SYNOPSIS



House Bills and Joint Resolutions 2020 Maryland General Assembly Session

January 13, 2020 Schedule 4

PLEASE NOTE: January 17 – Bill request deadline.

February 7 – Bill introduction deadline.

All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 6.

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

HOUSE BILLS INTRODUCED JANUARY 13, 2020

HB 81 Delegate Moon, et al

CRIMINAL LAW – SODOMY AND UNNATURAL OR PERVERTED SEXUAL PRACTICE – REPEAL

Repealing the crimes of sodomy and unnatural or perverted sexual practice. EFFECTIVE OCTOBER 1, 2020 CR, §§ 3-321 and 3-322 - repealed Assigned to: Judiciary

Department of Legislative Services

HB 82 Delegate Moon, et al

CRIMINAL PROCEDURE – PRETRIAL RELEASE – REIMBURSEMENT OF SPECIAL CONDITION COSTS

Requiring the county to reimburse a defendant for the costs necessary to satisfy special conditions of release imposed by a court or District Court commissioner if all charges arising out of the same incident, transaction, or set of facts receive a not guilty disposition.

Preliminary analysis: local government mandate EFFECTIVE OCTOBER 1, 2020 CP, § 5-301 - added Assigned to: Judiciary

HB 83 Delegate Moon, et al

CRIMINAL PROCEDURE – AUTOMATIC EXPUNGEMENT – POSSESSION OF MARIJUANA

Requiring all court records and police records relating to certain charges of possession of marijuana to be automatically expunged on or before certain dates under certain circumstances; requiring a court with certain jurisdiction to initiate efforts to automatically expunge all court records and police records relating to a certain charge 4 years after disposition of the charge; and requiring expungement of court records and police records relating to a certain case to be completed on or before 4 years and 90 days after disposition.

EFFECTIVE OCTOBER 1, 2020 CP, § 10-105.1 - added

Assigned to: Judiciary

HB 84 Delegate Moon, et al

STATE HIGHWAY ADMINISTRATION – CONSTRUCTION AND MAINTENANCE – PERMIT REQUIREMENTS (NIGHTTIME CONSTRUCTION NOISE REDUCTION ACT)

Prohibiting the State Highway Administration from issuing a permit for work to be conducted on State highways between 10:00 p.m. and 6:00 a.m. the following day unless a zoning official determines that issuing the permit is in the interest of public safety, health, or welfare; etc. EFFECTIVE OCTOBER 1, 2020

TR, § 8-662 - added

Assigned to: Environment and Transportation

HB 85 Delegate Impallaria, et al

HARFORD COUNTY - ALCOHOLIC BEVERAGES - INSPECTORS

Prohibiting alcoholic beverages inspectors in Harford County from inspecting any property of a license holder that is subject to an inspection by a county agency that issues a permit required to be obtained by the license holder, or imposing a fine on a license holder for refusing to cooperate with an inspection. EFFECTIVE JULY 1, 2020

AB, § 22-207 - amended Assigned to: Economic Matters

HB 86 Delegate Korman

TRANSPORTATION – MARYLAND METRO/TRANSIT FUNDING ACT – ALTERATIONS

Specifying that the Maryland Transit Administration must regularly consult with certain entities regarding the compilation and submission of the Central Maryland Regional Transit Plan; requiring the Maryland Transit Administration to submit a draft Central Maryland Regional Transit Plan to certain entities at least 45 days before the draft is finalized; altering the contents and elements of the Plan; requiring the Plan to be reviewed and updated every 6 years and to address a certain 30–year period; etc.

EFFECTIVE JULY 1, 2020

TR, §§ 7-301.1, 7-309, and 10-205 and Chapters 351 and 352 of the Acts of 2018, § 6 - amended

Assigned to: Appropriations

HB 87 Delegate Korman

PUBLIC HEALTH – IMMUNIZATIONS – MINOR CONSENT (ACCESS TO VACCINES ACT)

Authorizing a health care provider to provide an immunization to a minor without the consent of certain individuals if the minor is at least 16 years of age, consents to the immunization, and the health care provider determines the minor is mature and capable of giving informed consent with regard to the immunization; authorizing a health care provider to provide an immunization to a minor under certain provisions of the Act whether or not a parent is not reasonably available or objects to the provision of the immunization; etc.

EFFECTIVE OCTOBER 1, 2020

HG, § 20-107 - added and §§ 20-120, 20-121, 20-123, and 20-124 - amended Assigned to: Health and Government Operations

HB 88 St. Mary's County Delegation

ST. MARY'S COUNTY – ALCOHOLIC BEVERAGES – ON–SITE CONSUMPTION PERMIT

Establishing an on-site consumption permit for the holder of a Class 1 distillery license in St. Mary's County; authorizing, under the permit, the sale of mixed drinks made from liquor that the holder produces that is mixed with other nonalcoholic ingredients for on-premises consumption; establishing an annual fee of \$650 for the permit; and providing for the application of certain provisions in St. Mary's County. EFFECTIVE OCTOBER 1, 2020

AB, § 28-401 - amended and § 28-403 - added Assigned to: Economic Matters

HB 89 St. Mary's County Delegation

ST. MARY'S COUNTY – EMERGENCY SNOW ROUTES – AUTHORITY

Authorizing the County Commissioners of St. Mary's County to designate an emergency snow route and to regulate travel and the presence of vehicles on an emergency snow route during a snow emergency.

EFFECTIVE OCTOBER 1, 2020

LG, § 12-535 - amended

Assigned to: Environment and Transportation

HB 90 St. Mary's County Delegation

ST. MARY'S COUNTY – AGRICULTURAL LAND PRESERVATION PROGRAM – INSTALLMENT PURCHASE AGREEMENTS – REPEAL

Repealing certain provisions of law relating to the authority of the County Commissioners of St. Mary's County to enter into certain installment purchase agreements and create debt to acquire the development rights for agricultural or forestry land as part of the St. Mary's County Agricultural Land Preservation Program.

EFFECTIVE JULY 1, 2020

Chapter 526 of the Acts of 2005, §§ 1 through 8 - repealed Assigned to: Environment and Transportation

HB 91 Delegate Long

SUBTRACTION MODIFICATION – QUALIFIED MARYLAND TOLL EXPENSES

Allowing a subtraction modification under the Maryland income tax for certain tolls paid through the use of the E–ZPass Maryland program; providing that the subtraction modification does not apply unless the amount of qualified toll expenses incurred by the taxpayer during the taxable year equals or exceeds \$300; requiring a taxpayer to submit proof of the amount of toll charges paid during the taxable year to qualify for the subtraction modification; applying the Act to taxable years beginning after December 31, 2019; etc.

EFFECTIVE JULY 1, 2020

TG, § 10-208(y) - added

Assigned to: Ways and Means

HB 92 Delegate Long

SALES AND USE TAX – TAX–FREE PERIODS – UNIVERSITY AND COLLEGE TEXTBOOKS

Designating two annual 7–day sales tax free periods, one, beginning in calendar year 2020, during the last 7 days of August and one, beginning in 2021, during the last 7 days of January during which the sale of certain textbooks bought by a full–or part–time student enrolled at a certain educational institution is exempt from State sales and use tax; requiring the student to possess a valid student identification card at the time of the purchase which establishes the student's full–time or part–time student status; etc.

EFFECTIVE JULY 1, 2020 TG, § 11-236 - added Assigned to: Ways and Means

HB 93 Delegates C. Jackson and D.E. Davis

CONSUMER PROTECTION – MOBILE HOME PURCHASERS

Requiring, except under certain circumstances, certain lenders to serve on the borrower at least 30 days before a lender repossesses mobile home a written notice of the lender's intention to repossess a certain mobile home; providing that a mobile home retailer has a duty of good faith and fair dealing in providing financial information to a prospective consumer borrower; prohibiting a mobile home retailer from steering a prospective consumer borrower to certain financing products; etc.

EFFECTIVE OCTOBER 1, 2020

CL and FI, Various Sections - added and amended and FI, \$ 11-501(o) and 11-601(s) - repealed

Assigned to: Economic Matters

HB 94 Delegate Rosenberg

ESTATES AND TRUSTS – RULE AGAINST PERPETUITIES

Limiting a statutory exception to the common–law rule against perpetuities that provides that the rule does not apply to an option of a tenant to purchase all or part of the premises leased by the tenant to an option that is exercisable only during the term of the lease; and providing for the prospective application of the Act.

EFFECTIVE OCTOBER 1, 2020 ET, § 11-102(b)(7) - amended Assigned to: Judiciary

HB 95 Delegate Howard, et al

ANNE ARUNDEL COUNTY – NATURAL RESOURCES – FISHING WITH A HAUL SEINE

Repealing certain provisions of law that restrict the length of a haul seine that a person may use in certain waters of Anne Arundel County; and authorizing a person to use a haul seine to fish in the waters of Anne Arundel County except under certain circumstances.

EFFECTIVE OCTOBER 1, 2020 NR, § 4-714 - amended Assigned to: Environment and Transportation

HB 96 Delegate Dumais

FAMILY LAW - PARENTAGE AND ADOPTION - DEFINITIONS

Altering the definition of "gamete donor" to include an embryo intended for use in assisted reproduction; altering the definition of "mother" so as to deny inclusion of a gamete donor unless the gamete donor and the child's mother agree in writing that the gamete donor will be a parent of the child, or at the time of the child's conception or birth, the gamete donor is married to the child's mother.

EFFECTIVE OCTOBER 1, 2020 FL, § 5-1001(h) and (i) - amended Assigned to: Judiciary

HB 97 St. Mary's County Delegation

ST. MARY'S COUNTY - PUBLIC FACILITIES BOND

Authorizing and empowering the County Commissioners of St. Mary's County to borrow not more than \$33,000,000 in order to finance the construction, improvement, or development of certain public facilities in St. Mary's County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds; etc.

EFFECTIVE JUNE 1, 2020 Assigned to: Appropriations

HB 98 Delegate D.E. Davis

ELECTRICITY – RENEWABLE ENERGY PORTFOLIO STANDARD – QUALIFYING BIOMASS

Altering the definition of "qualifying biomass" for purposes of excluding energy derived from certain material from being eligible for meeting certain Tier 1 obligations under the renewable energy portfolio standard; providing that existing obligations or contract rights may not be impaired by the Act; and applying the Act to all renewable energy portfolio standard compliance years beginning January 1, 2021, or later.

EFFECTIVE OCTOBER 1, 2020 PU, § 7-701(1) - amended Assigned to: Economic Matters

HB 99 Delegate D.E. Davis

LABOR AND EMPLOYMENT – INJURED WORKERS' INSURANCE FUND – REVISIONS

Requiring, rather than authorizing, the Injured Workers' Insurance Fund to be the third–party administrator for the State's Self–Insured Workers' Compensation Program for State Employees under a contract with the State; authorizing the Fund to use nonsupervisory employees of the Chesapeake Employers' Insurance Company; authorizing nonsupervisory employees of the Company to be assigned to perform certain functions under a certain contract; altering the membership of the Board for the Injured Workers' Insurance Fund; etc.

EFFECTIVE OCTOBER 1, 2020 LE, §§ 10-102, 10-105, and 10-106(a) - amended Assigned to: Economic Matters

HB 100 Delegate Fraser–Hidalgo, et al

MARYLAND AGRICULTURAL COMMISSION – HEMP INDUSTRY MEMBER

Increasing, from 29 to 30, the number of members of the Maryland Agricultural Commission appointed by the Governor; and requiring the Governor to appoint a member from a list of at least two nominees representing the hemp industry. EFFECTIVE OCTOBER 1, 2020

AG, § 2-203(a) - amended Assigned to: Environment and Transportation

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HB 101 Delegate Rosenberg

GAS PRICE CLARITY ACT

Altering the information about a certain measurement of certain gasoline that must be stated on a sign on the premises of a retail service station dealer to require that the highest price, or the cash price and the credit price, be stated in a clear and visible manner; authorizing a certain sign to state the highest price for a certain measurement of certain other motor fuel products; and repealing a certain exemption from a certain signage requirement for certain retail service station dealers.

EFFECTIVE OCTOBER 1, 2020 BR, § 10-315 - amended Assigned to: Economic Matters

HB 102 Delegate D.E. Davis

PUBLIC SERVICE COMMISSION – PUBLIC UTILITY REGULATION FUND – CAP

Increasing, from .17% to .25%, the maximum that may be charged to certain public service companies for a State fiscal year to reimburse the Public Service Commission for certain costs and expenses.

EFFECTIVE OCTOBER 1, 2020

PU, § 2-110(c)(12) - amended

Assigned to: Economic Matters

HB 103 Delegate Moon, et al

GENERAL ASSEMBLY – SPECIAL ELECTION TO FILL A VACANCY IN OFFICE

Proposing an amendment to the Maryland Constitution to require an individual appointed by the Governor to fill a vacancy in the office of Delegate or Senator in the General Assembly to serve for the remainder of the term if the vacancy occurs after a certain date; requiring that a special election be held at the same time as a certain regular statewide election to fill a vacancy in the office of Delegate or Senator in the General Assembly if the vacancy occurs on or before a certain date; etc.

CONSTITUTIONAL AMENDMENT – CONTINGENT Maryland Constitution, Art. III, § 13 and Art. XVII, § 2 - amended Assigned to: Ways and Means

HB 104 Delegate Impallaria, et al

HARFORD COUNTY – ALCOHOLIC BEVERAGES LICENSES – BUSINESS RECORDS

Requiring the Board of License Commissioners for Harford County to give a license holder at least 5 days' notice before the Board may examine the business records of the license holder; requiring the Board to make an appointment with the license holder to carry out the examination; and authorizing the license holder to keep business records in an electronic format approved by the Board and at a location away from the business premises. EFFECTIVE JULY 1, 2020 AB, § 22-204.1 - added

Assigned to: Economic Matters

HB 105 Delegate Impallaria, et al

HARFORD COUNTY – ALCOHOLIC BEVERAGES – LICENSE FEES

Requiring the Board of License Commissioners for Harford County to determine and implement the license fees for certain alcoholic beverages licenses in Harford County; requiring the Board to determine certain license fees in proportion to the amount of alcoholic beverages sales from each applicable license holder as a percentage of the total sales from alcoholic beverages in the county; and repealing the specified annual fees of certain licenses.

EFFECTIVE JULY 1, 2020

AB, § 22-209 - added and amended and Various Sections - repealed Assigned to: Economic Matters

HB 106 Delegates Krebs and Pena–Melnyk

HEALTH OCCUPATIONS – MORTICIANS AND FUNERAL DIRECTORS – APPRENTICESHIPS

Requiring an individual appearing before the Maryland State Board of Morticians and Funeral Directors for approval of an apprentice license to complete at least 1,000 working hours in a licensed funeral establishment under the direct supervision of the apprentice sponsor; requiring a licensed apprentice who was enrolled in a mortuary science program at the time the license was granted to be enrolled in the program for the duration of the apprenticeship unless the licensed apprentice graduates; etc.

EFFECTIVE OCTOBER 1, 2020

HO, § 7-306 - amended

Assigned to: Health and Government Operations

HB 107 Delegate R. Lewis, et al

BALTIMORE CITY – COMPLETE STREETS PROGRAM FUNDING – TRAFFIC AND VEHICLE MONITORING SYSTEMS

Requiring Baltimore City to transfer revenue from fines collected as a result of violations enforced by a traffic control signal monitoring system, a speed monitoring system, a school bus monitoring camera, or a vehicle height monitoring system to the Baltimore City Complete Streets Program Fund; establishing the Baltimore City Complete Streets Program Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Baltimore City Department of Transportation to administer the Fund; etc.

EFFECTIVE OCTOBER 1, 2020

CJ, § 7-302(e) and SF, § 6-226(a)(2)(ii)121. and 122. - amended and SF, § 6-226(a)(2)(ii)123. and TR, § 8-904.1 - added Assigned to: Environment and Transportation

HB 108 Delegate Stein

CONDOMINIUMS – RESPONSIBILITY FOR PROPERTY INSURANCE DEDUCTIBLES

Specifying that the council of unit owner's property insurance deductible is a common expense if the cause of any damage to the condominium originates from an event outside of the condominium units and common elements; increasing, from \$5,000 to \$10,000, the maximum amount of the council of unit owners' property insurance deductible for which a unit owner is responsible; applying the Act to all policies of property and casualty insurance issued, delivered, or renewed in the State to a condominium council of unit owners; etc.

EFFECTIVE OCTOBER 1, 2020 RP, § 11-114(g) - amended Assigned to: Environment and Transportation

HB 109 Delegate R. Lewis, et al

PUBLIC SERVICE COMMISSION – CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY – RAPID HEALTH IMPACT ASSESSMENT AND FINAL ACTION

Requiring an applicant for a certificate of public convenience and necessity for certain construction to conduct a rapid health impact assessment (HIA) on the project and report on its findings; requiring a rapid HIA report to be completed not later than 45 days after the applicant submits the applicant's application to the Public Service Commission; requiring an applicant to complete the rapid HIA in a certain manner; requiring the rapid HIA report to be considered part of a certain application; etc.

EFFECTIVE OCTOBER 1, 2020 PU, § 7-207 - amended Assigned to: Economic Matters

HB 110 Delegate Long

BALTIMORE COUNTY – HOMESTEAD PROPERTY TAX CREDIT NOTICE – LEAD REGISTRY AND CODE COMPLIANCE – PILOT PROGRAM

Requiring the State Department of Assessments and Taxation to include with a required notice of the homestead property tax credit certain information regarding the homeowner's obligation, under certain circumstances, to register property constructed before 1978 located in the sixth legislative district of Baltimore County with the Maryland Department of the Environment and comply with certain building and housing codes; terminating the Act after September 30, 2023; etc.

EFFECTIVE OCTOBER 1, 2020 TP, § 9-105(f) - amended Assigned to: Ways and Means

HB 111 Delegate Korman, et al

ELECTRIC VEHICLE RECHARGING EQUIPMENT FOR MULTIFAMILY UNITS ACT

Providing that certain provisions of a recorded covenant or restriction, a declaration, or the bylaws or rules of a condominium or homeowners association are void and unenforceable if they prohibit or unreasonably restrict the installation or use of electric vehicle recharging equipment; requiring certain owners of electric vehicle recharging equipment to be responsible for certain costs and disclosures; requiring a unit owner or lot owner to obtain certain permits or approval; etc.

EFFECTIVE OCTOBER 1, 2020

RP, §§ 11-111.4, 11B-111.8, and 14-129 - added and SG, § 9-20B-05(f)(10) and (11) - amended and § 9-20B-05(f)(11) - added Assigned to: Environment and Transportation

HB 112 Delegate Grammer

BALTIMORE COUNTY – CAREER EXPLORATION AND DEVELOPMENT ACTIVITIES IN PUBLIC HIGH SCHOOLS – COFFEE

Prohibiting an Executive Branch agency from banning or regulating the sale of coffee in conjunction with a career exploration and development activity in any public high school in Baltimore County; and repealing a certain exception that prohibited banning or regulating the sale of coffee in a Baltimore County public high school that sold coffee on or before June 30, 2018, in conjunction with a career exploration and development activity.

EFFECTIVE JULY 1, 2020 ED, § 7-423.1 - amended Assigned to: Ways and Means

HB 113 Delegate Grammer

HOSPITALS – PATIENT'S BILL OF RIGHTS – MINOR PATIENTS

Requiring that the patient's bill of rights required to be provided to each patient by a hospital include a statement in plain language that a parent or guardian of a minor patient has full decision—making authority regarding the health care of the minor patient unless a provision of federal or State law allows the minor patient to consent to medical treatment.

EFFECTIVE OCTOBER 1, 2020 HG, § 19-342 - amended Assigned to: Health and Government Operations

HB 114 Delegate Long

AGRICULTURE – ANIMAL SHELTERS – WAIVER OF ADOPTION FEE

Authorizing an animal shelter to waive the adoption fee for a dog or cat if the adopter presents a valid driver's license or identification card indicating veteran status, serves as a first responder, or represents an organization that trains and provides service animals for persons with disabilities.

EFFECTIVE OCTOBER 1, 2020

AG, §§ 2-1706 and 2-1707 - amended and § 2-1710 - added Assigned to: Environment and Transportation

HB 115 Delegate D.E. Davis (By Request)

TEACHERS' PENSION SYSTEM – OPTION ELECTION

Allowing certain retirees of the Teachers' Pension System to elect a change in an optional form of allowance; specifying the manner in which an election to change a certain optional form of allowance shall be made; specifying the manner in which a retiree's allowance shall be calculated and paid under a change to an optional form of allowance made in accordance with the Act; and providing for the termination of the Act on June 30, 2021. EFFECTIVE JULY 1, 2020

Assigned to: Appropriations

HB 116 Delegate D.E. Davis

HOME BUILDER GUARANTY FUND – AWARD LIMITATIONS – REVISIONS

Increasing the total amount of awards, from \$300,000 to \$500,000, the Consumer Protection Division of the Office of the Attorney General is authorized to pay to all claimants for acts or omissions of one registered home builder from the Home Builder Guaranty Fund. EFFECTIVE OCTOBER 1, 2020 BR, §§ 4.5-705(e) and 4.5-710 - amended

Assigned to: Economic Matters

HB 117 Delegate Dumais

INSURANCE – INDUSTRY AUTOMOBILE INSURANCE ASSOCIATION – BOARD OF DIRECTORS

Altering the nominating entity for four board members of the Industry Automobile Insurance Association to reflect the merger of the American Insurance Association and the Property Casualty Insurers Association of America into the American Property Casualty Insurers Association. EFFECTIVE OCTOBER 1, 2020 IN, § 20-403 - amended

Assigned to: Economic Matters

HB 118 Delegate Dumais

PRIVATE PASSENGER MOTOR VEHICLE INSURANCE – PROHIBITION ON CANCELLATION DUE TO TOWING OR EMERGENCY ROADSIDE COVERAGE CLAIMS

Prohibiting an insurer from canceling, refusing to renew, or otherwise terminating coverage for a private passenger motor vehicle insurance policy based on claims made under the policy's towing or emergency roadside coverage; authorizing an insurer to remove towing or emergency roadside service coverage from a certain policy at renewal based on the number of claims pursuant to the towing coverage; and authorizing an insurer to increase a premium of a private passenger motor vehicle insurance policy as a result of certain claims.

EFFECTIVE OCTOBER 1, 2020 IN, § 27-501(d) - amended Assigned to: Economic Matters

HB 119 Delegate Rosenberg, et al

COMMISSION ON AFRICAN AMERICAN PATRIOTS IN THE AMERICAN REVOLUTIONARY WAR

Establishing the Commission on African American Patriots in the American Revolutionary War; authorizing the Commission to raise funds for its operation; requiring the Commission, in consultation with certain persons, to conduct research to advance the documentation of African American patriots in the American Revolutionary War; requiring the Commission to develop a plan to commemorate Maryland African America patriots at certain sites by the placement of statues, landmarks plaques, or historical markers; etc. Preliminary analysis: local government mandate EFFECTIVE OCTOBER 1, 2020 ED, § 7-106(b) - amended and ED, § 7-446 and SG, § 9-3301 - added Assigned to: House Rules and Executive Nominations

HB 120 Delegates Dumais and C. Watson

MOTOR CARRIERS AND FOR-HIRE DRIVING SERVICES – NONPROFIT ORGANIZATIONS AND VOLUNTEER DRIVERS

Providing that a motor carrier permit is not required for transportation services that a nonprofit organization provides through the use of a volunteer driver and the volunteer driver's personal vehicle; altering the definition of "transportation network services"; and providing that a nonprofit organization that provides transportation for remuneration to clients of certain services may not be required to obtain a motor carrier permit.

EFFECTIVE OCTOBER 1, 2020

PU, §§ 9-201, 10-101(n), and 10-102 - amended

Assigned to: Economic Matters

HB 121 St. Mary's County Delegation

ST. MARY'S COUNTY – METROPOLITAN COMMISSION – NONSUBSTANTIVE AND CLARIFYING REVISIONS

Revising, restating, and recodifying certain terms; updating the plans, regulations, and ordinances of St. Mary's County in accordance with which a connection to a completed water main or sewer of the St. Mary's County Metropolitan Commission shall be made under certain circumstances; clarifying that the Metropolitan Commission shall have full and complete jurisdiction over certain appurtenances with certain systems of the Metropolitan Commission; etc.

EFFECTIVE OCTOBER 1, 2020

PLL of St. Mary's Co, Art. 19, § 113-1 - added and Various Sections - amended Assigned to: Environment and Transportation