



SYNOPSIS

House Bills and Joint Resolutions
2019 Maryland General Assembly Session

January 17, 2019
Schedule 5

PLEASE NOTE: January 22 – Bill request deadline.
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 17, 2019

HB 59 Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

FINANCIAL INSTITUTIONS – COMMISSIONER OF FINANCIAL REGULATION – DEBT SETTLEMENT SERVICES

Requiring registrants providing debt settlement services to obtain and maintain a unique identifier and to transfer registration information to Nationwide Mortgage Licensing System and Registry (NMLS) during a certain time period; requiring the Commissioner of Financial Regulation to notify certain registrants of the transfer period; requiring a certain applicant to apply for a registration through NMLS; decreasing fees to \$500 from \$1,000 for the issuance or renewal of a registration; etc.

EFFECTIVE OCTOBER 1, 2019

FI, § 12-1001(l) added and §§ 12-1004, 12-1006, and 12-1009 - amended

Assigned to: Economic Matters

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

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

Other Maryland Areas: 1-800-492-7122 — Maryland Relay Service: 1-800-735-2258

HB 60 Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

DEPARTMENT OF LABOR, LICENSING, AND REGULATION – RENAMING

Renaming the Department of Labor, Licensing, and Regulation to be the Maryland Department of Labor; renaming the Secretary of Labor, Licensing, and Regulation to be the Secretary of Labor; providing that the Maryland Department of Labor is the successor of the Department of Labor, Licensing, and Regulation; 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; etc.

EFFECTIVE JULY 1, 2019

BR, §§ 1-101(f) and (h), 2-101, and 2-102(a) and SG, § 8-201(b)(13) - amended
Assigned to: Economic Matters

HB 61 Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

FINANCIAL INSTITUTIONS – COMMISSIONER OF FINANCIAL REGULATION – MORTGAGE LENDERS, LOAN SERVICERS, AND LOAN ORIGINATORS

Altering certain net worth requirements for certain applicants and licensees for certain mortgage lending, loan servicing, and loan origination activities; establishing certain net worth requirements for certain applicants and licensees acting as mortgage loan servicers for government-sponsored enterprises and other entities; authorizing the use of an irrevocable letter of credit from certain institutions to satisfy certain requirements under certain circumstances; etc.

EFFECTIVE OCTOBER 1, 2019

FI, §§ 11-508.1(a) and (b), 11-512(c), 11-513(c)(2), 11-513.1(a), 11-515(a)(2), and 11-609 - amended

Assigned to: Economic Matters

HB 62 Delegate B. Barnes (Chair, Joint Committee on Pensions)

EMPLOYEES' PENSION SYSTEM – PURCHASE OF ELIGIBILITY SERVICE CREDIT – CLARIFICATION

Clarifying a provision authorizing a certain purchase of eligibility service credit in the Employees' Pension System for certain employment.

EFFECTIVE JULY 1, 2019

SP, § 23-307(b) - amended

Assigned to: Appropriations

HB 63 Delegate B. Barnes (Chair, Joint Committee on Pensions)STATE RETIREMENT AND PENSION SYSTEM – MARYLAND
PENSION ADMINISTRATION SYSTEM – MEMBER CONTRIBUTIONS

Requiring a participating employer to submit supporting payroll data to the State Retirement Agency regarding a member's contributions at the time contributions are paid to the Board of Trustees for the State Retirement and Pension System; providing certain penalty and interest payments for violation of the provisions of the Act; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2019

SP, § 21-314(c) and (d) - amended

Assigned to: Appropriations

HB 64 Delegate B. Barnes (Chair, Joint Committee on Pensions)STATE RETIREMENT AND PENSION SYSTEM – DESIGNATION OF
BENEFICIARY

Altering a requirement for designating a beneficiary of a member, former member, or retiree of the State Retirement and Pension System; providing an option for a member, former member, or retiree to designate a beneficiary through the State Retirement Agency's secure access participant portal with an electronic signature; altering the definition of "designated beneficiary"; etc.

EFFECTIVE JULY 1, 2019

SP, §§ 20-101(n), 24-401.1(i)(2), and 26-401.1(i)(2) - amended

Assigned to: Appropriations

HB 65 Delegate Adams, et alSALES AND USE TAX – AIRCRAFT PARTS AND EQUIPMENT –
EXEMPTION

Providing an exemption from the sales and use tax for materials, parts, or equipment used to repair, maintain, or upgrade aircraft or the avionics systems of aircraft if the materials, parts, or equipment are installed on the aircraft; requiring the Comptroller to report to the General Assembly by December 31 each year on the amount of sales and use tax revenue lost from the exemption and any change to the number of aviation technicians employed in the State as a result of the exemption; terminating the Act after June 30, 2024; etc.

EFFECTIVE JULY 1, 2019

TG, § 11-235 - added

Assigned to: Ways and Means

HB 66 **Delegate Stein****RAILROAD COMPANY – MOVEMENT OF FREIGHT – REQUIRED CREW**

Prohibiting a train or light engine used in the movement of freight in the same rail corridor as a high-speed passenger or commuter train from being operated in the State unless it has at least two crew members; establishing certain penalties; providing that a railroad company is solely responsible for the certain actions of its agents or employees; prohibiting a county or municipal corporation from enacting and enforcing more stringent measures; requiring certain notice be made to the Department of Legislative Services; etc.

EFFECTIVE OCTOBER 1, 2019

LE, § 5.5-110(e) - added

Assigned to: Environment and Transportation

HB 67 **Delegate Reznik****POTOMAC COMPACT FOR FAIR REPRESENTATION**

Establishing the Potomac Compact for Fair Representation; providing that a compacting state is not required to comply with the Compact under certain circumstances; establishing the Congressional Districting Commission to develop a congressional districting plan; requiring the Executive Director of the Department of Legislative Services to determine the size and composition of the Commission and, on or before June 1 of the year following the decennial census, select the members of the Commission; etc.

CONTINGENT – EFFECTIVE OCTOBER 1, 2019

EL, §§ 8-6A-01 through 8-6A-05 - added

Assigned to: House Rules and Executive Nominations

HB 68 **Delegate Holmes****REAL PROPERTY – MARYLAND CONDOMINIUM ACT – POWERS OF COUNCIL OF UNIT OWNERS**

Prohibiting the declarations, bylaws, or certain other instruments of a condominium made by a developer from limiting certain powers of a council of unit owners to have legal standing or to enforce implied warranties except under certain circumstances.

EFFECTIVE OCTOBER 1, 2019

RP, § 11-109(d) - amended

Assigned to: Environment and Transportation

HB 69 Delegate Holmes**REAL PROPERTY – MARYLAND CONDOMINIUM ACT – IMPLIED WARRANTIES FROM DEVELOPERS**

Establishing that all common elements of a condominium are covered under a certain implied warranty on common elements from a developer; and applying common element implied warranty coverage to any portion of a condominium that a council of unit owners is required to maintain, repair, or replace under the declaration, bylaws, or other instrument made by a developer or vendor in accordance with certain law, regardless of whether the portion of the condominium is designated as a unit or a common element.

EFFECTIVE OCTOBER 1, 2019

RP, § 11-131(d)(1) - amended and § 11-131(g) - added

Assigned to: Environment and Transportation

HB 70 Delegate Holmes**PUBLIC SAFETY – RENTAL UNIT – CARBON MONOXIDE ALARMS**

Altering the requirement to install a carbon monoxide alarm in a rental dwelling unit to apply only when the unit contains a device that emits carbon monoxide or has an adjacent enclosed unventilated attached garage.

EFFECTIVE OCTOBER 1, 2019

PS, § 12-1104 - amended

Assigned to: Environment and Transportation

HB 71 Delegates Korman and Buckel**STATE BOARD OF ELECTIONS – OPEN MEETINGS – VIDEO STREAMING AND RECORDING (STATE BOARD OF ELECTIONS TRANSPARENCY ACT)**

Requiring the State Board of Elections, in consultation with the Department of Information Technology, to make publicly available on the Internet live video streaming of each open meeting of the State Board and an unedited archived video recording of each open meeting for a minimum of 4 years after the date of the meeting.

EFFECTIVE OCTOBER 1, 2019

EL, § 2-102 - amended

Assigned to: Health and Government Operations

HB 72 Delegate Korman, et al**EXTENSION OF ELECTRIC VEHICLE INCENTIVES ACT**

Establishing the Fiscal Year 2017 Electric Vehicle Recharging Equipment Rebate Program to provide rebates to individuals who purchased qualified equipment in fiscal year 2017 but did not receive the rebate; limiting the rebate to an applicant who owns the equipment on the date the applicant applies for the rebate; allowing a credit against the motor vehicle excise tax for certain qualified plug-in electric drive vehicles; limiting the credit to certain vehicle owners; terminating the Act after June 30, 2020; etc.

EFFECTIVE JULY 1, 2019

Assigned to: Environment and Transportation

HB 73 Delegate Moon, et al**JURY SERVICE – QUALIFICATION CRITERIA – CRIMINAL CONVICTION OR CHARGE**

Increasing from 6 months to 1 year the minimum criminal sentence or potential sentence that disqualifies an individual from jury service.

EFFECTIVE OCTOBER 1, 2019

CJ, §§ 8-103 and 8-302 - amended

Assigned to: Judiciary

HB 74 Delegate Moon, et al**CRIMINAL PROCEDURE – CORAM NOBIS – TIME FOR FILING**

Providing that, unless good cause is shown, a petition for writ of error coram nobis may not be filed more than 3 years after the petitioner knew or should have known that the petitioner faces a significant collateral consequence from the conviction that is the basis for the petition.

EFFECTIVE OCTOBER 1, 2019

CP, § 8-401 - amended

Assigned to: Judiciary

HB 75 **Delegate Grammer**STATE RETIREMENT AND PENSION SYSTEM – INVESTMENT
MANAGEMENT FEE REPORTING

Specifying that the Board of Trustees for the State Retirement and Pension System is required to include certain investment management service fees, including fixed fees, performance fees, fees that are formally invoiced, and fees that are not formally invoiced in a certain report to the General Assembly.

EFFECTIVE JULY 1, 2019

SP, § 21-315(g)(1) - amended

Assigned to: Appropriations

HB 76 **Delegate Moon, et al**VEHICLE LAWS – CANCELED, REVOKED, AND SUSPENDED
DRIVER'S LICENSES – PENALTIES

Altering the penalties for a person convicted for possession of a canceled, revoked, or suspended driver's license to be a fine not exceeding \$500 and an assessment of 3 points.

EFFECTIVE OCTOBER 1, 2019

TR, §§ 16-301(r) and 16-402(a)(36) - amended and § 16-402(a)(16) - added

Assigned to: Environment and Transportation

HB 77 **Delegate Moon, et al**

CRIMINAL LAW – DECRIMINALIZATION OF ATTEMPTED SUICIDE

Providing that attempted suicide is not a crime in the State; prohibiting that the act of attempting to commit suicide, in itself, may not form the basis of a certain criminal charge; and providing that the common law offense of attempted suicide is abrogated and repealed.

EFFECTIVE OCTOBER 1, 2019

CR, § 3-101.1 - added

Assigned to: Judiciary

HB 78 **Delegate Wilkins, et al****CORRECTIONAL SERVICES – INMATES – LABOR**

Requiring the Commissioner of Correction to include in an annual report certain statistics on job classifications for inmate labor, certain daily wage scales, and the total number of inmates currently employed at certain facilities; and requiring the Division of Correction to include in a report regarding Maryland Correctional Enterprises certain similar statistics regarding inmate employment and wages.

EFFECTIVE OCTOBER 1, 2019

CS, §§ 3-207 and 3-509 - amended

Assigned to: Judiciary

HB 79 **Delegate Luedtke****ELECTION LAW – EARLY VOTING CENTERS – ESTABLISHMENT AND HOURS**

Increasing the number of early voting centers that certain counties are required to establish; requiring early voting centers to open at 8 a.m. during gubernatorial general elections; and requiring that, in a county with more than one voting center, the location of early voting centers be designated to maximize geographic dispersal and accessibility for the registered voters of that county.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2019

EL, § 10-301.1 - amended

Assigned to: Ways and Means

HB 80 **Cecil County Delegation****HORSE RACING AT FAIR HILL – UNION HOSPITAL ALLOCATION – REPEAL**

Repealing a requirement that the Cecil County Breeders' Fair, Inc., or its successor allocate the profits earned from horse racing at the Fair Hill Natural Resources Management Area to the Union Hospital of Cecil County; etc.

EFFECTIVE OCTOBER 1, 2019

BR, § 11-702(e) - repealed

Assigned to: Ways and Means

HB 81 **Delegate Wilkins, et al****PROPERTY TAX CREDIT – SURVIVING SPOUSE OF VETERAN**

Altering eligibility for a credit authorized against the county or municipal corporation property tax for the surviving spouses, who are at least 65 years of age, of certain veterans; and applying the Act to taxable years beginning after June 30, 2019.

EFFECTIVE JUNE 1, 2019

TP, § 9-258 - amended

Assigned to: Ways and Means

HB 82 **Delegate Charkoudian, et al****TRANSPORTATION – COMPLETE STREETS – ACCESS TO HEALTHY FOOD**

Requiring a complete streets policy adopted by certain modal administrations of the Department of Transportation to create access to healthy food for certain individuals living in food deserts; authorizing grants under the Complete Streets Program to be used to encourage certain jurisdictions to develop ranking systems for projects that prioritize designs that create access to healthy food in food deserts; requiring the Governor, each year, to appropriate \$1,000,000 from the Transportation Trust Fund for the Program; etc.

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

EFFECTIVE JUNE 1, 2019

TR, §§ 2-112, 8-901, and 8-903 - amended and § 8-904 - repealed and added

Assigned to: Environment and Transportation

HB 83 **Delegate Lafferty****ACTION FOR CHANGE OF NAME – MINORS – PROHIBITION OF PUBLICATION REQUIREMENT**

Prohibiting a court from requiring publication of notice in an action for change of name of a minor if both parents consent to the name change, the minor has not been convicted of a crime as an adult, and the minor has never registered as a sex offender.

EFFECTIVE OCTOBER 1, 2019

CJ, § 3-2201 - added

Assigned to: Judiciary

HB 84 Delegate Charkoudian, et al**MARYLAND FARMS AND FAMILIES FUND – PURPOSE, USE, FUNDING, AND GRANT QUALIFICATIONS – ALTERATIONS**

Altering the purpose and use of the Maryland Farms and Families Fund; requiring the Governor to include in the annual budget bill a \$500,000 appropriation to the Fund each fiscal year, beginning in fiscal year 2021; and altering certain qualifications for certain nonprofit organizations to receive a certain grant from the Fund.

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

EFFECTIVE JUNE 1, 2019

AG, §§ 10-2003 and 10-2004 - amended

Assigned to: Environment and Transportation

HB 85 Delegate Moon, et al**GENERAL ASSEMBLY – SPECIAL ELECTION TO FILL A VACANCY IN OFFICE**

Proposing an amendment to the Maryland Constitution to require an individual appointed by the Governor to fill a vacancy in the office of Delegate or Senator in the General Assembly to serve for the remainder of the term if the vacancy occurs after a certain date; requiring that a special election be held at the same time as a certain regular statewide election to fill a vacancy in the office of Delegate or Senator in the General Assembly if the vacancy occurs on or before a certain date; etc.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Art. III, § 13 and Art. XVII, § 2 - amended

Assigned to: Ways and Means

HB 86 Delegate Wilkins, et al**HEALTH INSURANCE – CONTINUATION COVERAGE – CHANGE IN EMPLOYMENT STATUS**

Extending from 18 to 36 months, under certain circumstances, the period of time for which certain group contracts are required to provide continuation coverage for insureds who have experienced a change in status as the result of termination of employment other than for cause; and applying the Act to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after January 1, 2020.

EFFECTIVE JANUARY 1, 2020

IN, § 15-409(c) - amended

Assigned to: Health and Government Operations

HB 87 **Delegate Ebersole, et al****STATE BOARD OF EDUCATION – MEMBERSHIP – TEACHERS AND PARENT**

Altering the membership of the State Board of Education to add two regular members who are certified teachers and a parent of a student enrolled in a public school in the State; authorizing teacher members to be appointed to the State Board although the individuals are subject to the authority of the State Board; requiring a certain list submitted to the Governor by the State Department of Education to consist of the two teacher members who received the highest number of votes after an election by teachers in the State; etc.

EFFECTIVE JUNE 1, 2019

ED, § 2-202 - amended

Assigned to: Ways and Means

HB 88 **Delegate Charkoudian, et al****CRIMINAL LAW – ALCOHOL OFFENSES – CIVIL OFFENSES (DECRIMINALIZATION OF PETTY NONVIOLENT OFFENSES ACT)**

Making it a civil rather than a criminal offense to consume an alcoholic beverage in public under certain circumstances or to possess an alcoholic beverage in an open container under certain circumstances; requiring certain offenders to be issued a citation under certain circumstances; and providing a maximum fine of \$100.

EFFECTIVE OCTOBER 1, 2019

AB, §§ 6-321 and 6-322 and CR, § 10-119 - amended

Assigned to: Economic Matters and Ways and Means

HB 89 **Delegates Ebersole and Atterbeary****VEHICLE LAWS – USE OF HANDHELD TELEPHONE WHILE DRIVING – PENALTY**

Providing for a maximum fine of \$500 for a violation of certain prohibitions against using a handheld telephone while driving a motor vehicle; etc.

EFFECTIVE OCTOBER 1, 2019

TR, § 21-1124.2 - amended

Assigned to: Environment and Transportation

HB 90 Delegate Moon, et al**PUBLIC SAFETY – SMOKE DETECTION SYSTEM VIOLATION – CIVIL OFFENSE**

Establishing that it is a civil offense instead of a criminal offense for a person to knowingly violate certain provisions requiring that certain smoke detection systems be provided and maintained in certain areas within certain buildings in the State; repealing certain criminal penalties; establishing a fine of up to \$1,000 for violation of the Act.

EFFECTIVE OCTOBER 1, 2019

PS, § 9-109 - amended

Assigned to: Judiciary

HOUSE BILL REASSIGNED JANUARY 14, 2019**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

Reassigned to: Economic Matters