



SYNOPSIS

Senate Bills and Joint Resolutions
2019 Maryland General Assembly Session

January 24, 2019
Schedule 11

PLEASE NOTE: February 1 – Bill introduction deadline.

All bills should be given to the Secretary of the Senate's office by 5:00 P.M. on Monday, February 4.

As required by Senate Rule 32(b), bills introduced after this date will be referred to the Senate Rules Committee.

SENATE BILLS INTRODUCED January 24, 2019

SB 208 **Senator Zirkin**

MARYLAND AUTOMOBILE INSURANCE FUND – NOTICE OF CLAIM FOR DAMAGES – REPEAL

Repealing the requirement that notice of a claim for damages must be filed with the Maryland Automobile Insurance Fund within 180 days after the accident before a person may apply or sue for payment from the Fund; repealing provisions of law that prohibit filing or maintaining a certain claim or suit if notice of a claim is not filed within a certain period of time, unless the claimant provides proof that the claimant took certain actions; applying the Act prospectively; etc.

EFFECTIVE OCTOBER 1, 2019

IN, § 20-603 - repealed

Assigned to: Finance

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

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SB 209 **Senator Zirkin, et al****PROTECTIVE ORDERS – RELIEF ELIGIBILITY – RAPE AND SEXUAL OFFENSES**

Removing rape and certain sexual offenses from the list of offenses alleged to have been committed by a certain respondent against a certain victim for which a peace order request or a peace order petition may be filed under certain circumstances; and altering the definition of “person eligible for relief” for purposes of certain provisions of law relating to domestic violence protective orders to include an individual who alleges the commission of certain acts against the individual by a certain respondent.

EFFECTIVE OCTOBER 1, 2019

CJ, §§ 3-8A-19.1 and 3-1503(a) and FL, § 4-501(m) - amended

Assigned to: Judicial Proceedings

SB 210 **Senator Lee****LAW ENFORCEMENT – FEDERAL MILITARY SURPLUS PROGRAM – EQUIPMENT ACQUISITION**

Requiring certain law enforcement agencies to post notice of the acquisition of certain equipment from a federal military surplus program within 14 days after the agency acquires the equipment from a surplus program; and requiring that, on or before February 1 each year, a law enforcement agency that has acquired equipment from a surplus program report the acquisition of the equipment to the Governor and the General Assembly.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2019

PS, § 3-521 - added

Assigned to: Judicial Proceedings

SB 211 **Senator Lee****EVIDENCE – CAUSING UNAVAILABILITY OF WITNESS – STANDARD OF PROOF**

Altering the standard of proof by which a judge in a certain criminal case must make certain findings before the judge may admit a certain statement into evidence.

EFFECTIVE OCTOBER 1, 2019

CJ, § 10-901 - amended

Assigned to: Judicial Proceedings

SB 212 **Senator Lee**

ESTATES AND TRUSTS – EXECUTION OF WILLS – PRESENCE OF WITNESSES

Establishing that, for purposes of certain provisions of law governing the execution of a will, a witness does not satisfy the requirement to be in the presence of a testator if the witness is in a different physical location from the testator and the testator can observe the witness only through electronic audio or video or other technological means; applying the Act prospectively; etc.

EFFECTIVE OCTOBER 1, 2019

ET, §§ 4-102 and 4-104 - amended

Assigned to: Judicial Proceedings

SB 213 **Senator Edwards**

NATURAL RESOURCES – STATE LAKES PROTECTION AND RESTORATION FUND – MANDATORY FUNDING AND REPEAL OF TERMINATION DATE

Increasing the amount of the appropriation, beginning in fiscal year 2021, that the Governor is required to include in the annual budget bill for the State Lakes Protection and Restoration Fund from \$1,000,000 to \$3,000,000; and repealing the termination date for certain provisions of law relating to the Fund.

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

EFFECTIVE JULY 1, 2019

NR, § 8-205 and Chapter 698 of the Acts of 2018, § 3 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 214 **Senator Edwards**

ALLEGANY COUNTY – PROPERTY TAX CREDIT – CUMBERLAND ECONOMIC DEVELOPMENT CORPORATION

Authorizing the governing body of Allegany County and of a municipal corporation in Allegany County to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on property owned by the Cumberland Economic Development Corporation; and applying the Act to taxable years beginning after June 30, 2019.

EFFECTIVE JUNE 1, 2019

TP, § 9-302(b)(15) and (16) - amended and § 9-302(b)(17) - added

Assigned to: Budget and Taxation

SB 215 **Senator Edwards****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: Education, Health, and Environmental Affairs

SB 216 **Senator Edwards****GARRETT COUNTY – HOTEL RENTAL TAX – RATE AND
DISTRIBUTION OF REVENUE**

Increasing the maximum hotel rental tax rate that Garrett County may impose from 6% to 8%; and altering the distribution of hotel rental tax revenue in Garrett County.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2019

LG, §§ 20-405 and 20-415 - amended

Assigned to: Budget and Taxation

SB 217 **Senator Edwards****GARRETT COUNTY – PRETRIAL RELEASE, WORK RELEASE, AND
HOME DETENTION PROGRAMS**

Authorizing the Sheriff of Garrett County to establish a pretrial release program that offers alternatives to pretrial detention and adopt certain regulations; authorizing a court to order a certain individual to participate in the pretrial release program; authorizing the court to make the order at a certain time; providing for eligibility for the pretrial release program; authorizing the Sheriff to establish and direct a certain work release program; authorizing the Sheriff to establish and administer a home detention program; etc.

EFFECTIVE OCTOBER 1, 2019

CS, § 11-713 - amended

Assigned to: Judicial Proceedings

SB 218 **Senator McCray, et al****HUMAN SERVICES – FOOD SUPPLEMENTS (SUMMER SNAP FOR CHILDREN ACT)**

Requiring the State to provide certain funds to counties for a certain supplement for each child in a household that receives food stamp benefits; making the provision of funding for the supplemental benefit subject to certain requirements; providing for the amount of the supplemental benefit; requiring the supplemental benefit to be provided in June, July, and August in a certain manner; requiring a county to submit a certain application and have a certain approved final plan to receive funding for the supplemental benefit; etc.

Preliminary analysis: local government mandate

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

EFFECTIVE OCTOBER 1, 2019

HU, § 5-501.1 - added

Assigned to: Budget and Taxation

SB 219 **Senator Cassilly****EMPLOYERS OF EX-OFFENDERS – LIABILITY FOR NEGLIGENT HIRING OR INADEQUATE SUPERVISION – IMMUNITY**

Establishing that certain employers are not liable, under certain circumstances, for negligently hiring or failing to adequately supervise an employee based on evidence that the employee has received probation before judgment for an offense or has been convicted of an offense; providing that the Act does not limit or abrogate specified other immunities or defenses; applying the Act prospectively; etc.

EFFECTIVE OCTOBER 1, 2019

CJ, § 5-427 - added

Assigned to: Judicial Proceedings

SB 220 **Senator Kelley****MARYLAND MEDICAL ASSISTANCE PROGRAM – COVERAGE OF DENTAL SERVICES – REPEAL OF CONTINGENCY**

Repealing the provision of law that made the effectiveness of a certain provision of law authorizing the Maryland Medical Assistance Program to provide dental services to certain adults contingent on the Maryland Dental Action Coalition making a certain determination; etc.

EFFECTIVE JUNE 1, 2019

Chapter 721 of the Acts of 2017, § 3 - repealed and § 4 - amended

Assigned to: Finance

SB 221 **Senator Kelley, et al****WORKGROUP ON ESTABLISHING AN INDEPENDENT SCHOOL BOARD FOR THE JUVENILE SERVICES EDUCATION SYSTEM**

Establishing a Workgroup on Establishing an Independent School Board for the Juvenile Services Education System to determine whether to create an independent school board for the Juvenile Services Education System and identify ways to reform and improve juvenile education services; requiring the Workgroup to convene on or before September 1, 2019; requiring the Workgroup to submit a certain report to the Governor and the General Assembly in a certain format by December 20, 2020; etc.

EFFECTIVE JULY 1, 2019

Assigned to: Education, Health, and Environmental Affairs

SB 222 **Senator Nathan–Pulliam, et al****APPOINTMENT OF COUNTY SUPERINTENDENT OF SCHOOLS – DISAPPROVAL BY STATE SUPERINTENDENT OF SCHOOLS**

Establishing that the State Superintendent of Schools may disapprove an appointment of a county superintendent of schools only if the appointee does not meet the qualifications specified for the position.

EFFECTIVE JULY 1, 2019

ED, § 4-201 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 223 **Senator Nathan–Pulliam, 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, 2019, 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: Education, Health, and Environmental Affairs

SB 224 **Senators Young and Hough****FREDERICK COUNTY – ALCOHOLIC BEVERAGES LICENSE APPLICATIONS – REPEAL OF PETITION OF SUPPORT – NOTICE**

Repealing in Frederick County the requirement that certain real estate owners within 5,000 feet of an establishment for which a license is sought sign a petition of support for the license application; repealing the provision of law providing for selecting other persons to sign the petition under certain circumstances; requiring an applicant for a license post a certain notice at the location described in the application for at least 14 days before the application hearing; and specifying the contents of the notice.

EFFECTIVE JULY 1, 2019

AB, § 20-1405 - repealed and added

Assigned to: Education, Health, and Environmental Affairs

SB 225 **Senator West****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: Education, Health, and Environmental Affairs

SB 226 **Senator West****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: Education, Health, and Environmental Affairs

SB 227 **Senator Kelley**

INSURANCE – PRINCIPLE–BASED RESERVES

Altering the exemptions that the Maryland Insurance Commissioner may provide to certain domestic insurance companies from certain reserve requirements; authorizing the Commissioner to exempt a certain domestic insurance company from certain requirements if the company meets principle–based reserve exemption criteria in the valuation manual; and repealing certain exemptions to certain reserve requirements.

EFFECTIVE OCTOBER 1, 2019

IN, § 5-317 - amended

Assigned to: Finance

SB 228 **Senator Ready, et al**

CRIMINAL PROCEDURE – PRETRIAL RELEASE – SEX OFFENDERS

Prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who is required to register as a certain sex offender.

EFFECTIVE OCTOBER 1, 2019

CP, § 5-202(g) - amended

Assigned to: Judicial Proceedings