



SYNOPSIS

Senate Bills and Joint Resolutions
2019 Maryland General Assembly Session

January 25, 2019
Schedule 12

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 25, 2019

SB 229 Senator McCray, et al

BALTIMORE CITY – SUMMER YOUTH EMPLOYMENT – FUNDING AND INCENTIVES

Requiring the Governor to include in the State budget for fiscal years 2021, 2022, and 2023, \$3,000,000 each for the Department of Labor, Licensing, and Regulation and the Department of Human Services to be distributed to the Maryland Summer Youth Connection Program in Baltimore City; requiring Baltimore City to appropriate a 75% match for a certain summer youth employment program; requiring the Maryland Transit Administration to provide free student bus passes for youth participating in the program in Baltimore City; etc.

Preliminary analysis: local government mandate

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

EFFECTIVE JULY 1, 2019

LE, § 11-602(g) - added

Assigned to: Budget and Taxation

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

SB 230 **Senator Hough****ELECTION LAW – CANVASSING OF ABSENTEE BALLOTS – REPORTING UNOFFICIAL RESULTS**

Requiring local boards of elections to prepare and release a report of the unofficial results of the absentee ballot vote tabulation at the end of each day of absentee ballot canvassing.

EFFECTIVE OCTOBER 1, 2019

EL, § 11-302(e) - added

Assigned to: Education, Health, and Environmental Affairs

SB 231 **Senator Zirkin****FAMILY LAW – MARRIAGE – AGE REQUIREMENTS**

Repealing certain provisions allowing certain individuals under the age of majority to marry under certain circumstances; and establishing that individuals under the age of 18 may not marry.

EFFECTIVE OCTOBER 1, 2019

FL, §§ 2-301, 2-402(e), and 2-405 - amended

Assigned to: Judicial Proceedings

SB 232 **Senator Zirkin****HATE CRIMES – THREATS AND PENALTIES**

Prohibiting a person from threatening to commit certain hate crimes; applying and altering certain penalties; providing a person who violates the Act is guilty of a misdemeanor and is subject to imprisonment for up to 5 years or a fine of up to \$10,000 or both; and authorizing a court to require a certain person to attend certain educational classes and perform certain community service related to the person or group that was the subject of the person's violation as a condition of supervised release.

EFFECTIVE OCTOBER 1, 2019

CR, §§ 10-302 through 10-306 - amended and §§ 10-302.1, 10-303.1, 10-304.1, and 10-305.1 - added

Assigned to: Judicial Proceedings

SB 233 **Senator Young, et al****MOTOR VEHICLE INSURANCE – DISCRIMINATION IN UNDERWRITING AND RATING – USE OF OCCUPATION OR EDUCATION LEVEL**

Prohibiting an insurer, with respect to private passenger motor vehicle insurance, from refusing to underwrite, canceling, refusing to renew, rating a risk, or increasing a renewal premium based, in whole or in part, on the occupation of, or on the education level attained by, the insured or applicant.

EFFECTIVE OCTOBER 1, 2019

IN, § 27-501(e-2) - amended

Assigned to: Finance

SB 234 **Senator Young, 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: Education, Health, and Environmental Affairs

SB 235 **Senator Young, et al****MOTOR VEHICLE INSURANCE – USE OF CREDIT HISTORY IN RATING POLICIES**

Prohibiting an insurer, with respect to private passenger motor vehicle insurance, from rating a risk based, in whole or in part, on the credit history of an applicant or insured in any manner; repealing certain provisions of law authorizing an insurer to use the credit history of an applicant or insured to rate a new policy of private passenger motor vehicle insurance; applying the Act to all private passenger motor vehicle insurance policies issued, delivered, or renewed in the State on or after October 1, 2019; etc.

EFFECTIVE OCTOBER 1, 2019

IN, § 27-501(e-2) - amended

Assigned to: Finance

SB 236 **Senators Carter and Smith****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: Judicial Proceedings

SB 237 **Senator Carter, 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: Judicial Proceedings

SB 238 **Senator Carter, et al****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: Judicial Proceedings

SB 239 **Senator Feldman****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: Finance

SB 240 **Senator Edwards****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: Education, Health, and Environmental Affairs

SB 241 **Senator Lee****EVIDENCE – TESTIMONY BY SPOUSE – VIOLATION OF PROTECTIVE ORDER**

Providing that the spouse of a person on trial for a violation of a protective order may be compelled to testify as an adverse witness if the spouse is the petitioner in the proceeding in which the protective order was issued.

EFFECTIVE OCTOBER 1, 2019

CJ, § 9-106(a) - amended

Assigned to: Judicial Proceedings

SB 242 **Senator Lee, et al****CRIMINAL PROCEDURE – INCOMPETENCY AND CRIMINAL RESPONSIBILITY – DISMISSAL OF CHARGES**

Altering the time period after which a court is required to dismiss a first-degree murder charge against a defendant found incompetent to stand trial from 5 years to 10 years.

EFFECTIVE OCTOBER 1, 2019

CP, § 3-107 - amended

Assigned to: Judicial Proceedings

SB 243 **Senator Kramer****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: Budget and Taxation

SB 244 **Senator Kramer, et al****INCOME TAX CREDIT – INDIVIDUALS WORKING IN STEM FIELDS – STUDENT LOAN PAYMENTS**

Authorizing a credit against the State income tax for the amount individuals pay toward student loans during the taxable year if the debt was incurred to attend an institution of higher education, a certain degree was obtained, and the individual is employed full-time by a Maryland-based employer in a certain field; providing for the carryforward of the credit; authorizing certain individuals, on or before December 1 each year, to apply to the Department of Commerce for the credit; etc.

EFFECTIVE JULY 1, 2019

TG, § 10-749 - added

Assigned to: Budget and Taxation

SB 245 **Senator Kramer**

TRANSPORTATION – IGNITION INTERLOCK DEVICES – DEFINITION

Altering the definition of “ignition interlock system” to require that an ignition interlock device be equipped with a camera capable of recording the image of the driver of the motor vehicle in which the device is installed.

EFFECTIVE OCTOBER 1, 2019

TR, § 21-902.2(a) - amended

Assigned to: Judicial Proceedings

SB 246 **Senator Kramer**

CIRCUIT COURT JUDGES – ELECTION

Proposing an amendment to the Maryland Constitution relating to the selection and tenure of circuit court judges; altering the method of filling vacancies in the office of a judge of a circuit court; providing for retention elections following an appointment to fill a vacancy in the office of a judge of a circuit court; providing for a transitional period under which the terms of certain amendments are to become effective; submitting the amendment to the qualified voters of the State for their adoption or rejection; etc.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Art. IV, §§ 3, 5, 5A, and 11 - amended and Art. XVIII, § 6 - added

Assigned to: Judicial Proceedings

SB 247 **Senator Jennings**

RENTAL AND REPLACEMENT VEHICLES – AGE-BASED SERVICE DETERMINATIONS – PROHIBITION

Prohibiting, under certain circumstances, a rental vehicle company from, solely on the basis of age, refusing to rent a vehicle to an individual or charging an individual a higher rental fee than normally charged; and prohibiting, under certain circumstances, an auto repair facility or a vehicle dealer from, solely on the basis of age, refusing to loan a replacement vehicle to an individual or charging an individual a higher fee for a replacement vehicle than normally charged.

EFFECTIVE OCTOBER 1, 2019

TR, § 18-109 - added

Assigned to: Finance

SB 248 **Senator Carozza, et al****CRIMINAL LAW – LIFE–THREATENING INJURY INVOLVING A VEHICLE OR VESSEL – CRIMINAL NEGLIGENCE**

Prohibiting a person from engaging in certain conduct that results in a life–threatening injury to another; exempting certain conduct that results in a life–threatening injury to another; establishing penalties for a violation of the Act of imprisonment for up to 18 months or a fine of up to \$5,000 or both; requiring prior violations of certain other offenses to be considered as prior violations of the prohibition established by the Act for the purpose of imposing penalties for second and subsequent violations of the Act; etc.

EFFECTIVE OCTOBER 1, 2019

CR, § 3-211.1 - added

Assigned to: Judicial Proceedings

SB 249 **Senator Lam****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: Education, Health, and Environmental Affairs

SB 250 **Senator Lam****BALTIMORE COUNTY PUBLIC SCHOOLS – CAPITAL PROJECT SCORING SYSTEM**

Requiring the Baltimore County Board of Education, on or before January 1, 2020, to develop and implement a scoring system to prioritize school buildings that are more than 50 years old and have not been improved by major renovation in 15 years and, on or before January 1, 2022, to apply the scoring system to 75% of public school facilities, publish project scores on the school system's website, and report project scores to the Baltimore County delegation to the General Assembly; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2019

ED, § 4-135 - added

Assigned to: Education, Health, and Environmental Affairs

SB 251 **Senator Lam, et al****PUBLIC HEALTH – TREATMENT FOR THE PREVENTION OF HIV – CONSENT BY MINORS**

Providing that a minor has the same capacity as an adult to consent to treatment for the prevention of human immunodeficiency virus (HIV); and prohibiting a licensed health care practitioner from giving certain information about treatment needed by a minor or provided to a minor to certain individuals under certain circumstances.

EFFECTIVE OCTOBER 1, 2019

HG, § 20-102 - amended

Assigned to: Finance

SB 252 **Senator Hayes****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 certain actions of its agents or employees; prohibiting a county or municipal corporation from enacting and enforcing more stringent measures; requiring that certain notice be made to the Department of Legislative Services; etc.

EFFECTIVE OCTOBER 1, 2019

LE, § 5.5-110(e) - added

Assigned to: Finance

SB 253 **Senator Hayes, et al****MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND – MONEY RECEIVED BY BALTIMORE CITY COMMUNITY COLLEGE – EXEMPTION**

Excluding from the Major Information Technology Development Project Fund certain money received by Baltimore City Community College.

EFFECTIVE OCTOBER 1, 2019

SF, § 3A-309(f) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 254 **Senator Hayes, et al****BALTIMORE CITY COMMUNITY COLLEGE – PROCUREMENT AUTHORITY**

Exempting Baltimore City Community College from certain provisions of the State procurement law; requiring the Board of Trustees of the College, subject to review and approval by the Board of Public Works and the Joint Committee on Administrative, Executive, and Legislative Review, to develop certain policies and procedures governing procurement; requiring the Board of Trustees to develop an information technology plan that meets certain requirements; etc.

EFFECTIVE JULY 1, 2019

ED, § 16-505.3 - added and SF, §§ 3A-302, 3A-402, 4-401(d), 4-402(a), 4-406(a), 11-203(e), and 12-202 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 255 **Senators Hayes and Miller****ABANDONED PROPERTY IN POSSESSION OF A MUSEUM**

Authorizing certain museums to claim title to certain property in the possession of the museum; requiring a museum, before taking title to certain property, to provide notice by certified mail and under certain circumstances by publication; requiring a lender to assert ownership of certain property within 60 days of a certain notice; authorizing, under certain circumstances, a museum to apply certain conservation measures to property on loan to the museum and to acquire a certain lien for the costs of the conservation measures; etc.

EFFECTIVE OCTOBER 1, 2019

CL, §§ 16-801, 16-802, and 17-401 through 17-408 - added

Assigned to: Judicial Proceedings

SB 256 **Carroll County Senators****CARROLL COUNTY – ALCOHOLIC BEVERAGES – CLASS D BEER AND WINE LICENSES**

Limiting the sale of beer and wine for off-premises consumption by Class D beer and wine license holders in Carroll County to the discretion of the Board of License Commissioners for Carroll County.

EFFECTIVE JULY 1, 2019

AB, § 16-805 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 257 **Carroll County Senators****CARROLL COUNTY – INSTANT TICKET LOTTERY MACHINES – FRATERNAL AND SORORAL ORGANIZATIONS**

Expanding the list of organizations in certain counties that may be licensed to operate not more than five instant ticket lottery machines to include certain fraternal and sororal organizations in Carroll County provided the organization is not a high school or college fraternity or sorority or any other organization the membership of which is restricted wholly or largely to certain students or graduates; etc.

EFFECTIVE OCTOBER 1, 2019

SG, § 9-112 - amended

Assigned to: Budget and Taxation

SB 258 **Carroll County Senators****CARROLL COUNTY – GAMING EVENTS – REPEAL OF SUNDAY PROHIBITION**

Repealing the provision of law prohibiting in Carroll County the issuance of a permit authorizing the operation of a gaming event after 1 a.m. on Sunday.

EMERGENCY BILL

CR, § 13-903 - amended

Assigned to: Budget and Taxation

SB 259 Cecil County Senators**CECIL COUNTY – SPECIAL TAXING DISTRICTS – BROADBAND INTERNET SERVICE**

Authorizing Cecil County, for the purpose of providing broadband Internet service, to exercise certain authority in the entirety of the unincorporated area of the county, establish a special taxing district if property owners in the proposed district petition the county in a certain manner, impose ad valorem or special taxes, and issue bonds in accordance with certain provisions of law.

EFFECTIVE JULY 1, 2019

LG, § 21-520 - amended

Assigned to: Budget and Taxation

SB 260 Senator Pinsky, et al**COMMUNITY COLLEGES – MARYLAND COMMUNITY COLLEGE PROMISE SCHOLARSHIPS – REVISIONS**

Altering the eligibility requirements for a Maryland Community College Promise Scholarship; altering the employment requirements relating to a service obligation associated with a scholarship; requiring the Maryland Higher Education Commission's annual report to the General Assembly to include data on the number of scholarship recipients who received a baccalaureate degree from a 4-year institution in the State and the number of scholarships for which the service obligation was deferred, waived, or converted into a student loan; etc.

EFFECTIVE JULY 1, 2019

ED, §§ 18-3603(b), 18-3604(b) through (d), and 18-3607 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 261 Senator Ferguson**ESTATES AND TRUSTS – ADMINISTRATION OF ESTATES – WAIVER OF FEES – REQUIRED**

Requiring, rather than authorizing, a register of wills to waive certain fees for the administration of an estate if certain real property subject to administration in this State is to be transferred to a certain individual or is encumbered by a lien and subject to sale under certain provisions of law, and the estate is unable to pay the fees by reason of poverty; and applying the Act prospectively.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2019

ET, § 2-206(a) - amended

Assigned to: Judicial Proceedings

SB 262 **Senator Ferguson, et al****EARNED INCOME TAX CREDIT – INDIVIDUALS WITHOUT QUALIFYING CHILDREN – CALCULATION AND REFUNDABILITY**

Altering the calculation of the Maryland earned income tax credit to allow certain individuals without qualifying children to claim an increased credit; allowing certain individuals to claim a refund of the credit; applying the Act to taxable years beginning after December 31, 2018; etc.

EFFECTIVE JULY 1, 2019

TG, § 10-704 - amended

Assigned to: Budget and Taxation

SB 263 **Senator Ferguson, et al****EARNED INCOME TAX CREDIT – INDIVIDUALS WITHOUT QUALIFYING CHILDREN – ELIGIBILITY AND REFUNDABILITY**

Expanding the eligibility of the Maryland earned income tax credit to allow certain individuals without qualifying children to claim the credit; allowing certain individuals to claim a refund of the credit; providing that the amount of the credit that may be claimed by certain individuals is adjusted for inflation each year; and applying the Act to taxable years beginning after December 31, 2018.

EFFECTIVE JULY 1, 2019

TG, § 10-704 - amended

Assigned to: Budget and Taxation

SB 264 **Senator Lee****GENERAL PROVISIONS – AGE OF MAJORITY – RIGHT TO PARENTAL SUPPORT AND MAINTENANCE**

Providing that a certain individual who is continuously enrolled in school, including a secondary school, postsecondary school, or vocational training program, has the right to receive parental support and maintenance until a certain occurrence or until the individual attains the age of 21.

EFFECTIVE OCTOBER 1, 2019

GP, § 1-401 - amended

Assigned to: Judicial Proceedings

SB 265 **Senator Zucker, et al****INCOME TAX SUBTRACTION MODIFICATION – MORTGAGE FORGIVENESS DEBT RELIEF – EXTENSION**

Repealing the termination of a certain subtraction modification under the Maryland income tax for income from the discharge of indebtedness related to costs incurred with respect to a principal residence; etc.

EFFECTIVE JUNE 1, 2019

Chapter 231 of the Acts of 2017, § 3 - amended

Assigned to: Budget and Taxation

SB 266 **Senator Klausmeier****PARKING FOR INDIVIDUALS WITH DISABILITIES – CONTINUING CARE RETIREMENT FACILITY – TIME LIMITATION**

Authorizing the owner or operator of a parking lot used by a continuing care retirement community to limit the amount of time that a motor vehicle is authorized to be parked in any parking space designated for the use of individuals with disabilities; prohibiting the owner or operator of a parking lot used by a continuing care retirement community from limiting the amount of time that a vehicle may be parked in a parking space designated for the use of individuals with disabilities to less than one-half hour; etc.

EFFECTIVE OCTOBER 1, 2019

TR, § 21-1006 - amended

Assigned to: Finance

SB 267 **Senator Klausmeier****TASK FORCE ON PROHIBITING DEBRIS FROM ENTERING STORM DRAINS OR STORMWATER INLETS**

Establishing the Task Force on Prohibiting Debris From Entering Storm Drains or Stormwater Inlets; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; requiring the Task Force, by November 1, 2019, to report its findings and to make recommendations to the General Assembly regarding the preventing plastic bottles and other debris from entering storm drains and stormwater inlets; etc.

EMERGENCY BILL

Assigned to: Education, Health, and Environmental Affairs

SENATE JOINT RESOLUTION INTRODUCED January 25, 2019**SJ 1 Senator Pinsky, et al**

UNITED STATES CONSTITUTION – AMENDMENTS CONVENTION –
DEMOCRACY 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 authorizes regulation of contributions and expenditures intended to influence elections.

Assigned to: Education, Health, and Environmental Affairs

SENATE BILL REASSIGNED January 24, 2019**SB 202 Senators Pinsky and Rosapepe**

WASHINGTON SUBURBAN SANITARY COMMISSION – WATER
LEAKAGE – BILLING MC/PG 113–19

Requiring the Washington Suburban Sanitary Commission to notify an account holder within 7 days after determining a 200% increase in water usage during the immediately preceding billing period; requiring that the notification required under the Act contain certain information, including information regarding a free inspection under certain circumstances; requiring an account holder to repair a water leak outside or inside the account holder's home within 30 days; etc.

EFFECTIVE OCTOBER 1, 2019

PU, § 25-504 - amended

Reassigned to: Finance