASURES; AND

(6) A SUMMARY OF ANY STATUTORY OR RULE CHANGES NECESSARY TO IMPLEMENT PROPOSED MEASURES TO IMPROVE THE MANAGEMENT OF THE ASBESTOS DOCKET.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) the Judiciary include in its fiscal year 2021 budget submission the resources necessary to fund special masters for the asbestos docket; and

(2) the General Assembly shall ensure that sufficient funding is available to fund any special master positions provided by the Judiciary for the asbestos docket.”.

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. 36

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

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

AN ACT concerning

Baltimore City – Unpackaged Cigarettes – Prohibition on Sale

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Bromwell moved to put **Senate Bill 310** on Third Reading on the same day in compliance with the Constitution.

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

Affirmative – 120 Negative – 10 (See Roll Call No. 1579)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 310** was placed on Third Reading.

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

AN ACT concerning

Baltimore City – Unpackaged Cigarettes – Prohibition on Sale

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1580)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 768** SPONSOR: **Delegate Pena-Melnyk**

SUBJECT: **Health – Prescription Drug Affordability Board**

THIRD READING CALENDAR HOUSE NO. **104** SENATE NO. **41**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That the Finance Committee Amendments (HB0768/887275/1) be rejected.
- (2) That the attached Conference Committee Amendments (HB0768/463725/1) be adopted.

HB0768/463725/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 768

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 22, strike “make certain determinations and adopt certain regulations” and substitute “conduct a certain study and submit a certain report to certain committees of the General Assembly”; in line 23, after “to” insert “collect and review certain information.”; in the same line, before “and” insert a comma; in line 24, after “date;” insert “requiring the Board, in consultation with the Stakeholder Council, to adopt certain regulations;”; in the same line, after “to” insert “use certain information to”; and strike beginning with “requiring” in line 36 down through “date;” in line 43 and substitute “prohibiting certain materials from being made available to the public; authorizing only certain Board members and staff to access certain information; providing that certain provisions of law regarding trade secrets apply to certain information obtained under certain provisions of this Act; requiring the Board to draft a certain plan of action under certain circumstances; requiring that certain criteria include consideration of certain factors; requiring that a certain process prohibit the application of upper payment limits to certain prescription drug products, and require the Board to monitor certain prescriptions drug products and reconsider or suspend certain upper payment limits; requiring the Board, under certain circumstances, to submit a certain plan to the Legislative Policy Committee of the General Assembly for its approval on or before a certain date; providing that the Committee has a certain number of days to approve a certain plan; requiring the Board to submit a certain plan to the Governor and the Attorney General if the Committee does not approve the plan; providing that the Governor and the Attorney General have a certain number of days to approve a certain plan; prohibiting the Board from setting upper payment limits unless a certain plan receives certain approval; authorizing the Board to set upper payment limits for certain prescription drug products on or after a certain date;”.

On page 3, in line 2, after “considered” insert “to be a trade secret and”; in line 3, after “proprietary” insert “information”; in line 20, after “terms;” insert “providing for the application of this Act; subjecting certain provisions of this Act to a certain contingency; providing for the termination of certain provisions of this Act under certain circumstances;”; and in line 25, strike “21-2C-14” and substitute “21-2C-15”.

AMENDMENT NO. 2

On page 7, in line 19, after “MANUFACTURER” insert “, PHARMACY BENEFITS MANAGER, HEALTH INSURANCE CARRIER, HEALTH MAINTENANCE ORGANIZATION, MANAGED CARE ORGANIZATION, OR WHOLESALE DISTRIBUTOR”; in the same line, after the second “OR” insert “RELATED”; and in line 20, strike “FOR MANUFACTURERS”.

On page 8, in line 17, strike “TO REVIEW PRESCRIPTION DRUG PRODUCT INFORMATION”; in line 18, strike “THE” and substitute “AT THE CHAIR’S DISCRETION, THE”; strike beginning with “IF” in line 18 down through “REVIEW” in line 19; after line 21, insert:

“1. THE STUDY REQUIRED UNDER § 21-2C-07;”

in lines 22, 25, and 28, strike “1.”, “2.”, and “3.”, respectively, and substitute “2.”, “3.”, and “4.”, respectively; and in line 30, after “DISCUSS” insert “TRADE SECRETS OR CONFIDENTIAL AND”.

On page 9, in line 3, after “(3)” insert “(1)”; and after line 4, insert:

“(II) MATERIALS CONTAINING TRADE SECRETS OR CONFIDENTIAL AND PROPRIETARY DATA OR INFORMATION THAT IS NOT OTHERWISE AVAILABLE TO THE PUBLIC MAY NOT BE MADE AVAILABLE TO THE PUBLIC.”

On page 11, in line 4, strike “25” and substitute “26”; after line 26, insert:

“(V) ONE REPRESENTATIVE OF DENTISTS;”

and in line 27, strike “(V)” and substitute “(VI)”.

On page 12, in lines 1, 3, and 4, strike “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “(VII)”, “(VIII)”, and “(IX)”, respectively.

On page 14, after line 14, insert:

“ON OR BEFORE DECEMBER 31, 2020, THE BOARD, IN CONSULTATION WITH THE STAKEHOLDER COUNCIL, SHALL:

(1) STUDY:

(I) THE ENTIRE PHARMACEUTICAL DISTRIBUTION AND PAYMENT SYSTEM IN THE STATE; AND

(II) POLICY OPTIONS BEING USED IN OTHER STATES AND COUNTRIES TO LOWER THE LIST PRICE OF PHARMACEUTICALS, INCLUDING:

1. SETTING UPPER PAYMENT LIMITS;
2. USING A REVERSE AUCTION MARKETPLACE; AND
3. IMPLEMENTING A BULK PURCHASING PROCESS; AND

(2) REPORT ITS FINDINGS AND RECOMMENDATIONS, INCLUDING FINDINGS FOR EACH OPTION STUDIED UNDER ITEM (1)(II) OF THIS SECTION AND ANY LEGISLATION REQUIRED TO IMPLEMENT THE RECOMMENDATIONS, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

21-2C-08.”;

strike beginning with “ON” in line 15 down through “(B)” in line 25; after line 25, insert:

“(1) COLLECT AND REVIEW PUBLICLY AVAILABLE INFORMATION REGARDING PRESCRIPTION DRUG PRODUCT MANUFACTURERS, HEALTH INSURANCE CARRIERS, HEALTH MAINTENANCE ORGANIZATIONS, MANAGED CARE ORGANIZATIONS, WHOLESALE DISTRIBUTORS, AND PHARMACY BENEFITS MANAGERS; AND”;

in lines 26 and 28, strike “(1)” and “(2)”, respectively, and substitute “(2)(I)” and “(II)”, respectively; and in line 29, strike “(1)” and substitute “(I)”.

On page 15, in line 1, strike “SUBSECTION” and substitute “ITEM”; in line 3, strike “(C)” and substitute “(B)”; strike beginning with “DETERMINATIONS” in line 3 down through “SECTION,” in line 5 and substitute “INFORMATION COLLECTED UNDER

SUBSECTION (A)(1) OF THIS SECTION AND OBTAINED THROUGH MEMORANDA OF UNDERSTANDING UNDER SUBSECTION (A)(2) OF THIS SECTION.”; in line 7, after “COLLECTING” insert “ADDITIONAL”; in line 8, strike “SECTION;” and substitute “SUBTITLE; AND”; in line 11, strike “; AND” and substitute a period; strike lines 12 through 19, inclusive; in line 20, strike “(B)” and substitute “(C)”; and in the same line, after “SHALL” insert “USE THE INFORMATION COLLECTED UNDER SUBSECTION (A)(1) OF THIS SECTION AND OBTAINED THROUGH MEMORANDA OF UNDERSTANDING UNDER SUBSECTION (A)(2) OF THIS SECTION TO”.

On page 16, after line 21, insert:

“21-2C-09.”;

in line 22, strike “(C)” and substitute “(A)”; in line 23, strike “SUBSECTION (B) OF THIS SECTION” and substitute “§ 21-2C-08 OF THIS SUBTITLE”; and in lines 24 and 31, in each instance, strike “(D)” and substitute “(B)”.

On page 17, in line 3, after “A” insert “WHOLESALE DISTRIBUTOR,”; in line 6, strike “A” and substitute “THE”; in line 14, after “MANUFACTURER” insert “, WHOLESALE DISTRIBUTOR”; strike beginning with “OR” in line 19 down through “SECTION” in line 20; in lines 19 and 21, in each instance, strike “(D)” and substitute “(B)”; and strike beginning with “SUBSECTION” in line 29 down through “SECTION” in line 30 and substitute “§ 21-2C-08 OF THIS SUBTITLE”.

On page 19, in line 14, strike “AND” and substitute a comma; in line 15, after “MANAGER” insert “, AND WHOLESALE DISTRIBUTOR”; in line 18, after “MANUFACTURER” insert “AND APPROPRIATE HEALTH INSURANCE CARRIERS, HEALTH MAINTENANCE ORGANIZATIONS, MANAGED CARE ORGANIZATIONS, WHOLESALE DISTRIBUTORS, AND PHARMACY BENEFITS MANAGERS”; and strike beginning with “(E)” in line 21 down through the period in line 32.

On page 21, strike in their entirety lines 7 through 9, inclusive, and substitute:

“(C) ON OR BEFORE DECEMBER 31, 2020, AND EACH DECEMBER 31 THEREAFTER, THE BOARD SHALL SUBMIT TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN

ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, A REPORT THAT INCLUDES:

- (1) PRICE TRENDS FOR PRESCRIPTION DRUG PRODUCTS;
- (2) THE NUMBER OF PRESCRIPTION DRUG PRODUCTS THAT WERE SUBJECT TO BOARD REVIEW AND THE RESULTS OF THE REVIEW; AND
- (3) ANY RECOMMENDATIONS THE BOARD MAY HAVE ON FURTHER LEGISLATION NEEDED TO MAKE PRESCRIPTION DRUG PRODUCTS MORE AFFORDABLE IN THE STATE.

21-2C-10.

(A) ALL INFORMATION AND DATA OBTAINED BY THE BOARD UNDER THIS SUBTITLE, THAT IS NOT OTHERWISE PUBLICLY AVAILABLE:

(1) IS CONSIDERED TO BE A TRADE SECRET AND CONFIDENTIAL AND PROPRIETARY INFORMATION; AND

(2) IS NOT SUBJECT TO DISCLOSURE UNDER THE PUBLIC INFORMATION ACT.

(B) ONLY BOARD MEMBERS AND STAFF MAY ACCESS TRADE SECRETS AND CONFIDENTIAL AND PROPRIETARY DATA AND INFORMATION OBTAINED UNDER THIS SUBTITLE THAT IS NOT OTHERWISE PUBLICLY AVAILABLE.

(C) THE PROVISIONS OF TITLE 11, SUBTITLE 12 OF THE COMMERCIAL LAW ARTICLE SHALL APPLY TO ANY TRADE SECRETS AND CONFIDENTIAL AND PROPRIETARY DATA AND INFORMATION OBTAINED UNDER THIS SUBTITLE THAT IS NOT OTHERWISE PUBLICLY AVAILABLE.

21-2C-11.

(A) ON OR BEFORE DECEMBER 31, 2020, THE BOARD SHALL DETERMINE A FUNDING SOURCE FOR THE BOARD.

(B) IN DETERMINING A FUNDING SOURCE, THE BOARD SHALL CONSIDER:

(1) ASSESSING AND COLLECTING A FEE ON MANUFACTURERS, PHARMACY BENEFITS MANAGERS, HEALTH INSURANCE CARRIERS, WHOLESALE DISTRIBUTORS, OR OTHER ENTITIES;

(2) USING REBATES THE STATE OR LOCAL GOVERNMENT RECEIVES FROM MANUFACTURERS; AND

(3) ANY OTHER METHOD IT DETERMINES APPROPRIATE FOR FUNDING THE BOARD.

(C) ON OR BEFORE DECEMBER 31, 2020, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE BOARD SHALL REPORT BACK TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE WITH A RECOMMENDATION ON LEGISLATION NECESSARY TO ESTABLISH A FUNDING SOURCE FOR THE BOARD.

(D) THE BOARD SHALL BE ESTABLISHED USING GENERAL FUNDS, WHICH SHALL BE REPAYED TO THE STATE WITH THE FUNDS FROM THE FUNDING SOURCE DETERMINED BY THE BOARD UNDER SUBSECTION (A) OF THIS SECTION.

21-2C-12.

THE OFFICE OF THE ATTORNEY GENERAL MAY PURSUE ANY AVAILABLE REMEDY UNDER STATE LAW WHEN ENFORCING THIS SUBTITLE.

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

Article – Health – General

21-2C-13.

(A) IF, UNDER § 21-2C-07 OF THIS SUBTITLE, THE BOARD FINDS THAT IT IS IN THE BEST INTEREST OF THE STATE TO ESTABLISH A PROCESS FOR SETTING

UPPER PAYMENT LIMITS FOR PRESCRIPTION DRUG PRODUCTS THAT IT DETERMINES HAVE LED OR WILL LEAD TO AN AFFORDABILITY CHALLENGE, THE BOARD, IN CONJUNCTION WITH THE STAKEHOLDER COUNCIL, SHALL DRAFT A PLAN OF ACTION FOR IMPLEMENTING THE PROCESS THAT INCLUDES THE CRITERIA THE BOARD SHALL USE TO SET UPPER PAYMENT LIMITS.

(B) THE CRITERIA FOR SETTING UPPER PAYMENT LIMITS SHALL INCLUDE CONSIDERATION OF:

(1) THE COST OF ADMINISTERING THE PRESCRIPTION DRUG PRODUCT;

(2) THE COST OF DELIVERING THE PRESCRIPTION DRUG PRODUCT TO CONSUMERS; AND

(3) OTHER RELEVANT ADMINISTRATIVE COSTS RELATED TO THE PRESCRIPTION DRUG PRODUCT.

(C) THE PROCESS FOR SETTING UPPER PAYMENT LIMITS SHALL:

(1) PROHIBIT THE APPLICATION OF AN UPPER PAYMENT LIMIT FOR A PRESCRIPTION DRUG PRODUCT THAT IS ON THE FEDERAL FOOD AND DRUG ADMINISTRATION PRESCRIPTION DRUG SHORTAGE LIST; AND

(2) REQUIRE THE BOARD TO:

(I) MONITOR THE AVAILABILITY OF ANY PRESCRIPTION DRUG PRODUCT FOR WHICH IT SETS AN UPPER PAYMENT LIMIT; AND

(II) IF THERE BECOMES A SHORTAGE OF THE PRESCRIPTION DRUG PRODUCT IN THE STATE, RECONSIDER OR SUSPEND THE UPPER PAYMENT LIMIT.

(D) (1) IF A PLAN OF ACTION IS DRAFTED UNDER SUBSECTION (A) OF THIS SECTION, ON OR BEFORE JULY 1, 2021, THE BOARD SHALL SUBMIT THE PLAN OF ACTION TO THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY, IN

ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, FOR ITS APPROVAL.

(2) THE LEGISLATIVE POLICY COMMITTEE SHALL HAVE 45 DAYS TO APPROVE THE PLAN OF ACTION.

(3) IF THE LEGISLATIVE POLICY COMMITTEE DOES NOT APPROVE THE PLAN OF ACTION, THE BOARD SHALL SUBMIT THE PLAN TO THE GOVERNOR AND THE ATTORNEY GENERAL FOR APPROVAL.

(4) THE GOVERNOR AND THE ATTORNEY GENERAL SHALL HAVE 45 DAYS TO APPROVE THE PLAN OF ACTION.

(5) THE BOARD MAY NOT SET UPPER PAYMENT LIMITS UNLESS THE PLAN IS APPROVED, IN ACCORDANCE WITH THIS SUBSECTION, BY:

(I) THE LEGISLATIVE POLICY COMMITTEE; OR

(II) 1. THE GOVERNOR; AND

2. THE ATTORNEY GENERAL.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

21-2C-13.”;

in lines 10, 22, and 28, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(A)”, “(B)”, and “(C)”, respectively; in line 10, strike “JULY 1, 2021” and substitute “JANUARY 1, 2022”; in the same line, strike “SHALL” and substitute “MAY”; in line 18, strike “OR”; in line 21, after “PLAN” insert”;OR

(3) PURCHASED FOR OR PAID FOR BY THE MARYLAND STATE MEDICAL ASSISTANCE PROGRAM”;

in line 22, strike “(B)” and substitute “(A)”; and strike beginning with the second “IN” in line 26 down through “SUBTITLE” in line 27 and substitute “IN REGULATIONS ADOPTED BY THE BOARD”.

On page 22, in line 6, strike “(B)” and substitute “(A)”; strike in their entirety lines 10 through 19, inclusive; in line 20, strike “21-2C-12.” and substitute “21-2C-14.”; and in line 28, strike “21-2C-13.”.

On page 23, strike in their entirety lines 29 and 30.

On page 24, strike in their entirety lines 1 through 31, inclusive, and substitute:

“21-2C-15.

ON OR BEFORE DECEMBER 1, 2023, THE BOARD, IN CONSULTATION WITH THE STAKEHOLDER COUNCIL, 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 LEGALITY, OBSTACLES, AND BENEFITS OF SETTING UPPER PAYMENT LIMITS ON ALL PURCHASES AND PAYOR REIMBURSEMENTS OF PRESCRIPTION DRUG PRODUCTS IN THE STATE; AND

(2) RECOMMENDATIONS REGARDING WHETHER THE GENERAL ASSEMBLY SHOULD PASS LEGISLATION TO EXPAND THE AUTHORITY OF THE BOARD TO SET UPPER PAYMENT LIMITS TO ALL PURCHASES AND PAYOR REIMBURSEMENTS OF PRESCRIPTION DRUG PRODUCTS IN THE STATE.”.

On page 25, in lines 14 and 26, strike “2.” and “3.”, respectively, and substitute “4.” and “5.”, respectively; and in line 24, strike “eight” and substitute “nine”.

On page 26, in line 11, strike “4.” and substitute “6.”; in line 18, strike “upper payment limits and”; in line 19, after “actions” insert “, including, if applicable, upper payment limits.”; in line 23, strike “the upper payment limits established” and substitute “policy actions, including, if applicable, upper payment limits.”; and strike lines 29 through 33, inclusive.

On page 27, strike in their entirety lines 1 through 7, inclusive; in line 8, strike “6.” and substitute “7.”; in line 17, strike “7.” and substitute “8.”; after line 21, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect contingent on receipt by the Prescription Drug Affordability Board established under § 21-2C-02 of the Health – General Article, as enacted by Section 1 of this Act of approval by the Legislative Policy Committee of the General Assembly or the Governor and the Attorney General of the plan of action for implementing a process for setting upper payment limits in accordance with § 21-2C-13 of the Health – General Article, as enacted by Section 2 of this Act. The Board, within 5 days after receiving approval from the Legislative Policy Committee or the Governor and the Attorney General, shall forward evidence of the approval to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401. If the Board receives approval for the plan of action on or before January 1, 2023, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect and Section 3 of this Act shall take effect on the date evidence of the approval is received by the Department of Legislative Services in accordance with this section. If the Board does not receive approval of the plan of action on or before January 1, 2023, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect and Section 3 of this Act shall be null and void.”;

in line 22, strike “8.” and substitute “10.”; and in the same line, after “That” insert “, subject to Section 9 of this Act.”.

Senate Members:

House Members:

Chair, **Brian J. Feldman**

Chair, **Bonnie Cullison**

Katherine Klausmeier

Joseline A. Pena-Melnyk

Edward R. Reilly

Nicholaus R. Kipke

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

- Chief Clerk
- Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 96 Negative – 37 (See Roll Call No. 1581)

The Bill was then sent to the Senate.

AMENDED IN THE SENATE

House Bill 507 – ~~Delegates P. Young, Bhandari, Bromwell, Brooks, Cardin, Charkoudian, Guyton, Hettleman, Hill, Jalisi, Korman, Long, Mangione, Stein, Sydnor, and Szeliga~~ Baltimore County Delegation

AN ACT concerning

Baltimore County and Harford County – Motorcycles – Sunday Sales

Delegate Davis, D.E. moved that the House not concur in the Senate amendments.

HB0507/483222/1

BY: Senator Zirkin

AMENDMENTS TO HOUSE BILL 507

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Motorcycles” insert “Alcoholic Beverages and”; in line 3, after “of” insert “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;”; in line 5, after the second “Sunday” insert “alcoholic beverages and”; and after line 6, insert:

“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)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“Article – Alcoholic Beverages

13–102.

This title applies only in Baltimore County.

13–402.

A holder of a manufacturer’s license may sell or deliver alcoholic beverages to a holder of a retail license from 6 a.m. to midnight on [every day except] **MONDAY THROUGH Sunday.**

13–502.

Except as provided in § 13–503 of this subtitle, a holder of a wholesaler’s license may sell or deliver alcoholic beverages to a holder of a retail license from 6 a.m. to midnight on [every day except] **MONDAY THROUGH Sunday.**

13–2003.

(a) [(1)] A holder of a Class A beer and wine license may sell beer and wine on Monday through [Saturday] **SUNDAY** from 6 a.m. to midnight.

[(2)] From 7 a.m. to 9 p.m., the license holder may sell beer and wine on the Sunday immediately before:

(i) Christmas Day;

(ii) New Year’s Day;

(iii) Rosh Hashanah; and

(iv) Yom Kippur.

(3) The license holder may sell beer and wine on the two Sundays immediately before Passover if:

(i) the license holder does not sell beer and wine on the two Saturdays immediately before Passover;

(ii) the sales are conducted on those Sundays from 6 a.m. to midnight; and

(iii) the sales are limited to beer and wine that are “kosher for Passover”.]

(b) (1) A holder of a Class B beer and wine license may sell beer and wine on [each day of the week] MONDAY THROUGH SUNDAY from 6 a.m. to 2 a.m. the following day.

(2) The license holder may sell beer and wine at a bar or counter on Sunday.

(3) [From 7 a.m. to 9 p.m., the] A holder of a Class B on-sale and off-sale beer and wine license may sell beer and wine for off-premises consumption [on the Sunday immediately before:

(i) Christmas Day;

(ii) New Year’s Day;

(iii) Rosh Hashanah; and

(iv) Yom Kippur] ON MONDAY THROUGH SUNDAY FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY.

(c) (1) A holder of a Class C beer and wine license may sell beer and wine on [each day of the week] MONDAY THROUGH SUNDAY from 6 a.m. to 2 a.m. the following day.

(2) The license holder may sell beer and wine at a bar or counter on Sunday.

(d) (1) A holder of a Class D beer and wine license may sell beer and wine on Monday through [Saturday] SUNDAY from 6 a.m. to 2 a.m. the following day.

(2) [From 7 a.m. to 9 p.m., a] A holder of a Class D on-sale and off-sale beer and wine license may sell beer and wine for off-premises consumption on [the Sunday immediately before:

(i) Christmas Day;

(ii) New Year's Day;

(iii) Rosh Hashanah; and

(iv) Yom Kippur] MONDAY THROUGH SUNDAY FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY.

13-2004.

(a) [(1)] A holder of a Class A beer, wine, and liquor license may sell beer, wine, and liquor on Monday through [Saturday] SUNDAY from 6 a.m. to midnight.

[(2)] From 7 a.m. to 9 p.m., the license holder may sell beer, wine, and liquor on the Sunday immediately before:

(i) Christmas Day;

(ii) New Year's Day;

(iii) Rosh Hashanah; and

(iv) Yom Kippur.

(3) A license holder may sell beer, wine, and liquor on the two Sundays immediately before Passover if:

(i) the license holder does not sell beer, wine, and liquor on the two Saturdays immediately before Passover;

(ii) the off-premises sales are conducted on those Sundays from 6 a.m. to midnight; and

(iii) the sales are limited to beer, wine, and liquor that are “kosher for Passover”.]

(b) (1) A holder of a Class B beer, wine, and liquor license may sell beer, wine, and liquor Monday through Sunday from 6 a.m. to 2 a.m. the following day.

(2) The license holder may sell beer, wine, and liquor at a bar or counter on Sunday.

(3) [From 7 a.m. to 9 p.m., the] A holder of a Class B ON-SALE AND OFF-SALE beer, wine, and liquor [(on- and off-sale)] license may sell beer, wine, and liquor for off-premises consumption on [the Sunday immediately before:

(i) Christmas Day;

(ii) New Year’s Day;

(iii) Rosh Hashanah; and

(iv) Yom Kippur] MONDAY THROUGH SUNDAY FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY.

(c) (1) A holder of a Class C beer, wine, and liquor license may sell beer, wine, and liquor on [each day of the week] MONDAY THROUGH SUNDAY from 6 a.m. to 2 a.m. the following day.

(2) The license holder may sell beer, wine, and liquor at a bar or counter on Sunday.

(d) (1) A holder of a Class D beer, wine, and liquor license may sell beer, wine, and liquor on Monday through Sunday from 6 a.m. to 2 a.m. the following day.

(2) [From 7 a.m. to 9 p.m., a] A holder of a Class D on-sale and off-sale beer, wine, and liquor license may sell beer, wine, and liquor for off-premises consumption on [the Sunday immediately before:

(i) Christmas Day;

(ii) New Year’s Day;

(iii) Rosh Hashanah; and

(iv) Yom Kippur] MONDAY THROUGH SUNDAY FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0507**
SPONSOR: Baltimore County Delegation
SUBJECT: Baltimore County and Harford County – Motorcycles – Sunday Sales

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.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 1027** SPONSOR: **Delegate Lopez**

SUBJECT: **Criminal Law – Child Pornography**

THIRD READING CALENDAR HOUSE NO. **76** SENATE NO. **35**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That the Judicial Proceedings Committee Amendments (HB1027/518379/1) be rejected.
- (2) That the attached Conference Committee Amendments (HB1027/923322/1) be adopted.

HB1027/923322/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1027

(Third Reading File Bill)

AMENDMENT NO. 1

Strike the Judicial Proceedings Committee Amendments (HB1027/518379/1) in their entirety.

AMENDMENT NO. 2

On page 1, in line 6, after “actual” insert “and identifiable”; in line 7, after “term:” insert “providing that only certain depictions of sexual conduct apply to a certain offense;”; and in line 11, strike “11–201” and substitute “11–105(a)”.

AMENDMENT NO. 3

On page 3, after line 11, insert:

“11–105.

(a) A person may not knowingly display for advertising purposes a picture, photograph, drawing, sculpture, or other visual representation or image of an individual or portion of a human body that:

(1) depicts sadomasochistic abuse;

(2) depicts sexual conduct AS DEFINED BY § 11-101(D)(1), (2), OR (3) OF THIS SUBTITLE;

(3) depicts sexual excitement; or

(4) contains a verbal description or narrative account of sadomasochistic abuse, sexual conduct, or sexual excitement.”;

and strike in their entirety lines 12 through 27, inclusive.

On page 5, in line 25, after “ACTUAL” insert “AND IDENTIFIABLE”.

Senate Members:

House Members:

Chair, **Robert Cassilly**

Chair, **Vanessa E. Atterbeary**

Chris West

(not signed)
Ron Watson

Jeff Waldstreicher

Jesse T. Pippy

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1582)

The Bill was then sent to the Senate.

**CONCURRENCE CALENDAR NO. 27
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 891 – Delegates Haynes, Hettleman, Jackson, Krimm, Reznik, and Valentino-Smith

AN ACT concerning

State Personnel – Grievance Procedures

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0891/597675/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 891

(Third Reading File Bill)

On page 1, strike beginning with “in” in line 4 down through “System” in line 5.

On page 3, in lines 13, 15, 17, 19, 20, and 22, in each instance, strike the bracket; in line 13, after “employee” insert “UNDER § 7-601 OF THE TRANSPORTATION ARTICLE”; and in lines 17, 19, 20, and 22, strike “(7)”, “(8)”, “(9)”, and “(10)”, respectively.

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 – 97 Negative – 37 (See Roll Call No. 1583)

AMENDED IN THE SENATE

House Bill 1281 – Delegate Lierman

AN ACT concerning

Transportation – Bikeways Network Program – Funding

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1281/159335/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1281

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Funding” and substitute “and Central Maryland Regional Transit Plan”; in line 7, after “purpose;” 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;”; in line 8, after “Program” insert “and the Central Maryland Regional Transit Plan”; and in line 11, after “2–608” insert “and 7–301.1”.

AMENDMENT NO. 2

On page 2, after line 20, 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 25-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.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 103 Negative – 33 (See Roll Call No. 1584)

AMENDED IN THE SENATE

House Bill 1346 – Delegates Haynes, Chang, Corderman, Jackson, and McKay

AN ACT concerning

Public Safety – Student Peer Mediation Program Fund – Establishment

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1346/879737/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1346

(Third Reading File Bill)

On page 3, in line 18, strike “**\$100,000**” and substitute “**\$50,000**”.

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 – 137 Negative – 0 (See Roll Call No. 1585)

AMENDED IN THE SENATE

House Bill 1348 – Delegates Haynes, Chang, Corderman, Jackson, and McKay

AN ACT concerning

**Public Safety – Youth Crime Prevention and Diversion Parole Fund –
Establishment**

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1348/149938/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1348

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 4, 18, and 22, in each instance, before “Youth” insert “Markell Hendricks”.

AMENDMENT NO. 2

On page 2, in lines 21 and 27, in each instance, before “YOUTH” insert “MARKELL HENDRICKS”.

On page 3, in line 1, before “YOUTH” insert “MARKELL HENDRICKS”; and in line 22, strike “\$100,000” and substitute “\$50,000”.

On page 5, in line 1, before “YOUTH” insert “MARKELL HENDRICKS”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1586)

AMENDED IN THE SENATE

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)**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0088/443225/1

BY: Senator Hough

AMENDMENTS TO HOUSE BILL 88

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Alcohol Offenses –” and substitute “and”; strike line 3 in its entirety and substitute “– Classifications”; in line 7, after “fine;” insert “establishing the Task Force to Study Crime Classification and Penalties; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing reimbursement of certain expenses; requiring the Task Force to study certain issues related to the classification of and penalties for criminal and civil violations in the State; requiring the Task Force to report its findings to the Governor and the General Assembly on or before a certain date;”; in line 8, after “changes;” insert “providing for the termination of certain provisions of this Act;”; and in the same line, strike “alcohol” and substitute “classification of”.

AMENDMENT NO. 2

On page 8, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force to Study Crime Classification and Penalties.

(b) The Task Force consists of the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) the Attorney General, or the Attorney General’s designee;

(4) the Executive Director of the Maryland Sentencing Commission, or the Executive Director’s designee;

(5) the Executive Director of the Governor’s Office of Crime Control and Prevention, or the Executive Director’s designee;

(6) the president of the Maryland State’s Attorneys’ Association, or the president’s designee;

(7) an expert in the subject matter of criminal sentencing, appointed by the president of the Maryland State’s Attorneys’ Association;

(8) the Public Defender, or the Public Defender’s designee;

(9) an expert in the subject matter of criminal sentencing, appointed by the Public Defender; and

(10) the chair of the Justice Reinvestment Oversight Board.

(c) The members of the Task Force shall designate the chair of the Task Force.

(d) The Department of Legislative Services 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) review the penalties for all criminal and civil violations throughout the Maryland Code;

(2) study the history and legislative intent of the classification of criminal and civil violations throughout the Maryland Code, including the constitutional implications and collateral consequences that arise as a result of classification;

(3) study criminal classifications and penalty schemes in other states and how those classifications and schemes compare to those in the State; and

(4) make recommendations regarding the current statutory scheme for criminal and civil violations throughout the Maryland Code, including:

(i) whether there are violations that should be reclassified as civil offenses, misdemeanors, or felonies;

(ii) whether there are penalties that should be altered;

(iii) whether the State would benefit from:

1. the imposition of standardized crime classifications and penalties;

2. the codification of a default mental state as an element of criminal liability; and

3. the codification of affirmative defenses and their elements;

(iv) whether statutory changes are necessary for provisions of criminal law that lack an explicit mens rea; and

(v) what limitations, if any, should be placed on the ability of administrative boards, agencies, local governments, appointed commissioners, or of other persons or entities to enact rules, regulations, ordinances, or laws providing for criminal penalties.

(g) On or before December 31, 2020, the Task Force shall report 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 Section 1 of this Act shall take effect October 1, 2019.”;

in line 16, strike “2.” and substitute “4.”; in the same line, after “That” insert “, except as provided in Section 3 of this Act.”; in line 17, strike “October” and substitute “June”; and in the same line, after the period insert “Section 2 of this Act shall remain effective for a period of 2 years and 1 month 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.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 124 Negative – 12 (See Roll Call No. 1587)

AMENDED IN THE SENATE

House Bill 586 – Delegate Wilson

AN ACT concerning

Public Safety – Solar Photovoltaic Systems – Lockout Tag Requirement

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0586/487370/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 586

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Requirement” insert “and Study”; in line 3, strike “leases” and substitute “installs”; strike beginning with “requiring” in line 5 down through “funds;” in line 8; and in line 8, after “terms;” insert “requiring the Department of Labor, Licensing, and Regulation to make a certain report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 1, in line 19, strike “(1)”.

On pages 1 and 2, strike beginning with the first “THE” in line 19 on page 1 down through “**LOCKOUT**” in line 3 on page 2 and substitute “, “LOCKOUT”.

On page 2, in lines 4, 5, and 7, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “(1)”, “(2)”, and “(3)”, respectively; in line 10, strike “(1)”; in the same line,

strike “LEASES” and substitute “INSTALLS”; strike in their entirety lines 13 through 28, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 1, 2019, the Department of Labor, Licensing, and Regulation shall report to the House Economic Matters Committee and the Senate Finance Committee, in accordance with § 2–1246 of the State Government Article, on:

(1) the advisability of requiring:

(i) the provision of lockout tags, as defined in § 12–705(a) of the Public Safety Article as enacted by Section 1 of this Act, to residential customers with solar photovoltaic systems installed on their property;

(ii) the provision of notice about the safety benefits of lockout tags to residential customers with solar photovoltaic systems installed on their property; and

(iii) any other more effective method of making customers aware of the safety benefits of lockout tags to residential customers with solar photovoltaic systems installed on their property; and

(2) the most effective method of implementing any recommendation made under item (1) of this section.”;

and in line 29, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1588)

AMENDED IN THE SENATE

House Bill 637 – Delegates Clippinger, R. Lewis, and Lierman

AN ACT concerning

Baltimore City – Alcoholic Beverages – Licenses

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0637/914238/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 637

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, after “fees;” insert “altering certain street boundaries for the Old Goucher Revitalization District; authorizing certain licenses to be transferred within the Old Goucher Revitalization District;”.

On page 2, in line 17, after “12-1002.1,” insert “12-1603(e),”.

AMENDMENT NO. 2

On page 3, in line 28, strike “**6**” and substitute “**8**”; and in the same line, strike “**2 A.M. THE FOLLOWING DAY**” and substitute “**11 P.M.**”.

On page 6, after line 25, insert:

“12-1603.

(e) (1) In this subsection, “Old Goucher Revitalization District” means the area surrounded by Howard Street on the west, 25th Street on the north, [St. Paul Street] HARGROVE STREET on the east, and 21st Street on the south.

(2) If an establishment has a minimum capital investment, not including land and acquisition costs, of \$50,000, the Board may issue one Class B-D-7 license for use in each of the following properties in the Old Goucher Revitalization District:

(i) a property that is surrounded by Maryland Avenue on the west, 24th Street on the north, Morton Street on the east, and 22nd Street on the south;

(ii) a property that is surrounded by Morton Street on the west, 23rd Street on the north, Charles Street on the east, and 22nd Street on the south;

(iii) a property that is surrounded by Morton Street on the west, Ware Street on the north, [Charles Street] LOVEGROVE STREET on the east, and 24th Street on the south; and

(iv) a property that is surrounded by Maryland Avenue on the west, 24th Street on the north, Morton Street on the east, and 23rd Street on the south.

(3) A Class B–D–7 license that may be issued under (c)(6) OR (7) of this section may be transferred within the Old Goucher Revitalization District.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1589)

AMENDED IN THE SENATE

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

Delegate Barve moved that the House concur in the Senate amendments.

HB0225/929937/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 225

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Surcharge” and substitute “and Public Safety Surcharges”; strike beginning with “Exemptions –” in line 2 down through “Housing” in line 3 and substitute “Maryland Transit Administration Station”; strike beginning with “altering” in line 5 down through the semicolon in line 11 and substitute “adding an

exemption from the Prince George’s County school facilities surcharge for certain student housing designated by Bowie State University and the governing body of Prince George’s County; authorizing the governing body of Prince George’s County, by resolution, to exempt some or all of the school facilities surcharge under certain circumstances; authorizing the governing body of Prince George’s County, by resolution, to impose a school facilities surcharge on new residential construction for which a building permit is issued on or before a certain date and a public safety surcharge on certain new residential construction for which a building permit has been issued by the county; providing that the school facilities surcharge applies to certain multi-family housing; setting the amount of the public safety surcharge in Prince George’s County for certain residential housing constructed in an area included in a certain plan that abuts an existing or planned mass transit rail station operated by the Maryland Transit Administration under certain circumstances; requiring Prince George’s County to study and make recommendations concerning the school facilities surcharge and the public safety surcharge and report to certain persons on or before a certain date; providing for a certain reduction in the school facilities surcharge in Prince George’s County for certain residential housing that is constructed within a certain distance of a MARC station; providing for an exemption from the school facilities surcharge for certain dwelling units that are constructed within the Regional Transit Districts and Local Centers as defined in the approved Prince George’s County General Plan or within a certain distance of a MARC station; providing for the termination of certain provisions of this Act; repealing obsolete provisions;”; in line 13, strike “without” and substitute “with”; in line 15, after “10–192.01(a)(1)” insert “and 10–192.11(a)”; and strike in their entirety lines 18 through 22, inclusive.

On page 2, strike in their entirety lines 1 through 5, inclusive; in line 6, after “repealing” insert “and reenacting, with amendments,”; in line 8, strike “10–192.01(b)(4)” and substitute “10–192.01(b)(4)(A)”; and strike in their entirety lines 13 through 18, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

The Public Local Laws of Prince George’s County

Section 10–192.11(b)

Article 17 – Public Local Laws of Maryland

(2015 Edition, as amended)

(As enacted by Chapter 684 of the Acts of the General Assembly of 2013)

BY adding to

The Public Local Laws of Prince George’s County

Section 10–192.01(b)(4)(D) and (b–1)

Article 17 – Public Local Laws of Maryland
(2015 Edition, as amended)”.

AMENDMENT NO. 2

On page 2, in line 23, strike “County Council” and substitute “**GOVERNING BODY OF PRINCE GEORGE’S COUNTY**”; and in the same line, strike “ordinance” and substitute “**RESOLUTION**”.

On pages 2 and 3, strike beginning with “(2)” in line 26 on page 2 down through the period in line 6 on page 3.

On page 3, in line 8, strike “designated” and substitute “:

(I) DESIGNATED;

in line 12, after “Maryland” insert “:

(II) DESIGNATED AS STUDENT HOUSING BY BOWIE STATE UNIVERSITY AND THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY THAT IS LOCATED WITHIN 1 MILE OF BOWIE STATE UNIVERSITY.”.

On pages 3 and 4, strike in their entirety the lines beginning with line 13 on page 3 through line 7 on page 4, inclusive, and substitute:

“(D) TO PROMOTE THE GOALS OF THE UNIVERSITY DISTRICT VISION 2020, AS THAT VISION OR PLAN MAY BE AMENDED FROM TIME TO TIME, ON RECOMMENDATION OF THE CITY OF COLLEGE PARK, THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY, BY RESOLUTION, MAY EXEMPT SOME OR ALL OF THE SCHOOL FACILITIES SURCHARGE FOR UNDERGRADUATE STUDENT HOUSING BUILT WEST OF U.S. ROUTE 1, NORTH OF KNOX ROAD, AND SOUTH OF METZEROTT ROAD.

10–192.11.

(a) The [County Council] GOVERNING BODY OF PRINCE GEORGE’S COUNTY, by [ordinance] RESOLUTION, may impose a public safety surcharge on new residential construction for which a [Preliminary Plan has been approved on or after July 1, 2005] BUILDING PERMIT IS ISSUED BY THE COUNTY.

(b) (1) Except as provided in paragraph (3) of this Subsection, a public safety surcharge imposed on a single-family detached dwelling, town house, or dwelling unit for any other building containing more than a single dwelling unit shall be in the amount of:

(A) Six Thousand Dollars (\$6,000); or

(B) Two Thousand Dollars (\$2,000) for construction in:

(i) The [Developed Tier] TRANSPORTATION SERVICE AREA 1, as defined by the Maryland–National Capital Park and Planning Commission in the Prince George’s County Approved General Plan; and

(ii) An area included in a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority OR BY THE MARYLAND TRANSIT ADMINISTRATION and complies with the requirements of any sector plan, master plan, or overlay zone approved by the Prince George’s County District Council.

(2) The public safety surcharge does not apply to a single-family detached dwelling that is to be built or subcontracted by an individual owner in a minor subdivision and that is intended to be used as the owner’s personal residence.

(3) The governing body of Prince George’s County may waive any surcharge imposed under subsection (b)(1)(B) of this Section.

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

Article 17 – Prince George’s County

10–192.01.

(B–1) (1) THE SCHOOL FACILITIES SURCHARGE UNDER THIS SECTION SHALL BE REDUCED BY 50% FOR MULTI-FAMILY HOUSING PROJECTS, WITH A BUILDING PERMIT ISSUED ON OR AFTER APRIL 1, 2019, CONSTRUCTED:

(A) WITHIN AN APPROVED TRANSIT DISTRICT OVERLAY ZONE;

OR

(B) WHERE THERE IS NO APPROVED TRANSIT DISTRICT OVERLAY ZONE, WITHIN ONE-QUARTER MILE OF A METRO STATION OR A MARC STATION.

(2) THE SCHOOL FACILITIES SURCHARGE UNDER THIS SECTION DOES NOT APPLY TO A DWELLING UNIT THAT IS A STUDIO APARTMENT OR AN EFFICIENCY APARTMENT IF THE DWELLING UNIT IS LOCATED:

(A) WITHIN THE REGIONAL TRANSIT DISTRICTS AND LOCAL CENTERS (GROWTH POLICY AREAS), AS DEFINED IN THE APPROVED PRINCE GEORGE'S COUNTY GENERAL PLAN (PLAN 2035), INCLUDING IN THE AREA OF THE APPROVED 2010 CENTRAL US 1 CORRIDOR APPROVED SECTOR PLAN AND SECTIONAL MAP AMENDMENT;

(B) WITHIN AN APPROVED TRANSIT DISTRICT OVERLAY ZONE;

OR

(C) WHERE THERE IS NO APPROVED TRANSIT DISTRICT OVERLAY ZONE, WITHIN ONE-QUARTER MILE OF A METRO STATION OR A MARC STATION.

(3) THE GOVERNING BODY OF PRINCE GEORGE'S COUNTY MAY REDUCE THE SCHOOL FACILITIES SURCHARGE BY A PERCENTAGE NOT EXCEEDING 50% FOR DWELLING UNITS IN MULTI-FAMILY HOUSING CONSTRUCTED WHERE THERE IS NO APPROVED TRANSIT DISTRICT OVERLAY ZONE, WITHIN ONE-QUARTER MILE OF A PURPLE LINE STATION.

SECTION 3. AND BE IT FURTHER ENACTED, That Prince George's County shall:

(1) review and make recommendations on the impact of the school facilities surcharge and the public safety surcharge and the need for any changes to the surcharges, including whether changes to the school facilities surcharge and the public safety surcharge might have a positive impact on the ability to construct and maintain affordable housing; and

(2) on or before December 1, 2020, report its findings to the Prince George’s County Council, the Prince George’s County School Board, and, in accordance with § 2–1246 of the State Government Article, the members of the Prince George’s County Delegation to the General Assembly.”.

On page 4, in line 8, strike “2.” and substitute “4.”; and in line 9, after the period insert “Sections 2 and 3 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 2021, 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 2 amendments were read only.

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

The motion was adopted.

MISCELLANEOUS

Senate Bill 1049 – Senator Waldstreicher

AN ACT concerning

Civil Actions – Office of Asbestos Case Mediation and Resolution

Delegate Clippinger moved to put **Senate Bill 1049** on Third Reading on the same day in compliance with the Constitution.

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

Affirmative – 112 Negative – 21 (See Roll Call No. 1590)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 1049** was placed on Third Reading.

Senate Bill 1049 – Senator Waldstreicher

AN ACT concerning

Civil Actions – Office of Asbestos Case Mediation and Resolution

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 96 Negative – 36 (See Roll Call No. 1591)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 28
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 606 – Delegates Clippinger, R. Lewis, and Lierman

AN ACT concerning

Juvenile Justice Reform Council

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0606/208578/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 606
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Council” insert “in the Governor’s Office of Crime Control and Prevention”; and in line 9, strike “certain dates” and substitute “a certain date”.

AMENDMENT NO. 2

On page 1, in line 13, after “Council” insert “in the Governor’s Office of Crime Control and Prevention”.

On page 2, in line 18, after “a” insert “representative of a”; in the same line, strike “provider” and substitute “bureau”; and strike beginning with “two” in line 19 down through “Department” in line 21 and substitute “a representative from a crime victims organization”.

On page 3, in line 2, after “Regulations” insert “, as provided in the State budget”; in line 15, strike “and” and substitute:

“(4) research best practices for the treatment of juveniles who are subject to the criminal and juvenile justice systems;

(5) identify and make recommendations to limit or otherwise mitigate risk factors that contribute to juvenile contact with the criminal and juvenile justice systems; and”;

in line 16, strike “(4)” and substitute “(6)”; strike beginning with “Abell” in line 16 down through “organization” in line 18 and substitute “Council of State Governments Justice Center to develop the policy framework”; strike beginning with “(h)” in line 19 down through “(2)” in line 22 and substitute “(g)”; and in lines 22 and 23, strike “submit a final report on” and substitute “report”.

The preceding 2 amendments were read and concurred in.

HB0606/873424/1

BY: Senator Zirkin

AMENDMENTS TO HOUSE BILL 606, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (HB0606/208578/1), in lines 1 and 2 of Amendment No. 1, strike “in the Governor’s Office of Crime Control and Prevention”; and in lines 2 and 3, strike “a certain date” and substitute “certain dates”.

AMENDMENT NO. 2

On page 1 of the Judicial Proceedings Committee Amendments, in lines 1 and 2 of Amendment No. 2, strike “in the Governor’s Office of Crime Control and Prevention”; and in the first and second line from the bottom, strike “Justice Center to develop the policy framework” and substitute “, the Vera Institute of Justice, or another similar organization”.

AMENDMENT NO. 3

On page 2 of the bill, in line 21, strike “and”; after line 21, insert:

“(vii) two individuals under the age of 30 years who were under the supervision of the Department of Juvenile Services but who are no longer under the supervision of the Department; and”;

and in line 22, strike “(vii)” and substitute “(viii)”.

AMENDMENT NO. 4

On page 3 of the bill, in line 16, after the first “the” insert “Abell Foundation, the Annie E. Casey Foundation, the”; in line 22, before “On” 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)”.

AMENDMENT NO. 5

On page 2 of the Judicial Proceedings Committee Amendments, in line 2 of Amendment No. 2, strike “report” and substitute “submit a final report on”.

The preceding 5 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1592)

AMENDED IN 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

Delegate Clippinger moved that the House concur in the Senate amendments.

HB0874/898978/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 874

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, strike “8–303” and substitute “8–301.1”.

AMENDMENT NO. 2

On page 2, in line 3, strike “8-303.” and substitute “8-301.1.”; in line 17, after “(1)” insert “(I)”; in line 20, strike “POSSIBILITY” and substitute “PROBABILITY”; strike beginning with the comma in line 21 down through “DETERMINED” in line 22; in lines 18 and 20, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; after line 22, insert:

“(II) THE STATE’S ATTORNEY RECEIVED NEW INFORMATION AFTER THE ENTRY OF A PROBATION BEFORE JUDGMENT OR JUDGMENT OF CONVICTION THAT CALLS INTO QUESTION THE INTEGRITY OF THE PROBATION BEFORE JUDGMENT OR CONVICTION; AND”;

and strike beginning with “THE” in line 25 down through “JUDGMENT” in line 29 and substitute “THE INTEREST OF JUSTICE AND FAIRNESS JUSTIFIES VACATING THE PROBATION BEFORE JUDGMENT OR CONVICTION”.

On page 3, in lines 5 and 6, strike “IF A HEARING IS SOUGHT”; and in line 21, strike “AND A HEARING WAS REQUESTED”.

The preceding 2 amendments were 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 – 26 (See Roll Call No. 1593)

AMENDED IN THE SENATE

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 – Secondary Transactions

Delegate Clippinger moved that the House not concur in the Senate amendments.

HB0786/708570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 786

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Secondary Transactions” and substitute “Sales, Rentals, Transfers, and Loans”; in lines 4, 5, 7, 8, 10, 14, and 15, in each instance, strike “transfer” and substitute “sale”; in line 4, strike “in a certain role”; in lines 5, 10, and 11, in each instance, strike “transferor” and substitute “seller”; in line 6, strike “transferee” and substitute “purchaser”; in line 9, before “prohibiting” insert “authorizing a certain seller to remove a certain rifle or shotgun from certain premises under certain circumstances;”; in line 16, strike “transfers” and substitute “sales”; and in the same line, after “Act;” insert “providing that a certain licensee or other person may not sell, rent, transfer, or loan a rifle or shotgun to a certain person under certain circumstances;”.

On page 2, in line 34, after “5–204.1” insert “and 5–207”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 3 through 6, inclusive; in lines 7, 8, 9, 12, 14, and 16, strike “(D)”, “(E)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(C)”, “(D)”, “(E)”, “(F)”, “(G)”, and “(H)”, respectively; strike in their entirety lines 18 through 25, inclusive; strike beginning with “TRANSFER” in line 27 down through “INVOLVING” in line 28 and substitute “SALE BY”; in line 28, after “LICENSEE” insert a period; and strike beginning with “OR” in line 28 down through the semicolon in line 29.

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 5, in line 9, strike “(C)” and substitute “(B)”; in lines 9, 11, 12, 26, and 33, in each instance, strike “TRANSFER” and substitute “SALE”; in lines 9, 25, and 29, in each instance, strike “TRANSFEROR” and substitute “SELLER”; in lines 10, 26, 27, and 29, in each instance, strike “TRANSFEE” and substitute “PURCHASER”; in line 9, before “IS”

insert “OF A RIFLE OR SHOTGUN”; in line 12, strike “(I)”; strike beginning with “PROCESS” in line 13 down through “TRANSFEEE” in line 15 and substitute “CONDUCT A BACKGROUND CHECK ON THE PURCHASER THROUGH THE NICS INDEX”; strike in their entirety lines 16 through 19, inclusive; in line 20, strike “(D)”; in line 25, before “(1)” insert “(C)”; in the same line, strike “LICENSEE OR THE”; and in line 32, strike “(E)” and substitute “(D)”.

On page 6, in line 1, strike “(F)” and substitute “(E)”; and after line 8, insert:

5-207.

(A) THIS SECTION SUPERSEDES ANY RESTRICTION THAT A LOCAL JURISDICTION IN THE STATE IMPOSES ON THE TRANSFER BY A PRIVATE PARTY OF A RIFLE OR SHOTGUN, AND THE STATE PREEMPTS THE RIGHT OF ANY LOCAL JURISDICTION TO REGULATE THE TRANSFER OF A RIFLE OR SHOTGUN.

(B) IN THIS SECTION, “LOAN” INCLUDES A TEMPORARY GRATUITOUS EXCHANGE OF A RIFLE OR SHOTGUN.

(C) A LICENSEE OR ANY OTHER PERSON MAY NOT SELL, RENT, TRANSFER, OR LOAN A RIFLE OR SHOTGUN TO A PURCHASER, LESSEE, TRANSFEEE, OR RECIPIENT WHO THE LICENSEE OR OTHER PERSON KNOWS OR HAS REASONABLE CAUSE TO BELIEVE:

(1) HAS BEEN CONVICTED OF A DISQUALIFYING CRIME;

(2) HAS BEEN CONVICTED OF A CONSPIRACY TO COMMIT A FELONY;

(3) HAS BEEN CONVICTED OF A VIOLATION CLASSIFIED AS A COMMON LAW CRIME AND RECEIVED A TERM OF IMPRISONMENT OF MORE THAN 2 YEARS;

(4) IS A FUGITIVE FROM JUSTICE;

(5) IS A HABITUAL DRUNKARD AS DEFINED IN § 5-101 OF THIS TITLE;

(6) IS ADDICTED TO A CONTROLLED DANGEROUS SUBSTANCE OR IS A HABITUAL USER AS DEFINED IN § 5-101 OF THIS TITLE;

(7) SUFFERS FROM A MENTAL DISORDER AS DEFINED IN § 10-101(I)(2) OF THE HEALTH – GENERAL ARTICLE, AND HAS A HISTORY OF VIOLENT BEHAVIOR AGAINST THE PURCHASER, LESSEE, TRANSFEREE, RECIPIENT, OR ANOTHER, UNLESS THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT POSSESSES A PHYSICIAN’S CERTIFICATE THAT THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT OR TO ANOTHER;

(8) HAS BEEN CONFINED FOR MORE THAN 30 CONSECUTIVE DAYS TO A FACILITY AS DEFINED IN § 10-101 OF THE HEALTH – GENERAL ARTICLE, UNLESS THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT POSSESSES A PHYSICIAN’S CERTIFICATE THAT THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT OR TO ANOTHER;

(9) IS A RESPONDENT AGAINST WHOM A CURRENT NON EX PARTE CIVIL PROTECTIVE ORDER HAS BEEN ENTERED UNDER § 4-506 OF THE FAMILY LAW ARTICLE;

(10) IF UNDER THE AGE OF 30 YEARS AT THE TIME OF THE TRANSACTION, HAS BEEN ADJUDICATED DELINQUENT BY A JUVENILE COURT FOR AN ACT THAT WOULD BE A DISQUALIFYING CRIME IF COMMITTED BY AN ADULT;

(11) IS VISIBLY UNDER THE INFLUENCE OF ALCOHOL OR DRUGS;

(12) IS A PARTICIPANT IN A STRAW PURCHASE; OR

(13) INTENDS TO USE THE RIFLE OR SHOTGUN TO:

(I) COMMIT A CRIME; OR

(II) CAUSE HARM TO THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT OR ANOTHER PERSON.

(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

The preceding 2 amendments were read and not concurred in.

HB0786/713624/2

BY: Senator Zirkin

AMENDMENTS TO HOUSE BILL 786

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “transfer;” insert “exempting a certain person from a certain background check under certain circumstances;”.

AMENDMENT NO. 2

On page 5, in line 12, strike “A” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A**”; and after line 15, insert:

“(3) (I) A BACKGROUND CHECK THROUGH THE NICS INDEX IS NOT REQUIRED IF THE PURCHASER:

1. HAS A RELIGIOUS BELIEF AGAINST TAKING A PHOTOGRAPH;

2. PRESENTS PROOF OF IDENTITY, LEGAL PRESENCE, RESIDENCY, AND SOCIAL SECURITY NUMBER OR NON–WORK AUTHORIZED STATUS;

3. PRESENTS A SIGNED AND APPROVED IRS FORM 4029 OR AN AFFIDAVIT STATING THAT THE PURCHASER HAS A SINCERELY HELD RELIGIOUS BELIEF AGAINST THE TAKING OF A PORTRAIT PHOTOGRAPH; AND

4. DOES NOT POSSESS A LICENSE OR AN IDENTIFICATION CARD OF ANY KIND WITH A PHOTOGRAPHIC IDENTIFICATION.

(II) A PURCHASER WHO IS EXEMPT FROM AN NICS INDEX BACKGROUND CHECK UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

1. APPLY FOR A BACKGROUND CHECK THAT INCLUDES STATE AND NATIONAL CRIMINAL HISTORY INFORMATION; AND

2. PRESENT PROOF OF THE COMPLETED BACKGROUND CHECK TO THE LICENSEE.

(III) THE PURCHASER IS RESPONSIBLE FOR ANY COSTS OF THE BACKGROUND CHECK CONDUCTED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0786**
SPONSOR: Delegate Atterbeary, et al
SUBJECT: Public Safety – Rifles and Shotguns – Secondary Transactions

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 Clippinger, Chair
Delegate Lopez
Delegate Moon

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 13 – Delegate Barron

AN ACT concerning

Criminal Procedure – Partial Expungement and Expungement of Misdemeanor Conviction

Delegate Clippinger moved that the House not concur in the Senate amendments.

HB0013/218474/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 13
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Partial”; in lines 2 and 3, strike “Expungement of Misdemeanor Conviction” and substitute “Shielding”; strike beginning with “establishing” in line 10 down through “records” in line 18 and substitute “repealing the prohibition on the filing of a petition for expungement based on an acquittal, a dismissal, or a nolle prosequi within a certain time period after the disposition unless the petitioner files with the petition a certain waiver and release; requiring certain records that are ordered for expungement to be expunged by removing the records to a certain secured area; providing that certain records are subject to discovery in a civil action, except under certain circumstances; establishing procedures for the filing of a certain petition for shielding; authorizing a person to file a petition for expungement of certain records if the person is convicted of fourth degree burglary; making certain provisions of 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; and generally relating to expungement and shielding”.

On page 2, after line 5, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–105(c)(1) and (e)(2) and 10–110(a)(1)(ix)

Annotated Code of Maryland

(2018 Replacement Volume)”;

in line 8, strike “10–105.1” and substitute “10–303.1”; and strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 2

On pages 7 through 10, strike in their entirety the lines beginning with line 15 on page 7 through line 26 on page 10, inclusive, and substitute:

“10–105.

(c) (1) Except as provided in paragraph (2) of this subsection, a petition for expungement based on an acquittal, a nolle prosequi, or a dismissal may [not be filed within 3 years after the disposition, unless the petitioner files with the petition a written general waiver and release of all the petitioner’s tort claims arising from the charge] **BE FILED AT ANY TIME.**

(e) (2) (I) [If] **SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF** the court at the hearing finds that the person is entitled to expungement, the court shall order the expungement of all police records and court records about the charge.

(II) 1. **IF A PETITION FOR EXPUNGEMENT UNDER SUBSECTION (C)(1) OF THIS SECTION IS GRANTED WITHIN 3 YEARS AFTER THE DISPOSITION, THE EXPUNGEMENT SHALL BE ACCOMPLISHED BY REMOVING THE RECORDS TO A SEPARATE SECURE AREA TO WHICH PERSONS WHO DO NOT HAVE A LEGITIMATE REASON FOR ACCESS ARE DENIED ACCESS.**

2. **UNLESS A JUDICIAL OFFICER FINDS THAT THE RECORD IS PRIVILEGED OR OTHERWISE PROTECTED FROM DISCOVERY UNDER THE MARYLAND RULES, A RECORD EXPUNGED UNDER THIS SUBPARAGRAPH IS SUBJECT TO DISCOVERY IN A CIVIL ACTION.**

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;

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

Article – Criminal Procedure

10-303.1.

(A) NOTWITHSTANDING § 10-303 OF THIS SUBTITLE, 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 TITLE, A PERSON MAY FILE A PETITION UNDER THIS SECTION FOR SHIELDING OF THE OTHER CHARGE OR CHARGES IN THE UNIT THAT OTHERWISE WOULD BE ELIGIBLE FOR EXPUNGEMENT.

(B) (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.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PETITION FOR SHIELDING BASED ON AN ACQUITTAL, A NOLLE PROSEQUI, OR A DISMISSAL MAY BE FILED IMMEDIATELY.

(2) A PETITION FOR SHIELDING 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 SHIELDING 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 SHIELDING 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 SHIELDING 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 SHIELDING BASED ON THE CONVICTION OF A CRIME UNDER § 10–105(A)(9) OF THIS TITLE 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 SHIELDING BASED ON A FINDING OF NOT CRIMINALLY RESPONSIBLE UNDER § 10–105(A)(9) OR (10) OF THIS TITLE MAY NOT BE FILED WITHIN 3 YEARS AFTER THE FINDING OF NOT CRIMINALLY RESPONSIBLE WAS MADE BY THE COURT.

(8) A PETITION FOR SHIELDING BASED ON THE CONVICTION OF A CRIME UNDER § 10–105(A)(12) OF THIS TITLE 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 SHIELDING AT ANY TIME ON A SHOWING OF GOOD CAUSE.

(D) (1) THE COURT SHALL HAVE A COPY OF A PETITION FOR SHIELDING SERVED ON THE STATE’S ATTORNEY.

(2) UNLESS THE STATE’S ATTORNEY FILES AN OBJECTION TO THE PETITION FOR SHIELDING WITHIN 30 DAYS AFTER THE PETITION IS SERVED, THE COURT SHALL PASS AN ORDER REQUIRING THE SHIELDING OF THE CHARGE OR CHARGES.

(E) (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 SHIELDING, THE COURT SHALL ORDER THE SHIELDING OF THE CHARGE OR CHARGES.

(3) IF THE COURT FINDS THAT THE PERSON IS NOT ENTITLED TO SHIELDING, THE COURT SHALL DENY THE PETITION.

(4) THE PERSON IS NOT ENTITLED TO SHIELDING UNDER THIS SECTION 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;

(II) THE PERSON IS A DEFENDANT IN A PENDING CRIMINAL PROCEEDING; OR

(III) THE COURT FINDS AND STATES ON THE RECORD THAT THE STATE'S ATTORNEY HAS SHOWN GOOD CAUSE FOR WHY THE PERSON'S RECORDS SHOULD NOT BE SHIELDED.

(5) GOOD CAUSE UNDER SUBPARAGRAPH (4)(III) OF THIS SUBSECTION MAY INCLUDE THAT SHIELDING THE PERSON'S RECORDS WOULD BE CONTRARY TO THE INTEREST OF PUBLIC SAFETY.

(F) (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.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Section 2 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 2 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 of that year and every 6 months thereafter until the contingencies under subsection (a) of this section have been satisfied.”.

On page 10, strike lines 29 and 30 and substitute:

“SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this Act, this Act shall take effect June 1, 2019.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0013**
SPONSOR: Delegate Barron
SUBJECT: Criminal Procedure – Partial Expungement and Expungement of Misdemeanor Conviction

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 Atterbeary, Chair
Delegate Sydnor
Delegate Malone

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 32

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 192 – Senators Kelley, Augustine, Beidle, Carter, Eckardt, Ellis, Feldman, Ferguson, Griffith, Hayes, Jennings, Lam, Lee, McCray, Nathan–Pulliam, Patterson, Peters, Pinsky, Reilly, Rosapepe, Smith, Waldstreicher, Washington, Young, and Zucker

AN ACT concerning

Estates and Trusts – Elective Share of Surviving Spouse

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Rosenberg moved to put **Senate Bill 192** on Third Reading on the same day in compliance with the Constitution.

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1594)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 192** was placed on Third Reading.

Senate Bill 192 – Senators Kelley, Augustine, Beidle, Carter, Eckardt, Ellis, Feldman, Ferguson, Griffith, Hayes, Jennings, Lam, Lee, McCray, Nathan–Pulliam, Patterson, Peters, Pinsky, Reilly, Rosapepe, Smith, Waldstreicher, Washington, Young, and Zucker

AN ACT concerning

Estates and Trusts – Elective Share of Surviving Spouse

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1595)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

STATUS OF BILL: BILL ON THIRD READING AND FINAL PASSAGE. SENATE AMENDMENTS NOT CONCURRED IN.

Delegate Barve moved that the House concur in the Senate amendments.

HB0225/929937/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 225

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Surcharge” and substitute “and Public Safety Surcharges”; strike beginning with “Exemptions –” in line 2 down through “Housing” in line 3 and substitute “Maryland Transit Administration Station”; strike beginning with “altering” in line 5 down through the semicolon in line 11 and substitute “adding an exemption from the Prince George’s County school facilities surcharge for certain student housing designated by Bowie State University and the governing body of Prince George’s County; authorizing the governing body of Prince George’s County, by resolution, to exempt some or all of the school facilities surcharge under certain circumstances; authorizing the governing body of Prince George’s County, by resolution, to impose a school facilities surcharge on new residential construction for which a building permit is issued on or before a certain date and a public safety surcharge on certain new residential construction for which a building permit has been issued by the county; providing that the school facilities surcharge applies to certain multi–family housing; setting the amount of the public safety surcharge in Prince George’s County for certain residential housing constructed in an area included in a certain plan that abuts an existing or planned mass transit rail station operated by the Maryland Transit Administration under certain circumstances; requiring”

Prince George’s County to study and make recommendations concerning the school facilities surcharge and the public safety surcharge and report to certain persons on or before a certain date; providing for a certain reduction in the school facilities surcharge in Prince George’s County for certain residential housing that is constructed within a certain distance of a MARC station; providing for an exemption from the school facilities surcharge for certain dwelling units that are constructed within the Regional Transit Districts and Local Centers as defined in the approved Prince George’s County General Plan or within a certain distance of a MARC station; providing for the termination of certain provisions of this Act; repealing obsolete provisions;”; in line 13, strike “without” and substitute “with”; in line 15, after “10–192.01(a)(1)” insert “and 10–192.11(a)”; and strike in their entirety lines 18 through 22, inclusive.

On page 2, strike in their entirety lines 1 through 5, inclusive; in line 6, after “repealing” insert “and reenacting, with amendments,”; in line 8, strike “10–192.01(b)(4)” and substitute “10–192.01(b)(4)(A)”; and strike in their entirety lines 13 through 18, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

The Public Local Laws of Prince George’s County

Section 10–192.11(b)

Article 17 – Public Local Laws of Maryland

(2015 Edition, as amended)

(As enacted by Chapter 684 of the Acts of the General Assembly of 2013)

BY adding to

The Public Local Laws of Prince George’s County

Section 10–192.01(b)(4)(D) and (b–1)

Article 17 – Public Local Laws of Maryland

(2015 Edition, as amended)”.

AMENDMENT NO. 2

On page 2, in line 23, strike “County Council” and substitute “**GOVERNING BODY OF PRINCE GEORGE’S COUNTY**”; and in the same line, strike “ordinance” and substitute “**RESOLUTION**”.

On pages 2 and 3, strike beginning with “(2)” in line 26 on page 2 down through the period in line 6 on page 3.

On page 3, in line 8, strike “designated” and substitute “:

(I) DESIGNATED;

in line 12, after “Maryland” insert “;

(II) DESIGNATED AS STUDENT HOUSING BY BOWIE STATE UNIVERSITY AND THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY THAT IS LOCATED WITHIN 1 MILE OF BOWIE STATE UNIVERSITY.”.

On pages 3 and 4, strike in their entirety the lines beginning with line 13 on page 3 through line 7 on page 4, inclusive, and substitute:

“(D) TO PROMOTE THE GOALS OF THE UNIVERSITY DISTRICT VISION 2020, AS THAT VISION OR PLAN MAY BE AMENDED FROM TIME TO TIME, ON RECOMMENDATION OF THE CITY OF COLLEGE PARK, THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY, BY RESOLUTION, MAY EXEMPT SOME OR ALL OF THE SCHOOL FACILITIES SURCHARGE FOR UNDERGRADUATE STUDENT HOUSING BUILT WEST OF U.S. ROUTE 1, NORTH OF KNOX ROAD, AND SOUTH OF METZEROTT ROAD.

10–192.11.

(a) **The [County Council] GOVERNING BODY OF PRINCE GEORGE’S COUNTY, by [ordinance] RESOLUTION, may impose a public safety surcharge on new residential construction for which a [Preliminary Plan has been approved on or after July 1, 2005] BUILDING PERMIT IS ISSUED BY THE COUNTY.**

(b) (1) **Except as provided in paragraph (3) of this Subsection, a public safety surcharge imposed on a single–family detached dwelling, town house, or dwelling unit for any other building containing more than a single dwelling unit shall be in the amount of:**

(A) **Six Thousand Dollars (\$6,000); or**

(B) **Two Thousand Dollars (\$2,000) for construction in:**

(i) **The [Developed Tier] TRANSPORTATION SERVICE AREA 1, as defined by the Maryland–National Capital Park and Planning Commission in the Prince George’s County Approved General Plan; and**

(ii) An area included in a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority OR BY THE MARYLAND TRANSIT ADMINISTRATION and complies with the requirements of any sector plan, master plan, or overlay zone approved by the Prince George's County District Council.

(2) The public safety surcharge does not apply to a single-family detached dwelling that is to be built or subcontracted by an individual owner in a minor subdivision and that is intended to be used as the owner's personal residence.

(3) The governing body of Prince George's County may waive any surcharge imposed under subsection (b)(1)(B) of this Section.

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

Article 17 – Prince George's County

10-192.01.

(B-1) (1) THE SCHOOL FACILITIES SURCHARGE UNDER THIS SECTION SHALL BE REDUCED BY 50% FOR MULTI-FAMILY HOUSING PROJECTS, WITH A BUILDING PERMIT ISSUED ON OR AFTER APRIL 1, 2019, CONSTRUCTED:

(A) WITHIN AN APPROVED TRANSIT DISTRICT OVERLAY ZONE;
OR

(B) WHERE THERE IS NO APPROVED TRANSIT DISTRICT OVERLAY ZONE, WITHIN ONE-QUARTER MILE OF A METRO STATION OR A MARC STATION.

(2) THE SCHOOL FACILITIES SURCHARGE UNDER THIS SECTION DOES NOT APPLY TO A DWELLING UNIT THAT IS A STUDIO APARTMENT OR AN EFFICIENCY APARTMENT IF THE DWELLING UNIT IS LOCATED:

(A) WITHIN THE REGIONAL TRANSIT DISTRICTS AND LOCAL CENTERS (GROWTH POLICY AREAS), AS DEFINED IN THE APPROVED PRINCE GEORGE'S COUNTY GENERAL PLAN (PLAN 2035), INCLUDING IN THE AREA OF THE

APPROVED 2010 CENTRAL US 1 CORRIDOR APPROVED SECTOR PLAN AND SECTIONAL MAP AMENDMENT;

(B) WITHIN AN APPROVED TRANSIT DISTRICT OVERLAY ZONE;

OR

(C) WHERE THERE IS NO APPROVED TRANSIT DISTRICT OVERLAY ZONE, WITHIN ONE-QUARTER MILE OF A METRO STATION OR A MARC STATION.

(3) THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY MAY REDUCE THE SCHOOL FACILITIES SURCHARGE BY A PERCENTAGE NOT EXCEEDING 50% FOR DWELLING UNITS IN MULTI-FAMILY HOUSING CONSTRUCTED WHERE THERE IS NO APPROVED TRANSIT DISTRICT OVERLAY ZONE, WITHIN ONE-QUARTER MILE OF A PURPLE LINE STATION.

SECTION 3. AND BE IT FURTHER ENACTED, That Prince George’s County shall:

(1) review and make recommendations on the impact of the school facilities surcharge and the public safety surcharge and the need for any changes to the surcharges, including whether changes to the school facilities surcharge and the public safety surcharge might have a positive impact on the ability to construct and maintain affordable housing; and

(2) on or before December 1, 2020, report its findings to the Prince George’s County Council, the Prince George’s County School Board, and, in accordance with § 2–1246 of the State Government Article, the members of the Prince George’s County Delegation to the General Assembly.”.

On page 4, in line 8, strike “2.” and substitute “4.”; and in line 9, after the period insert “Sections 2 and 3 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 2021, 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 2 amendments were read and concurred in.

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1596)

The Bill was then sent to the Senate.

JUDICIARY COMMITTEE REPORT NO. 41

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

Senate Bill 643 – Senator Klausmeier

AN ACT concerning

Criminal Procedure – Forfeiture Proceeds – Appropriation Percentage and Reporting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger moved to put **Senate Bill 643** on Third Reading on the same day in compliance with the Constitution.

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

Affirmative – 131 Negative – 2 (See Roll Call No. 1597)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 643** was placed on Third Reading.

Senate Bill 643 – Senator Klausmeier

AN ACT concerning

Criminal Procedure – Forfeiture Proceeds – Appropriation Percentage and Reporting

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1598)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 29
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

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)**

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0355/864435/1

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENTS TO HOUSE BILL 355
(Third Reading File Bill)**

AMENDMENT NO. 1

On page 1, in line 2, strike “Public Ethics Law” and substitute “Education”; in the same line, strike “School Boards” and substitute “County Boards of Education”; and strike line 3 in its entirety.

On pages 1 and 2, strike beginning with “requiring” in line 13 on page 1 down through “deadline;” in line 17 on page 2.

On page 2, in lines 19 and 20, strike “the Public Ethics Law and school boards” and substitute “county boards of education”; in line 33, strike “, 5–816, 5–817, and 5–818”; and strike in their entirety lines 36 through 40, inclusive.

AMENDMENT NO. 2

On pages 6 through 10, strike in their entirety the lines beginning with line 6 on page 6 through line 23 on page 10, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1599)

QUORUM CALL

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

(See Roll Call No. 1600)

CALENDAR OF THIRD READING SENATE BILLS NO. 75

Senate Bill 227 – Senator Kelley

AN ACT concerning

Insurance – Principle–Based Reserves

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1601)

The Bill was then returned to the Senate.

Senate Bill 247 – Senator Jennings

AN ACT concerning

**Rental and Replacement Vehicles – Age–Based Service Determinations –
Prohibition**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1602)

The Bill was then returned to the Senate.

Senate Bill 436 – Senators Klausmeier, Beidle, Feldman, and Hershey

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

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

Affirmative – 106 Negative – 24 (See Roll Call No. 1603)

The Bill was then returned to the Senate.

Senate Bill 573 – Senator Feldman

AN ACT concerning

Energy Storage Pilot Project Act

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

Affirmative – 115 Negative – 18 (See Roll Call No. 1604)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 74

Senate Bill 364 – Senators Simonaire, Bailey, Carozza, Ellis, Gallion, Kagan, Lam, Patterson, and Young

AN ACT concerning

Election Law – Election Day Page Program – Establishment

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

Affirmative – 134 Negative – 1 (See Roll Call No. 1605)

The Bill was then returned to the Senate.

Senate Bill 897 – Senator Ferguson

AN ACT concerning

University of Maryland Joint Steering Council – Renaming ~~and~~ Duties, and Funding

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

Affirmative – 99 Negative – 37 (See Roll Call No. 1606)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 30
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 1231 – Delegate Adams

AN ACT concerning

Real Property – Construction Contracts – Retention Proceeds

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB1231/803327/1

BY: Senator Kramer

AMENDMENTS TO HOUSE BILL 1231

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the second “certain” insert “undisputed”.

AMENDMENT NO. 2

On page 3, in line 25, strike “**RETENTION**” and substitute “**UNDISPUTED RETENTION**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1607)

AMENDED IN THE SENATE

House Bill 1428 – The Speaker and Delegates Kipke, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

EMERGENCY BILL

AN ACT concerning

**University of Maryland Medical System Corporation – Board of Directors,
Ethics, and Performance Audit**

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB1428/287775/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1428

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Performance Audit” and substitute “Audits”.

On pages 1 and 2, strike beginning with “requiring” in line 21 on page 1 down through “request” in line 1 on page 2 and substitute “requiring certain new members of the Board to submit a certain disclosure within a certain time period; requiring a certain statement to be available to the public on a certain website through a certain registration program under certain circumstances; requiring the Governor to remove a certain member of the Board if the member files a certain false statement”.

On page 2, in line 5, strike “Board” and substitute “Medical System Corporation”; in line 6, after “persons;” insert “requiring the Governor to remove a certain member of the Board under certain circumstances; prohibiting the Medical System Corporation from providing a certain preference for the award of certain contracts; requiring the award of certain contracts or payments to a member of the Board or a certain business to be subject to the approval of the full Board; requiring the compliance officer of the Medical System Corporation to take certain actions before the Corporation awards a certain contract or makes a certain payment to a member of the Board; requiring the Board to develop a certain policy governing certain contracts and payments; requiring the Board to submit a certain report to certain entities on or before a certain date each year;”; strike beginning with “employ” in line 7 down through “expertise” in line 8 and substitute “competitively bid for a certified public accounting firm”; in line 11, after “entities;” insert “providing that a certain certified public accounting firm is ineligible to bid on a certain contract; requiring a certain certified public accounting firm to consult with the Joint Audit Committee and the Office of Legislative Audits in the development of the scope and objectives of a certain”.

audit at a certain time;"; in line 13, strike "a certain date;" and substitute "certain dates; requiring the Office of Legislative Audits to conduct a forensic audit of the Medical System Corporation for certain years that includes certain information; requiring the Office of Legislative Audits to submit a certain report to certain entities on or before a certain date;"; in line 15, strike "and the Speaker" and substitute "the Speaker, and the Office of Legislative Audits"; in the same line, after "date;" insert "requiring the Office of Legislative Audits to review and comment on a certain report to certain entities;"; in line 16, strike "terms" and substitute "appointments"; in the same line, strike "terminate" and substitute "end"; in line 22, after "requirements;" insert "providing that certain members appointed under a certain provision of law are considered appointed to fill a vacancy for a certain member's term; providing for the term and reappointment of certain members appointed to the Board under a certain provision of law as enacted by this Act;"; and in line 32, strike "and (m)" and substitute "(m), (n), and (o)".

AMENDMENT NO. 2

On page 3, in line 31, strike "**BOARD**" and substitute "**BOARD**".

On page 4, in lines 1, 3, 4, and 6, in each instance, strike "**BOARD**" and substitute "**BOARD**"; after line 2, insert:

"(III) STANDARDS FOR RECUSAL FROM VOTING;"

and in lines 3 and 6, strike "**(III)**" and "**(IV)**", respectively, and substitute "**(IV)**" and "**(V)**", respectively.

On page 5, in lines 22 and 27, in each instance, strike the semicolon and substitute a period.

On page 6, strike beginning with "**EACH**" in line 23 down through "**REQUEST.**" in line 27 and substitute "**EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, EACH MEMBER ANNUALLY SHALL SUBMIT A DISCLOSURE OF FINANCIAL INTEREST, INCLUDING ANY POTENTIAL CONFLICTS OF INTEREST, TO THE STATE HEALTH SERVICES COST REVIEW COMMISSION.**

(II) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE STATE HEALTH SERVICES COST REVIEW COMMISSION SHALL MAKE FREELY AVAILABLE TO THE PUBLIC ON ITS WEBSITE, THROUGH AN ONLINE REGISTRATION PROGRAM, THE STATEMENT SUBMITTED UNDER

SUBPARAGRAPH (I) OF THIS PARAGRAPH.

2. THE STATE HEALTH SERVICES COST REVIEW COMMISSION MAY NOT PROVIDE PUBLIC ACCESS TO THE PORTION OF THE STATEMENT THAT INCLUDES AN ADDRESS THAT THE MEMBER HAS IDENTIFIED AS THE MEMBER'S HOME ADDRESS.

(III) A NEWLY APPOINTED MEMBER SHALL SUBMIT A DISCLOSURE OF FINANCIAL INTEREST WITHIN 60 DAYS AFTER THE MEMBER'S APPOINTMENT TO THE BOARD.

(2) IF THE GOVERNOR DETERMINES THAT A MEMBER HAS WILLFULLY FILED A FALSE STATEMENT UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE GOVERNOR SHALL REMOVE THE MEMBER FROM THE BOARD.”;

and in lines 28 and 32, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

On page 7, in line 3, after “(M)” insert “(1)”; in the same line, strike “BOARD” and substitute “MEDICAL SYSTEM CORPORATION”; after line 6, insert:

“(2) THE GOVERNOR SHALL REMOVE A MEMBER FROM THE BOARD OF DIRECTORS WHO HAS BENEFITED FROM A SOLE SOURCE PROCUREMENT.

(3) THE MEDICAL SYSTEM CORPORATION MAY NOT PROVIDE A PREFERENCE FOR THE AWARD OF A CONTRACT TO AN ACTIVE MEMBER OF THE BOARD OF DIRECTORS OR A BUSINESS ENTITY THAT EMPLOYS OR HAS AN AFFILIATION WITH AN ACTIVE MEMBER.

(N) (1) THE AWARD OF A CONTRACT OR THE MAKING OF A PAYMENT TO A MEMBER OF THE BOARD OF DIRECTORS OR AN ASSOCIATED BUSINESS OF A MEMBER SHALL BE SUBJECT TO THE APPROVAL OF THE FULL BOARD OF DIRECTORS.

(2) BEFORE THE MEDICAL SYSTEM CORPORATION AWARDS A CONTRACT OR MAKES A PAYMENT TO A MEMBER OF THE BOARD OF DIRECTORS, THE COMPLIANCE OFFICER SHALL:

(I) REVIEW THE CONTRACT OR PAYMENT AND ADVISE THE MEMBER OF THE BOARD OF DIRECTORS AS TO WHETHER THE CONTRACT OR PAYMENT IS APPROPRIATE AND CONSISTENT WITH THE POLICIES OF THE MEDICAL SYSTEM CORPORATION; AND

(II) MAKE A RECOMMENDATION TO THE BOARD OF DIRECTORS AS TO WHETHER THE CONTRACT OR PAYMENT SHOULD BE APPROVED OR DISAPPROVED BY THE BOARD.

(O) (1) THE BOARD OF DIRECTORS SHALL DEVELOP A POLICY GOVERNING CONTRACTS WITH AND PAYMENTS TO A MEMBER OF THE BOARD OF DIRECTORS OR MEMBERS OF THE BOARD OF DIRECTORS OF HOSPITALS AFFILIATED WITH THE MEDICAL SYSTEM CORPORATION BY:

(I) THE MEDICAL SYSTEM CORPORATION; OR

(II) THE AFFILIATED HOSPITAL.

(2) ON OR BEFORE DECEMBER 1 EACH YEAR, THE BOARD OF DIRECTORS SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE, THE JOINT AUDIT COMMITTEE, THE SENATE FINANCE COMMITTEE, AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE ON:

(I) THE POLICY ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) HOW THE BOARD OF DIRECTORS HAS ENSURED COMPLIANCE WITH THE POLICY BY THE AFFILIATED HOSPITALS AND THE MEMBERS OF THE BOARD OF DIRECTORS OF THE AFFILIATED HOSPITALS.”;

and in line 7, strike “(N)” and substitute “(P)”.

AMENDMENT NO. 3

On page 7, in line 16, strike “On” and substitute “Subject to paragraph (3) of this subsection, on”; strike beginning with “employ” in line 17 down through “governance” in line 18 and substitute “competitively bid for a certified public accounting firm”; strike beginning with the first “the” in line 24 down through the first “or” in line 25; after line 26, insert:

“(3) (i) A certified public accounting firm that provides services to the Medical System Corporation or an affiliated hospital is not eligible to bid on the performance audit contract under paragraph (1) of this subsection.

“(ii) On the award of the performance audit contract to a certified public accounting firm under paragraph (1) of this subsection and before commencement of the performance audit, the certified public accounting firm shall consult with the Joint Audit Committee and the Office of Legislative Audits in the development of the scope and objectives of the performance audit.”;

in line 27, after “(b)” insert “(1)”; after line 30, insert:

“(2) On or before December 31, 2022, the Medical System Corporation shall submit a certified copy of a performance audit conducted during the calendar year 2022 that meets the requirements under subsection (a) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the President of the Senate and the Speaker of the House.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Office of Legislative Audits shall conduct a forensic audit of the University of Maryland Medical System Corporation for the calendar years 2016 through the effective date of this Act or earlier as deemed appropriate by the Office of Legislative Audits that:

(1) identifies all of the members of the Board of Directors of the Medical System Corporation and each member’s associated businesses;

(2) obtains all disbursement records from the Medical System Corporation;

(3) identifies all contracts with or payments to the members of the Board of Directors and a member’s associated businesses;

(4) identifies the basis for the procurement and the Medical System Corporation official and department that initiated and approved the payment;

(5) identifies the procurement method used and tests for propriety of the procurement, including whether it was conducted in accordance with a formal Medical System Corporation policy and whether the full Board of Directors approved the contract or payment;

(6) evaluate whether all proper steps were taken and, if a payment or contract was sole source, whether the rationale was documented and supportable; and

(7) evaluate whether the contract or payment made to a member of the Board of Directors or the member's associated business was monitored effectively to ensure that all deliverables paid for were provided.

(b) (1) On or before December 15, 2019, the Office of Legislative Audits shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the President of the Senate, the Speaker of the House, the Joint Audit Committee, the Senate Finance Committee, and the House Health and Government Operations Committee on the findings of the forensic audit conducted under this section.

(2) The report required under paragraph (1) of this subsection shall include any recommendations by the Office of Legislative Audits regarding how best to evaluate the procurement and contracting processes and any contracts with and payments to University of Maryland Medical System affiliated hospitals and members of the Board of Directors of the Medical System Corporation or the members of the boards of directors of the affiliated hospitals.”;

in line 31, strike “3.” and substitute “4.”; in the same line, strike the first “the” and substitute “;”

(a) The”;

in line 33, after “procedures” insert “, including policies for enforcing statutory limits on consecutive terms of appointment for members and continued service after the expiration of a members term”; in line 37, strike “and” and substitute a comma; in the same line, after “House” insert “, and the Office of Legislative Audits”; and after line 37, insert:

“(b) The Office of Legislative Audits shall review and comment on the report submitted under subsection (a) of this section to the Joint Audit Committee, the Senate Finance Committee, and the House Health and Government Operations Committee.”.

On page 8, in line 6, strike “4.” and substitute “5.”; in line 7, strike “terms” and substitute “appointment”; in line 9, strike “terminate” and substitute “end”; strike in their entirety lines 10 through 13, inclusive, and substitute:

“(1) the appointment of approximately one-third of the members of the Board shall end on July 1, 2019;

“(2) the appointment of approximately one-third of the members of the Board shall end on October 1, 2019; and

“(3) the appointment of the remaining members of the Board shall end on January 1, 2020.”;

in line 15, strike “term is terminated” and substitute “appointment ends”; after line 22, insert:

“(4) A new member appointed under this subsection shall be considered appointed to fill a vacancy and shall serve for the remainder of the term of the member who was not reappointed under this subsection.

SECTION 6. AND BE IT FURTHER ENACTED, That the terms of the members appointed to the Board of Directors of the University of Maryland Medical System Corporation under § 13–304(c)(4) and (5) of the Education Article as enacted by Section 1 of this Act:

(1) shall be for a term of 5 years from the date of appointment; and

(2) may be reappointed but may not serve more than two consecutive 5 year terms.”;

and in line 23, strike “5.” and substitute “7.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1608)

QUORUM CALL

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

(See Roll Call No. 1609)

CALENDAR OF THIRD READING SENATE BILLS NO. 76

Senate Bill 314 – Senators Lam and Guzzone

AN ACT concerning

**Department of General Services – Energy–Conserving and Bird–Safe Building Standards
(Maryland Sustainable Buildings Act of 2019)**

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

Affirmative – 97 Negative – 40 (See Roll Call No. 1610)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 205 SPONSOR: President

SUBJECT: Judgeships – Circuit Court and District Court

THIRD READING CALENDAR HOUSE NO. 28 SENATE NO. 43

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached House Judiciary Committee Amendment (SB0205/522818/1) be adopted.

SB0205/522818/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 205

(Third Reading File Bill)

On page 3, in line 13, strike “9” and substitute “10”.

Senate Members:

House Members:

Chair, **Justin Ready**

Chair, **Luke Clippinger**

Katie Fry Hester

Michael E. Malone

Michael J. Hough

J. Sandy Bartlett

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 124 Negative – 0 (See Roll Call No. 1611)

The Bill was then returned to the Senate.

BILL NO.: **SB 736** SPONSOR: **Senator Lee**

SUBJECT: **Criminal Law – Child Pornography**

THIRD READING CALENDAR HOUSE NO. **33** SENATE NO. **55**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached House Judiciary Committee Amendments (SB0736/682711/1) be adopted.

(2) That the attached Conference Committee Amendments (SB0736/853523/1) be adopted.

SB0736/682711/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 736

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering certain definitions applicable to certain prohibitions against possessing, distributing, and creating child pornography;”; in line 8, after “term;” insert “providing that only certain depictions of sexual conduct apply to a certain offense;”; in line 11, after “Section” insert “11-101, 11-105(a), 11-201, and”; and after line 13, insert:

“BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 11-207

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“11-101.

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

(b) “Advertising purposes” means the purpose of propagandizing in connection with the commercial:

(1) sale of a product;

(2) offering of a service; or

(3) exhibition of entertainment.

(c) “Sadomasochistic abuse” means:

(1) flagellation or torture committed by or inflicted on an individual who

is:

- (i) nude;
- (ii) wearing only undergarments; or
- (iii) wearing a revealing or bizarre costume; or

who is:

- (i) nude;
- (ii) wearing only undergarments; or
- (iii) wearing a revealing or bizarre costume.

(d) “Sexual conduct” means:

- (1) human masturbation;
- (2) sexual intercourse; [or]
- (3) whether alone or with another individual or animal, any touching of or

contact with:

- (i) the genitals, buttocks, or pubic areas of an individual; or
- (ii) breasts of a female individual; OR

(4) LASCIVIOUS EXHIBITION OF THE GENITALS OR PUBIC AREA OF ANY PERSON.

(e) “Sexual excitement” means:

(1) the condition of the human genitals when in a state of sexual stimulation;

(2) the condition of the human female breasts when in a state of sexual

stimulation; or

(3) the sensual experiences of individuals engaging in or witnessing sexual conduct or nudity.

11-105.

(a) A person may not knowingly display for advertising purposes a picture, photograph, drawing, sculpture, or other visual representation or image of an individual or portion of a human body that:

(1) depicts sadomasochistic abuse;

(2) depicts sexual conduct AS DEFINED BY § 11-101(D)(1), (2), OR (3) OF THIS SUBTITLE;

(3) depicts sexual excitement; or

(4) contains a verbal description or narrative account of sadomasochistic abuse, sexual conduct, or sexual excitement.

11-201.

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

(b) “Distribute” means to transfer possession.

(c) “Knowingly” means having knowledge of the character and content of the matter.

(d) “Matter” means:

(1) a book, magazine, newspaper, or other printed or written material;

(2) a picture, drawing, photograph, motion picture, or other pictorial representation;

(3) a statue or other figure;

(4) a recording, transcription, or mechanical, chemical, [or] electrical, OR DIGITAL reproduction; or

(5) any other article, equipment, machine, or material.

(e) “Sadomasochistic abuse” has the meaning stated in § 11–101 of this title.

(f) “Sexual conduct” has the meaning stated in § 11–101 of this title.

(g) “Sexual excitement” has the meaning stated in § 11–101 of this title.

11–207.

(a) A person may not:

(1) cause, induce, solicit, or knowingly allow a minor to engage as a subject in the production of obscene matter or a visual representation or performance that depicts a minor engaged as a subject in sadomasochistic abuse or sexual conduct;

(2) photograph or film a minor engaging in an obscene act, sadomasochistic abuse, or sexual conduct;

(3) use a computer to depict or describe a minor engaging in an obscene act, sadomasochistic abuse, or sexual conduct;

(4) knowingly promote, advertise, solicit, distribute, or possess with the intent to distribute any matter, visual representation, or performance:

(i) that depicts a minor engaged as a subject in sadomasochistic abuse or sexual conduct; or

(ii) in a manner that reflects the belief, or that is intended to cause another to believe, that the matter, visual representation, or performance depicts a minor engaged as a subject of sadomasochistic abuse or sexual conduct; or

(5) use a computer to knowingly compile, enter, transmit, make, print, publish, reproduce, cause, allow, buy, sell, receive, exchange, or disseminate any notice, statement, advertisement, or minor’s name, telephone number, place of residence, physical characteristics, or other descriptive or identifying information for the purpose of engaging

in, facilitating, encouraging, offering, or soliciting unlawful sadomasochistic abuse or sexual conduct of or with a minor.

(b) A person who violates this section is guilty of a felony and on conviction is subject to:

(1) for a first violation, imprisonment not exceeding 10 years or a fine not exceeding \$25,000 or both; and

(2) for each subsequent violation, imprisonment not exceeding 20 years or a fine not exceeding \$50,000 or both.

(c) (1) (i) This paragraph applies only if the minor's identity is unknown or the minor is outside the jurisdiction of the State.

(ii) In an action brought under this section, the State is not required to identify or produce testimony from the minor who is depicted in the obscene matter or in any visual representation or performance that depicts the minor engaged as a subject in sadomasochistic abuse or sexual conduct.

(2) The trier of fact may determine whether an individual who is depicted in an obscene matter, or any visual representation or performance as the subject in sadomasochistic abuse or sexual conduct, was a minor by:

(i) observation of the matter depicting the individual;

(ii) oral testimony by a witness to the production of the matter, representation, or performance;

(iii) expert medical testimony; or

(iv) any other method authorized by an applicable provision of law or rule of evidence.”.

SB0736/853523/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 736, AS AMENDED

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0736/682711/1), in line 4 of Amendment No. 1, strike “11-201.”

AMENDMENT NO. 2

On page 4 of the House Judiciary Committee Amendments, in Amendment No. 2, strike in their entirety lines 3 through 18, inclusive.

Senate Members:

House Members:

Chair, **Robert Cassilly**

Chair, **Vanessa E. Atterbeary**

Chris West

(not signed)

Ron Watson

Jeff Waldstreicher

Jesse T. Pippy

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 127 Negative – 0 (See Roll Call No. 1612)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 31
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

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~~ Wells, Attar, and Barve

AN ACT concerning

~~Environment~~ **Drinking Water Outlets in School Buildings – Elevated Level of Lead and Grant ~~Program~~ Programs**

Delegate Barve moved that the House concur in the Senate amendments.

HB1253/454436/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1253

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Elevated Level of”; in line 3, after “Lead” insert “Testing and Reporting Requirements”; strike beginning with “altering” in line 4 down through the semicolon in line 6; and in line 11, after “procedures;” insert “making a certain finding and establishing a certain intent; requiring a school to report the results of a certain analysis to certain departments under certain circumstances; requiring the Department of the Environment to include certain information in a certain report, beginning with the report due on a certain date;”.

On page 2, strike beginning with “providing” in line 3 down through “Act;” in line 4; strike in their entirety lines 6 through 15, inclusive; after line 25, insert:

“BY repealing and reenacting, without amendments,

Article – Environment

Section 6–1501(a) through (c)

Annotated Code of Maryland

(2013 Replacement Volume and 2018 Supplement)”;

in line 28, after “Section” insert “6–1501.1 and”; and after line 30, insert:

“BY repealing and reenacting, with amendments,

Article – Environment

Section 6–1502(c) and (e)

Annotated Code of Maryland

(2013 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 33 on page 2 through line 5 on page 3, inclusive.

On page 4, after line 19, insert:

“6–1501.

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

(b) (1) “Drinking water outlet” means a potable water fixture that is used for drinking or food preparation.

(2) “Drinking water outlet” includes:

(i) A water fountain, faucet, or tap that is used or potentially used for drinking or food preparation; and

(ii) Ice-making and hot drink machines.

(c) “Elevated level of lead” means a lead concentration in drinking water that exceeds the standard recommended by the U.S. Environmental Protection Agency in technical guidance.

6-1501.1.

(A) THE GENERAL ASSEMBLY FINDS THAT ANY EXPOSURE TO LEAD IN DRINKING WATER IS DANGEROUS TO THE HEALTH AND DEVELOPMENT OF CHILDREN.

(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT SCHOOLS WORK PROACTIVELY TO REDUCE THE CONCENTRATION OF LEAD IN DRINKING WATER OUTLETS TO A LEVEL BELOW 5 PARTS PER BILLION AND THAT STATE AND FEDERAL FUNDS BE MADE AVAILABLE TO SCHOOLS FOR THAT PURPOSE.

6-1502.

(c) Regulations adopted under this section shall:

(1) Require initial testing to be conducted on or before July 1, 2018;

(2) Phase in the implementation of the required testing beginning with:

(i) School buildings constructed before 1988; and

(ii) School buildings serving students in a prekindergarten program or any grade from kindergarten through grade 5;

(3) Establish a sampling method for the required testing that is consistent with technical guidance;

(4) Establish the frequency for the required testing;

(5) Address best practices and cost-effective testing;

(6) Require test samples from drinking water outlets to be analyzed by an entity approved by the Department; [and]

(7) If an analysis of a test sample indicates an elevated level of lead in a drinking water outlet, require that:

(i) The results of the analysis be reported to the Department, the State Department of Education, the Maryland Department of Health, and the appropriate local health department;

(ii) Access to the drinking water outlet be closed;

(iii) An adequate supply of safe drinking water be provided to school occupants;

(iv) The school take appropriate remedial measures, including:

1. Permanently shutting or closing off access to the drinking water outlet;

2. Manual or automatic flushing of the drinking water outlet;

3. Installing and maintaining a filter at the drinking water outlet; or

4. Repairing or replacing the drinking water outlet, plumbing, or service line contributing to the elevated level of lead;

(v) The school conduct follow-up testing; and

(vi) Notice of the elevated level of lead be:

1. Provided to the parent or legal guardian of each student attending the school; and
2. Posted on the Web site of the school; AND

(8) IF AN ANALYSIS OF A TEST SAMPLE INDICATES A CONCENTRATION OF LEAD THAT IS MORE THAN 5 PARTS PER BILLION BUT LESS THAN THE STANDARD FOR AN ELEVATED LEVEL OF LEAD, REQUIRE THAT THE RESULTS OF THE ANALYSIS BE REPORTED TO THE DEPARTMENT, THE STATE DEPARTMENT OF EDUCATION, THE MARYLAND DEPARTMENT OF HEALTH, AND THE APPROPRIATE LOCAL HEALTH DEPARTMENT.

(e) **(1) On or before December 1, 2018, and on or before December 1 each year thereafter, the Department and the State Department of Education jointly shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the findings of the testing required under this section, including:**

[(1)] (I) The name and address of each school found to have elevated levels of lead in its drinking water; and

[(2)] (II) The type, location in the building, and use of each drinking water outlet with an elevated level of lead.

(2) BEGINNING WITH THE REPORT DUE DECEMBER 1, 2019, THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE, IN ADDITION TO THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) THE NAME AND ADDRESS OF EACH SCHOOL FOUND TO HAVE A LEAD CONCENTRATION THAT IS MORE THAN 5 PARTS PER BILLION BUT LESS THAN THE STANDARD FOR AN ELEVATED LEVEL OF LEAD; AND

(II) THE TYPE, LOCATION IN THE BUILDING, AND USE OF EACH DRINKING WATER OUTLET WITH A LEAD CONCENTRATION THAT IS MORE THAN 5

PARTS PER BILLION BUT LESS THAN THE STANDARD FOR AN ELEVATED LEVEL OF LEAD.”.

AMENDMENT NO. 3

On page 4, in line 31, strike “BEFORE THAT STANDARD TAKES EFFECT ON JUNE 1, 2020”.

On page 5, in lines 2 and 5, in each instance, strike “ELEVATED LEVELS” and substitute “THE PRESENCE”.

AMENDMENT NO. 4

On page 6, in line 23, strike “3.” and substitute “2.”; strike beginning with “the” in line 23 down through “Act.” in line 29 and substitute “the reporting requirements established under § 6–1502(c)(8) of the Environment Article as enacted under Section 1 of this Act shall be construed to apply retroactively to require the reporting of the results of an analysis of a sample taken on or after June 1, 2017, if it indicates a concentration of lead that is more than 5 parts per billion.”; in line 30, strike “4.” and substitute “3.”; in line 33, strike “Section 2” and substitute “Section 1”; and strike beginning with “before” in line 35 down through “Act” in line 36.

On page 7, strike in their entirety lines 1 and 2; in line 3, strike “6.” and substitute “4.”; and strike beginning with “, except” in line 3 down through “Act.” in line 4.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 1613)

**YEAS AND NAYS NO. 15
HOUSE BILLS PASSED IN THE SENATE**

NUMBER	SPONSOR	CONTENT
HB 17 (Emerg)	Del. Glenn	Natalie M. LaPrade Medical Cannabis Commission – Processing and Dispensing Medical Cannabis

NUMBER	SPONSOR	CONTENT
HB 219	Prince George's County Delegation	Prince George's County – New Homes – Drainage Defects PG 408–19
HB 493	Del. Valentino– Smith	Crimes – Solicitation and Conspiracy to Commit Murder Resulting in Death (Stacey's Law)
HB 542	Del. Cox	Task Force to Study Crime Classification and Penalties
HB 551	Del. R. Lewis	Alcoholic Beverages – Distilleries – Farmers' Markets and Other Events
HB 795	Del. Branch	Workers' Compensation – Permanent Partial Disability – Baltimore City Deputy Sheriffs
HB 1115	Del. Solomon	Community Colleges – Workforce Readiness Grant Program – Established
HB 1315	Del. Glenn	Higher Education – Cyber Warrior Diversity Program – Revisions
HB 1427	Del. Stein	Sea Level Rise Inundation and Coastal Flooding – Construction, Adaptation, and Mitigation

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0452**
SPONSOR: Senator Carter, et al
SUBJECT: Juveniles Charged as Adults – Confidentiality of Records

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator West, Chair
Senator Ready
Senator Waldstreicher

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0452
SPONSOR: Senator Carter, et al
SUBJECT: Juveniles Charged as Adults – Confidentiality of Records

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator West, Chairman
Senator Ready
Senator Waldstreicher.

The House appoints:

Delegate Moon, Chair
Delegate W. Fisher
Delegate Bartlett

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 11 – ~~Delegate Sydnor~~ Delegates Sydnor, Anderson, Cardin, Conaway, Corderman, Cox, D.M. Davis, J. Lewis, Lopez, McComas, Moon, and Shetty

AN ACT concerning

Juveniles Charged as Adults – Confidentiality of ~~Photos and Videos~~ Records

Delegate Clippinger moved that the House not concur in the Senate amendments.

HB0011/378677/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 11

(Third Reading File Bill)

On page 3, in line 15, strike “an” and substitute “:

1. AN”;

in line 17, strike “or”; after line 17, insert:

“2. AN OUTSTANDING JUDICIALLY ISSUED WARRANT, FOR THE SOLE PURPOSE OF APPREHENDING A CHILD NAMED IN THE WARRANT; OR

3. A CHILD WHO HAS BEEN REPORTED MISSING; OR”;

in line 19, after “State” insert “**, FOR THE PURPOSES OF FACILITATING APPREHENSION OF A CHILD AND ENSURING PUBLIC SAFETY,**”; in line 20, strike “has” and substitute “:

1. HAS”;

strike beginning with the comma in line 22 down through “safety.” in line 23 and substitute “:

2. IS THE SUBJECT OF A JUDICIALLY ISSUED WARRANT;

3. IS SUBJECT TO ARREST FOR A CRIME OR AN ACT THAT WOULD BE A CRIME IF COMMITTED BY AN ADULT; OR

4. HAS BEEN REPORTED MISSING.”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0011
SPONSOR: Delegate Sydnor, et al
SUBJECT: Juveniles Charged as Adults – Confidentiality of Records

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 Moon, Chair
Delegate W. Fisher
Delegate Bartlett

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

YEAS AND NAYS NO. 16
HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 178	The Speaker	Maryland Stadium Authority – Ocean City Convention Facility – Renovation
HB 666	Economic Matters Committee	Alcoholic Beverages – Nonprofit Beer, Wine, and Liquor Festival Permit – Retail Off-Site Permit
HB 827	Del. Lierman	Child Abuse and Neglect – Sex Trfckng – Srvc and Invstgns (Child Sex Trfckng Screening and Srvc Act of 2019)
HB 860	Del. B. Barnes	Employees’, Teachers’, and Correctional Officers’ Systems – Active Members – Death Benefits
HB 884	Del. Mosby	Sales and Use Tax – Short-Term Rentals
HB 1249	Del. Reznik	Pilot Program – Alleged Rape, Sexual Offense, or Child Sexual Abuse – HIV Postexposure Prophylaxis
HB 1339	Del. Guyton	Property Tax Credit – Elderly Individuals – Eligibility
HB 1405	Howard County Delegation	Howard County – Transfer Tax – Collection by Director of Finance Ho. Co. 30–19
HB 1406	Howard County Delegation	Howard County – Department of Correction – Authority to Establish Programs Ho. Co. 29–19

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 678** SPONSOR: **Senator Jennings**

SUBJECT: **State Government – Notarial Acts and Notaries Public**

THIRD READING CALENDAR

HOUSE NO. **63**

SENATE NO. **54**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Health and Government Operations Committee Amendments (SB0678/256988/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0678/593721/1) be adopted.

SB0678/593721/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 678

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 12 down through “act;” in line 13.

On page 2, strike beginning with “requiring” in line 16 down through “database;” in line 17.

On page 3, in line 9, strike “18–228” and substitute “18–227”.

AMENDMENT NO. 2

On page 3, in line 29, strike the brackets; and strike in their entirety lines 30 and 31.

On page 4, strike line 5 in its entirety; and in lines 6, 11, and 13, strike “**(5)**”, “**(6)**”, and “**(7)**”, respectively, and substitute “(4)”, “(5)”, and “(6)”, respectively.

AMENDMENT NO. 3

On page 8, in line 9, strike the brackets; in the same line, strike “**\$25**”; and in line 13, strike “**\$25**” and substitute “\$4”.

AMENDMENT NO. 4

On page 15, in lines 5 and 21, in each instance, after “**LICENSE,**” insert “CONSULAR IDENTIFICATION,”; in lines 6 and 7, strike “**THAT IS CURRENT AND UNEXPIRED AT THE**”

TIME OF PERFORMANCE OF THE NOTARIAL ACT”; strike in their entirety lines 10 and 11; in lines 12 and 14, strike “**2.**” and “**3.**”, respectively, and substitute “**1.**” and “**2.**”, respectively; and in lines 21 and 22, strike “**THAT IS CURRENT AND UNEXPIRED AT THE TIME OF PERFORMANCE OF THE NOTARIAL ACT**”.

AMENDMENT NO. 5

On page 21, in line 12, strike “**18-223**” and substitute “**18-222**”.

On page 22, in lines 2 and 14, in each instance, strike “**18-223**” and substitute “**18-222**”.

On page 24, in line 17, strike “**18-223**” and substitute “**18-222**”.

On page 28, in line 18, strike “**18-223**” and substitute “**18-222**”.

On page 30, in line 17, strike “**18-223**” and substitute “**18-222**”.

On page 31, strike in their entirety lines 19 through 26, inclusive.

On page 32, in line 7, strike “**18-223.**” and substitute “**18-222.**”.

On page 33, in line 25, strike “**18-224.**” and substitute “**18-223.**”; and in line 27, strike “**18-223**” and substitute “**18-222**”.

On page 36, in line 23, strike “**18-225.**” and substitute “**18-224.**”.

On page 38, in lines 1, 5, and 11, strike “**18-226.**”, “**18-227.**”, and “**18-228.**”, respectively, and substitute “**18-225.**”, “**18-226.**”, and “**18-227.**”, respectively.

Senate Members:

House Members:

Chair, **Katie Fry Hester**

Chair, **Joseline A. Pena-Melnyk**

Chris West

Steve Johnson

Mary Washington

Susan W. Krebs

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 133 Negative – 2 (See Roll Call No. 1614)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 32
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 1301 – Delegate Walker

AN ACT concerning

~~**Sales and Use Tax – Collection by Marketplace Facilitators**~~
**Taxation of Online Sales – Marketplace Facilitators and Sellers of Other
Tobacco Products**

Delegate Kaiser moved that the House concur in the Senate amendments.

HB1301/959830/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, after “severable;” insert “making certain provisions of this Act subject to a certain contingency;”; and after line 21, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–101(c–2)(2)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 13, after line 15, insert:

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

Article – Tax – General

11–101.

(c–2) (2) “Marketplace facilitator” does not include:

(i) a platform or forum that exclusively provides Internet advertising services, including listing products for sale, if the platform or forum does not also engage, directly or indirectly, in collecting payment from a buyer and transmitting that payment to the vendor;

(ii) a payment processor business appointed by a vendor to handle payment transactions from clients, including credit cards and debit cards, whose only activity with respect to marketplace sales is to handle transactions between two parties;

OR

(iii) [a peer-to-peer car sharing program, as defined in § 19–520 of the Insurance Article; or

(iv)] a delivery service company that delivers tangible personal property on behalf of a marketplace seller that is engaged in the business of a retail vendor and holds a license issued under Subtitle 7 of this title.”;

in lines 16, 20, 27, and 32, strike “2.”, “3.”, “4.”, and “5.”, respectively, and substitute “3.”, “4.”, “5.”, and “7.”, respectively;

after line 31, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2020, contingent on the termination of Section 3 of Chapter 852 of the Acts of the General Assembly of 2018, and if Section 3 of Chapter 852 does not terminate on June 30, 2020, Section 2 of this Act, with no further action required by the General Assembly, shall be null and void.”;

in line 32, strike “2” and substitute “3”; and in line 33, after the first “Act” insert “and except as provided in Section 6 of this Act”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 104 Negative – 31 (See Roll Call No. 1615)

AMENDED IN THE SENATE

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)

Delegate Pendergrass moved that the House not concur in the Senate amendments.

HB0716/204732/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 716

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the second “of” insert “the Executive Branch of”; in line 6, strike the second “certain”; in lines 6 and 7, strike “of State government”; strike beginning with “establishing” in line 22 down through “Maryland;” in line 23; and in line 24, strike “law” and substitute “this Act”.

On pages 1 and 2, strike beginning with “repealing” in line 24 on page 1 down through “definitions;” in line 1 on page 2.

On page 2, in line 1, strike “the” and substitute “a delayed”; in the same line, strike “of certain” and substitute a semicolon; strike line 2 in its entirety; after line 4, insert:

“BY repealing and reenacting, without amendments,

Article – State Government
Section 10–1301(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)”;

strike beginning with “10–1301” in line 7 down through “(j)” in line 8 and substitute “10–1301(f) and 10–1302(b) to be under the amended subtitle “Subtitle 13. Protection of Information by Public Institutions of Higher Education and Political Subdivisions””; in line 13, strike “10–13A–08” and substitute “10–13A–07”; in line 14, strike “University System of Maryland” and substitute “Executive Branch”; and strike in their entirety lines 17 through 22, inclusive.

AMENDMENT NO. 2

On page 2, after line 25, insert:

“Subtitle 13. Protection of Information by [Government Agencies] PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND POLITICAL SUBDIVISIONS.”.

On pages 2 through 4, strike in their entirety the lines beginning with line 28 on page 2 through line 33 on page 4, inclusive.

On page 5, in line 1, strike the brackets; in the same line, strike “(G)”; strike beginning with “an” in line 2 down through “authority,” in line 3; in line 3, strike “, a unit”; and strike in their entirety lines 9 through 29, inclusive.

On page 6, in line 1, strike the brackets; in the same line, strike “(C)” and substitute “(1)”; in the same line, after “to” insert “:

(I)”;

strike beginning with the first comma in line 2 down through “MARYLAND” in line 3 and substitute “;OR

(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

(2) THIS SUBTITLE APPLIES TO A PUBLIC INSTITUTION OF HIGHER EDUCATION AND AN INSTRUMENTALITY OF THE STATE”;

and after line 3, insert:

“SUBTITLE 13A. PROTECTION OF INFORMATION BY THE EXECUTIVE BRANCH.

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 THE DATA INDECIPHERABLE WITHOUT AN ASSOCIATED CRYPTOGRAPHIC KEY NECESSARY TO ENABLE DECRYPTION OF THE DATA.

(C) “INDIVIDUAL” MEANS AN INDIVIDUAL WHO INTERACTS WITH A UNIT.

(D) (1) “PERSONALLY IDENTIFIABLE INFORMATION” MEANS INFORMATION THAT MAY BE USED TO DISTINGUISH OR TRACE AN INDIVIDUAL’S IDENTITY, EITHER ALONE OR WHEN COMBINED WITH OTHER INFORMATION ASSOCIATED WITH AN INDIVIDUAL.

(2) “PERSONALLY IDENTIFIABLE INFORMATION” INCLUDES:

(I) UNIQUE PERSONAL IDENTIFIERS, INCLUDING:

- 1. A FULL NAME;**
- 2. A FIRST INITIAL AND LAST NAME;**
- 3. A SOCIAL SECURITY NUMBER;**

4. A DRIVER'S LICENSE NUMBER, A STATE IDENTIFICATION NUMBER, OR OTHER IDENTIFICATION NUMBER ISSUED BY A UNIT; AND

5. A PASSPORT NUMBER;

(II) CHARACTERISTICS OR CLASSIFICATIONS PROTECTED UNDER FEDERAL OR STATE LAW;

(III) BIOMETRIC INFORMATION INCLUDING AN INDIVIDUAL'S PHYSIOLOGICAL, BIOLOGICAL, OR BEHAVIORAL CHARACTERISTICS, OR AN INDIVIDUAL'S DEOXYRIBONUCLEIC ACID (DNA), THAT CAN BE USED, SINGLY OR IN COMBINATION WITH EACH OTHER OR WITH OTHER IDENTIFYING DATA, TO ESTABLISH INDIVIDUAL IDENTITY;

(IV) GEOLOCATION DATA;

(V) INTERNET OR OTHER ELECTRONIC NETWORK ACTIVITY INFORMATION, INCLUDING BROWSING HISTORY, SEARCH HISTORY, AND INFORMATION RELATED TO AN INDIVIDUAL'S INTERACTION WITH AN INTERNET WEBSITE, APPLICATION, OR ADVERTISEMENT;

(VI) INFORMATION FROM MULTIPLE SOURCES LISTED IN THIS PARAGRAPH THAT WHEN USED IN COMBINATION WITH EACH OTHER CAN BE USED TO ESTABLISH INDIVIDUAL IDENTITY; AND

(VII) 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.

(3) "PERSONALLY IDENTIFIABLE INFORMATION" DOES NOT INCLUDE:

(I) VOTER REGISTRATION INFORMATION;

(II) INFORMATION PUBLICLY DISCLOSED BY THE INDIVIDUAL WITHOUT DURESS OR COERCION; OR

(III) DATA RENDERED ANONYMOUS THROUGH THE USE OF TECHNIQUES INCLUDING OBFUSCATION, DELETION AND REDACTION, AND ENCRYPTION, SO THAT THE INDIVIDUAL IS NO LONGER IDENTIFIABLE.

(D) “REASONABLE SECURITY PROCEDURES AND PRACTICES” MEANS SECURITY PROTECTIONS THAT ALIGN WITH DEPARTMENT OF INFORMATION TECHNOLOGY POLICIES AND THE FEDERAL INFORMATION SECURITY MODERNIZATION ACT (FISMA) OF 2014.

(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.

(F) “UNIT” MEANS AN EXECUTIVE AGENCY, A DEPARTMENT, A BOARD, A COMMISSION, AN AUTHORITY, OR A UNIT.

10-13A-02.

(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THIS SUBTITLE APPLIES ONLY TO THE COLLECTION, PROCESSING, AND SHARING OF PERSONALLY IDENTIFIABLE INFORMATION BY A UNIT.

(2) THIS SUBTITLE DOES NOT APPLY TO THE COLLECTION, PROCESSING, OR SHARING OF PERSONALLY IDENTIFIABLE INFORMATION EXCLUSIVELY FOR PURPOSES OF:

(I) PUBLIC HEALTH;

(II) PUBLIC SAFETY;

(III) STATE SECURITY; OR

(IV) THE INVESTIGATION AND PROSECUTION OF CRIMINAL OFFENSES.

(B) THIS SUBTITLE DOES NOT APPLY TO PERSONALLY IDENTIFIABLE INFORMATION THAT:

(1) IS PUBLICLY AVAILABLE INFORMATION THAT IS LAWFULLY AVAILABLE TO THE GENERAL PUBLIC IN 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.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SUBTITLE APPLIES ONLY TO THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

(2) THIS SUBTITLE DOES NOT APPLY TO A PUBLIC INSTITUTION OF HIGHER EDUCATION OR AN INSTRUMENTALITY OF THE STATE.

10-13A-03.

WHEN A UNIT IS DESTROYING RECORDS OF AN INDIVIDUAL THAT CONTAIN PERSONALLY IDENTIFIABLE INFORMATION OF THE INDIVIDUAL, THE UNIT SHALL TAKE REASONABLE STEPS TO PROTECT AGAINST UNAUTHORIZED ACCESS TO OR USE OF THE PERSONALLY IDENTIFIABLE INFORMATION, TAKING INTO ACCOUNT:

(1) THE SENSITIVITY OF THE RECORDS;

(2) THE NATURE OF THE UNIT AND ITS OPERATIONS;

(3) THE COSTS AND BENEFITS OF DIFFERENT DESTRUCTION METHODS; AND

(4) AVAILABLE TECHNOLOGY.

10-13A-04.

(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, TO PROTECT PERSONALLY IDENTIFIABLE INFORMATION FROM UNAUTHORIZED ACCESS, USE, MODIFICATION, OR DISCLOSURE, A UNIT THAT COLLECTS PERSONALLY IDENTIFIABLE INFORMATION OF AN INDIVIDUAL SHALL IMPLEMENT AND MAINTAIN REASONABLE SECURITY PROCEDURES AND PRACTICES THAT ARE APPROPRIATE TO THE NATURE OF THE PERSONALLY IDENTIFIABLE INFORMATION COLLECTED AND THE NATURE OF THE UNIT AND ITS OPERATIONS.

(2) THE UNIT SHALL COMPLY WITH STANDARDS AND GUIDELINES, INCLUDING FEDERAL INFORMATION PROCESSING STANDARDS (FIPS) 199, FIPS 200, AND THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY (NIST) SPECIAL PUBLICATION (SP) 800 SERIES TO ENSURE THAT THE SECURITY OF ALL INFORMATION SYSTEMS AND APPLICATIONS ARE MANAGED THROUGH THE NIST RISK MANAGEMENT FRAMEWORK, WHICH REQUIRES THAT:

(I) THE SYSTEM IS CATEGORIZED BASED ON A FIPS 199 ANALYSIS;

(II) THE SECURITY CONTROLS ARE SELECTED BASED ON THE SECURITY CATEGORIZATION OF THE SYSTEM;

(III) THE CONTROLS ARE IMPLEMENTED WITHIN THE INFORMATION SYSTEM OR APPLICATION;

(IV) THE CONTROLS ARE ASSESSED BY A THIRD-PARTY ASSESSOR;

(V) THE SYSTEM IS AUTHORIZED TO OPERATE BY AN AUTHORIZING OFFICIAL OF THE UNIT WHO REVIEWS THE SECURITY AUTHORIZATION PACKAGE AND ACCEPTS THE RISKS IDENTIFIED;

(VI) THE IMPLEMENTED SECURITY CONTROLS ARE CONTINUOUSLY MONITORED FOR EFFECTIVENESS; AND

(VII) THE REASSESSMENT AND AUTHORIZATION OF SYSTEMS ARE COMPLETED ON AN ANNUAL BASIS.

(B) A UNIT THAT USES A NONAFFILIATED THIRD PARTY AS A SERVICE PROVIDER TO PERFORM SERVICES FOR THE UNIT AND DISCLOSES PERSONALLY IDENTIFIABLE 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 PERSONALLY IDENTIFIABLE INFORMATION DISCLOSED TO THE NONAFFILIATED THIRD PARTY; AND

(2) ARE REASONABLY DESIGNED TO HELP PROTECT THE PERSONALLY IDENTIFIABLE INFORMATION FROM UNAUTHORIZED ACCESS, USE, MODIFICATION, DISCLOSURE, OR DESTRUCTION.

(C) (1) EACH UNIT SHALL UNDERTAKE ACTIVITIES COMPRISING THE COLLECTION, PROCESSING, AND SHARING OF PERSONALLY IDENTIFIABLE INFORMATION IN GOOD FAITH AND IN ACCORDANCE WITH THE REQUIREMENTS UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(2) EACH UNIT SHALL:

(I) IDENTIFY AND DOCUMENT THE LEGAL AUTHORITY FOR ITS COLLECTION OF PERSONALLY IDENTIFIABLE INFORMATION;

(II) DESCRIBE THE PURPOSE OF THE PERSONALLY IDENTIFIABLE INFORMATION COLLECTION AND PROVIDE NOTICE OF THE PERSONALLY IDENTIFIABLE INFORMATION COLLECTION TO THE INDIVIDUAL AT THE TIME OF COLLECTION AND IN A PRIVACY NOTICE PROMINENTLY DISPLAYED ON THE UNIT'S WEB PRESENCE;

(III) ADOPT A PRIVACY GOVERNANCE AND RISK MANAGEMENT PROGRAM, AND IMPLEMENT REASONABLE SECURITY PROCEDURES AND PRACTICES, CONSISTENT WITH POLICIES AND STANDARDS ESTABLISHED BY THE DEPARTMENT OF INFORMATION TECHNOLOGY, IN ORDER TO ENSURE THAT CONFIDENTIALITY, INTEGRITY, AND AVAILABILITY OF ALL PERSONALLY IDENTIFIABLE INFORMATION IS MAINTAINED;

(IV) ESTABLISH PRIVACY REQUIREMENTS APPLICABLE TO CONTRACTORS, SERVICE PROVIDERS, AND OTHER THIRD PARTIES AND INCORPORATE THE REQUIREMENTS INTO AGREEMENTS ENTERED INTO WITH THE THIRD PARTIES;

(V) TAKE REASONABLE STEPS TO ENSURE THAT PERSONALLY IDENTIFIABLE INFORMATION COLLECTED IS ACCURATE, RELEVANT, TIMELY, AND COMPLETE;

(VI) TAKE REASONABLE STEPS TO IMPLEMENT MEANS TO MINIMIZE THE PERSONALLY IDENTIFIABLE INFORMATION COLLECTED TO INFORMATION RELEVANT AND NECESSARY TO ADDRESS THE LEGALLY AUTHORIZED PURPOSE OF THE COLLECTION;

(VII) IMPLEMENT PROCESSES TO PROVIDE AN INDIVIDUAL ACCESS TO THE INDIVIDUAL'S PERSONALLY IDENTIFIABLE INFORMATION AND TO ALLOW THE INDIVIDUAL TO CORRECT OR AMEND THE PERSONALLY IDENTIFIABLE INFORMATION PROCESSED BY THE UNIT; AND

(VIII) SUBJECT TO SUBSECTION (D) OF THIS SECTION, ESTABLISH CLEAR AND COMPREHENSIVE NOTICE PROVISIONS TO INFORM THE PUBLIC AND INDIVIDUALS OF UNIT PRACTICES AND ACTIVITIES REGARDING THE USE OF PERSONALLY IDENTIFIABLE INFORMATION.

(D) EACH UNIT SHALL:

(1) ADVISE AN INDIVIDUAL REQUESTED TO PROVIDE PERSONALLY IDENTIFIABLE INFORMATION WHETHER:

(I) THE PERSONALLY IDENTIFIABLE INFORMATION REQUESTED IS REQUIRED TO BE PROVIDED BY LAW; OR

(II) THE PROVISION OF THE PERSONALLY IDENTIFIABLE INFORMATION REQUESTED IS VOLUNTARY AND SUBJECT TO THE INDIVIDUAL'S DISCRETION TO REFUSE TO PROVIDE THE PERSONALLY IDENTIFIABLE INFORMATION;

(2) PROVIDE AN INDIVIDUAL WITH CLEAR AND CONSPICUOUS MEANS TO ACCESS:

(I) THE TYPES OF PERSONALLY IDENTIFIABLE INFORMATION COLLECTED ABOUT THE INDIVIDUAL;

(II) THE TYPES OF SOURCES FROM WHICH THE PERSONALLY IDENTIFIABLE INFORMATION WAS COLLECTED;

(III) THE PURPOSE FOR COLLECTING THE PERSONALLY IDENTIFIABLE INFORMATION;

(IV) THE THIRD PARTIES WITH WHOM THE PERSONALLY IDENTIFIABLE INFORMATION IS SHARED; AND

(V) THE SPECIFIC PERSONALLY IDENTIFIABLE INFORMATION COLLECTED ABOUT THE INDIVIDUAL;

(3) INCLUDE THE MEANS PROVIDED UNDER ITEM (2) OF THIS SUBSECTION IN THE NOTICES PROVIDED TO THE INDIVIDUAL REGARDING THE COLLECTION, PROCESSING, AND SHARING OF THE INDIVIDUAL'S PERSONALLY IDENTIFIABLE INFORMATION;

(4) AT OR BEFORE THE POINT OF SHARING PERSONALLY IDENTIFIABLE INFORMATION, PROVIDE NOTICE TO AN INDIVIDUAL OF THE UNIT'S SHARING OF THE INDIVIDUAL'S PERSONALLY IDENTIFIABLE INFORMATION, INCLUDING:

(I) THE NATURE AND SOURCES OF INFORMATION SHARED;

(II) THE PURPOSE FOR WHICH THE INFORMATION IS SHARED;

(III) THE RECIPIENTS OF THE SHARED INFORMATION;

(IV) THE AUTHORITY UNDER WHICH THE INFORMATION IS SHARED;

(V) ANY RIGHTS THE INDIVIDUAL HAS TO DECLINE THE UNIT'S SHARING OF PERSONALLY IDENTIFIABLE INFORMATION; AND

(VI) THE INDIVIDUAL'S RIGHT AND MEANS TO OBTAIN AND REVIEW THE PERSONALLY IDENTIFIABLE INFORMATION SHARED BY THE UNIT;

(5) PROVIDE AN INDIVIDUAL A PROCESS TO DELETE OR CORRECT PERSONALLY IDENTIFIABLE INFORMATION SHARED WITH THIRD PARTIES IF THE SHARING OF THE INFORMATION IS NOT REQUIRED BY LAW; AND

(6) PROVIDE AN INDIVIDUAL THE MEANS TO OPT OUT OF SHARING INFORMATION WITH THIRD PARTIES IF THE SHARING OF THE INFORMATION IS NOT REQUIRED BY LAW.

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 PERSONALLY IDENTIFIABLE INFORMATION MAINTAINED BY A UNIT.

(2) “BREACH OF THE SECURITY OF A SYSTEM” DOES NOT INCLUDE THE GOOD FAITH ACQUISITION OF PERSONALLY IDENTIFIABLE INFORMATION BY AN EMPLOYEE OR AGENT OF A UNIT FOR THE PURPOSES OF THE UNIT, PROVIDED THAT THE PERSONALLY IDENTIFIABLE INFORMATION IS NOT USED OR SUBJECT TO FURTHER UNAUTHORIZED DISCLOSURE.

(B) (1) IF A UNIT THAT COLLECTS COMPUTERIZED DATA THAT INCLUDES PERSONALLY IDENTIFIABLE INFORMATION OF AN INDIVIDUAL DISCOVERS OR IS NOTIFIED OF A BREACH OF THE SECURITY OF A SYSTEM, THE UNIT SHALL CONDUCT IN GOOD FAITH A REASONABLE AND PROMPT INVESTIGATION TO DETERMINE WHETHER THE UNAUTHORIZED ACQUISITION OF PERSONALLY IDENTIFIABLE 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 UNIT DETERMINES THAT A MISUSE OF THE INDIVIDUAL’S PERSONALLY IDENTIFIABLE INFORMATION HAS OCCURRED OR IS LIKELY TO OCCUR, THE UNIT OR THE NONAFFILIATED THIRD PARTY, IF AUTHORIZED UNDER A WRITTEN CONTRACT OR AGREEMENT WITH THE UNIT, SHALL NOTIFY THE INDIVIDUAL OF THE BREACH.

(II) UNLESS THE UNIT OR NONAFFILIATED THIRD PARTY KNOWS THAT THE ENCRYPTION KEY HAS BEEN BROKEN, A UNIT OR THE NONAFFILIATED THIRD PARTY IS NOT REQUIRED TO NOTIFY AN INDIVIDUAL UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF:

1. THE PERSONALLY IDENTIFIABLE 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 UNIT DETERMINES THAT

A MISUSE OF THE INDIVIDUAL'S PERSONALLY IDENTIFIABLE INFORMATION HAS OCCURRED OR IS LIKELY TO OCCUR.

(4) IF, AFTER THE INVESTIGATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS CONCLUDED, THE UNIT DETERMINES THAT NOTIFICATION UNDER PARAGRAPH (2) OF THIS SUBSECTION IS NOT REQUIRED, THE UNIT 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 PERSONALLY IDENTIFIABLE INFORMATION PROVIDED BY A UNIT SHALL NOTIFY THE UNIT OF A BREACH OF THE SECURITY OF A SYSTEM IF THE UNAUTHORIZED ACQUISITION OF THE INDIVIDUAL'S PERSONALLY IDENTIFIABLE 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 A UNIT OF A BREACH OF THE SECURITY OF A SYSTEM UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL SHARE WITH THE UNIT INFORMATION RELATING TO THE BREACH.

(D) (1) THE NOTIFICATION REQUIRED UNDER SUBSECTION (B) OR (C) 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 UNIT;

(2) BY E-MAIL TO THE MOST RECENT E-MAIL ADDRESS OF THE INDIVIDUAL IN THE RECORDS OF THE UNIT IF:

(I) THE INDIVIDUAL HAS EXPRESSLY CONSENTED TO RECEIVE ELECTRONIC NOTICE; OR

(II) THE UNIT 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 UNIT; OR

(4) BY SUBSTITUTE NOTICE AS PROVIDED IN SUBSECTION (F) OF THIS SECTION IF:

(I) THE UNIT 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 UNIT DOES NOT HAVE SUFFICIENT CONTACT INFORMATION TO GIVE NOTICE IN ACCORDANCE WITH ITEMS (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 UNIT HAS AN ELECTRONIC E-MAIL ADDRESS FOR THE INDIVIDUAL TO BE NOTIFIED;

(2) CONSPICUOUS POSTING OF THE NOTICE ON THE WEBSITE OF THE UNIT IF THE UNIT 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 PERSONALLY IDENTIFIABLE INFORMATION WERE, OR ARE REASONABLY BELIEVED TO HAVE BEEN, ACQUIRED;

(2) CONTACT INFORMATION FOR THE UNIT MAKING THE NOTIFICATION, INCLUDING THE UNIT'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) (1) 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, A UNIT 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, A UNIT SHALL PROVIDE NOTICE OF A BREACH OF SECURITY TO THE DEPARTMENT OF INFORMATION TECHNOLOGY.

(3) 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 A UNIT FROM A DUTY TO COMPLY WITH ANY OTHER REQUIREMENTS OF FEDERAL LAW RELATING TO THE PROTECTION AND PRIVACY OF PERSONALLY IDENTIFIABLE INFORMATION.

10-13A-06.

(A) IF A UNIT 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 UNIT 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 PERSONALLY IDENTIFIABLE INFORMATION OF RECIPIENTS OF NOTICES OF THE BREACH OF THE SECURITY OF A SYSTEM.

10-13A-07.

A UNIT OR 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; AND 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.”.

On pages 6 through 19, strike in their entirety the lines beginning with line 4 on page 6 through line 13 on page 19, inclusive.

On page 19, in line 14, strike “6.” and substitute “2.”; in lines 14 and 15, strike “, except as provided in Sections 4 and 5 of this Act.”; and in line 15, strike “October 1, 2019” and substitute “July 1, 2021”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0716**
SPONSOR: Chair, Health and Government Operations Committee
SUBJECT: State Government – Protection of Information – Revisions
(Maryland Data Privacy Act)

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.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 228 SPONSOR: Senator Ready

SUBJECT: **Criminal Procedure – Pretrial Release – Sex Offenders**

THIRD READING CALENDAR HOUSE NO. 69 SENATE NO. 16

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached House Judiciary Committee Amendments (SB0228/152115/1) be adopted.

(2) That the attached Conference Committee Amendment (SB0228/983323/1) be adopted.

SB0228/152115/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 228

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “offender” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 1, in line 17, before “OR” insert a comma; in the same line, after “OR” insert “IF THE COMMISSIONER KNOWS THE DEFENDANT IS”; and in the same line, after “REGISTER” insert a comma.

SB0228/983323/1

BY: Conference Committee

AMENDMENT TO SENATE BILL 228, AS AMENDED

In the House Judiciary Committee Amendments (SB0228/152115/1), in line 2 of Amendment No. 2, strike “IF”; and in the same line, strike “THE DEFENDANT”.

Senate Members:

House Members:

 Chair, **Justin Ready**

 (not signed)

Jill P. Carter

 (not signed)

Susan C. Lee

 Chair, **Jazz Lewis**

Robin L. Grammer, Jr.

Charlotte Crutchfield

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1616)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 561 SPONSOR: Senator Ready

SUBJECT: Criminal Law – Crime of Violence Against Pregnant Person – Enhanced Penalty (Laura and Reid’s Law)

THIRD READING CALENDAR HOUSE NO. 69 SENATE NO. 47

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That the House Judiciary Committee Amendments (SB0561/332611/1) be rejected.
- (2) That the attached Conference Committee Amendments (SB0561/713026/1) be adopted.

SB0561/713026/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 561
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 10 down through “penalty” in line 15 and substitute “prohibiting a person from committing a certain crime of violence against another person when the person knows or believes that the other person is pregnant; establishing a certain penalty for a violation of this Act; providing that a sentence imposed”; in line 15, strike “is” and substitute “may be imposed”; and in line 16, strike “a sentence for” and substitute “or concurrent with”.

AMENDMENT NO. 2

On page 3, in line 10, strike “5-101 OF THE PUBLIC SAFETY ARTICLE” and substitute “14-101 OF THIS TITLE”; in line 11, after “KNOWS” insert “OR BELIEVES”; in line 12, after “IS” insert “GUILTY OF A FELONY AND, IN ADDITION TO ANY OTHER PENALTY IMPOSED FOR THE UNDERLYING CRIME OF VIOLENCE, ON CONVICTION IS”; strike beginning with “IN” in line 13 down through “VIOLENCE” in line 14; strike beginning with “COURT” in line 15 down through “PENALTY” in line 26 and substitute “SENTENCE”; in line 26, strike “SHALL BE” and substitute “MAY BE IMPOSED”; and in line 27, after “TO” insert “OR CONCURRENT WITH”.

Senate Members:

House Members:

 Chair, **Bobby A. Zirkin**

 Chair, **Luke Clippinger**

Michael J. Hough

 (not signed)
Vanessa E. Atterbeary

Justin Ready

 (not signed)
Michael E. Malone

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1617)

The Bill was then returned to the Senate.

**YEAS AND NAYS NO. 17
HOUSE BILLS PASSED IN THE SENATE**

NUMBER	SPONSOR	CONTENT
HB 968	Del. W. Fisher	Criminal Injuries Compensation Board – Compensation to Claimants
HB 1384	Del. Bhandari	Deaf or Hard of Hearing Individuals – Support for Parents

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

MISCELLANEOUS

Senate Bill 477 – Senator Kramer

AN ACT concerning

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

Delegate Dumais moved to put **Senate Bill 477** on Third Reading on the same day in compliance with the Constitution.

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1618)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 477** was placed on Third Reading.

Senate Bill 477 – Senator Kramer

AN ACT concerning

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

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1619)

The Bill was then returned to the Senate.

JOINT SESSION HONORING SPEAKER MICHAEL E. BUSCH

Delegates Branch and Szeliga escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Senate Roll Call No. 1455)

Speaker Pro Tem Jones called for the House roll.

QUORUM CALL

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

(See Roll Call No. 1620)

MEMORIAL IN TRIBUTE TO SPEAKER MICHAEL ERIN BUSCH 1947–2019

Remarks by:

Delegate Talmadge Branch

Delegate Nicholas Kipke

Delegate Shane Pendergrass

Governor Lawrence Hogan

President Mike Miller

Senator Guy Guzzone

Delegate Kumar Barve

President Miller moved the Senate be adjourned.

The motion was adopted.

MESSAGE TO THE SENATE

APRIL 8, 2019

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE SENATE:

WE PROPOSE WITH YOUR CONCURRENCE, THAT WHEN THE GENERAL ASSEMBLY ADJOURNS APRIL 8, 2019 AT TWELVE O'CLOCK MIDNIGHT, IT STANDS ADJOURNED SINE DIE.

WE FURTHER PROPOSE THE APPOINTMENT OF A JOINT COMMITTEE, TWO ON THE PART OF THE SENATE AND TWO ON THE PART OF THE HOUSE, TO WAIT UPON HIS EXCELLENCY, THE GOVERNOR OF MARYLAND, TO INFORM HIM THAT THE GENERAL ASSEMBLY WILL ADJOURN APRIL 8, 2019 AT TWELVE O'CLOCK SINE DIE, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION AND TO INQUIRE IF HE HAS ANY FURTHER COMMUNICATIONS TO MAKE TO THE GENERAL ASSEMBLY.

WE HAVE APPOINTED ON THE PART OF THE HOUSE, DELEGATES DUMAIS AND KIPKE.

BY ORDER,

SYLVIA SIEGERT
CHIEF CLERK

Journalized.

MESSAGE FROM THE SENATE

April 8, 2019

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

We have received your message proposing that when the General Assembly adjourns, April 8, 2019, at Twelve o'clock Midnight, it stands adjourned Sine Die.

The Senate concurs therein.

We agree to the Joint Committee to wait upon his Excellency, the Honorable Lawrence J. Hogan, Jr., Governor of Maryland. The Senate appoints Senators Guzzone and Jennings.

By Order,

William B.C. Addison, Jr.
Secretary

Journalized.

JOINT CHAIRMEN'S REPORT

Report on the Fiscal 2020 State Operating Budget (House Bill 100) and the State Capital Budget (House Bill 101) and Related Recommendations by the Chairmen of the Senate Budget and Taxation Committee and House Appropriations Committee

(See Exhibit CC of Appendix II)

Chief Clerk's Office Receipts for Bills delivered to the Governor

(See Exhibit DD of Appendix II)

QUORUM CALL

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

(See Roll Call No. 1621)

ADJOURNMENT

At 12:00 A.M. on motion of Speaker Pro Tem Jones the House adjourned Sine Die in memory of Speaker Michael E. Busch.