



# SYNOPSIS

House Bills and Joint Resolutions  
2015 Maryland General Assembly Session

**January 23, 2015**  
**Schedule 6**

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**PLEASE NOTE:** January 27 – Bill request deadline.  
February 13 – Bill introduction deadline.  
All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 12.  
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 23, 2015**

### **HB 70    The Speaker (By Request – Administration)**

BUDGET BILL (FISCAL YEAR 2016)

Making the proposed appropriations contained in the State budget for the fiscal year ending June 30, 2016, in accordance with Article III, Section 52 of the Maryland Constitution; etc.

Assigned to: Appropriations

### **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

**HB 71 The Speaker (By Request – Administration)**

CREATION OF A STATE DEBT – MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2015, AND THE MARYLAND CONSOLIDATED CAPITAL BOND LOANS OF 2004, 2005, 2008, 2009, 2010, 2011, 2012, 2013, AND 2014

Authorizing the creation of a State Debt in the amount of \$1,068,545,000, the proceeds to be used for specified necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring specified real estate in connection therewith, and for grants to specified subdivisions and other organizations for specified development and improvement purposes, subject to specified requirements; etc.

VARIOUS EFFECTIVE DATES

Various Chapters of Various Years, Various Sections - amended and repealed  
Assigned to: Appropriations

**HB 72 The Speaker (By Request – Administration)**

BUDGET RECONCILIATION AND FINANCING ACT OF 2015

Authorizing or altering the distribution of specified revenue; altering or repealing specified required appropriations; authorizing the use of specified funds for specified purposes; providing for the transfer of specified funds; repealing a specified requirement for a specified notice relating to abandoned property to be published in specified newspapers; requiring the Comptroller to maintain a specified abandoned property database; etc.

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

EFFECTIVE JUNE 1, 2015

CL, EC, ED, HG, IN, LG, NR, PS, SF, TG, TP, TR, and Chapter 397 of the Acts of 2011, Various Sections - amended, added, or repealed

Assigned to: Appropriations

**HB 73 Delegate Rosenberg, et al**

VOTERS' RIGHTS PROTECTION ACT OF 2015

Authorizing the Attorney General to institute an action in a circuit court for injunctive relief to prohibit a person from engaging in or continuing to engage in specified violations of election law; providing that injunctive relief may be granted under the Act only to prevent specified violations of election law from affecting a pending election; etc.

EFFECTIVE JULY 1, 2015

EL, § 16-1003 - added

Assigned to: Ways and Means

**HB 74**     **Delegate Rosenberg, et al****WALTER SONDHEIM JR. PUBLIC SERVICE INTERNSHIP SCHOLARSHIP PROGRAM – EXPANSION OF SCOPE**

Altering the name of the Walter Sondheim Jr. Public Service Summer Internship Scholarship Program to be the Walter Sondheim Jr. Public Service Internship Scholarship Program; expanding the scope of the Program to include fall and spring public service internships; and specifying the dates of January 15 for the scholarship awards for spring internships, May 1 for summer internships, and August 1 for fall internships.

EFFECTIVE JULY 1, 2015

ED, §§ 18-1701, 18-1702, and 18-1704 - amended

Assigned to: Ways and Means

**HB 75**     **Calvert County Delegation****CALVERT COUNTY – BOARD OF LICENSE COMMISSIONERS – NOTICE AND HEARING ON PROPOSED LEGISLATION**

Requiring that before the Calvert County Board of License Commissioners submits a legislative proposal to the Calvert County Delegation for introduction as a bill in a session of the General Assembly, the Board must post notice of the proposal and hold a public hearing at least 6 months before the start of the session.

EFFECTIVE JULY 1, 2015

Art. 2B, § 15-112(f) - amended

Assigned to: Economic Matters

**HB 76**     **Delegate B. Barnes (Chair, Joint Committee on Pensions)****STATE RETIREMENT AND PENSION SYSTEM – ACCUMULATED CONTRIBUTIONS OF NONVESTED FORMER MEMBERS**

Requiring specified accumulated contributions of nonvested former members to be transferred into a specified fund; and making conforming changes.

EFFECTIVE JULY 1, 2015

SP, §§ 21-303(a) and 21-311 - amended

Assigned to: Appropriations

**HB 77 Delegate B. Barnes (Chair, Joint Committee on Pensions)****JUDGES' RETIREMENT SYSTEM – MEMBERSHIP, ACCRUAL OF INTEREST, AND REEMPLOYMENT**

Clarifying that regular interest may not be paid on member contributions of specified members of the Judges' Retirement System under specified circumstances; providing that membership in the Judges' Retirement System for specified members ends under specified circumstances; repealing a limitation on when a member may withdraw accumulated contributions from the Judges' Retirement System; repealing a duplicative provision pertaining to the withdrawal of accumulated contributions from the Judges' Retirement System; etc.

EFFECTIVE JULY 1, 2015

SP, §§ 27-203, 27-204, 27-405, and 27-406 - amended

Assigned to: Appropriations

**HB 78 Delegate B. Barnes (Chair, Joint Committee on Pensions)****STATE RETIREMENT AND PENSION SYSTEM – NONCONTRIBUTORY PENSION BENEFIT – DEFINITION**

Clarifying that the definition of “noncontributory pension benefit”, as it relates to the State Retirement and Pension System, does not include the Reformed Contributory Pension Benefit.

EFFECTIVE JULY 1, 2015

SP, § 20-101(aa-1) - amended

Assigned to: Appropriations

**HB 79 Delegate B. Barnes (Chair, Joint Committee on Pensions)****CORRECTIONAL OFFICERS' RETIREMENT SYSTEM – MEMBERSHIP**

Altering the positions eligible for membership in the Correctional Officers' Retirement System to include specified individuals who elect to transfer from the Employees' Retirement System; authorizing specified individuals to cease membership in the Employees' Retirement System and enroll in the Correctional Officers' Retirement System; authorizing specified individuals to transfer service credit from the Employees' Retirement System to the Correctional Officers' Retirement System; etc.

EFFECTIVE JULY 1, 2015

SP, § 25-201 - amended

Assigned to: Appropriations

**HB 80**      **Delegate Carr, et al****CREATION OF A STATE DEBT – MONTGOMERY COUNTY – WARNER MANOR**

Authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Warner Manor, located in Montgomery County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Appropriations

**HB 81**      **Delegate Krebs****ETHICS COMMISSION, JUDICIAL ETHICS COMMITTEE, AND JOINT ETHICS COMMITTEE – DUTIES**

Providing that the Judicial Ethics Committee rather than the Commission on Judicial Disabilities shall administer and implement specified provisions of law that apply to State officials of the Judicial Branch; etc.

EFFECTIVE OCTOBER 1, 2015

GP, §§ 5-104 and 5-819 - amended

Assigned to: Environment and Transportation

**HB 82**      **Montgomery County Delegation****MONTGOMERY COUNTY – FREE–PLAY PINBALL MACHINES – PLACEMENT RESTRICTIONS – REPEAL MC 2–15**

Repealing a provision of law that prohibits, in Montgomery County, more than two free–play pinball machines that are not in locked storage and are available for public use from being kept on the same floor of a building.

EFFECTIVE OCTOBER 1, 2015

BR, § 17-416 - repealed

Assigned to: Ways and Means

**HB 83 Delegate Krebs****PUBLIC RECORDS – INSPECTION**

Clarifying that an official custodian is required to designate types of public records of the governmental unit that are to be made available and to maintain a current list of the types of public records that have been designated as available to any applicant immediately upon request; repealing the prohibition against a specified applicant obtaining a copy of a judgment until a specified time; etc.

EFFECTIVE OCTOBER 1, 2015

GP, §§ 4-201 and 4-205 - amended

Assigned to: Health and Government Operations

**HB 84 Delegate Krebs****ANNOTATED CODE OF MARYLAND – CAPTIONS AND CATCHLINES  
– INTERPRETATION**

Clarifying that a caption or catchline accompanying a section or subsection of law is to be interpreted in a specified manner unless otherwise provided by law.

EFFECTIVE OCTOBER 1, 2015

GP, § 1-208 - amended

Assigned to: Health and Government Operations

**HB 85 Montgomery County Delegation****MONTGOMERY COUNTY – BOARD OF EDUCATION – PRIMARY  
ELECTION BALLOTS MC 6–15**

Requiring that the name of each candidate seeking election to the Montgomery County Board of Education appear on the primary election ballot if the number of candidates seeking election to the county board is equal to or less than the number of nominations available in a primary election.

EFFECTIVE JUNE 1, 2015

ED, § 3-901(f)(2) - amended

Assigned to: Ways and Means

**HB 86**      **Montgomery County Delegation**

MONTGOMERY COUNTY BOARD OF EDUCATION – STUDENT MEMBER – VOTING MC 7–15

Authorizing the student member of the Montgomery County Board of Education to attend an executive session of the Board of Education that relates to a specified matter; and authorizing the student member of the Montgomery County Board of Education to vote on specified matters.

EFFECTIVE JULY 1, 2015

ED, § 3-901(e) - amended

Assigned to: Ways and Means

**HB 87**      **Montgomery County Delegation**

MARYLAND INCOME TAX REFUNDS – MONTGOMERY COUNTY – WARRANT INTERCEPT PROGRAM MC 8–15

Altering the requirement for the Comptroller to withhold Maryland income tax refunds of specified individuals with outstanding warrants to include residents of Montgomery County or individuals who have outstanding warrants from Montgomery County; making nonsubstantive changes to specified termination provisions; making conforming changes; etc.

VARIOUS EFFECTIVE DATES

TG, § 13-936, Chapter 451 of the Acts of 2012, § 3, as amended, and Chapter 213 of the Acts of 2013, § 3 - amended

Assigned to: Ways and Means

**HB 88**      **Montgomery County Delegation**

MONTGOMERY COUNTY – ALCOHOLIC BEVERAGES – REFILLABLE WINE CONTAINERS MC 19–15

Establishing a refillable wine container permit in Montgomery County; authorizing the Montgomery County Board of License Commissioners to issue the permit to a holder of a license that entitles the holder to sell wine for off-premises consumption; specifying that the permit authorizes the permit holder to sell wine for consumption off the licensed premises in a refillable container; specifying standards that a refillable container must meet; specifying the Board shall issue the refillable container permit at no cost to the applicant; etc.

EFFECTIVE JULY 1, 2015

Art. 2B, § 8-216.6 - added

Assigned to: Economic Matters

**HB 89**      **Montgomery County Delegation**

MONTGOMERY COUNTY – ALCOHOLIC BEVERAGES – CLASS BD–BWL LICENSE MC 18–15

Establishing a Class BD–BWL alcoholic beverages license in Montgomery County; providing that the license authorizes the sale of beer and wine for consumption on or off the licensed premises and the sale of liquor for consumption only on the licensed premises; authorizing a holder of a Class BD–BWL license to hold a micro–brewery license; authorizing a license holder to hold not more than 10 Class BD–BWL licenses; specifying the hours of sale; and setting an annual license fee of \$3,500.

EFFECTIVE JULY 1, 2015

Art. 2B, § 6-201(q)(7) - added

Assigned to: Economic Matters

**HB 90**      **Montgomery County Delegation**

MONTGOMERY COUNTY – ALCOHOLIC BEVERAGES – WAIVER OF LICENSE REQUIREMENTS MC 17–15

Authorizing the Montgomery County Board of License Commissioners, on the affirmative vote of at least four of the five members, to waive specified registered voter, taxpayer, and residency requirements for specified applicants for specified alcoholic beverages licenses; and requiring the Board to obtain specified criminal records of an applicant for an alcoholic beverages license from a specified local police department under specified circumstances.

EFFECTIVE JULY 1, 2015

Art. 2B, §§ 9-101(a)(2)(i), (b)(1), and (c)(1) and 10-103(b)(4) and (13)(iv) - amended

Assigned to: Economic Matters

**HB 91**      **Montgomery County Delegation**

MONTGOMERY COUNTY – ALCOHOLIC BEVERAGES LICENSES – LAYTONSVILLE MC 12–15

Repealing a provision relating to the issuance, renewal, and transfer of specified Class H (on–sale) beer and light wine, hotel and restaurant licenses for use in Laytonsville in Montgomery County; and authorizing the Montgomery County Board of License Commissioners to issue, renew, and transfer a specified number of Class B (on–sale) beer, wine, and liquor licenses in Laytonsville.

EFFECTIVE JULY 1, 2015

Art. 2B, § 8-216(e) - amended

Assigned to: Economic Matters

**HB 92**      **Montgomery County Delegation**

MONTGOMERY COUNTY – ALCOHOLIC BEVERAGES – WINE  
AUCTION PERMITS MC 9–15

Repealing a prohibition against the issuance of a wine auction permit in Montgomery County; and authorizing a holder of a wine auction permit to receive and sell wine obtained from specified sources.

EFFECTIVE JULY 1, 2015

Art. 2B, §§ 2-101(o) and 15-204 - amended

Assigned to: Economic Matters

**HB 93**      **Montgomery County Delegation**

MONTGOMERY COUNTY – ALCOHOLIC BEVERAGES – 1-DAY  
LICENSE FOR SCHOOLS, PLACES OF WORSHIP, AND YOUTH  
CENTERS MC 10–15

Specifying that restrictions on the issuance of a license to sell alcoholic beverages within a specified distance of a secondary or elementary school, place of worship, or specified youth center do not apply to the issuance of a special 1-day license for use on the premises of a secondary or elementary school, place of worship, or specified youth center.

EFFECTIVE OCTOBER 1, 2015

Art. 2B, § 9-216(a) - amended

Assigned to: Economic Matters

**HB 94**      **Delegate B. Wilson**

COMMISSION ON AFRICAN AMERICAN HISTORY AND CULTURE –  
DUTIES

Authorizing the Commission on African American History and Culture to provide operational funding to a museum that specializes in African American history and culture.

EFFECTIVE OCTOBER 1, 2015

SG, § 9.5-407 - amended

Assigned to: Health and Government Operations

**HB 95**      **Montgomery County Delegation**

CITY OF GAITHERSBURG – LICENSED ALCOHOLIC BEVERAGES RESTAURANTS – DISTANCE FROM CHURCHES OR OTHER PLACES OF WORSHIP MC 23–15

Authorizing the Montgomery County Board of License Commissioners by unanimous vote to approve an application for a Class B beer, wine and liquor license for a restaurant located in the City of Gaithersburg in Montgomery County that meets specified other requirements; and specifying that the Class B beer, wine and liquor license authorizes the license holder to keep for sale and sell alcoholic beverages for consumption on the premises only.

EFFECTIVE JULY 1, 2015

Art. 2B, § 9-216 - amended

Assigned to: Economic Matters

**HB 96**      **Delegate Hammen, et al**

CREATION OF A STATE DEBT – BALTIMORE CITY – BANNER NEIGHBORHOODS COMMUNITY CENTER

Authorizing the creation of a State Debt not to exceed \$75,000, the proceeds to be used as a grant to the Board of Directors of the Banner Neighborhoods Community Corporation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Banner Neighborhoods Community Center project, located in Baltimore City; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Appropriations

**HB 97**      **Delegate Rosenberg, et al**

VEHICLE LAWS – WINDOW TINTING RESTRICTIONS – MEDICAL EXEMPTION FOR VEHICLE OWNER’S FAMILY

Expanding the medical necessity exemption from the prohibition against operating specified vehicles with window tinting to apply the exemption to a member of the vehicle owner’s immediate family; clarifying language; etc.

EFFECTIVE OCTOBER 1, 2015

TR, § 22-406(i) - amended

Assigned to: Environment and Transportation

**HB 98 Delegate Pendergrass**STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS –  
ORDERS OF SUMMARY SUSPENSION – PROHIBITION ON STAYS

Prohibiting a stay if a person notes an appeal from an order of summary suspension by the State Board of Morticians and Funeral Directors.

EFFECTIVE OCTOBER 1, 2015

HO, § 7-320 - amended

Assigned to: Health and Government Operations

**HB 99 Delegate Hixson, et al**INCOME TAX SUBTRACTION MODIFICATION – RETIREMENT  
INCOME OF LAW ENFORCEMENT, CORRECTIONAL OFFICER, FIRE,  
RESCUE, AND EMERGENCY SERVICES PERSONNEL (HOMETOWN  
HEROES)

Providing a subtraction modification under the Maryland income tax under specified circumstances for specified retirement income attributable to a resident's employment as a law enforcement or correctional officer or the individual's service as fire, rescue, or emergency services personnel; and applying the Act to taxable years beginning after December 31, 2014.

EFFECTIVE JULY 1, 2015

TG, § 10-209 - amended

Assigned to: Ways and Means

**HB 100 Delegate Hammen**DEVELOPMENTAL DISABILITIES ADMINISTRATION – MEDICAID  
FAIR HEARINGS

Requiring the Department of Health and Mental Hygiene to provide notice and an opportunity for a Medicaid fair hearing to specified applicants and recipients of Developmental Disabilities Administration Medicaid waiver services; etc.

EFFECTIVE JULY 1, 2015

HG, § 7-406 - amended

Assigned to: Health and Government Operations

**HB 101 Delegate Anderson****BALTIMORE CITY SCHOOL POLICE FORCE – CARRYING OF FIREARMS – SCOPE**

Authorizing a Baltimore City school police officer to carry a firearm on the premises of a Baltimore City public school and any other property used for an educational purpose owned, leased, or operated by, or under the control of the Baltimore City Board of School Commissioners; etc.

EFFECTIVE JULY 1, 2015

ED, § 4-318(d) - amended

Assigned to: Judiciary

**HB 102 Delegates Dumais and Smith****CIVIL ACTION – WRONGFULLY SELLING OR FURNISHING ALCOHOLIC BEVERAGES**

Providing that a civil action for specified damages may be brought under specified circumstances against an alcoholic beverages licensee or the licensee's employee who sells or furnishes alcoholic beverages to an individual who was visibly under the influence of alcoholic beverages and who negligently drove or attempted to drive a motor vehicle after consuming the alcoholic beverages; etc.

EFFECTIVE OCTOBER 1, 2015

CJ, §§ 3-2101 through 3-2105 - added and § 5-105 - amended

Assigned to: Judiciary

**HB 103 Delegate S. Robinson****CHESAPEAKE BAY TRUST – RESTRICTIONS ON INVESTMENTS – REPEAL**

Repealing specified restrictions on investments of money of the Chesapeake Bay Trust.

EFFECTIVE OCTOBER 1, 2015

NR, § 8-1909 - amended

Assigned to: Environment and Transportation

**HB 104**    **Montgomery County Delegation**

MONTGOMERY COUNTY – TRANSIT AUTHORITY MC 24–15

Authorizing the governing body of Montgomery County to create, by local law, a Transit Authority to perform county transit functions as an instrumentality of the county and body corporate and politic and to create a special taxing district, impose a specified special tax, specify the organization and powers of the Transit Authority, establish a specified budget process for the Transit Authority, and specify other matters related to the Transit Authority; etc.

EFFECTIVE JUNE 1, 2015

LG, § 21-703 and CJ, § 5-301(d)(30) - added and CJ, § 5-301(d)(28) and (29) - amended

Assigned to: Environment and Transportation and Ways and Means

**HB 105**    **Delegate Anderson, et al**

CRIMINAL LAW – DRUG PARAPHERNALIA POSSESSION WITH MARIJUANA – CIVIL OFFENSE

Altering the penalty for the possession or use of drug paraphernalia involving the use or possession of less than 10 grams of marijuana; making the use or possession of drug paraphernalia under specified circumstances a civil offense; establishing that a person who violates the Act may be issued a specified citation; requiring the court to summon a specified person to appear in court under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2015

CJ, §§ 3-8A-01(dd), 3-8A-33(a), and 7-302(g) and CR, §§ 5-601.1, 5-619, and 5-620 - amended

Assigned to: Judiciary

**HB 106**    **Montgomery County Delegation**

MONTGOMERY COUNTY – ILLEGAL DUMPING AND LITTER CONTROL LAW – ADOPTION OF LOCAL ORDINANCE MC 11–15

Authorizing the governing body of Montgomery County to adopt an ordinance to prohibit littering under the Illegal Dumping and Litter Control Law and to impose specified criminal and civil penalties.

EFFECTIVE OCTOBER 1, 2015

CR, § 10-110(j) - amended

Assigned to: Environment and Transportation

**HB 107**    **Montgomery County Delegation****MEDICAL PROFESSIONAL LIABILITY INSURANCE FOR NONPROFIT HEALTH CARE PROVIDERS MC 4–15**

Requiring counties to provide medical professional liability insurance for specified nonprofit health care providers in the amount of \$200,000 per occurrence or claim, and \$500,000 per total claims that arise from the same occurrence; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2015

IN, § 19-104.2 - added

Assigned to: Economic Matters

**HB 108**    **Delegates Luedtke and Frush****TOBACCO TAXES – HEALTHY MARYLAND INITIATIVE**

Altering specified fees for licenses for tobacco manufacturers, retailers, and storage warehouses; altering specified fees for licenses for other tobacco products manufacturers, retailers, tobacconists, and storage warehouses; requiring a specified level of funding for the Tobacco Use Prevention and Cessation Program; altering the tobacco tax rates on cigarettes and other tobacco products; requiring a person to obtain specified permits before selling and shipping directly to a consumer in the State; etc.

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

EFFECTIVE JULY 1, 2015

BR, HG, and TG, Various Sections - amended and BR, §§ 16.7-101 through 16.7-114 and TG, § 12-204 - added

Assigned to: Ways and Means and Economic Matters

**HB 109**    **Delegates Dumais and Vallario****GUARDIANSHIP OF THE PERSON – DISABLED PERSONS – ATTORNEY’S FEES**

Authorizing a court to order payment of specified attorney’s fees in a proceeding for the appointment of a guardian of the person of a disabled person under specified circumstances; authorizing a court to require the deposit of a specified sum of money in an attorney’s escrow account when the court appoints an attorney to represent an alleged disabled person in a guardianship proceeding.

EFFECTIVE OCTOBER 1, 2015

ET, §§ 13-704 and 13-705(d) - amended

Assigned to: Health and Government Operations

**HB 110 The Speaker (By Request – Administration)****CREATION OF A STATE DEBT – QUALIFIED ZONE ACADEMY BONDS**

Authorizing the creation of a State Debt in the amount of \$4,625,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for the renovation, repair, and capital improvements of qualified zone academies; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for specified purposes, subject to a requirement that the grantees document the provision of a required matching fund; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Appropriations