



# SYNOPSIS

House Bills and Joint Resolutions  
2013 Maryland General Assembly Session

**January 18, 2013**  
**Schedule 6**

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**PLEASE NOTE:** January 22 – Bill request deadline.  
February 8 – Bill introduction deadline.  
All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 7.  
As required by House Rule 32(b), bills introduced after this date will be referred to the House Rules and Executive Nominations Committee.

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## **HOUSE BILLS INTRODUCED JANUARY 18, 2013**

**HB 149** Delegate Anderson (By Request – Baltimore City Administration), et al  
BALTIMORE CITY – AIDS PREVENTION STERILE NEEDLE AND SYRINGE EXCHANGE PROGRAM

Repealing a requirement that the AIDS Prevention Sterile Needle and Syringe Exchange Program in Baltimore City provide for the exchange of used hypodermic needles and syringes for sterile hypodermic needles and syringes on a one-for-one basis; and altering the name of the Program.  
EFFECTIVE OCTOBER 1, 2013  
HG, § 24-802 - amended  
Assigned to: Health and Government Operations

**HB 150 Delegate Kipke, et al**

VEHICLE LAWS – ACCIDENTS RESULTING IN DEATH OR LIFE–THREATENING INJURY – MANDATORY DRUG AND ALCOHOL TESTING (KARA’S LAW)

Requiring a police officer who detains a driver who was involved in a motor vehicle accident that resulted in the death of, or a life–threatening injury to another person, to require the driver to submit to specified drug and alcohol testing; etc.

EFFECTIVE OCTOBER 1, 2013

TR, § 16-205.1(a)(2), (c), (d)(1), and (f)(1), (7)(i), and (8)(i) and (ii) - amended

Assigned to: Judiciary

**HB 151 Delegate A. Miller**

SALES AND USE TAX – TAX–FREE PERIOD – EMERGENCY PREPAREDNESS EQUIPMENT

Establishing a tax–free period each year during which a sales and use tax exemption for the sale of specified emergency preparedness items is provided; requiring the Comptroller of the Treasury to publish a specified list by a specified date; authorizing the Comptroller to amend a specified list under specified circumstances; defining a specified term; etc.

EFFECTIVE JULY 1, 2013

TG, § 11-228.1 - added

Assigned to: Ways and Means

**HB 152 Delegate Anderson, et al**

CRIMINAL PROCEDURE – SUCCESSIVE FEDERAL AND STATE PROSECUTIONS – BAR

Providing that if an act is a violation of both a State and a federal criminal statute, the commencement of a prosecution under the federal statute bars a prosecution under the State statute; establishing that a prosecution under a federal statute is deemed to be commenced once jeopardy has attached; etc.

EFFECTIVE OCTOBER 1, 2013

CP, § 1-211 - added

Assigned to: Judiciary

**HB 153 Delegate Anderson, et al**

## OFFICE OF THE PUBLIC DEFENDER – REPRESENTATION AT BAIL HEARING – PROVISIONAL

Establishing that the representation provided by the Office of the Public Defender to an indigent individual at a bail hearing before a District Court or circuit court judge shall be limited solely to the bail hearing and shall terminate automatically at the conclusion of the hearing.

EFFECTIVE OCTOBER 1, 2013

CP, § 16-204 - amended

Assigned to: Judiciary

**HB 154 Delegate Anderson, et al**

## CRIMINAL PROCEDURE – DISTRICT COURT – STAY OF SENTENCE PENDING APPEAL

Requiring the District Court, if a person is convicted of a crime in District Court, to stay any sentence imposed that includes an unserved, nonsuspended period of imprisonment until the time for filing an appeal has expired and, if an appeal is filed, during the pendency of the appeal under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2013

CJ, § 12-401(h) - added

Assigned to: Judiciary

**HB 155 Delegate Cluster, et al**

## BALTIMORE COUNTY REVENUE AUTHORITY – PURCHASES – COMPETITIVE BIDDING

Requiring the Baltimore County Revenue Authority, when the estimated cost of specified commodities and services exceeds a specified amount, to use a specified competitive bidding process to purchase the commodities and services by written, formal contract from a specified bidder after public notice inviting proposals; and prohibiting the division of a contract or purchase into smaller parts to avoid the competitive bidding requirements.

EFFECTIVE OCTOBER 1, 2013

PLL of Balt. Co., Art. 3, § 9-1-116.1 - added

Assigned to: Health and Government Operations

**HB 156 Delegate Reznik, et al**

## CRIMINAL LAW – THEFT OF WHEELED CART – PENALTY

Increasing the penalty for the crime of theft of a wheeled cart to \$100.

EFFECTIVE OCTOBER 1, 2013

CR, § 7-201 - amended

Assigned to: Judiciary

**HB 157 Delegate Bates, et al**

## INCOME TAX – EXPENSING OF BUSINESS PROPERTY AND BONUS DEPRECIATION

Limiting to property placed in service before January 1, 2013, the applicability of Maryland income tax modifications for specified deductions for the cost of business property that is treated as an expense for federal income tax purposes; limiting to property placed in service before January 1, 2013, the applicability of Maryland income tax modifications for a specified additional depreciation allowance under the federal income tax for specified business property; etc.

EFFECTIVE JULY 1, 2013

TG, § 10-210.1(b)(1) and (3) - amended

Assigned to: Ways and Means

**HB 158 Delegate Reznik, et al**

## VEHICLE LAWS – CHILD SAFETY SEATS AND SEAT BELTS – PENALTY

Increasing the fine from \$25 to \$75 for failing to secure a child under a specified age in a child safety seat or seat belt while transporting the child in a motor vehicle or operating a motor vehicle; and repealing a requirement that court costs are included in a specified fine.

EFFECTIVE OCTOBER 1, 2013

TR, §§ 22-412.2, 22-412.3, and 27-106(b) - amended

Assigned to: Environmental Matters

**HB 159 Delegate Hough, et al****HOME IMPROVEMENT CONTRACTORS – QUALIFICATIONS OF APPLICANTS – TRADE EXPERIENCE**

Reducing from 2 years to 1 year the amount of trade experience an applicant for a home improvement contractor license must have.

EFFECTIVE OCTOBER 1, 2013

BR, § 8-302.2 - amended

Assigned to: Economic Matters

**HB 160 Delegate A. Miller****BICYCLES, PLAY VEHICLES, AND UNICYCLES – RIDING ON SIDEWALKS**

Repealing a restriction on riding a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area under specified circumstances.

EFFECTIVE OCTOBER 1, 2013

TR, § 21-1103 - amended

Assigned to: Environmental Matters

**HB 161 Delegate Carr****COUNTY PROPERTY TAXES – CLASSES OF PROPERTY – SPECIAL RATES AND LIMITS**

Authorizing the Mayor and City Council of Baltimore City or the governing body of a county to impose property tax on those classes of property that it selects to be subject to property tax or set special rates for specified classes of property; authorizing the governing body of a county to set a higher property tax rate or collect more property tax revenues than are authorized under the county's charter; applying the Act to taxable years beginning after June 30, 2013; etc.

EFFECTIVE JUNE 1, 2013

TP, § 6-202 - repealed and §§ 6-203 and 6-302 - amended

Assigned to: Ways and Means

**HB 162 Caroline County Delegation****CAROLINE COUNTY – ALCOHOLIC BEVERAGES – MICRO-BREWERY LICENSES**

Adding Caroline County to the list of counties in which the Comptroller may issue a Class 7 micro-brewery (on- and off-sale) license; and adding the county to the list of counties in which a Class 7 micro-brewery licensee may sell at retail beer brewed under the license to customers for consumption off the licensed premises in refillable containers under specified conditions.

EFFECTIVE JULY 1, 2013

Art. 2B, § 2-208 - amended

Assigned to: Economic Matters

**HB 163 Chair, Anne Arundel County Delegation****CIRCUIT COURT FOR ANNE ARUNDEL COUNTY – JUDGES SITTING AS ORPHANS' COURT**

Requiring the judges of the Circuit Court for Anne Arundel County to sit as the Orphans' Court for Anne Arundel County; repealing a requirement that the qualified voters of Anne Arundel County elect three orphans' court judges; and submitting the amendment to the qualified voters of the State for their adoption or rejection.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Art. IV, §§ 20(b) and 40(a) - amended

Assigned to: Judiciary

**HB 164 Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)****DEPARTMENT OF HEALTH AND MENTAL HYGIENE – REGULATORY AUTHORITY – PERMIT AND LICENSING RENEWALS AND BUILDING PLAN REVIEWS**

Lengthening the renewal period for tissue bank permits and residential service agency licenses; altering the entity to which specified food establishments must submit for review specified plans and specifications before the construction, remodeling, or alteration of the food establishments; etc.

EFFECTIVE OCTOBER 1, 2013

HG, §§ 17-310(a) and (c), 19-4A-03(b), and 21-321 - amended

Assigned to: Health and Government Operations

**HB 165 Delegate Cluster, et al****ELEMENTARY AND SECONDARY EDUCATION – SECURITY – SCHOOL RESOURCE OFFICERS**

Requiring each county superintendent of schools to enter into an agreement with an appropriate law enforcement agency to provide a school resource officer to each public elementary and secondary school; providing that additional funding required for school resource officers shall be paid from the Education Trust Fund from funds allocated from a specified source; and making the Act an emergency measure.

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

EMERGENCY BILL

ED, § 26-102 and SG, § 9-1A-30 - amended

Assigned to: Ways and Means

**HB 166 Delegate Cluster, et al****SPEED MONITORING AND WORK ZONE SPEED CONTROL SYSTEMS – DAILY CALIBRATION AND VIDEO RECORDINGS**

Requiring a speed monitoring system and a work zone speed control system to undergo a daily rather than an annual calibration check that is kept on file and may be admitted as evidence in specified court proceedings; requiring a speed monitoring system and a work zone speed control system to produce a video recording of every violation for which a citation is issued; requiring a citation to contain specified information relating to the availability of a specified video recording; etc.

EFFECTIVE OCTOBER 1, 2013

TR, §§ 21-809(b)(4) and (d)(1) and 21-810(b)(6) and (d)(1) - amended and §§ 21-809(b)(5) and 21-810(b)(8) - added

Assigned to: Environmental Matters

**HB 167 Delegate Ivey, et al****STATE GOVERNMENT – COMMEMORATIVE DAYS – MARYLAND EMANCIPATION DAY**

Requiring the Governor annually to proclaim November 1 as Maryland Emancipation Day.

EFFECTIVE OCTOBER 1, 2013

SG, § 13-411 - added

Assigned to: Health and Government Operations

**HB 168 Delegate Ivey, et al****CREATION OF A STATE DEBT – PRINCE GEORGE’S COUNTY – CHEVERLY UNITED METHODIST CHURCH KITCHEN AND PUBLIC ACCESSIBILITY PROJECT**

Authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Trustees of the Cheverly Community Church of Evangelical Brethren Church for the design, construction, repair, and renovation of the Cheverly United Methodist Church kitchen and social hall, located in Cheverly; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Appropriations

**HB 169 Delegate Ivey, et al****CREATION OF A STATE DEBT – PRINCE GEORGE’S COUNTY – ST. ANN’S SECURITY RENOVATIONS**

Authorizing the creation of a State Debt not to exceed \$40,000, the proceeds to be used as a grant to the Board of Directors of St. Ann’s Center for Children, Youth, and Families, Inc. for the design, planning, and renovation of St. Ann’s Center for Children, Youth, and Families, located in Hyattsville; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Appropriations

**HB 170 Delegate Clagett****ELECTION LAW – EARLY VOTING CENTERS**

Requiring counties with fewer than 150,000 registered voters to establish at least one and not more than three early voting centers.

EFFECTIVE JULY 1, 2013

EL, § 10-301.1 - amended

Assigned to: Ways and Means



**HB 171 Delegate Clagett**

MOTOR VEHICLE ADMINISTRATION – ORGAN DONATION – PRESUMED CONSENT (PATRICIA HANBERRY GIFT OF LIFE ACT)

Requiring the Motor Vehicle Administration to notify an applicant for a driver's license or identification card that the applicant shall be deemed to have consented to be an organ donor unless the applicant expressly chooses not to consent; requiring the Administration to provide for a method by which the applicant can designate that the applicant does not consent to being an organ donor; and requiring the Administration to indicate whether an individual is an organ donor on the individual's driver's license or identification card.

EFFECTIVE OCTOBER 1, 2013

TR, § 12-303 - amended

Assigned to: Environmental Matters

**HB 172 Charles County Delegation**

CHARLES COUNTY – ALCOHOLIC BEVERAGES LICENSEES – NONALCOHOLIC ITEMS – HOURS OF SALE

Specifying the days and hours during which alcoholic beverages licensees in Charles County may sell nonalcoholic items.

EFFECTIVE JULY 1, 2013

Art. 2B, § 11-509 - amended

Assigned to: Economic Matters

**HB 173 Charles County Delegation**

VEHICLE LAWS – CHARLES COUNTY – GOLF CART ZONES

Providing that the Maryland Vehicle Law does not preclude Charles County from designating golf cart zones on county highways or from administering the operation and maintenance of golf cart zones.

EFFECTIVE OCTOBER 1, 2013

TR, § 25-102(a) - amended

Assigned to: Environmental Matters

**HB 174**    **Delegate Jameson****WORKERS' COMPENSATION – PAYMENT FOR PHYSICIAN–  
DISPENSED PRESCRIPTIONS – LIMITATIONS**

Prohibiting employers or their insurers, except under specified circumstances, from being required to pay for a prescription that is dispensed by a physician to covered employees who have suffered accidental personal injuries, compensable hernias, or occupational diseases.

EFFECTIVE OCTOBER 1, 2013

LE, § 9-660 - amended and § 9-660.1 - added

Assigned to: Economic Matters

**HB 175**    **Frederick County Delegation****FREDERICK COUNTY – SLOT MACHINES FOR NONPROFIT  
ORGANIZATIONS**

Adding Frederick County to the list of counties in which specified nonprofit fraternal, religious, and war veterans' organizations may own and operate not more than five slot machines under specified circumstances.

EFFECTIVE JUNE 1, 2013

CR, § 12-304 - amended

Assigned to: Ways and Means