



SYNOPSIS

Senate Bills and Joint Resolutions
2019 Maryland General Assembly Session

February 14, 2019
Schedule 25

SENATE BILLS INTRODUCED February 14, 2019

SB 888 **Senator Eckardt**

DORCHESTER COUNTY – SUNDAY HUNTING – DEER FIREARMS SEASON

Authorizing the Department of Natural Resources to allow a person to hunt deer on the second and third Sunday of the deer firearms season on certain property in Dorchester County, subject to certain provisions of law.

EFFECTIVE JULY 1, 2019

NR, § 10-410(a)(12) - added

Assigned to: Senate Rules

SB 889 **Senator Eckardt**

DORCHESTER COUNTY – SUNDAY HUNTING – DEER BOW HUNTING SEASON

Authorizing the Department of Natural Resources to allow a person to hunt deer during the bow hunting season on certain property from the first Sunday in October through the second Sunday in January the following year, inclusive, in Dorchester County, subject to certain provisions of law.

EFFECTIVE JULY 1, 2019

NR, § 10-410(a)(2) - amended and § 10-410(a)(12) - added

Assigned to: Senate Rules

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

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

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SB 890 **Senator Eckardt****DORCHESTER COUNTY – SUNDAY HUNTING – DEER MUZZLE
LOADER SEASON**

Authorizing the Department of Natural Resources to allow a person to hunt deer on Sundays during the deer muzzle loader season on certain property in Dorchester County, subject to certain provisions of law.

EFFECTIVE JULY 1, 2019

NR, § 10-410(a)(12) - added

Assigned to: Senate Rules

SB 891 **Senator Feldman, et al****CONSUMER PROTECTION – RESALE OF TICKETS – DISCLOSURES
AND REFUNDS**

Prohibiting a ticket reseller from selling or offering to sell tickets that are not currently in the possession of the reseller unless the reseller makes certain disclosures; and requiring a reseller to refund a certain deposit or other consideration within 10 days after the event for which the tickets were sold under certain circumstances.

EFFECTIVE OCTOBER 1, 2019

CL, § 13-310.1 - added

Assigned to: Senate Rules

SB 892 **Carroll County Senators****CARROLL COUNTY – GAMING – HOME GAMES – BINGO**

Adding bingo in Carroll County to the list of home games that an individual may conduct in a common area of a residential property that is restricted to residents who are at least 55 years old.

EFFECTIVE OCTOBER 1, 2019

SG, § 9-1C-01 - amended

Assigned to: Senate Rules

SB 893 **Senator Zirkin****MEDICAL CANNABIS – PROVIDER APPLICATIONS – OPIOID USE
DISORDER**

Encouraging the Natalie M. LaPrade Medical Cannabis Commission to approve provider applications for patients who have an opioid use disorder.

EFFECTIVE OCTOBER 1, 2019

HG, § 13-3304(d) - amended

Assigned to: Senate Rules

SB 894 **Senator Augustine**

CHILD PROTECTION – REPORTING – THREAT OF HARM

Authorizing an individual to notify the local department of social services or the appropriate law enforcement agency if the individual has reason to believe that a verbal threat of imminent severe bodily harm or death to a child has been made by the child's parent or a person who has permanent or temporary care or custody or responsibility for supervision of the child and that the child is at a high risk of child abuse; etc.

EFFECTIVE OCTOBER 1, 2019

FL, §§ 5-704.1, 5-706.2, and 5-708 - amended

Assigned to: Senate Rules

SB 895 **Senator Kelley**

BUSINESS REGULATION – TOBACCO PRODUCTS AND ELECTRONIC SMOKING DEVICES – REVISIONS

Increasing the amount of certain license fees; requiring certain licensees to post a certain sign in a certain location; altering the minimum age for an individual to purchase or be sold tobacco products; authorizing the Maryland Department of Health to conduct certain inspections of licensed retailers for a certain purpose; authorizing the Department to use individuals under the age of 21 years to assist in conducting a certain inspection; etc.

EFFECTIVE OCTOBER 1, 2019

BR, CR, HG, LG, and SF, Various Sections - amended, added, and repealed

Assigned to: Senate Rules

SB 896 **Senator Ferguson**

ARTS EDUCATION IN MARYLAND SCHOOLS ALLIANCE GRANT

Requiring the Governor to include in the annual State budget an appropriation of at least \$600,000 for a grant to the Board of Trustees of the Arts Education in Maryland Schools Alliance for the development, implementation, and maintenance of the Artlook Map Maryland Project; and providing that the grant is in addition to and may not supplant funds otherwise granted to the Arts Education in Maryland Schools Alliance.

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

EFFECTIVE JULY 1, 2019

ED, § 5-221 - added

Assigned to: Senate Rules

SB 897 **Senator Ferguson**UNIVERSITY OF MARYLAND JOINT STEERING COUNCIL –
RENAMING AND FUNDING

Renaming the University of Maryland Joint Steering Council to be the MPowering Joint Steering Council; requiring the Governor to include a certain appropriation in the annual State budget for the Council; and requiring the appropriation to be used as supplemental to, and may not take the place of, funding that otherwise would be appropriated for the Council.

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

EFFECTIVE JULY 1, 2019

ED, §§ 12-301(c) and 12-304 - amended

Assigned to: Senate Rules

SB 898 **Senator Carter**PUBLIC SAFETY – INVESTIGATION OF AN OFFICER–INVOLVED
DEATH (LAW ENFORCEMENT TRUST AND TRANSPARENCY ACT)

Requiring each law enforcement agency to develop and implement a policy requiring the investigation of a certain officer–involved death; requiring that the policy require the investigation to be performed by at least two investigators who have certain qualifications; requiring the investigators to submit a certain report to a certain State’s Attorney at a certain time; requiring the investigators to release the report to the public under certain circumstances; etc.

EFFECTIVE OCTOBER 1, 2019

PS, § 3-507.1 - added

Assigned to: Senate Rules

SB 899 **Senator Carter**

JUVENILE LAW – PROBATION

Requiring that the duration of a term of probation for a certain child be consistent with certain treatment and rehabilitation needs of the child; specifying that the duration of a term of probation may not exceed a certain period of time, except under certain circumstances; and authorizing the juvenile court to require an additional term of probation, not to exceed 1 year, under certain circumstances.

EFFECTIVE OCTOBER 1, 2019

CJ, § 3-8A-19(d)(1) - amended and § 3-8A-19(d)(7) - added

Assigned to: Senate Rules

SB 900 **Senators Young and Nathan–Pulliam****STATE BOARD OF PHYSICIANS – NATUROPATHIC DOCTORS –
FORMULARY CONTENT AND SCOPE OF PRACTICE**

Authorizing a certain formulary developed by the Naturopathic Doctors Formulary Council and adopted by the State Board of Physicians to include certain prescription drugs and devices; authorizing a licensed naturopathic doctor to dispense, order, or administer certain natural medicines in a certain manner; and authorizing a licensed naturopathic doctor to prescribe, dispense, and administer certain prescription drugs and medical foods in a certain manner.

EFFECTIVE OCTOBER 1, 2019

HO, §§ 14-5F-04.1(d) and 14-5F-14 - amended

Assigned to: Senate Rules

SB 901 **Senator Hayes, et al****MARYLAND TRAUMA FUND – STATE PRIMARY ADULT RESOURCE
CENTER – REIMBURSEMENT OF ON–CALL AND STANDBY COSTS**

Altering the purpose of the Maryland Trauma Physician Services Fund to include subsidizing the documented costs incurred by the State primary adult resource center to maintain certain on–call and standby health care providers; and requiring the Maryland Health Care Commission to develop certain guidelines for the reimbursement of certain costs.

EFFECTIVE JULY 1, 2019

HG, § 19-130(b) and (d) - amended

Assigned to: Senate Rules

SB 902 **Senator Hayes****PUBLIC HEALTH – PRODUCTS CONTAINING A FLAME–RETARDANT
CHEMICAL – PROHIBITION ON IMPORT OR SALE**

Prohibiting a person from importing, selling, or offering for sale any juvenile product, mattress, upholstered furniture, or reupholstered furniture that contains more than a certain amount of certain chemicals; repealing certain provisions of law regarding the importing, sale, or offering for sale of any child care product containing certain chemicals; establishing certain civil penalties; authorizing a court to enjoin a certain action; requiring the Department of Health to adopt regulations by January 1, 2020; etc.

EFFECTIVE OCTOBER 1, 2019

HG, § 24-306 - amended and § 24-306.1 - added

Assigned to: Senate Rules

SB 903 Senator Hayes**HEALTH INFORMATION – COMMERCIAL SALE**

Requiring a covered entity, business associate, or subcontractor to obtain authorization from an individual before engaging in the commercial sale of certain health information; requiring a covered entity, business associate, or subcontractor to inform an individual that they may elect to receive a share of any payment received by the covered entity, business associate, or subcontractor for the commercial sale of certain health information before the individual authorizes a certain sale; etc.

EFFECTIVE OCTOBER 1, 2019

HG, § 4-501 - added

Assigned to: Senate Rules

SB 904 Senators Kelley and Elfreth**MARYLAND DEPARTMENT OF HEALTH – FAMILY PLANNING PROGRAM – FUNDING**

Prohibiting the Maryland Department of Health from accepting certain federal funding under certain circumstances; requiring the Governor to fund the Family Planning Program with a certain level of State funds under certain circumstances; requiring the Governor to provide certain funding for certain family planning grants for fiscal year 2021 and each fiscal year thereafter; etc. This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JUNE 1, 2019

HG, § 13-3402 - amended

Assigned to: Senate Rules

SB 905 Senator Waldstreicher**ACTION FOR CHANGE OF NAME – PROCEDURES AND REQUIREMENTS**

Requiring an individual to provide certain information to a court in a certain action for a change of name; requiring certain documents to be served on certain persons if the individual whose name is sought to be changed is a minor; prohibiting a court from requiring publication of a certain notice; authorizing an individual to object to a petition for change of name; providing for a hearing on an objection to a petition under certain circumstances; requiring a court to grant a request to shield certain court records; etc.

EFFECTIVE OCTOBER 1, 2019

CJ, §§ 3-2201 and 3-2202 - added

Assigned to: Senate Rules

SB 906 **Senators Serafini and Feldman****INCOME TAX – ITEMIZED DEDUCTIONS**

Allowing an individual to itemize deductions to compute Maryland taxable income whether or not the individual itemizes deductions on the individual's federal income tax return; providing that, for an individual who does not itemize deductions on the individual's federal income tax return, Maryland itemized deductions shall be determined as if an individual itemized deductions on the federal income tax return; applying the Act to all taxable years after 2018; etc.

EFFECTIVE JULY 1, 2019

TG, §§ 10-217(a)(1) and 10-218 - amended

Assigned to: Senate Rules

SB 907 **Senator Serafini, et al****PAIN-CAPABLE UNBORN CHILD PROTECTION ACT**

Prohibiting, except under certain circumstances, the performance or inducement or attempted performance or inducement of an abortion unless a certain determination as to the probable age of the unborn child is made by a certain physician; providing that the failure of a physician to perform certain actions is deemed "unprofessional conduct"; requiring the Maryland Department of Health to adopt certain regulations on or before January 1, 2020; etc.

EFFECTIVE OCTOBER 1, 2019

HG, §§ 20-217 through 20-225 - added

Assigned to: Senate Rules

SB 908 **Calvert County Senators****CALVERT COUNTY – STATE'S ATTORNEY – ANNUAL SALARY**

Altering the salary of the State's Attorney for Calvert County to be equal to the salary of a circuit court judge; and providing for the application of the Act.

EFFECTIVE JULY 1, 2019

CP, § 15-405 - amended

Assigned to: Senate Rules

SB 909 **Senator Feldman****HEALTH CARE PRACTITIONERS – MEDICAL EXAMINATIONS ON ANESTHETIZED OR UNCONSCIOUS PATIENTS**

Prohibiting health care practitioners and certain students and trainees from performing certain examinations on a patient who is under anesthesia or unconscious unless informed consent has been obtained from the patient for the examination, the examination is within the scope of care, or the patient is unconscious and the examination is required for diagnostic purposes; authorizing certain health occupations boards to take certain actions against certain health care practitioners under certain circumstances; etc.

EFFECTIVE OCTOBER 1, 2019

HO, § 1-221.1 - added

Assigned to: Senate Rules

SB 910 **Senator Feldman****RATEPAYER REDUCTION FOR RENEWABLE ENERGY ACT**

Requiring a certain electric company to contract for certain renewable energy credits and electricity generated from certain Tier 1 renewable sources to meet a certain portion of the renewable energy portfolio standard for electricity that the electric company provides to certain customers beginning in 2020; requiring an electric company to solicit bids for a certain contract from certain renewable energy facilities; requiring an electric company to submit a certain contract to the Public Service Commission; applying the Act prospectively; etc.

EFFECTIVE OCTOBER 1, 2019

PU, § 7-703.1 - added

Assigned to: Senate Rules

SB 911 **Senator Beidle, et al****GENDER DIVERSITY IN THE BOARDROOM – ANNUAL REPORT OR NONPROFIT SALES AND USE TAX EXEMPTION APPLICATION**

Establishing the intent of the General Assembly to promote gender diversity in corporate management and boardrooms; requiring a certain entity applying to the Comptroller to qualify as an organization to which a sale is exempt from certain taxes to include in the application information relating to the female representation on the entity's board of directors; requiring a certain entity submitting an annual report to the State Department of Assessments and Taxations to include information relating to female members of the board; etc.

EFFECTIVE OCTOBER 1, 2019

TG, § 11-204(c) and TP, § 11-101 - amended

Assigned to: Senate Rules

SB 912 **Senator Beidle**

MARYLAND HEALTHY WORKING FAMILIES ACT – ADVERSE ACTIONS – ABSENCE CONTROL POLICY

Prohibiting a certain provision of the Maryland Healthy Working Families Act from being construed to prohibit an employer from applying a certain absence control policy if the employer provides at least 40 hours of paid leave a year, excluding earned sick and safe leave, and the absence control policy is uniformly applied, is provided to all employees in writing, has a progressive accountability structure, and provides for a warning before any possible action is taken against an employee.

EFFECTIVE OCTOBER 1, 2019

LE, § 3-1309 - amended

Assigned to: Senate Rules

SB 913 **Senator Beidle**

STATE RETIREMENT AND PENSION SYSTEM – ADMINISTRATION – RETIREE INFORMATION FOR DIRECT MAILINGS

Repealing a requirement that certain requests by retiree organizations to the Board of Trustees for the State Pension and Retirement System to assist the retiree organization in performing direct mailings to retirees of the State Retirement and Pension System who are members of the retiree organization or eligible to become members of the retiree organization be made once in April and once in October.

EFFECTIVE JULY 1, 2019

SP, § 21-128(c) - amended

Assigned to: Senate Rules

SB 914 **Senator Beidle, et al**

TRANSPORTATION – MAGNETIC LEVITATION PROJECTS – REQUIREMENTS

Prohibiting the construction of a certain transportation project involving a magnetic levitation propulsion system without a certain informed consent of a majority of the governing bodies of the affected counties; requiring a project owner to provide to each governing body of an affected county a bond that is payable to the affected county, issued by an approved surety, in a form and amount determined by the affected county, and conditioned on the project owner covering certain liability for certain damages; etc.

EFFECTIVE JUNE 1, 2019

TR, § 9-101 - added

Assigned to: Senate Rules

SB 915 **Senators Lam and Young****PUBLIC SCHOOL STUDENTS – VISION SERVICES AND THE VISION FOR MARYLAND PROGRAM**

Requiring each county board of education to coordinate with the Vision for Maryland Program to ensure that certain students are able to receive eye examinations and, if necessary, eyeglasses; requiring each county board or county health department to provide eye examinations; requiring the Maryland Department of Health to carry out the Program in consultation with certain entities; requiring an annual report to certain legislative committees regarding the number of students who received eyeglasses or examinations; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2019

ED, § 7-404 - amended and HG, § 13-3901 - added

Assigned to: Senate Rules

SB 916 **Senator Lam****PHYSICIANS – DISPENSING PERMIT EXEMPTION – PREPACKAGED TOPICAL**

Providing that certain provisions of law do not prohibit a physician from personally dispensing a prepackaged topical; establishing a certain exception to the requirement to receive a certain written permit; and defining the term “prepackaged topical” as a prescription–strength cream, lotion, or solution that is packaged at the site of production and requires no preparation prior to dispensing.

EFFECTIVE OCTOBER 1, 2019

HO, § 12-102(c)(2)(ii)1.C. and (k) through (m) - amended and § 12-102(k) - added

Assigned to: Senate Rules

SB 917 **Senators Lam and Young****LAND USE – COMPREHENSIVE PLANS – HOUSING ELEMENT**

Requiring the planning commissions for certain local jurisdictions to include a housing element in the comprehensive plan for their respective jurisdictions; and requiring the housing element in certain comprehensive plans to include a plan to address the need for affordable housing in the jurisdiction and the impact of gentrification, if applicable.

EFFECTIVE OCTOBER 1, 2019

LU, §§ 1-406 and 3-102 - amended and §§ 1-407.1 and 3-114 - added

Assigned to: Senate Rules

SB 918 **Senator Lam**

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION –
ASSESSMENTS, AUDITS, RECORDS, AND APPEALS (SDAT REFORM
ACT OF 2019)

Requiring the State Department of Assessments and Taxation to hold certain public education sessions; requiring the Department to adopt regulations to establish a procedure by which a person may request certain corrections to certain records maintained by the Department; requiring the Department to publish on the Department's website the methodology by which the Department classifies certain property; requiring the Department to establish certain audit procedures and regulations to implement those procedures; etc.

EFFECTIVE OCTOBER 1, 2019

TP, §§ 1-402, 2-202, 8-401, 14-201, 14-502, 14-509(a) and (e), 14-510.1, & 14-511 - amended and §§ 2-211(g), 2-218.1, & 2-218.2 - added

Assigned to: Senate Rules

SB 919 **Senators Lam and Young**

ELECTION LAW – ABSENTEE BALLOT REQUESTS, DELIVERY, AND
MARKING

Requiring the State Board of Elections approved absentee ballot application to require the applicant to provide certain information; repealing a provision of law requiring a local board of elections to provide an absentee ballot by facsimile transmission if requested by a voter; altering a certain provision of law to require a local board to provide an absentee ballot by the Internet only if requested by certain voters, rather than to any voter on request; etc.

EFFECTIVE OCTOBER 1, 2019

EL, §§ 9-305, 9-306, and 9-308.1 - amended

Assigned to: Senate Rules

SB 920 **Senator Eckardt**

TALBOT COUNTY – ALCOHOLIC BEVERAGES – ELECTION DAYS

Repealing certain provisions regarding a prohibition on the sale or provision of alcoholic beverages within an election district or precinct of Talbot County on the day of a general, special, or primary election during the hours when the polls are open.

EFFECTIVE JULY 1, 2019

AB, § 30-2005 - repealed

Assigned to: Senate Rules

SB 921 **Senator Hough**FREDERICK COUNTY – ETHICS AND CAMPAIGN ACTIVITY –
COUNTY BOARD AND COMMISSION MEMBERS AND BOARD OF
LICENSE COMMISSIONERS

Prohibiting an appointed member of the Frederick County Board of Zoning Appeals, the Frederick County Ethics Commission, the Frederick County Planning Commission, or the Board of License Commissioners of Frederick County from having an authorized candidate campaign committee and campaign finance entity by the first day of the member's term; etc.

EFFECTIVE JULY 1, 2019

AB, § 20-202 and GP, § 5-866 - amended

Assigned to: Senate Rules

SB 922 **Senator Gallion, et al**

AGRICULTURE – MILK AND MILK–BASED PRODUCTS – LABELING

Prohibiting a person from selling, offering for sale, or advertising a product labeled as milk or a milk–based product if the product is not derived from a cow or another animal.

EFFECTIVE OCTOBER 1, 2019

AG, § 10-401 - added

Assigned to: Senate Rules

SB 923 **Senator Gallion**

HARFORD COUNTY – HUNTING – DEER MANAGEMENT PERMITS

Authorizing an individual who hunts under a Deer Management Permit in Harford County to use a shotgun or a breech loading center fired rifle to hunt deer throughout the year, including all deer hunting seasons, in the locations and under the conditions set forth in the permit; and authorizing an individual who hunts under a Deer Management Permit in Harford County to hunt deer on certain lands under certain conditions.

EFFECTIVE JULY 1, 2019

NR, § 10-415(d) - amended

Assigned to: Senate Rules

SB 924 **Senator Gallion****MARYLAND DENTISTRY ACT – PRACTICE OF DENTISTRY – SCOPE AND PROHIBITED ACT**

Prohibiting a person from being considered to be practicing dentistry or violating certain provisions of law based solely on whether the person provides certain services or engages in certain acts; providing that certain provisions of law do not prohibit a dentist or dental practice from contracting to receive or receiving certain services or benefiting from certain acts; etc.

EFFECTIVE OCTOBER 1, 2019

HO, §§ 4-101, 4-301, and 4-601 - amended

Assigned to: Senate Rules

SB 925 **Senator West****LICENSING AND REGISTRATION – UNPAID FINES OR FAILURE TO APPEAR – PENALTIES**

Repealing the requirement that an individual have \$300 of unpaid fines before qualifying to enter into a payment plan with the clerk of the court to pay certain overdue fines; requiring that a traffic citation provide certain notice that a person may be unable to have the person's driver's license or permit issued, reissued, or renewed under certain circumstances; clarifying the circumstances under which the Motor Vehicle Administration may charge a fee to an individual for certain registration renewal; etc.

EFFECTIVE JULY 1, 2019

CJ, § 7-504.1 and TR, §§ 26-201(c), 26-204(c) through (g), 26-305, and 27-103(a) - amended and TR, §§ 17-204 and 21-1128(e) - repealed

Assigned to: Senate Rules

SB 926 **Senator West****CRIMINAL LAW AND PROCEDURE – ANIMAL ABUSE REGISTRY**

Requiring the Department of Public Safety and Correctional Services to establish the Maryland Animal Abuse Registry; requiring the Registry to be updated in a certain manner and to include certain information; requiring a certain person convicted of animal abuse crimes to register with a certain county sheriff; exempting a person from registration under certain circumstances; establishing the Animal Abuse Registry Fund to support the administration of the Registry by county sheriffs and the Department; etc.

EFFECTIVE OCTOBER 1, 2019

CP, §§ 11-1201 through 11-1211 - added

Assigned to: Senate Rules

SB 927 **Carroll County Senators****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: Senate Rules

SB 928 **Carroll County Senators****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 on-premises consumption and for off-premises consumption only of the beer, wine or liquor manufactured on the premises; prohibiting issuance of a license to a drugstore; providing a \$500 annual fee.
EFFECTIVE JULY 1, 2019

AB, § 16-906 - repealed and added

Assigned to: Senate Rules