



SYNOPSIS

Prefiled House Bills and Joint Resolutions
2019 Maryland General Assembly Session

January 9, 2019
Schedule 1

PLEASE NOTE: The following legislation was prefiled for the 2019 Session.

HOUSE BILLS INTRODUCED JANUARY 9, 2019

HB 1 Delegate Lafferty

NATURAL RESOURCES – PROHIBITION ON DREDGING BURIED
OYSTER SHELLS ON MAN-O-WAR SHOALS

Prohibiting the Department of Natural Resources from dredging buried oyster shells on Man-O-War Shoals; and making the Act an emergency measure.

EMERGENCY BILL

NR, § 4-1103(a) - amended

Assigned to: Environment and Transportation

Department of Legislative Services

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HB 2 Delegate Glenn**TASK FORCE TO IMPROVE BALTIMORE CITY HOMELESS TRANSITIONS FROM LOW-BARRIER SHELTERS TO PERMANENT HOUSING**

Establishing the Task Force to Improve Baltimore City Homeless Transitions From Low-Barrier Shelters to Permanent Housing; providing for the composition of the Task Force; requiring the Task Force to study certain matters related to low-barrier shelters and make certain recommendations on volunteering; requiring the Task Force, by December 31, 2019, to report its findings and recommendations to the Mayor of Baltimore City, the Baltimore City Council, the Governor, and the General Assembly; terminating the Act; etc.

EFFECTIVE JUNE 1, 2019

Assigned to: Environment and Transportation

HB 3 Delegate Carr**VEHICLE LAWS – MULTIYEAR REGISTRATION**

Requiring that the system of multiyear vehicle registration adopted by the Motor Vehicle Administration include for Class A (passenger) vehicles and Class D (motorcycle) vehicles options for registration for 1- or 2-year periods to be phased in over 5 years on a county-by-county basis; and requiring the Administration to make certain methods of obtaining or renewing a vehicle registration available for registration for 1- and 2-year periods.

EFFECTIVE JULY 1, 2020

TR, § 13-413 - amended

Assigned to: Environment and Transportation

HB 4 Delegate Chang**CRIMES – HATE CRIMES – USE OF A NOOSE OR SWASTIKA TO THREATEN OR INTIMIDATE**

Prohibiting a person from affixing, erecting, or placing a noose or swastika on any building or real property, without the express permission of the owner of the building or property, the owner's agent, or a lawful occupant, with the intent to threaten or intimidate any person or group of persons; and establishing that a penalty of imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both applies to a violation of the Act.

EFFECTIVE OCTOBER 1, 2019

CR, § 10-305.1 - added

Assigned to: Judiciary

HB 5 Delegate Ebersole**COMMERCIAL DRIVER'S LICENSES – RECOGNITION, PREVENTION, AND REPORTING OF HUMAN TRAFFICKING**

Requiring the Motor Vehicle Administration to include questions on the recognition, prevention, and effective reporting of human trafficking as part of the commercial driver's license test; requiring commercial driver's license training schools to include training on the recognition, prevention, and effective reporting of human trafficking as part of the curriculum; requiring the Administration to include content on the recognition, prevention, and effective reporting of human trafficking in its Commercial Driver's License Manual; etc.
EFFECTIVE OCTOBER 1, 2019

TR, § 16-807(b) - amended and § 16-807.2 - added

Assigned to: Environment and Transportation

HB 6 Delegate Lierman**BALTIMORE CITY – VEHICLE HEIGHT MONITORING SYSTEMS – ENFORCEMENT**

Requiring the Motor Vehicle Administration to refuse to register or reregister, or to refuse to transfer or to suspend the registration of, a motor vehicle for which the person liable for a violation recorded by a vehicle height monitoring system has failed to pay the civil penalty, contest liability, or appear for trial; requiring the State Highway Administration to suspend Baltimore City travel permits and prohibiting the State Highway Administration from issuing the permits on receipt of certain notice; etc.

EFFECTIVE OCTOBER 1, 2019

TR, §§ 24-101, 24-111.3(d)(2), (e)(1) and (3), and (h), and 26-305 - amended and § 24-111.3(f-1) and (g-1) - added

Assigned to: Environment and Transportation

HB 7 Delegate Glenn**GENERAL PROVISIONS – COMMEMORATIVE DAYS – MISSING CHILDREN DAY**

Requiring the Governor annually to proclaim May 25 as Missing Children Day.
EFFECTIVE OCTOBER 1, 2019

GP, § 7-409 - added

Assigned to: Health and Government Operations

HB 8 Delegate Chang**BUSINESS REGULATION – AMUSEMENT ATTRACTIONS – MARYLAND RIDER SAFETY ACT**

Requiring riders of amusement attractions to obey the posted rules, warnings, and oral instructions and refrain from acting in a certain manner that may cause or contribute to an injury to the rider or others; requiring riders of amusement attractions or the parent or guardian of certain riders to make certain determinations before riding or attempting to ride an amusement attraction; requiring a rider or the parent or guardian of a rider to submit a written report to the amusement owner about any injury incurred by the rider; etc.

EFFECTIVE OCTOBER 1, 2019

BR, §§ 3-601 through 3-606 - added

Assigned to: Economic Matters

HB 9 Delegate Chang**CONSOLIDATED SENIOR SPORT FISHING LICENSE – MINIMUM AGE**

Lowering the age at which a resident may obtain a consolidated senior sport fishing license from 65 years to 62 years.

EFFECTIVE OCTOBER 1, 2019

NR, § 4-216 - amended

Assigned to: Environment and Transportation

HB 10 Delegate Carr**STATE HIGHWAY ADMINISTRATION – SIDEWALKS WITHIN PRIORITY FUNDING AREAS – REPAIR AND MAINTENANCE**

Requiring the State Highway Administration to repair and maintain certain sidewalks that are located within an area designated as a priority funding area.

EFFECTIVE OCTOBER 1, 2019

TR, §§ 8-629 and 8-630 - amended and § 8-631 - added

Assigned to: Environment and Transportation

HB 11 Delegate Sydnor**JUVENILES CHARGED AS ADULTS – CONFIDENTIALITY OF PHOTOS AND VIDEOS**

Establishing that, pending a determination by a court exercising criminal jurisdiction in a case involving a child whether to transfer its jurisdiction to the juvenile court, provisions of law relating to the confidentiality of juvenile records apply to photographs or videos of a child taken by a governmental entity during the arrest or booking of the child.

EFFECTIVE OCTOBER 1, 2019

CP, § 4-202(i) - added and § 4-202(i) and (j) - amended

Assigned to: Judiciary

HB 12 Delegates McKay and Wivell**STATE CORRECTIONAL FACILITIES – CORRECTIONAL OFFICERS – BACKGROUND CHECK**

Altering a certain provision of law to require the Secretary of Public Safety and Correctional Services to require an individual to pass a polygraph examination or extensive background check, or both, rather than just a polygraph examination, before being appointed to serve as a correctional officer in a correctional facility; and making a conforming change.

EFFECTIVE OCTOBER 1, 2019

CS, § 3-215(f) - amended

Assigned to: Judiciary

HB 13 Delegate Barron**CRIMINAL PROCEDURE – PARTIAL EXPUNGEMENT**

Authorizing a person to file a petition for partial expungement of certain criminal records under certain circumstances; setting forth certain actions that a court is required and authorized to take if the partial expungement of a certain record is impracticable for a certain reason; and repealing a provision of law establishing that if a person is not entitled to expungement of one charge or conviction in a certain unit the person is not entitled to expungement of any other charge or conviction in the unit.

EFFECTIVE OCTOBER 1, 2021

CP, § 10-105 - amended and § 10-107 - repealed

Assigned to: Judiciary

HB 14 Delegate Brooks**INCOME TAX – SUBTRACTION MODIFICATION – RETIREMENT INCOME**

Including income from an individual retirement account or a certain annuity within a certain subtraction modification for certain retirement income if contributions to the individual retirement account or annuity consist entirely of the tax-free rollover of distributions from an employee retirement system; repealing a certain obsolete provision relating to a certain retirement plan; and applying the Act to all taxable years beginning after December 31, 2018.

EFFECTIVE JULY 1, 2019

TG, § 10-209 - amended

Assigned to: Ways and Means

HB 15 Delegate Sydnor**HEALTH INSURANCE – PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS – COVERAGE**

Requiring the Maryland Medical Assistance Program, beginning on January 1, 2020, to provide services for certain pediatric autoimmune neuropsychiatric disorders under certain circumstances; requiring insurers, nonprofit health service plans, and health maintenance organizations that provide certain health insurance benefits under certain insurance policies or contracts to provide coverage for certain diagnosis, evaluation, and treatment of certain pediatric autoimmune neuropsychiatric disorders; etc.

EFFECTIVE JANUARY 1, 2020

HG, § 15-103(a)(2)(xii) and (xiii) - amended and HG, § 15-103(a)(2)(xiv) and IN, § 15-854 - added

Assigned to: Health and Government Operations

HB 16 Delegate Glenn**CRIMINAL PROCEDURE – PARTIAL EXPUNGEMENT**

Authorizing a person to file a petition for a partial expungement of certain criminal records under certain circumstances; requiring a court to order that certain records be removed from a certain website; providing that only a certain record is eligible for partial expungement; and repealing a provision of law establishing that if a person is not entitled to expungement of one charge or conviction in a certain unit the person is not entitled to expungement of any other charge or conviction in the unit.

EFFECTIVE OCTOBER 1, 2019

CP, § 10-105 - amended and § 10-107 - repealed

Assigned to: Judiciary

HB 17 Delegate Glenn**NATALIE M. LAPRADE MEDICAL CANNABIS COMMISSION – FOOD CONTAINING MEDICAL CANNABIS**

Requiring the Natalie M. LaPrade Medical Cannabis Commission to allow certain dispensaries and dispensary agents to acquire, possess, process, transfer, transport, sell, distribute, or dispense food containing medical cannabis for use by a qualifying patient or caregiver; requiring the Commission to allow certain processors and processor agents to acquire, possess, process, package, label, transfer, transport, sell, and distribute to a dispensary food containing cannabis for use by a qualifying patient or caregiver; etc.

EFFECTIVE OCTOBER 1, 2019

HG, Various Sections - added and amended

Assigned to: Health and Government Operations

HB 18 Delegate Glenn**NATALIE M. LAPRADE MEDICAL CANNABIS COMMISSION – CERTIFYING PROVIDERS**

Altering the definition of “certifying provider” to include certain physical therapists, psychologists, and physician assistants; and altering the membership of the Natalie M. LaPrade Medical Cannabis Commission.

EFFECTIVE OCTOBER 1, 2019

HG, §§ 13-3301(c) and 13-3303(a) - amended

Assigned to: Health and Government Operations

HB 19 Delegate Glenn**CRIMINAL PROCEDURE – EXPUNGEMENT – NONVIOLENT CONVICTIONS**

Authorizing a person to file a petition for expungement if the person was convicted of a nonviolent crime; authorizing a court to determine whether a person who has filed a petition under the Act is entitled to expungement; requiring the court to take the specific circumstances of the case and the petitioner into consideration when making an expungement determination; and making certain technical corrections.

EFFECTIVE OCTOBER 1, 2019

CP, § 10-110 - amended

Assigned to: Judiciary

HB 20 **Delegate Luedtke**STATE AGRICULTURAL LAND TRANSFER TAX –
NONAGRICULTURAL USE EXEMPTION – REPEAL

Repealing an exemption from the State agricultural land transfer tax for an instrument of writing that transfers land on which the property tax has been paid for 5 consecutive taxable years before the transfer on the basis of an assessment other than the farm or agricultural use assessment.

EFFECTIVE JULY 1, 2019

TP, §§ 13-303(c) and 13-305 - amended

Assigned to: Ways and Means

HB 21 **Delegate Carr**MARYLAND TRANSPORTATION AUTHORITY – VIDEO STREAMING
AND ARCHIVING – OPEN MEETINGS

Requiring the Maryland Transportation Authority to make available to the public on the Internet live video streaming and complete and unedited archived video recordings of open meetings; and requiring the Authority to make the archived video recordings available for a minimum of 4 years.

EFFECTIVE OCTOBER 1, 2019

TR, § 4-211 - added

Assigned to: Health and Government Operations

HB 22 **Delegate Sydnor**OCCUPATIONAL LICENSES OR CERTIFICATES – APPLICATION
DETERMINATIONS – USE OF CRIMINAL HISTORY

Prohibiting certain departments that issue occupational licenses or certificates from denying an application for a license or certificate based on an applicant's criminal history if a period of 7 years or more has passed since the applicant's conviction for any crime unless the department makes a certain determination; repealing a certain provision of law that requires a certain department to consider certain information in making application determinations for occupational licenses or certificates; etc.

EFFECTIVE OCTOBER 1, 2019

CP, § 1-209 - amended

Assigned to: Economic Matters

HB 23 **Delegate Carr****HOUSING AND COMMUNITY DEVELOPMENT – RENTAL RESIDENTIAL BUILDINGS – PROHIBITION ON EXCLUSIVE ACCESS AGREEMENTS**

Declaring a certain State policy concerning rental residential buildings; prohibiting the owner of a rental residential building that receives financial assistance from the Department of Housing and Community Development from entering into or renewing an exclusive access agreement with an Internet provider or a television provider under certain circumstances; defining “rental residential building” and “television provider”; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2019

HS, § 4-216.1 - added

Assigned to: Environment and Transportation

HB 24 **Delegate Glenn****PROCUREMENT – PUBLIC WORK CONTRACTS – CONTRACTOR OCCUPATIONAL SAFETY AND HEALTH REQUIREMENTS**

Requiring a prospective bidder or offeror when submitting a bid or offer for a public work contract to submit to the public body a certain contractor safety and health plan and a certain attestation; requiring a contractor safety and health plan to include certain information; requiring the Commissioner of Labor and Industry to develop a certain safety and health calculation worksheet and certain safety and health rating system; requiring the Commissioner to adopt regulations to carry out the Act; etc.

EFFECTIVE JULY 1, 2019

SF, §§ 17-801 through 17-807 - added

Assigned to: Health and Government Operations and Economic Matters

HB 25 **Delegate Barron, et al****PUBLIC HEALTH – PRESCRIPTION DRUG MONITORING PROGRAM – REVISIONS**

Requiring, instead of authorizing, the Prescription Drug Monitoring Program to review prescription monitoring data for indications of a possible misuse or abuse of a monitored prescription drug; requiring the Program to report the possible misuse or abuse to the prescriber or dispenser of the monitored prescription drug and to provide certain education to the prescriber or dispenser; authorizing the Program to provide prescription monitoring data to the Office of Controlled Substances Administration for further investigation; etc.

EFFECTIVE OCTOBER 1, 2019

HG, § 21-2A-06(c) and (d) - amended

Assigned to: Health and Government Operations

HB 26 **Delegate Lierman****BALTIMORE CITY – RANKED CHOICE VOTING AND OPEN PRIMARIES**

Authorizing the Mayor and City Council of Baltimore City to adopt, by law, a ranked choice voting system or an open primary system for elections for certain city offices; requiring that certain procedures apply to an open primary system; authorizing a local law implementing ranked choice voting or open primaries to provide for certain matters; authorizing the Mayor and City Council of Baltimore City to provide for the ballot format to be used in an election conducted by ranked choice voting; making the Act an emergency measure; etc.

EMERGENCY BILL

EL, §§ 8-101, 8-201(b), and 9-204 - amended

Assigned to: Ways and Means

HB 27 Delegate Holmes**CLEAN INDOOR AIR ACT – USE OF ELECTRONIC CIGARETTE DEVICES – PROHIBITION**

Altering the Clean Indoor Air Act to include a prohibition of the use of a certain electronic cigarette device under certain circumstances; defining the term “electronic cigarette device” as an electronic device that can be used to deliver nicotine or any other substance intended for human consumption to an individual to simulate smoking through the inhalation of vapor or aerosol from the device; etc.

EFFECTIVE OCTOBER 1, 2019

HG, §§ 24-501 through 24-503, 24-505, 24-507, and 24-510 - amended

Assigned to: Economic Matters

HB 28 Delegate Clark**NATURAL RESOURCES – SHELLFISH NURSERY OPERATIONS – WETLANDS LICENSE REQUIREMENTS**

Exempting under certain circumstances certain activities and the use of certain equipment that is associated with a shellfish nursery operation from the requirement to obtain certain licenses or permits from the Department of the Environment or the Board of Public Works; establishing that the use of certain equipment attached to a pier and associated with a shellfish nursery operation is not included as a nonwater-dependent project for the purposes of the requirement to obtain a tidal or State wetlands license; etc.

EFFECTIVE OCTOBER 1, 2019

EN, §§ 16-101(i) and 16-202(h) and NR, § 4-11A-23 - amended

Assigned to: Environment and Transportation

HB 29 **Delegate McKay****CORRECTIONAL OFFICERS' RETIREMENT SYSTEM – MEMBERSHIP
– CHAPLAINS**

Altering the membership of the Correctional Officers' Retirement System to include Department of Public Safety and Correctional Services employees in the position of chaplain on or after July 1, 2019; requiring a certain transfer and combination of certain service credit for certain individuals; requiring the Board of Trustees for the State Retirement and Pension System to calculate a certain disability benefit for certain individuals and to grant a certain benefit under certain circumstances; etc.

EFFECTIVE JULY 1, 2019

SP, §§ 25-201(a)(10) and (11) and 25-401 - amended and § 25-201(a)(12) - added

Assigned to: Appropriations

HB 30 **Delegate Sydnor****PUBLIC SAFETY – DNA ANALYSIS – SEARCH OF DATA BASE**

Prohibiting a person from performing a search of the statewide DNA data base or any other DNA or genealogical data base for the purpose of identification of an offender in connection with a crime for which the offender may be a biological relative of the individual from whom the DNA sample was acquired.

EFFECTIVE OCTOBER 1, 2019

PS, § 2-506 - amended

Assigned to: Judiciary

HB 31 **Delegate Glenn****BALTIMORE CITY – WEAPONS ON SCHOOL PROPERTY – SCHOOL
RESOURCE OFFICER**

Providing that the prohibition on carrying or possessing a firearm, knife, or deadly weapon of any kind on public school property does not apply to a school resource officer who is assigned to a public school in Baltimore City and is on public school property in Baltimore City.

EFFECTIVE JULY 1, 2019

CR, § 4-102 - amended

Assigned to: Judiciary

HB 32 Delegate Carr**VEHICLE EMISSIONS INSPECTION PROGRAM – PROHIBITION ON SUSPENSION OR REVOCATION OF REGISTRATION**

Prohibiting the Motor Vehicle Administration from basing a suspension or revocation of the registration of a vehicle on the vehicle owner's failure to have the vehicle inspected and tested as required under the Vehicle Emissions Inspection Program.

EFFECTIVE OCTOBER 1, 2019

TR, § 23-207 - amended

Assigned to: Environment and Transportation

HB 33 Delegate Glenn**MEDICAL CANNABIS – PROVIDER APPLICATIONS – OPIOID USE DISORDER**

Encouraging the Natalie M. LaPrade Medical Cannabis Commission to approve provider applications for patients who have an opioid use disorder.

EFFECTIVE OCTOBER 1, 2019

HG, § 13-3304(d) - amended

Assigned to: Health and Government Operations

HB 34 Delegate Carr**BUSINESS REGULATION – TRADER'S LICENSES – LICENSE FEES**

Requiring a certain clerk to account for and pay into the General Fund of the State the entire fee received for a trader's license issued in a county or municipal corporation that selects a uniform license fee; exempting from the fee a visually handicapped applicant who meets certain standards and Blind Industries and Services of Maryland; requiring the State Department of Assessments and Taxation to adopt certain regulations on the granting of exemptions from a certain inventory reporting requirement; etc.

EFFECTIVE OCTOBER 1, 2019

BR, §§ 17-206, 17-302(c), 17-1806 through 17-1808, and 17-1813 - amended and § 17-1807.1 - added and TP, § 11-101 - amended

Assigned to: Economic Matters

HB 35 Delegate Glenn**PUBLIC HEALTH – OPIOID MAINTENANCE THERAPY PROGRAMS – MEDICAL DIRECTOR REQUIREMENT AND QUALIFICATIONS**

Requiring an opioid maintenance therapy program to have a medical director who is a physician and has 2 years of experience providing services to individuals who are addicted to alcohol or other drugs, including at least 1 year of experience in the treatment of opioid addiction with opioid maintenance therapy; etc.

EFFECTIVE OCTOBER 1, 2019

HG, § 8-402 - added

Assigned to: Health and Government Operations

HB 36 Delegate Wivell**SURFACE MINING – ZONE OF DEWATERING INFLUENCE – WATER SUPPLY REPLACEMENT**

Requiring a surface mining permittee to permanently replace a certain water supply within a certain zone of dewatering influence within 45 days of the date on which the permittee knew of the water supply failure; authorizing a surface mining permittee to seek reimbursement for certain water supply replacement costs under certain circumstances; and providing for the construction of certain provisions of law relating to a contested case hearing.

EFFECTIVE OCTOBER 1, 2019

EN, § 15-813 - amended

Assigned to: Environment and Transportation

HB 37 Delegate Sydnor**CRIMINAL PROCEDURE – CELL SITE SIMULATOR TECHNOLOGY**

Authorizing a court to issue an order authorizing or directing a law enforcement officer to use a cell site simulator after making a certain determination; requiring a law enforcement agency authorized to use a cell site simulator to take certain actions; limiting to 30 days or less the time period during which a cell site simulator may be used or location information may be obtained under the authority of a certain order; requiring cell site simulator use by law enforcement to begin 10 days after issuance of an order; etc.

EFFECTIVE OCTOBER 1, 2019

CP, § 1-203.1 - amended

Assigned to: Judiciary

HB 38 **Delegate Carr**

LABOR AND EMPLOYMENT – NONCOMPETE AND CONFLICT OF INTEREST CLAUSES

Providing that certain noncompete and conflict of interest provisions that restrict the ability of an employee to enter into employment with a new employer or to become self-employed in the same or similar business or trade are null and void as being against the public policy of the State; and applying the Act.

EFFECTIVE OCTOBER 1, 2019

LE, § 3-716 - added

Assigned to: Economic Matters