



SYNOPSIS

House Bills and Joint Resolutions
2019 Maryland General Assembly Session

February 15, 2019
Schedule 23

HOUSE BILLS INTRODUCED FEBRUARY 15, 2019

HB 1311 Delegate Conaway

MARYLAND SEXUAL ASSAULT EVIDENCE KIT POLICY AND FUNDING COMMITTEE – VOLUNTARY PAYMENT BY VICTIM FOR TESTING OF KIT

Requiring the Maryland Sexual Assault Evidence Kit Policy and Funding Committee to develop a process to allow the health insurance carrier of a victim of a sexual assault to elect to pay for the testing of a sexual assault evidence collection kit.

EFFECTIVE OCTOBER 1, 2019

CP, § 11-927(e) - amended

Assigned to: House Rules and Executive Nominations

HB 1312 Delegate Conaway

CLERKS OF THE COURTS – MARYLAND JUDICIARY CASE SEARCH – NOTATION OF PLEA AGREEMENT

Requiring a clerk of the court to include a notation on whether a plea entered in a criminal case was the result of a plea agreement as part of case information in the Maryland Judiciary Case Search; and providing for the prospective application of the Act.

EFFECTIVE OCTOBER 1, 2019

CJ, § 2-201(a) - amended

Assigned to: House Rules and Executive Nominations

Department of Legislative Services

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HB 1313 Delegate Conaway**CRIMINAL PROCEDURE – EXPLANATION OF EXPUNGEMENT PROVISIONS RELATING TO PROPOSED DISPOSITION OF CHARGE**

Altering a certain provision of law relating to expungement of criminal records to require a court, before disposing of a charge against a defendant, to provide a detailed explanation to the defendant of specified expungement provisions; and requiring the court, after providing the explanation, to give the defendant the opportunity to reject a disposition of probation before judgment, nolle prosequi, plea of guilty, or stet.

EFFECTIVE OCTOBER 1, 2019

CP, § 6-232 - amended

Assigned to: House Rules and Executive Nominations

HB 1314 Delegate R. Watson**CRIMINAL PROCEDURE – VICTIMS AND WITNESSES – RESTRICTIONS ON RELEASE OF PERSONAL INFORMATION**

Altering the circumstances under which a certain person may withhold the address or telephone number of a certain victim, victim's representative, or witness before a certain trial or adjudicatory hearing.

EFFECTIVE OCTOBER 1, 2019

CP, § 11-205 - amended

Assigned to: House Rules and Executive Nominations

HB 1315 Delegate Glenn**HIGHER EDUCATION – CYBER WARRIOR DIVERSITY PROGRAM – REVISIONS**

Altering the locations of the Cyber Warrior Diversity Program in the State to include the University of Maryland Baltimore County Training Centers and Langston Hughes Community, Business and Resource Center; requiring the Program to use the Cyber Warrior Diversity Program curriculum and to award contracts and memoranda of understanding to small disadvantaged businesses; requiring Langston Hughes Community, Business and Resource Center to hold a National Cyber Warrior Diversity Conference on or before December 1 each year; etc.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2019

ED, §§ 11-1401, 11-1402, and 11-1405 - amended and § 11-1407 - added and Chapter 567 of the Acts of 2018, § 2 - repealed

Assigned to: House Rules and Executive Nominations

HB 1316 Delegates Glenn and Smith**ALCOHOLIC BEVERAGES – MEAD – DEFINITION AND TAX RATE**

Including mead within the definition of beer for certain purposes; and assigning a certain tax rate for mead.

EFFECTIVE JULY 1, 2019

AB, § 1-101(c) and TG, § 5-105 - amended and AB, § 1-101(t) - added

Assigned to: House Rules and Executive Nominations

HB 1317 Delegate Holmes**PROPERTY TAX – VEHICLES VALUED AS STOCK IN BUSINESS – ALTERATION OF TAX CREDIT**

Increasing from 50% to 100% a certain property tax credit that the governing body of a county or municipal corporation is required to grant against the county or municipal corporation property tax imposed on vehicles valued as stock in business beginning on July 1, 2016; and applying the Act retroactively to taxable years beginning after June 30, 2016.

Preliminary analysis: local government mandate

EFFECTIVE JUNE 1, 2019

TP, § 9-108 - amended

Assigned to: House Rules and Executive Nominations

HB 1318 Delegate Glenn**GOVERNMENT SHUTDOWNS – EMPLOYEES – PROTECTIONS**

Prohibiting a public service company from terminating electric or gas service to certain residential customers for nonpayment on a day that a government furlough is in effect or for 7 days after the furlough has ended; authorizing the Public Service Commission to adopt certain regulations; requiring a certain court to stay certain proceedings for the foreclosure or repossession of certain residential property for a certain period of time under certain circumstances; etc.

EMERGENCY BILL

PU, § 7-307.4 and RP, §§ 7-105.1(b-1) and 8-401(b-1) - added

Assigned to: House Rules and Executive Nominations

HB 1319 Delegate Glenn**BALTIMORE CITY – ALCOHOLIC BEVERAGES – RELATED EVENT PROMOTER’S PERMIT**

Creating a related event promoter’s permit in Baltimore City; authorizing the Baltimore City Board of License Commissioners to issue a related event promoter’s permit under certain circumstances to an individual, a for-profit organization, or a nonprofit organization that promotes a social event around the same time and location as the Central Intercollegiate Athletic Association Basketball Tournament; requiring an applicant to take certain actions before being granted the related event promoter’s permit; etc.

EFFECTIVE JULY 1, 2019

AB, § 12-1102.2 - added and § 12-2802 - amended

Assigned to: House Rules and Executive Nominations

HB 1320 Delegates Cullison and Kipke**MARYLAND NO-FAULT BIRTH INJURY FUND**

Establishing a system for adjudication of a claim involving a birth-related neurological injury; providing for certain benefits and compensation of a claimant under the Act; establishing the Maryland No-Fault Birth Injury Fund to provide compensation and benefits to eligible claimants; providing for certain premiums and insurance surcharges to be used to finance and administer the Fund; requiring the Maryland Patient Safety Center to convene a certain Perinatal Clinical Advisory Committee; applying the Act prospectively; etc.

EFFECTIVE JULY 1, 2019

CJ, §§ 3-2D-01 through 3-2D-08, HG, §§ 20-2001 through 20-2003, and IN, §§ 33-101 through 33-304 - added

Assigned to: House Rules and Executive Nominations

HB 1321 Delegates Walker and Buckel

CAMPAIGN FINANCE – PROHIBITION OF VIDEO LOTTERY CONTRIBUTIONS – REPEAL

Repealing a prohibition on applicants for a certain video lottery operation license, holders of a certain video lottery operation license, and persons who own an interest in the operation of a video lottery facility in the State from directly or indirectly making a contribution to campaign finance entities of a candidate for any nonfederal public office in the State or any other campaign finance entity organized in support of a candidate for any nonfederal public office in the State; etc.

EFFECTIVE OCTOBER 1, 2019

EL, § 13-237 - repealed

Assigned to: House Rules and Executive Nominations

HB 1322 Delegate Rogers, et al

INCOME TAX – SUBTRACTION MODIFICATION – MILITARY RETIREMENT INCOME

Phasing out, over certain taxable years, the limitation on the amount of certain military retirement income that may be subtracted from federal adjusted gross income for Maryland income tax purposes.

EFFECTIVE JULY 1, 2020

TG, § 10-207(q) - amended

Assigned to: House Rules and Executive Nominations

HB 1323 Delegate Rosenberg

CIVIL ACTIONS – HEALTH CARE MALPRACTICE CLAIMS (LIFE CARE ACT 2019)

Requiring a certain award or verdict for future medical expenses to be based solely on average Medicare reimbursement rates in effect on the date of the award or verdict for the locality in which the care is to be provided; requiring a certain award or verdict for future medical expenses for hospital facility services to be based on certain rates; requiring a certain award or verdict for future medical expenses for nursing facility services to be based on a certain rate; etc.

EFFECTIVE OCTOBER 1, 2019

CJ, § 3-2A-09 - amended

Assigned to: House Rules and Executive Nominations

HB 1324 Delegates Barron and Kipke**MARYLAND MEDICAL ASSISTANCE PROGRAM AND MANAGED CARE ORGANIZATIONS THAT USE PHARMACY BENEFITS MANAGERS – REIMBURSEMENT REQUIREMENTS**

Requiring the Maryland Medical Assistance Program to establish reimbursement levels, rather than maximum reimbursement levels, for certain drug products; requiring that certain minimum reimbursement levels be at least equal to the National Average Drug Acquisition Cost of the generic product plus a certain fee-for-service professional dispensing fee; providing that certain provisions of the Act apply to managed care organizations that use pharmacy benefits managers to manage prescription drug coverage; etc.

EFFECTIVE OCTOBER 1, 2019

HG, § 15-118(b) - amended and HG, § 15-118(f) and IN, § 15-1632 - added

Assigned to: House Rules and Executive Nominations

HB 1325 Delegate Krebs**HEALTH OCCUPATIONS – ADVANCED PRACTICE REGISTERED NURSES – DELEGATION OF NURSING TASKS**

Providing that an unlicensed individual has the right to perform acts of advanced practice registered nursing under certain circumstances; requiring the State Board of Nursing to adopt certain regulations; and providing that an advanced practice registered nurse is not precluded from delegating a nursing task to an unlicensed individual.

EFFECTIVE JUNE 1, 2019

HO, §§ 8-102 and 8-6A-02 - amended

Assigned to: House Rules and Executive Nominations

HB 1326 Delegate Walker**STATE LOTTERY – UNCLAIMED PRIZES – DISTRIBUTION TO LOCAL BOARDS OF EDUCATION**

Requiring the Director of the State Lottery and Gaming Control Agency, at the end of each fiscal year, to remit money in the unclaimed prize fund to the Comptroller for distribution to each county board of education in the State on a pro rata basis determined by the total lottery sales made in each county; and providing that a distribution from the fund is supplemental to and is not intended to take the place of certain funding for county boards of education.

EFFECTIVE JULY 1, 2019

SG, § 9-122(f) - amended

Assigned to: House Rules and Executive Nominations

HB 1327 Delegate Walker**SMALL BUSINESS DEVELOPMENT CENTER NETWORK FUND –
MINIMUM APPROPRIATION**

Altering the minimum required appropriation to the Small Business Development Center Network Fund at the University of Maryland, College Park Campus beginning with an appropriation of \$1,500,000 in fiscal year 2021 and increasing to \$3,000,000 for fiscal year 2024 and each fiscal year thereafter.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2019

ED, § 13-104 - amended

Assigned to: House Rules and Executive Nominations

HB 1328 Delegate Boteler, et al**ELECTION LAW – ELECTIONEERING BOUNDARY LINE**

Requiring that the placement of the electioneering boundary line at each polling place be at any point between 25 feet and 100 feet from the entrance and exit on approval of the local board of elections instead of requiring that an electioneering boundary line be located as near as practicable to 100 feet from the entrance and exit of each polling place in certain counties.

EFFECTIVE OCTOBER 1, 2019

EL, § 16-206(b) - amended

Assigned to: House Rules and Executive Nominations

HB 1329 Delegate R. Watson, et al**COURT OF APPEALS AND COURT OF SPECIAL APPEALS –
RENAMING**

Proposing an amendment to the Maryland Constitution to change the name of the Court of Appeals to be the Supreme Court of Maryland, to change the name of the Court of Special Appeals to be the Maryland Appellate Court, to change the name of a Judge of the Court of Appeals to be a Justice of the Supreme Court of Maryland, and to change the name of the Chief Judge of the Court of Appeals to be the Chief Justice of the Supreme Court of Maryland; etc.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Art. II, III, IV, V, and XVII, Various Sections - amended

Assigned to: House Rules and Executive Nominations

HB 1330 Delegate R. Watson, et al

STATE LAW LIBRARY – RENAMING

Renaming the State Law Library to be the Thurgood Marshall Law Library; providing that the Thurgood Marshall Law Library is the successor of the State Law Library; providing that certain names and titles of a certain unit and officials in laws and other documents mean the names and titles of the successor unit and officials; providing for the continuity of certain matters and persons; etc.

EFFECTIVE JULY 1, 2019

CJ, ED, LG, and SG, Various Sections - amended

Assigned to: House Rules and Executive Nominations

HB 1331 Delegate MillerPUBLIC UTILITIES – ELECTRIC VEHICLE CHARGING STATION
INFRASTRUCTURE – TASK FORCE

Prohibiting the Public Service Commission from establishing or continuing a certain pilot program until the Task Force to Study Electric Vehicle Charging Station Infrastructure submits a report to the Governor and General Assembly and the General Assembly enacts a law to approve the pilot program; establishing the Task Force to Study Electric Vehicle Charging Station Infrastructure; requiring the Task Force to report its recommendations by January 1, 2020; etc.

EMERGENCY BILL

PU, § 7-216 - added

Assigned to: House Rules and Executive Nominations

HB 1332 Delegate SzeligaPUBLIC HEALTH – HUMAN PAPILLOMAVIRUS VACCINE –
INFORMATION AND INFORMED CONSENT(CHRISTINA’S LAW)

Requiring a health care provider, before each administration of a human papillomavirus vaccine, to provide an individual with a supplemental information sheet and obtain a Maryland HPV vaccine written consent form; requiring that a certain information sheet include, at a minimum, certain statements; requiring that a certain consent form developed by the Maryland Department of Health include certain information; requiring the Department to adopt certain regulations; etc.

EFFECTIVE OCTOBER 1, 2019

HG, §§ 18-341 through 18-344 - added

Assigned to: House Rules and Executive Nominations

HB 1333 Delegate Adams**LABOR AND EMPLOYMENT – WAGE PAYMENT AND COLLECTION
– GENERAL CONTRACTOR LIABILITY**

Establishing that certain contractors are jointly and severally liable for certain violations of the wage payment and collection law by certain subcontractors if the employee notified the general contractor, in writing, within 90 days after the violation occurred and the general contractor failed to cure the violation within 30 days after receiving the notice; prohibiting a certain obligation or contract right from being impaired by the Act; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2019

LE, § 3-507.2 - amended

Assigned to: House Rules and Executive Nominations

HB 1334 Delegate Lisanti**VEHICLE MANUFACTURERS AND DEALERS – VIOLATIONS –
AWARD OF DAMAGES**

Establishing a minimum threshold for damages awarded to a person who suffers financial injury or other damages as a result of certain violations of certain provisions of law governing relationships between vehicle manufacturers and dealers.

EFFECTIVE OCTOBER 1, 2019

TR, § 15-213 - amended

Assigned to: House Rules and Executive Nominations

HB 1335 Delegate Jacobs, et al**KENT COUNTY ALCOHOLIC BEVERAGES ACT OF 2019**

Authorizing a holder of a Class D beer, wine, and liquor license in Kent County to sell alcoholic beverages for off-premises consumption as well as on-premises consumption; increasing to 15 the maximum number of rooms that a facility with a Class B (country inn) beer, wine, and liquor license may offer to the public as sleeping accommodations; decreasing to 100 the minimum number of permanently installed seats required in a theater with a theater beer, wine, and liquor license; etc.

EFFECTIVE JULY 1, 2019

AB, §§ 24-904, 24-1002, and 24-1004 - amended

Assigned to: House Rules and Executive Nominations

HB 1336 Delegate Shoemaker

CARROLL COUNTY – ALCOHOLIC BEVERAGES LICENSES – CLASS D BEER LICENSE

Altering the authorization of Class D beer license holders in Carroll County to sell beer at retail, at the discretion of the Board, for off-premises consumption.
EFFECTIVE JULY 1, 2019

AB, § 16-604 - amended

Assigned to: House Rules and Executive Nominations

HB 1337 Delegate Shoemaker

CARROLL COUNTY – ALCOHOLIC BEVERAGES – CLASS D BEER, WINE, AND LIQUOR LICENSE

Repealing a prohibition on the issuance of a Class D beer, wine, and liquor license in Carroll County; establishing a Class D beer, wine, and liquor license in Carroll County; authorizing the Board to issue the license to a holder of a manufacturer's license; providing that the license authorizes the sale of any beer, wine, and liquor for off-premises consumption only of the beer, wine or liquor manufactured on the premises; prohibiting the issuance of a license to a drugstore; and providing a \$500 annual fee.

EFFECTIVE JULY 1, 2019

AB, § 16-906 - repealed and added

Assigned to: House Rules and Executive Nominations

HB 1338 Delegate Barron

PRESCRIPTION MONITORING DATA – HEALTH CARE FACILITY

Requiring the Prescription Drug Monitoring Program to disclose prescription monitoring data, in accordance with certain regulations, to the medical director or authorized administrator of certain health care facilities, or the medical director's or authorized administrator's designee, for the purpose of providing medical or pharmaceutical treatment to a patient or prospective patient of the health care facility.

EFFECTIVE OCTOBER 1, 2019

HG, § 21-2A-06(b) - amended

Assigned to: House Rules and Executive Nominations