



SYNOPSIS

Senate Bills and Joint Resolutions
2019 Maryland General Assembly Session

February 15, 2019
Schedule 26

SENATE BILLS INTRODUCED February 15, 2019

SB 929 Senator Washington

INCOME TAX – SUBTRACTION MODIFICATION FROM UNRELATED BUSINESS TAXABLE INCOME – EMPLOYEE BENEFITS

Providing a subtraction modification under the Maryland income tax for certain expenses of a tax exempt corporation that are required to be included in the corporation's unrelated business taxable income; applying the Act to taxable years beginning after December 31, 2018; etc.

EFFECTIVE JULY 1, 2019

TG, § 10-307(e) - added

Assigned to: Senate Rules

SB 930 Senator Washington

UNACCOMPANIED MINORS IN NEED OF SHELTER – CONSENT TO SHELTER AND SUPPORTIVE SERVICES

Providing that a certain unaccompanied minor in need of shelter has the same capacity as an adult to consent to shelter and supportive services; requiring a certain service provider to obtain written consent, including a certain statement, from a certain unaccompanied minor in need of shelter before providing shelter and supportive services; requiring a certain service provider to contact certain individuals as soon as possible and within 72 hours after providing shelter; etc.

EFFECTIVE OCTOBER 1, 2019

FL, §§ 5-1501 through 5-1505 - added

Assigned to: Senate Rules

Department of Legislative Services

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SB 931 **Senator Waldstreicher****MARYLAND TRANSPORTATION PUBLIC-PRIVATE PARTNERSHIP
OVERSIGHT ACT**

Establishing the Office of Transportation Oversight as an independent unit in the Executive Branch of State government; applying the motor fuel tax to bunker fuel; requiring the Comptroller and the State Treasurer to establish a certain motor fuel tax rate for diesel fuel and bunker fuel; requiring the Governor to appropriate certain amounts in the annual budget for the operation of the Office and the implementation of the Act; exempting certain actions from certain provisions of the Environmental Standing Act; etc.

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

EFFECTIVE JULY 1, 2019

NR, §§ 1-504 and 1-507 and TG, §§ 9-303(b) and 9-305(a) - amended and TR, §§ 28-101 through 28-405 - added

Assigned to: Senate Rules

SB 932 **Senator Waldstreicher****CRIMINAL PROCEDURE – CONDITIONS OF PRETRIAL RELEASE –
HOME DETENTION MONITORING**

Exempting certain defendants placed in private home detention as a condition of pretrial release from the requirement to pay a certain monitoring fee if the defendant qualifies as an indigent individual under certain circumstances or if a private home detention monitoring device is provided by the State or a local jurisdiction.

EFFECTIVE OCTOBER 1, 2019

CP, § 5-201 - amended

Assigned to: Senate Rules

SB 933 **Senator Waldstreicher, et al****CRIMINAL PROCEDURE – SEXUAL ASSAULT EVIDENCE KITS –
PRIVACY AND REIMBURSEMENT**

Prohibiting a physician, qualified health care provider, and hospital from including a narrative describing the alleged offense or a photograph of the victim in a request to obtain payment for certain services related to forensic examinations for certain sexually related crimes under certain circumstances; altering the services for which the Criminal Injuries Compensation Board is required to pay certain claims and for which a physician and a qualified health care provider are immune from civil liability under certain circumstances; etc.

EFFECTIVE JULY 1, 2019

CP, § 11-1007 - amended

Assigned to: Senate Rules

SB 934 **Senator Waldstreicher****ELECTION LAW – VOTER REGISTRATION – HIGH SCHOOLS**

Authorizing an individual to apply to become a registered voter at the public or private high school where the individual is employed or enrolled; requiring the State Board of Elections to designate public and private high schools as voter registration entities; requiring certain high schools to designate faculty or staff members to distribute, at least twice a year, a voter registration application to employees and certain students who are or will be 16 years old or older during the year; etc.

EFFECTIVE OCTOBER 1, 2020

EL, § 3-201 - amended and § 3-204.3 - added

Assigned to: Senate Rules

SB 935 **Senator Waldstreicher****VEHICLE LAWS – ELECTRIC BICYCLES – EQUIPMENT AND OPERATION**

Establishing certain classes of electric bicycles; establishing that electric bicycles may be operated in any place where bicycles are allowed to travel, subject to certain restrictions; prohibiting a person under the age of 16 years from operating a Class 3 electric bicycle; requiring manufacturers of electric bicycles to apply a certain label in a certain manner to each electric bicycle beginning January 1, 2020; requiring electric bicycles to comply with federal regulations governing bicycle equipment and manufacturing; etc.

EFFECTIVE OCTOBER 1, 2019

TR, §§ 11-117.1 and 11-140.1(b) - amended and §§ 21-1205.2 and 22-420 - added

Assigned to: Senate Rules

SB 936 **Senator Carter****ELECTION LAW – ELIGIBLE DETAINEES – INFORMATION ON VOTING RIGHTS**

Requiring the State Board of Elections to adopt regulations establishing a program to inform certain eligible detainees in correctional facilities of upcoming elections and how the eligible detainees may exercise the right to vote; requiring that the regulations provide for the dissemination of certain information and applications and certain transmission of certain applications and ballots between correctional facilities and the local boards of elections; etc.

EFFECTIVE OCTOBER 1, 2019

EL, § 1-303.1 - added

Assigned to: Senate Rules

SB 937 **Senator Klausmeier****WIRELESS FACILITIES – INSTALLATION AND REGULATION**

Establishing procedures and requirements for the deployment, installation, and regulation of certain wireless telecommunications facilities in the State; prohibiting an authority from entering into an exclusive agreement for the use of certain rights-of-way for certain purposes; authorizing an authority to impose certain rates and fees for use of certain rights-of-way in a certain manner and subject to certain limitations; authorizing a wireless provider to collocate certain facilities and use certain rights-of-way; etc.

Preliminary analysis: local government mandate

EFFECTIVE JUNE 1, 2019

PU, §§ 8-701 through 8-709 - added and §§ 13-101 and 13-201 - amended

Assigned to: Senate Rules

SB 938 **Senator Klausmeier****MARYLAND TRANSPORTATION AUTHORITY POLICE –
COLLECTIVE BARGAINING – BINDING RECOMMENDATIONS OF
FACT FINDER**

Requiring that the written recommendations of a fact finder are binding in a collective bargaining dispute between the Maryland Transportation Authority and the exclusive representative of the full-time Maryland Transportation Authority police officers at the rank of first sergeant and below.

EFFECTIVE OCTOBER 1, 2019

SP, § 3-501 - amended

Assigned to: Senate Rules

SB 939 **Senator Klausmeier****NATURAL RESOURCES – SHELLFISH NURSERY OPERATIONS –
WETLANDS LICENSE REQUIREMENTS**

Exempting under certain circumstances certain activities and the use of certain equipment that is associated with a shellfish nursery operation from the requirement to obtain certain licenses or permits from the Department of the Environment or the Board of Public Works; establishing that the use of certain equipment attached to a pier and associated with a shellfish nursery operation is not included as a nonwater-dependent project for the purposes of the requirement to obtain a tidal or State wetlands license; etc.

EFFECTIVE OCTOBER 1, 2019

EN, §§ 16-101(i) and 16-202(h) and NR, § 4-11A-23 - amended

Assigned to: Senate Rules

SB 940 **Senator Klausmeier****HEALTH CARE FACILITIES – CERTIFICATE OF NEED –
MODIFICATIONS**

Altering a provision of law exempting certain offices from certificate of need requirements under certain circumstances; providing that a certificate of need is required before the type or scope of any health care service is changed if the health care service results in a change in operating room capacity in a general hospital; altering the circumstances under which a certificate of need is required before certain capital expenses are made by or on behalf of a certain health care facility; etc.

EFFECTIVE OCTOBER 1, 2019

HG, §§ 19-114(b), 19-120(j)(1) and (k)(2), and 19-126 - amended

Assigned to: Senate Rules

SB 941 **Senator Lee****RESIDENTIAL LEASES – DEFINITION OF “RENT”**

Establishing that “rent” means, for premises subject to a residential lease, the fixed periodic sum for use and possession of the leased premises and does not include any additional payments due from the tenant to the landlord under the lease; and providing that the provisions of any local law enacted by the General Assembly that are of comparable subject matter to the Act shall yield to the Act to avoid inconsistency or conflict.

EFFECTIVE OCTOBER 1, 2019

RP, § 8-401(a) - amended

Assigned to: Senate Rules

SB 942 **Senator Lee****CRIMINAL PROCEDURE – VICTIMS AND WITNESSES –
RESTRICTIONS ON RELEASE OF PERSONAL INFORMATION**

Altering the circumstances under which a certain person may withhold the address or telephone number of a certain victim, victim’s representative, or witness before a certain trial or adjudicatory hearing.

EFFECTIVE OCTOBER 1, 2019

CP, § 11-205 - amended

Assigned to: Senate Rules

SB 943 **Senator Eckardt**

TALBOT COUNTY – ALCOHOLIC BEVERAGES – SUBSTITUTE MEMBER FOR BOARD OF LICENSE COMMISSIONERS

Authorizing the Governor to appoint a substitute member to the Talbot County Board of License Commissioners; requiring the substitute member to serve on the Board under certain circumstances; and establishing the powers and duties of the substitute member when serving on the Board.

EFFECTIVE JULY 1, 2019

AB, § 30-202 - amended

Assigned to: Senate Rules

SB 944 **Senator Eckardt**

BEHAVIORAL HEALTH PROGRAMS – MEDICAL DIRECTORS – PSYCHIATRIC NURSE PRACTITIONERS

Requiring that regulations adopted under certain provisions of law regulating behavioral health programs include provisions authorizing a psychiatric nurse practitioner to serve as a medical director of a behavioral health program, including through telehealth, if the program is located in a federally designated health professional shortage area or the medical director abandoned the program and the program has no psychiatrist to serve as medical director.

EFFECTIVE OCTOBER 1, 2019

HG, § 7.5-402 - amended

Assigned to: Senate Rules

SB 945 **Senator Kramer**

SALES AND USE TAX – TAXABLE SERVICES – TELEPHONE ANSWERING SERVICE

Defining “telephone answering service” for the purpose of establishing that the service is taxable under the sales and use tax only if the service consists exclusively of answering a telephone in a certain manner and transmitting messages to the customer; establishing that a telephone answering service is not a taxable service if certain acts are only incidental to and less than 5% of the service provider’s total gross receipts in a calendar year; etc.

EMERGENCY BILL

TG, § 11-101(m-1) - added

Assigned to: Senate Rules

SB 946 **Senators Griffith and Serafini****STATE PRESCRIPTION DRUG BENEFITS – RETIREE BENEFITS – REVISIONS**

Authorizing certain retirees who participate in a certain prescription drug benefit plan with a spouse or dependent child to elect to have the spouse or dependent child covered under a certain State prescription drug benefit plan; authorizing certain surviving spouses and surviving dependent children to elect to enroll in a certain State prescription drug benefit plan; requiring the Department of Budget and Management, on or before January 1, 2020, to establish the Maryland State Retiree Prescription Drug Coverage Program; etc.
EMERGENCY BILL

SP, § 2-509.1 - amended

Assigned to: Senate Rules

SB 947 **Calvert County Senators****CALVERT COUNTY – CORRECTIONAL OFFICERS’ BILL OF RIGHTS**

Applying the provisions of the Charles County Correctional Officers’ Bill of Rights to Calvert County.

EFFECTIVE OCTOBER 1, 2019

CS, § 11-1102 - amended

Assigned to: Senate Rules

SB 948 **Senator West****CRIMINAL LAW – ASSAULT IN THE SECOND DEGREE – SCHOOL EMPLOYEE**

Prohibiting a person from intentionally causing physical injury to another if the person knows or has reason to know that the other is an employee of a public or private preschool, elementary school, or secondary school; and providing penalties for a violation of the Act of imprisonment not to exceed 10 years or a maximum fine of \$5,000 or both.

EFFECTIVE OCTOBER 1, 2019

CR, § 3-203 - amended

Assigned to: Senate Rules

SB 949 **Senator Serafini****LABOR AND EMPLOYMENT – GRANT PROGRAM FOR WORKFORCE SKILLS ASSESSMENT**

Establishing the Grant Program for Workforce Skills Assessment in the Department of Labor, Licensing, and Regulation; providing that the purpose of the Program is to provide financial assistance to an employer for the administration of assessments that measure workplace or job-related skills of employees who are State residents; authorizing the Governor to include an annual appropriation to the Program in the State budget; requiring the Department to implement and administer the Program and adopt certain regulations; etc.

EFFECTIVE OCTOBER 1, 2019

LE, § 11-603 - added

Assigned to: Senate Rules

SB 950 **Senator Kagan****CAMPAIGN FINANCE – DEATH OF CANDIDATE – TERMINATION OF CAMPAIGN COMMITTEE**

Requiring the authorized candidate campaign committee of a candidate who dies to pay outstanding obligations, dispose of remaining funds in a certain manner, and terminate and file a final campaign finance report within 90 days after the candidate's death.

EFFECTIVE OCTOBER 1, 2019

EL, § 13-310.1 - added

Assigned to: Senate Rules

SB 951 **Senator Ready, et al****INCOME TAX RATES – REDUCTIONS**

Reducing the State income tax rate for certain income of individuals; and applying the Act to taxable years beginning after December 31, 2018.

EFFECTIVE JULY 1, 2019

TG, § 10-105(a) - amended

Assigned to: Senate Rules

SB 952 **Senators Young and Hough**FREDERICK COUNTY – ALCOHOLIC BEVERAGES – THEATER
LICENSES – SEATING CAPACITY

Repealing a certain seating capacity requirement for theaters in Frederick County for which the Board of License Commissioners may issue a license to sell beer and wine.

EFFECTIVE JULY 1, 2019

AB, § 20-1014 - amended

Assigned to: Senate Rules

SB 953 **Senator Nathan–Pulliam**HEALTH CARE FACILITIES – HOSPITALS AND RELATED
INSTITUTIONS – DISCRIMINATION PROTECTIONS

Altering the actions with regard to which hospitals and related institutions are prohibited from discriminating against individuals on certain bases; altering the characteristics of an individual on the basis of which hospitals and related institutions are prohibited from discriminating against the individual in certain actions; etc.

EFFECTIVE OCTOBER 1, 2019

HG, § 19-355 - amended

Assigned to: Senate Rules

SB 954 **Senator Nathan–Pulliam**EDUCATION – PUBLIC AND NONPUBLIC HIGH SCHOOLS – ORGAN
AND TISSUE DONATION AWARENESS INSTRUCTION

Requiring, beginning in the 2020–2021 school year, county boards of education to provide instruction on organ and tissue donation and registration as part of a certain curriculum in grades 9 through 12 in public schools; specifying the purposes and goals of the instruction; encouraging nonpublic high schools to provide instruction on organ and tissue donation and registration in a certain manner; and encouraging county boards to provide instruction on organ and tissue donation and registration during the 2019–2020 school year.

EFFECTIVE JULY 1, 2019

ED, § 7-446 - added

Assigned to: Senate Rules

SB 955 **Senator Hershey****KENT COUNTY ALCOHOLIC BEVERAGES ACT OF 2019**

Authorizing a holder of a Class D beer, wine, and liquor license in Kent County to sell alcoholic beverages for off-premises consumption as well as on-premises consumption; increasing to 15 the maximum number of rooms that a facility with a Class B (country inn) beer, wine, and liquor license may offer to the public as sleeping accommodations; decreasing to 100 the minimum number of permanently installed seats required in a theater with a theater beer, wine, and liquor license; etc.

EFFECTIVE JULY 1, 2019

AB, §§ 24-904, 24-1002, and 24-1004 - amended

Assigned to: Senate Rules

SB 956 **Senator Washington****REAL PROPERTY – GROUND LEASES – PAST DUE GROUND RENT**

Clarifying that a ground lease holder may not bring any suit, action, or proceeding against the current leasehold tenant or a former leasehold tenant to recover the ground rent that was due and owing before the date the current leasehold tenant acquired title to the leasehold interest if the ground lease was not registered in accordance with certain law prior to the date the current leasehold tenant acquired title, notwithstanding any other provision of law.

EFFECTIVE OCTOBER 1, 2019

RP, § 8-806 - amended

Assigned to: Senate Rules

SB 957 **Calvert County Senators****CALVERT COUNTY – OFFICE OF THE SHERIFF – CORRECTIONAL DEPUTIES**

Authorizing the Sheriff of Calvert County to appoint correctional deputies in a number and at a salary approved by the County Commissioners; providing that correctional deputies serve under the Sheriff of Calvert County; requiring Calvert County correctional deputies to complete certain training provided by the Maryland Police and Correctional Training Commissions; providing that certain Calvert County correctional deputies may become merit system employees under certain circumstances; etc.

CONTINGENT – EFFECTIVE OCTOBER 1, 2019

CJ, §§ 2-309(f)(2) and 2-318(c)(1) and (2)(i),(ii), and (iii) - amended

Assigned to: Senate Rules

SB 958 **Senator Jennings**STATE BOARD OF PROFESSIONAL COUNSELORS AND THERAPISTS
– LICENSURE, CRIMINAL HISTORY RECORDS CHECKS, AND
TRAINEE STATUS – REVISIONS

Repealing the requirement that the credit hours or educational requirements completed by certain applicants to be licensed by the State Board of Professional Counselors and Therapists be accredited by the American Art Therapy Association; requiring an applicant for trainee status to submit certain information to the Board, pay a certain fee, and submit to a criminal history records check; requiring the Central Repository to forward to the Board and to certain individuals certain information under certain circumstances; etc.

EFFECTIVE JULY 1, 2019

HO, §§ 17-304.1, 17-501, 17-503, and 17-509 - amended, §§ 17-304.2, 17-501.1(d), and 17-506 - repealed, and § 17-501.1(d) - added

Assigned to: Senate Rules

SB 959 **Senator Jennings**LABOR AND EMPLOYMENT – WAGE PAYMENT AND COLLECTION
– GENERAL CONTRACTOR LIABILITY

Establishing that certain contractors are jointly and severally liable for certain violations of the wage payment and collection law by certain subcontractors if the employee notified the general contractor, in writing, within 90 days after the violation occurred and the general contractor failed to cure the violation with 30 days after receiving the notice; prohibiting a certain obligation or contract right from being impaired by the Act; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2019

LE, § 3-507.2 - amended

Assigned to: Senate Rules

SB 960 **Senator Jennings**HARFORD COUNTY – ALCOHOLIC BEVERAGES – SEASONAL
CLOSING

Altering the number of months from 6 months to 9 months that the Board of License Commissioners for Harford County may authorize for a seasonally operated licensed premises to be closed under certain circumstances.

EFFECTIVE JULY 1, 2019

AB, § 22-2202 - amended

Assigned to: Senate Rules

SB 961 **Senator Jennings (By Request)****EDUCATION – PUBLIC SCHOOLS – INSTRUCTION IN PRINT AND CURSIVE HANDWRITING**

Requiring, beginning in the 2020–2021 school year, each county board of education to require each public elementary school in the county to provide handwriting instruction that enables students to develop legible print handwriting by the end of the third grade and legible cursive handwriting by the end of the fifth grade.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2019

ED, § 4-135 - added

Assigned to: Senate Rules

SB 962 **Senator Zirkin****CORRECTIONAL SERVICES – OFFENDER REHABILITATION AND REENTRY PROGRAM – ESTABLISHMENT**

Requiring the Department of Public Safety and Correctional Services, on or before January 1, 2020, to establish an Offender Rehabilitation and Reentry Program to provide and coordinate the delivery of community services to recently released ex–offenders; requiring the Governor to include \$250,000 annually in the State budget for certain purposes; requiring the Department to cooperate with, assist, and provide technical assistance to qualified reentry service programs that provide certain services to ex–offenders; etc.

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

EFFECTIVE OCTOBER 1, 2019

CS, §§ 2-501 through 2-503 - added

Assigned to: Senate Rules