



SYNOPSIS

Senate Bills and Joint Resolutions
2019 Maryland General Assembly Session

February 1, 2019
Schedule 17

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 February 1, 2019

SB 408 Senator Ready, et al

CRIMINAL PROCEDURE – PRETRIAL RELEASE – ASSAULT ON A
LAW ENFORCEMENT OFFICER (POLICE PROTECTION ACT)

Prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who is charged with assault in the first degree or assault in the second degree against a victim who is a law enforcement officer; providing that a judge may authorize the pretrial release of a certain defendant on suitable bail or certain other conditions or both; requiring a judge to order the continued detention of a defendant who is considered a flight risk or who poses a danger to another person or the community; etc.

EFFECTIVE OCTOBER 1, 2019

CP, § 5-202(h) - added

Assigned to: Judicial Proceedings

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 409 **Senator Guzzone, et al****INCOME TAX – SUBTRACTION MODIFICATION – EMPLOYEE-OWNED BUSINESSES**

Allowing a subtraction modification under the State income tax for income from a qualified transfer of stock or membership interest of a Maryland corporation or limited liability company to certain employee ownership entities; limiting the amount of the subtraction if the transfer is to a direct share ownership plan; applying the Act to taxable years beginning after December 31, 2018; etc.

EFFECTIVE JULY 1, 2019

TG, § 10-207(gg) - added and § 10-307(g) - amended

Assigned to: Budget and Taxation

SB 410 **Senator Beidle, et al****HEALTH INSURANCE – COVERAGE FOR INSULIN – PROHIBITION ON DEDUCTIBLE, COPAYMENT, AND COINSURANCE**

Prohibiting, except under certain circumstances, certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a deductible, copayment, or coinsurance requirement on insulin; 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, § 15-822 - amended

Assigned to: Finance

SB 411 **Senator West, et al****ELECTION LAW – POLLING PLACES AT CONTINUING CARE RETIREMENT COMMUNITIES**

Requiring local boards of elections to establish separate precincts in continuing care retirement communities of 200 or more persons who are at least 60 years of age to specifically serve at least the residents of those retirement communities if a continuing care retirement community requests a polling place be established on the premises; requiring continuing care retirement community providers to provide certain facilities and services to the local board if a certain polling place is established on the premises; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2019

EL, § 2-303(a) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 412 Senator Peters

INCOME TAX – PERSONAL EXEMPTION – DISABLED INDIVIDUALS

Authorizing individuals who have a permanent physical disability to deduct \$1,000 as a personal exemption under the Maryland income tax; applying the Act to taxable years beginning after December 31, 2018; etc.

EFFECTIVE JULY 1, 2019

TG, § 10-211 - amended

Assigned to: Budget and Taxation

SB 413 Senator Peters, et al

INCOME TAX – SUBTRACTION MODIFICATION – RETIREMENT INCOME

Increasing, from \$15,000 to \$20,000, a subtraction modification under the Maryland income tax for certain military retirement income under certain circumstances and for certain retirement income attributable to a resident's employment as a correctional officer, a law enforcement officer, or a fire, rescue, or emergency services worker; allowing a subtraction modification under the Maryland income tax for certain surviving spouses of certain qualified retired public safety employees under certain circumstances; etc.

EFFECTIVE JULY 1, 2019

TG, §§ 10-207(q) and 10-209 - amended

Assigned to: Budget and Taxation

SB 414 Senator Pinsky, et al

PUBLIC FUNDING AND SMALL DONOR ACT FOR GENERAL ASSEMBLY ELECTIONS

Establishing a system of public financing of campaigns for certain General Assembly candidates; requiring the State Board of Elections to administer the system; requiring the Comptroller to credit to the Fair Campaign Financing Fund money collected under certain provisions of the Act and to distribute public contributions to the campaign finance entities of certain candidates; specifying procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Fund; etc.

EFFECTIVE JUNE 1, 2019

EL, § 15-106 - repealed, §§ 13-235 and 15-103 - amended, and §§ 15.5-101 through 15.5-118 - added

Assigned to: Education, Health, and Environmental Affairs

SB 415 Senator Kramer**LONG-TERM CARE INSURANCE – ANNUAL NOTICE**

Requiring certain carriers to provide each insured under a policy or contract of long-term care insurance in the State an annual notice, in writing or electronically, containing the insured's policy form number and the carrier's customer service telephone number.

EFFECTIVE OCTOBER 1, 2019

IN, § 18-117.1 - added

Assigned to: Finance

SB 416 Senator Kramer, et al**EDUCATION – CURRICULUM – HOLOCAUST AND GENOCIDE UNIT
(LESSONS OF THE HOLOCAUST AND GENOCIDE ACT)**

Declaring the intent of the General Assembly regarding instruction on the Holocaust and genocide to Maryland students to ensure these tragedies are not forgotten and to gain an understanding of ways to prevent such events in the future; requiring public middle schools and high schools and certain nonpublic middle schools and high schools to include in the curriculum a unit of instruction on the Holocaust and genocide that is consistent with certain guidelines; requiring the State Board to develop certain guidelines by January 1, 2020; etc.

EFFECTIVE JULY 1, 2019

ED, § 7-125 - added

Assigned to: Education, Health, and Environmental Affairs

SB 417 Senator Carter, et al**VEHICLE LAWS – ETHNICITY-BASED OR RACE-BASED TRAFFIC
STOPS – POLICY AND REPORTING REQUIREMENTS**

Requiring certain law enforcement agencies to report certain information to the Maryland Statistical Analysis Center; altering the categories of ethnicity and race a law enforcement officer is required to report to the law enforcement agency that employs the officer; requiring the Maryland Statistical Analysis Center to make certain reports to the General Assembly, the Governor, and law enforcement agencies; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2019

TR, § 25-113 and Chapter 127 of the Acts of 2015, § 2 - amended

Assigned to: Judicial Proceedings

SB 418 **Senator Cassilly**

VEHICLE LAWS – SMOKING MARIJUANA IN VEHICLES – PROHIBITION

Prohibiting a driver of a motor vehicle from smoking or consuming marijuana in a passenger area of a motor vehicle on a highway; and prohibiting an occupant of a motor vehicle from smoking marijuana in a passenger area of a motor vehicle on a highway.

EFFECTIVE OCTOBER 1, 2019

TR, § 21-903 - amended

Assigned to: Judicial Proceedings

SB 419 **Senator Washington, et al**

CORRECTIONAL SERVICES – PRERELEASE UNIT FOR WOMEN – REQUIREMENT TO OPERATE

Requiring, instead of authorizing, the Commissioner of Correction to operate a prerelease unit for women.

EFFECTIVE OCTOBER 1, 2019

CS, § 3-301 - amended

Assigned to: Judicial Proceedings

SB 420 **Senator Carozza, et al**

HEALTH – ABORTIONS – REPORTING REQUIREMENTS

Requiring certain physicians, hospitals, facilities, and institutions to report certain abortions to the Maryland Department of Health; requiring that the report be made on a certain form, be transmitted annually to the Vital Statistics Administration within a certain period of time, and include certain information; providing that the report may not include certain identifying information; authorizing the State Board of Physicians to provide for certain disciplinary actions; etc.

EFFECTIVE OCTOBER 1, 2019

HG, § 20-217 and HO, § 14-404(a)(46) - added and HO, § 14-404(a)(44) and (45) - amended

Assigned to: Finance

SB 421 **Senator Benson, et al**

VIDEO LOTTERY TERMINALS – MINORITY BUSINESS PARTICIPATION GOALS – ENFORCEMENT AND REPORTING

Altering the date by which certain provisions of law relating to minority business participation goals for certain applicants or licensees are of no effect and may not be enforced from July 1, 2019, to July 1, 2020; and altering a deadline for a certain reporting requirement.

EFFECTIVE OCTOBER 1, 2019

SG, § 9-1A-10 and Chapters 335 and 336 of the Acts of 2018, § 2 - amended

Assigned to: Budget and Taxation

SB 422 **Senator Benson, et al**

STATE DEPARTMENT OF EDUCATION – EMPLOYMENT CATEGORIES AND PRACTICES

Altering the employment categories of certain employees of the State Department of Education; requiring that all positions in the Department be appointed positions in the professional service and skilled service as well as the executive service and management service, subject to a certain exception; requiring the Department to determine which employment classifications would be described as being in the skilled service or the professional service; providing certain requirements for employees hired beginning July 1, 2019; etc.

EFFECTIVE JULY 1, 2019

ED, §§ 2-104 and 2-105 - amended

Assigned to: Finance

SB 423 **Senator Benson, et al**

TASK FORCE TO STUDY THE IMPACT OF STUDENT CELL PHONE USE IN THE CLASSROOM

Establishing the Task Force to Study the Impact of Student Cell Phone Use in the Classroom; requiring the Task Force to study the impact of cell phone use in the classroom on student learning and on teacher instruction and whether there are any benefits associated with certain cell phone usage; requiring the Task Force to report its findings to the Governor and the General Assembly on or before December 1, 2019; etc.

EFFECTIVE JUNE 1, 2019

Assigned to: Education, Health, and Environmental Affairs

SB 424 **Senator Benson, et al****EDUCATION – SALARIES OF NONCERTIFICATED PUBLIC SCHOOL EMPLOYEES – MINIMUM LIVING SALARIES**

Requiring that certain public school employees in certain areas be paid at least certain minimum living salaries; specifying the minimum living salaries that are in effect for certain time periods; increasing the minimum living salaries in effect for certain time periods based on a certain Consumer Price Index for All Urban Consumers; requiring that a certain minimum living salary remain the same as the salary that was in effect for a certain time period under certain circumstances; applying the Act prospectively; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2019

ED, §§ 6-5A-01 through 6-5A-05 - added

Assigned to: Finance

SB 425 **Senator Benson, et al****HOME ENERGY ASSISTANCE – CRITICAL MEDICAL NEEDS PROGRAM**

Establishing the Critical Medical Needs Program in the Office of Home Energy Programs of the Family Investment Administration within the Department of Human Services in recognition of the additional challenges with energy bills for individuals with critical medical needs and limited financial resources; requiring the Office to partner with certain agencies and organizations in administering the Program; specifying the duties of the Office in administering the Program; requiring the Department to adopt certain regulations; etc.

EFFECTIVE OCTOBER 1, 2019

HU, § 5-5A-08 - added

Assigned to: Finance

SB 426 **Senator West****NATALIE M. LAPRADE MEDICAL CANNABIS COMMISSION – LICENSED DISPENSARIES**

Requiring the Commission to allow a person to have an ownership interest in up to six dispensaries licensed under a certain provision of law.

EFFECTIVE JULY 1, 2019

HG, § 13-3307(d) - added and § 13-3307(d) through (i) - amended

Assigned to: Judicial Proceedings

SB 427 **Senator Hershey****QUEEN ANNE’S COUNTY – ALCOHOL AWARENESS PROGRAM**

Requiring a license holder in Queen Anne’s County or an individual designated by the license holder who has completed training in an approved alcohol awareness program to be present at all times when alcoholic beverages may be served; and providing a fine of \$100 for a first offense and for each subsequent offense a fine not to exceed \$500 or a suspension or revocation of the license or both.

EFFECTIVE JULY 1, 2019

AB, § 27-1901 - amended and § 27-1903 - added

Assigned to: Education, Health, and Environmental Affairs

SB 428 **Senator Hershey****QUEEN ANNE’S COUNTY – ALCOHOLIC BEVERAGES – BEAUTY SALON AND BARBERSHOP LICENSE**

Establishing a beauty salon and barbershop beer and wine license in Queen Anne’s County; authorizing the Board of License Commissioners to issue the license to holders of certain beauty salon or barbershop permits; specifying that the license authorizes the license holder to sell beer or wine by the glass for on-premises consumption to a customer while the customer is provided certain services; prohibiting the license from being transferred to another location; setting the hours of sale for the license and the license fee of \$100; etc.

EFFECTIVE JULY 1, 2019

AB, § 27-1001 - added

Assigned to: Education, Health, and Environmental Affairs

SB 429 **Senators Gallion and Simonaire****PROCUREMENT CONTRACTS – ARCHITECTURAL AND ENGINEERING SERVICES – INDEMNITY CLAUSES**

Prohibiting a procurement contract for architectural or engineering services from containing a certain indemnity clause unless a negligent performance standard is used for apportioning liability; and defining “negligent performance”.

EFFECTIVE OCTOBER 1, 2019

SF, § 13-228 - added

Assigned to: Education, Health, and Environmental Affairs

SB 430 **Senator Kelley, et al****MARYLAND HEALTH CARE COMMISSION – AUTHORIZED PRESCRIBERS – REPORTING OF FINANCIAL GRATUITIES OR INCENTIVES**

Requiring each authorized prescriber who receives a financial gratuity or incentive from a pharmaceutical distributor or manufacturer to file a certain disclosure form with the Maryland Health Care Commission within 30 days of the receipt of the financial gratuity or incentive; authorizing the Commission to impose a fine of up to \$1,000 per violation; requiring the Commission to adopt certain regulations; and providing for the prospective application of the Act.

EFFECTIVE OCTOBER 1, 2019

HG, § 19-112 - added

Assigned to: Finance

SB 431 **Senator Nathan–Pulliam, et al****TASK FORCE ON ORAL HEALTH IN MARYLAND**

Establishing the Task Force on Oral Health in Maryland to study access to dental services for all State residents, identify areas lacking in dental services for a significant number of people, identify barriers to receiving services, analyze the impact of barriers, assess options to eliminate barriers, and make recommendations on methods to increase access to dental services; requiring the Task Force to submit an interim report by May 1, 2020, and a final report by December 1, 2020, to certain committees of the General Assembly; etc.

EFFECTIVE JULY 1, 2019

Assigned to: Education, Health, and Environmental Affairs

SB 432 **Senator Nathan–Pulliam, et al****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 certain 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: Education, Health, and Environmental Affairs

SB 433 **Senator Zucker, et al****RESPONSIBLE WORKFORCE DEVELOPMENT PERCENTAGE PRICE PREFERENCE ACT**

Requiring the Board of Public Works to adopt regulations to require certain units to establish a responsible workforce development percentage price preference of at least 4%; requiring a procurement officer to apply a responsible workforce development percentage price preference if a certain certification is submitted or if a bidder is a minority business enterprise; requiring certain responsible bidders and subcontractors to certify that certain health care expenses were at least 10% of certain wages paid over a certain period; etc.

EFFECTIVE JULY 1, 2019

SF, §§ 14-701 through 14-705 - added

Assigned to: Education, Health, and Environmental Affairs

SB 434 **Senator Klausmeier**

CEMETERIES – PERPETUAL CARE – DISTRIBUTION FROM PERPETUAL CARE TRUST FUND

Requiring that a distribution from a perpetual care trust fund made under certain circumstances shall be used only for the perpetual care of the cemetery, including grounds, roads, and path maintenance, and the repair and renewal of buildings; permitting a certain cemetery to select a certain method of distribution from a certain trust fund; requiring the trustee to distribute a certain income from the perpetual care trust fund if the cemetery does not select a method of distribution from the trust fund; etc.

EFFECTIVE OCTOBER 1, 2019

BR, § 5-603 - amended

Assigned to: Finance

SB 435 **Senator Klausmeier**

WORKERS' COMPENSATION COMMISSION – CONTINUING JURISDICTION

Clarifying the period of time within which the Workers' Compensation Commission may modify certain awards.

EFFECTIVE OCTOBER 1, 2019

LE, § 9-736 - amended

Assigned to: Finance

SB 436 **Senator Klausmeier, et al**

VEHICLE LAWS – RENTAL VEHICLES – SECURITY

Establishing that the owner of a rental vehicle may satisfy a certain insurance requirement by maintaining a certain security that is primary under certain circumstances and secondary to any other valid and collectible coverage under certain circumstances; establishing a certain insurer's right to subrogation for certain damages under certain circumstances; requiring the owner of a rental vehicle to provide a certain notice to the renter of the rental vehicle; etc.

EFFECTIVE OCTOBER 1, 2019

TR, §§ 17-104 and 18-102 - amended and § 17-104.3 - added

Assigned to: Finance

SB 437 **Senator Edwards****ALLEGANY COUNTY – VIDEO LOTTERY TERMINALS –
DISTRIBUTION OF PROCEEDS**

Repealing the alteration of the distribution of proceeds from video lottery terminals at a facility in Allegany County after 10 years of operations at the facility.

EFFECTIVE JULY 1, 2019

SG, §§ 9-1A-01(u)(3)(ii), 9-1A-26(a)(3), and 9-1A-27(b) and (c) - amended

Assigned to: Budget and Taxation

SB 438 **The President (By Request – Department of Legislative Services)****SECURITY SYSTEMS TECHNICIANS – SUNSET EXTENSION**

Continuing the licensing and regulation of security systems technicians in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2031, the termination provisions relating to the statutory and regulatory authority of the Secretary of State Police to license and regulate security systems technicians; and requiring that an evaluation of the licensing and regulation of security systems technicians be performed on or before December 15, 2028.

EFFECTIVE OCTOBER 1, 2019

BOP, § 18-701 and SG, § 8-403(b)(51) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 439 **The President (By Request – Department of Legislative Services)****STATE BOARD OF BARBERS – SUNSET EXTENSION**

Continuing the State Board of Barbers in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2024, the termination provisions relating to the statutory and regulatory authority of the Board; and requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before December 15, 2021.

EFFECTIVE OCTOBER 1, 2019

BOP, § 4-702 and SG, § 8-403(b)(7) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 440 The President (By Request – Department of Legislative Services)**STATE BOARD OF COSMETOLOGISTS – SUNSET EXTENSION**

Continuing the State Board of Cosmetologists in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2024, the termination provisions relating to the statutory and regulatory authority of the Board; and requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before December 15, 2021.

EFFECTIVE OCTOBER 1, 2019

BOP, § 5-702 and SG, § 8-403(b)(13) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 441 Senator Smith, et al**PUBLIC SAFETY – ACCESS TO FIREARMS – STORAGE REQUIREMENTS**

Prohibiting a person from storing or leaving a loaded or an unloaded firearm in a location where a child could gain access to the firearm, unless the firearm is locked by a certain safety lock or is secured in a container that is capable of preventing an unintended person from gaining access to the contents; altering the definition of “child” to be an individual under the age of 18 years instead of 16 years; and providing a penalty for a violation of the Act of imprisonment not exceeding 2 years or a fine not exceeding \$1,000 or both.

EFFECTIVE OCTOBER 1, 2019

CR, § 4-104 - amended

Assigned to: Judicial Proceedings

SB 442 Senator Smith, et al**TOLL ROADS, HIGHWAYS, AND BRIDGES – COUNTY GOVERNMENT CONSENT REQUIREMENT – EXPANSION**

Expanding to all counties in the State a prohibition on State agencies constructing within the nine Eastern Shore counties a toll road, toll highway, or toll bridge without the consent of a majority of the affected counties; etc.

EFFECTIVE OCTOBER 1, 2019

TR, § 4-407 - amended

Assigned to: Budget and Taxation

SB 443 **Senator Klausmeier****WORKERS' COMPENSATION – DISCHARGE OF EMPLOYEE – PROHIBITION**

Prohibiting an employer from discharging a covered employee from employment if the covered employee's filing a claim for workers' compensation is any part of the basis, rather than the sole basis, for the discharge.

EFFECTIVE OCTOBER 1, 2019

LE, § 9-1105 - amended

Assigned to: Finance

SB 444 **Senator Klausmeier****UNEMPLOYMENT INSURANCE – EXEMPTION FROM COVERED EMPLOYMENT – BULK VENDING ITEM ASSEMBLY**

Providing that work performed by individuals engaged in the light assembly of bulk vending items for bulk vending machines is not covered employment under the unemployment insurance law under certain circumstances.

EFFECTIVE OCTOBER 1, 2019

LE, § 8-206(j) - added

Assigned to: Finance

SB 445 **Senator Klausmeier, et al****MARYLAND HEALTH CARE COMMISSION – SURGICAL BIRTH RATE – STUDY**

Requiring the Maryland Health Care Commission, in consultation with the Maternal and Child Health Bureau, the Vital Statistics Administration, and interested stakeholders, to conduct a study regarding the surgical birth rate in the State; requiring the Commission to examine the rate of complications, increased health care costs, and global research programs related to surgical births; requiring the Commission to report its recommendations to certain committees of the General Assembly on or before November 1, 2020; etc.

EFFECTIVE JULY 1, 2019

Assigned to: Finance

SB 446 **Senator Jennings, et al**

PUBLIC SAFETY – AGRITOURISM – PERMIT EXEMPTION

Adding Baltimore County to the list of counties that exempt agricultural buildings engaged in agritourism from a permit requirement; providing for the number of people allowed to occupy a building engaged in agritourism in Baltimore County under certain circumstances; etc.

EFFECTIVE JULY 1, 2019

PS, § 12-508 - amended

Assigned to: Education, Health, and Environmental Affairs