



SYNOPSIS

House Bills and Joint Resolutions
2019 Maryland General Assembly Session

January 25, 2019
Schedule 10

PLEASE NOTE: February 8 – Bill introduction deadline.
All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 7.
As required by House Rule 32(b), bills introduced after this date will be referred to the House Rules and Executive Nominations Committee.

HOUSE BILLS INTRODUCED JANUARY 25, 2019

HB 254 Delegate Grammer, et al

CLERKS OF THE COURTS – MARYLAND JUDICIARY CASE SEARCH
– INFORMATION ON JUDGE OR MAGISTRATE

Requiring the clerk of the court to include the name of the judge or magistrate who presided over a hearing or took judicial action as part of case information in the Maryland Judiciary Case Search; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2019

CJ, § 2-201(a) - amended

Assigned to: Judiciary

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

Baltimore Area: 410-946-5400 — Washington Area: 301-970-5400

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HB 255 Delegate Shoemaker, et al**PUBLIC SCHOOLS – AGRICULTURAL EDUCATION PROGRAMS**

Encouraging each county board of education to implement an agricultural education program that prepares students for successful careers and informed choices relating to certain systems and for opportunities in agriculture–related employment and higher education by providing instruction and developing skills in certain areas through certain integrated classroom and laboratory instruction, supervised agricultural experiences, and leadership experiences and involvement in student organizations.

EFFECTIVE JULY 1, 2019

ED, § 4-111.3 - amended

Assigned to: Ways and Means

HB 256 Delegate Wilkins, et al**STATE DEPARTMENT OF EDUCATION – GUIDELINES ON TRAUMA–INFORMED APPROACH**

Establishing the Trauma–Informed Schools Initiative in the State Department of Education to expand the use of the trauma–informed approach used in schools and intensively train schools on becoming trauma–informed schools; requiring the Department, in consultation with other relevant departments, to develop certain guidelines; requiring, on or before July 1, 2020, the Department to select one school each from certain areas to receive intensive training on the trauma–informed approach; etc.

EFFECTIVE JULY 1, 2019

ED, § 7-427.1 - added and SF, § 6-226(a)(2)(ii)112. and 113. - amended and § 6-226(a)(2)(ii)114. - added

Assigned to: Ways and Means

HB 257 Delegate R. Lewis**CIVIL ACTIONS – IMMUNITIES – DONATED FOOD**

Providing that a nonprofit corporation, organization, or association may not be liable for certain acts or omissions relating to donated food; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2019

CJ, § 5-634 - amended

Assigned to: Judiciary

HB 258 Delegates Pena–Melnyk and Pendergrass**HEALTH INSURANCE – INDIVIDUAL MARKET STABILIZATION – PROVIDER FEE**

Altering the purpose of certain provisions of law requiring that certain entities be subject to a certain assessment on all amounts used to calculate a certain premium tax liability or the amount of the entity’s premium tax exemption value; and requiring that certain entities be subject to certain assessments for certain calendar years in which the federal government makes an assessment and for certain calendar years in which the federal government does not make an assessment under a certain provision of federal law.

EFFECTIVE OCTOBER 1, 2019

IN, § 6-102.1 - amended

Assigned to: Health and Government Operations

HB 259 Delegate Moon, et al**CRIMINAL PROCEDURE – EXPUNGEMENT – BOATING OFFENSES**

Authorizing a person to file a petition for expungement of certain records based on a conviction for certain criminal boating offenses.

EFFECTIVE OCTOBER 1, 2019

CP, § 10-110(a) - amended

Assigned to: Judiciary

HB 260 Delegate Cardin**ELECTION LAW – CAMPAIGN FINANCE VIOLATIONS – INJUNCTIVE RELIEF**

Authorizing the chairman or vice chairman of the State Board of Elections to seek an injunction against a violation of the campaign finance laws; repealing the authority of the Secretary of State to seek an injunction against a violation of the campaign finance laws; and authorizing a candidate to seek an immediate injunction against violations of the campaign finance laws by certain persons.

EFFECTIVE OCTOBER 1, 2019

EL, § 13-605 - amended

Assigned to: Ways and Means

HB 261 Delegate Cardin**ELECTION LAW – CAMPAIGN MATERIAL – CLARIFICATION OF DEFINITION**

Clarifying the definition of “campaign material” by providing that, to meet the definition of “campaign material”, the text, graphics, or other images contained in the material must primarily relate to campaign activity for an election.

EFFECTIVE OCTOBER 1, 2019

EL, § 1-101(k) - amended

Assigned to: Ways and Means

HB 262 Delegate Luedtke, et al**HIGHER EDUCATION – TUITION RATES – EXEMPTIONS**

Altering the circumstances under which certain individuals are exempt from paying the out-of-state tuition rate at public institutions of higher education; altering the circumstances under which certain individuals are eligible to pay the resident tuition rate at a public senior higher education institution or the in-county rate at a community college; requiring certain individuals to retain a certain tuition status until the individual is awarded a certain degree under certain circumstances; etc.

EFFECTIVE JULY 1, 2019

ED, § 15-106.8 - amended

Assigned to: Appropriations

HB 263 Delegate Atterbary**CRIMINAL PROCEDURE – PRETRIAL RELEASE SERVICES PROGRAM – VICTIM NOTIFICATION**

Requiring a judicial officer to consider the recommendation of a certain pretrial release services program in making a certain determination; requiring a court or District Court commissioner to consider including certain no-contact provisions as a condition of pretrial release if a certain pretrial release services program has made a certain request; requiring a certain pretrial release services program to notify the court on receipt of certain information; etc.

VARIOUS EFFECTIVE DATES

CP, §§ 1-101(n), 5-103, & 11-106 - added & §§ 1-101(n) through (q), 5-201(a), 5-213, 11-104(b), (e), (g), (h), & (i), and 11-914 - amended

Assigned to: Judiciary

HB 264 Delegate Long**HOMESTEAD PROPERTY TAX CREDIT – CALCULATION OF CREDIT FOR DWELLING PURCHASED BY FIRST-TIME HOMEBUYER**

Authorizing certain local governments to allow, by law, a first-time homebuyer in the State to calculate the homestead property tax credit for property that includes a newly purchased dwelling using a certain method; requiring that the credit for a newly purchased dwelling be calculated in a certain manner; providing that a certain homeowner may receive the larger of the homestead property tax credit amounts as calculated using certain methods; and applying the Act to taxable years beginning after June 30, 2019.

EFFECTIVE JUNE 1, 2019

TP, § 9-105(e)(1) and (2) - amended

Assigned to: Ways and Means

HB 265 Delegate B. Barnes (Chair, Joint Committee on Pensions)**ALTERNATE CONTRIBUTORY PENSION SELECTION – RETURN TO EMPLOYMENT**

Allowing an individual to resume participation in the Alternate Contributory Pension Selection in the Employees' Pension System or Teachers' Pension System if the individual has been separated from employment and has accrued a certain amount of eligibility service; providing for the retroactive application of the Act; requiring certain service credit earned in the Reformed Contributory Pension Benefit to be credited to the Alternate Contributory Pension Selection; etc.

EFFECTIVE JULY 1, 2019

SP, § 23-215.1(a) - amended

Assigned to: Appropriations

HB 266 Delegate B. Barnes (Chair, Joint Committee on Pensions)**STATE RETIREMENT AND PENSION SYSTEM – DESIGNATED BENEFICIARY CHANGE – RESCISSION**

Authorizing certain retirees of the State Retirement and Pension System to rescind a request to change a designated beneficiary by sending certain notice to the State Retirement Agency before a certain allowance payment normally becomes due; and allowing a retiree who rescinds a certain change of designated beneficiary in a timely manner to receive the allowance payable prior to the change of designated beneficiary, without a certain retroactive adjustment.

EFFECTIVE JULY 1, 2019

SP, § 21-404 - amended

Assigned to: Appropriations

HB 267 Delegate B. Barnes (Chair, Joint Committee on Pensions)**OPTIONAL RETIREMENT PROGRAM – REGULATIONS**

Requiring the Board of Trustees for the State Retirement and Pension System to adopt and maintain a written plan document for the optional retirement program; and authorizing the Board of Trustees to adopt certain regulations.

EFFECTIVE JULY 1, 2019

SP, § 30-203 - amended

Assigned to: Appropriations

HB 268 Delegate Beitzel, et al**MARYLAND COMMUNITY COLLEGE PROMISE SCHOLARSHIP PROGRAM – ALTERATIONS TO THE AWARD OF SCHOLARSHIP FUNDS**

Requiring the Office of Student Financial Assistance in the Maryland Higher Education Commission to select eligible applicants for the Maryland Community College Promise Scholarship program, to the extent practicable, at each community college based on each community college's proportionate share of full-time equivalent enrollment of students at all community colleges during the previous academic year; specifying certain conditions for the award of a local promise scholarship; etc.

EFFECTIVE JULY 1, 2019

ED, §§ 18-3601, 18-3603, and 18-3604 - amended

Assigned to: Appropriations

HB 269 Delegate Reznik, et al**ELECTION LAW – VOTING BY ABSENTEE BALLOT – PREPAID POSTAGE FOR THE RETURN OF BALLOTS**

Requiring that certain envelopes required to be used by voters voting by absentee ballot to return their ballots include prepaid postage; requiring that absentee ballots be accompanied by instructions for the postage of certain absentee ballot envelopes; and authorizing the State Board of Elections to reimburse a local board of elections on petition by the local board for the cost of prepaid postage included on certain absentee ballot envelopes provided to certain voters.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2019

EL, § 9-310 - amended

Assigned to: Ways and Means

HB 270 Delegate Korman, et al**HIGHER EDUCATION – COLLECTIVE BARGAINING – GRADUATE ASSISTANTS (GRADUATE ASSISTANT COLLECTIVE BARGAINING FAIRNESS ACT)**

Providing collective bargaining rights to certain graduate assistants at certain public institutions of higher education; establishing a separate collective bargaining unit for certain graduate assistants; and altering certain exceptions to the applicability of provisions of law governing collective bargaining for State employees.

EFFECTIVE JULY 1, 2019

SP, §§ 3-101, 3-102, and 3-403(d) - amended

Assigned to: Appropriations

HB 271 Delegate Krebs, et al**INCOME TAX – STANDARD DEDUCTION – ALTERATION**

Increasing the minimum and maximum limitation amounts of the standard deduction allowed under the Maryland income tax; providing that a certain cost-of-living adjustment applicable to the minimum and maximum limitation amounts of certain standard deductions applies beginning with taxable year 2020; applying the Act to taxable years beginning after December 31, 2018; etc.

EFFECTIVE JULY 1, 2019

TG, § 10-217 - amended

Assigned to: Ways and Means

HB 272 Delegate Lafferty, et al**NATURAL RESOURCES – STATE AND LOCAL FOREST CONSERVATION FUNDS**

Requiring a person that is subject to the Forest Conservation Act to demonstrate that appropriate credits generated by a forest mitigation bank are not available before the person may pay money to a State or local forest conservation fund to meet certain requirements; prohibiting a local authority from collecting money for deposit into its forest conservation fund unless it has identified afforestation, reforestation, or conservation projects sufficient to provide full mitigation; applying the Act prospectively; etc.

EFFECTIVE OCTOBER 1, 2019

NR, §§ 5-1610 and 5-1613 - amended

Assigned to: Environment and Transportation

HB 273 Delegate B. Barnes**ANNE ARUNDEL COUNTY – SOLICITATION OF MONEY OR DONATIONS FROM OCCUPANTS OF VEHICLES – PROHIBITIONS AND PERMIT PROGRAM**

Altering a prohibition, in Anne Arundel County, on a person standing in a certain highway to solicit money or donations; authorizing the governing body of Anne Arundel County or of a municipal corporation in the county to enact a permit program, by resolution or ordinance, to allow individuals of at least 18 years of age, or representatives of certain organizations who are 18 years old, to stand in a roadway, a median divider, or an intersection to solicit money or donations from the occupant of a vehicle under certain conditions; etc.

EFFECTIVE OCTOBER 1, 2019

TR, § 21-507(e) - repealed and § 21-507(f) - amended

Assigned to: Environment and Transportation

HB 274 Delegates Barron and Dumais**JUSTICE REINVESTMENT ACT – DIMINUTION CREDITS – SENTENCING**

Clarifying that changes in provisions of law relating to the application of diminution credits made by the Justice Reinvestment Act shall be construed prospectively to apply to the portion of an inmate's sentence that is originally imposed, modified, or ordered to be served for a violation of probation on or after October 1, 2017; etc.

EFFECTIVE OCTOBER 1, 2019

Chapter 515 of the Acts of 2016, § 14 - amended

Assigned to: Judiciary

HB 275 Delegate Stein, et al**PESTICIDES – USE OF CHLORPYRIFOS – PROHIBITION**

Prohibiting, on or after January 1, 2020, the use of chlorpyrifos in the State, including insecticides containing chlorpyrifos and seeds treated with chlorpyrifos; and requiring the State Department of Agriculture, with existing budgeted resources, to provide to farmers, certified crop advisors, and pesticide applicators certain education and assistance relating to integrated pest management.

EFFECTIVE OCTOBER 1, 2019

AG, § 5-210.6 - added

Assigned to: Environment and Transportation

HB 276 Allegany County Delegation and Chair, Garrett County Delegation**ALLEGANY COUNTY AND GARRETT COUNTY – SCHOOL BUSES – LENGTH OF OPERATION**

Altering the length of time a school vehicle may be operated in Allegany County and Garrett County from 12 years to 15 years, unless it fails to meet the applicable school bus and motor vehicle safety standards.

EFFECTIVE JULY 1, 2019

ED, § 7-804 - amended

Assigned to: Environment and Transportation

HB 277 Delegate Korman, et al**REGIONAL INITIATIVE TO LIMIT OR REDUCE GREENHOUSE GAS EMISSIONS IN TRANSPORTATION SECTOR – AUTHORIZATION (REGIONAL TRANSPORTATION AND CLIMATE PROTECTION ACT OF 2019)**

Authorizing the Governor to include the State as a full participant in a certain initiative, agreement, or compact that limits or reduces greenhouse gas emissions from the transportation sector; authorizing the Governor to impose a greenhouse gas emission fee on the sale or distribution of motor fuel under certain circumstances; requiring the Department of the Environment and the Department of Transportation to submit a certain report to certain committees of the General Assembly on or before November 1, 2019; etc.

EFFECTIVE JUNE 1, 2019

EN, § 2-1204.2 - added

Assigned to: Economic Matters

HB 278 Delegate Branch, et al**BALTIMORE CITY – CONTROL OF POLICE DEPARTMENT OF BALTIMORE CITY**

Providing that the Police Department of Baltimore City is an agency and instrumentality of the City of Baltimore, instead of the State; and providing that police officers of the department have the authority conferred under a certain provision of law.

EFFECTIVE OCTOBER 1, 2019

PLL of Baltimore City, Art. 4, §§ 16-2(a) and 16-3 - amended

Assigned to: Environment and Transportation and Judiciary

HB 279 Delegate Dumais**CHILD SUPPORT – MULTIFAMILY ADJUSTMENT AND DEVIATION FROM GUIDELINES**

Altering the definition of “adjusted actual income” under the State child support guidelines; providing for the calculation of a certain allowance required to be deducted from adjusted actual income under the child support guidelines; requiring that the amount of a certain allowance be subtracted from a parent’s actual income before the court determines the amount of a child support award; etc.

EFFECTIVE OCTOBER 1, 2019

FL, §§ 12-201(c), 12-202(a), and 12-204(a) - amended

Assigned to: Judiciary

HB 280 Delegate Dumais**CRIMINAL PROCEDURE – CHARGING PROCEDURES AND DOCUMENTS – CITATION**

Modifying the circumstances under which a police officer is required to charge by citation for certain misdemeanor or local ordinance violations that have an imprisonment penalty of up to 90 days; modifying the categories of offenses for which a police officer is authorized to charge by citation; and modifying the circumstances under which a police officer may charge a defendant by citation.

EFFECTIVE OCTOBER 1, 2019

CP, § 4-101(c) - amended

Assigned to: Judiciary

HB 281 Delegate Dumais

CRIMES – ADULTERY – REPEAL

Repealing the crime of adultery.
EFFECTIVE OCTOBER 1, 2019
CR, § 10-501 - repealed
Assigned to: Judiciary

HB 282 Delegate Beitzel

STATE DESIGNATIONS – MARYLAND STATE AMPHIBIAN – LONG-TAILED SALAMANDER

Designating the long-tailed salamander as the State amphibian.
EFFECTIVE OCTOBER 1, 2019
GP, § 7-311 - added
Assigned to: Health and Government Operations

HB 283 Allegany County Delegation and Washington County Delegation

CORRECTIONAL OFFICERS' RETIREMENT SYSTEM – MEMBERSHIP

Altering the membership of the Correctional Officers' Retirement System to include Department of Public Safety and Correctional Services employees in certain positions 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 284 Delegate J. Lewis, et al

PROCUREMENT – SMALL BUSINESSES AND MINORITY BUSINESSES – QUALIFICATION AND CERTIFICATION(SMALL AND MINORITY BUSINESS CERTIFICATION STREAMLINING ACT OF 2019)

Requiring the Secretary of General Services, the Secretary of Transportation, the Chancellor of the University System of Maryland, and the President of Morgan State University to adopt regulations to require the qualification of a business as a small business if it has obtained a certain federal certification; requiring the Board of Public Works to adopt regulations providing for the certification of a business as a minority business enterprise if it has obtained a certain federal certification and meets certain requirements; etc.

EFFECTIVE OCTOBER 1, 2019

SF, §§ 14-203 and 14-303 - amended

Assigned to: Health and Government Operations

HB 285 Delegate Palakovich Carr, et al

HOTEL RENTAL TAX – LIMITATION OF MUNICIPAL AUTHORITY TO TAX SMALL HOTELS – REPEAL

Repealing a limitation on the authority of certain municipalities to impose a hotel rental tax on hotels with 10 or fewer sleeping rooms.

EFFECTIVE JULY 1, 2019

LG, § 20-432 - amended

Assigned to: Ways and Means

HB 286 Delegate Reznik, et al

ELECTION LAW – REGISTRATION AND VOTING AT PRECINCT POLLING PLACES

Providing an exception to the voter registration deadline to allow an individual to appear at a precinct polling place in the individual's county of residence and apply to register to vote or change the voter's address on an existing voter registration; requiring an applicant for voter registration on election day to provide proof of residency; specifying the acceptable forms of proof of residency; requiring an election judge to process certain applicants for voter registration in a certain manner; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2019

EL, § 3-302 - amended and § 3-306 - added

Assigned to: Ways and Means

HOUSE JOINT RESOLUTION INTRODUCED JANUARY 25, 2019**HJ 1 Delegate McKay, et al**

UNITED STATES CONSTITUTION – AMENDMENTS CONVENTION –
CONGRESSIONAL TERM LIMITS AMENDMENT

Applying to the U.S. Congress for an amendments convention called under Article V of the U.S. Constitution, on the application of the legislatures of two-thirds of the several states, to propose an amendment to the U.S. Constitution that limits the number of terms that a person may be elected as a member of the U.S. House of Representatives and a member of the U.S. Senate.

Assigned to: House Rules and Executive Nominations

HOUSE BILL REASSIGNED JANUARY 24, 2019**HB 106 Chair, Environment and Transportation Committee (By Request –
Departmental – Natural Resources)**

ENVIRONMENTAL TRUST FUND – SURCHARGE EXTENSION

Extending from June 30, 2020, to June 30, 2025, the termination date of a certain environmental surcharge on electrical energy distributed to retail electric customers in the State.

EFFECTIVE JUNE 1, 2019

NR, § 3-302(a) and (b) and PU, § 7-203(f) - amended

Reassigned to: Economic Matters