



SYNOPSIS

Senate Bills and Joint Resolutions
2015 Maryland General Assembly Session

January 30, 2015
Schedule 13

PLEASE NOTE: February 6 – Bill introduction deadline.
All bills should be given to the Secretary of the Senate's office by 5:00 P.M. on Monday, February 9.
As required by Senate Rule 32(b), bills introduced after this date will be referred to the Senate Rules Committee.

SENATE BILLS INTRODUCED January 30, 2015

SB 158 **Senator Simonaire**

HEALTH – MEDICAL PROCEDURES – ULTRASOUND OPTIONS

Requiring physicians, under specified circumstances, to provide a pregnant woman the opportunity to view the active ultrasound image of the embryo or fetus before the performance or inducement of an abortion; and requiring a physician to allow the pregnant woman to view the ultrasound image at no additional charge.

EFFECTIVE OCTOBER 1, 2015

HG, § 20-210 - added

Assigned to: Finance

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

SB 159 Senator Montgomery, et al**FUNERAL ESTABLISHMENTS – PRE-NEED CONTRACTS –
REPORTING AND AUDIT REQUIREMENTS**

Authorizing a specified buyer or beneficiary of a pre-need contract to contact the Maryland State Board of Morticians and Funeral Directors and request the Board to conduct an audit of specified licensees; requiring the Board to conduct a specified audit within 30 days after a specified request; requiring a specified disclosure statement for a pre-need contract to state that the buyer or beneficiary of the pre-need contract is authorized to contact the Board and request a specified audit; etc.

EFFECTIVE OCTOBER 1, 2015

HO, §§ 7-205(b) and 7-405(b) and (c) - amended and §§ 7-205(d) and 7-405(i) - added

Assigned to: Education, Health, and Environmental Affairs

SB 160 Senator Montgomery, et al**STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS –
CEASE AND DESIST ORDERS AND INJUNCTIVE RELIEF –
AUTHORITY**

Authorizing the State Board of Morticians and Funeral Directors to issue a cease and desist order or obtain injunctive relief for specified violations of specified provisions of law; and making a technical correction.

EFFECTIVE OCTOBER 1, 2015

HO, § 7-316.1 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 161 Senator Simonaire**GENERAL ASSEMBLY – LEGISLATORS’ RIGHT TO VOTE ACT**

Proposing an amendment to the Maryland Constitution prohibiting a member of the General Assembly from being expelled from or denied voting rights on the standing committee on which the member serves except under specified circumstances; submitting an amendment to the Maryland Constitution to the qualified voters of the State for their adoption or rejection; providing for the effective dates of specified provisions of the Act; etc.

**CONSTITUTIONAL AMENDMENT – CONTINGENT – VARIOUS
EFFECTIVE DATES**

Maryland Constitution, Art. III, § 19 and SG, § 2-1101 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 162 Senator Nathan–Pulliam, et al**TASK FORCE TO STUDY REGULATION OF TELETHERAPY**

Establishing the Task Force to Study Regulation of Teletherapy; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation, but authorizing the reimbursement of expenses; requiring the Task Force to study and make recommendations on specified matters; and requiring the Task Force to submit an interim report on or before December 1, 2015, and a final report on or before December 1, 2016, on its findings and recommendations.

EFFECTIVE JULY 1, 2015

Assigned to: Education, Health, and Environmental Affairs

SB 163 Senator Nathan–Pulliam, et al**AGRICULTURE – NEONICOTINOID PESTICIDE – LABELING REQUIREMENT (POLLINATOR PROTECTION ACT OF 2015)**

Prohibiting a person from selling in the State specified seeds, material, and plants that have been treated with a neonicotinoid pesticide unless the seeds, material, and plants bear a label with a specified statement; prohibiting a person from selling in the State, on or after January 1, 2016, a neonicotinoid pesticide unless the person also sells a restricted–use pesticide; prohibiting a person, except specified individuals, from using a neonicotinoid pesticide on or after January 1, 2016; etc.

EFFECTIVE OCTOBER 1, 2015

AG, §§ 5-2A-01 and 5-2A-02 - added

Assigned to: Education, Health, and Environmental Affairs

SB 164 Senator Pugh, et al**TRUANT STUDENTS – SYSTEM OF ACTIVE INTERVENTION – REQUIREMENTS**

Requiring the system of active intervention for specified truant students developed by each county board of education to include an Individualized Reengagement Plan for each truant student, coordination and collaboration with State and municipal agencies to deliver services, creation of a database to track truant students, and a specific plan for each public school to reengage truant students; requiring the Individualized Reengagement Plan to be developed by specified individuals using a specified process; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2015

ED, § 7-302.2 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 165 **Senator Feldman, et al**

STATE RETIREMENT AND PENSION SYSTEM – CONSTITUTIONAL OFFICERS – FORFEITURE OF BENEFITS

Prohibiting the payment of retirement benefits payable from the State Retirement and Pension System to specified constitutional officers who are convicted of or enter a plea of nolo contendere for specified crimes; requiring a specified court to order the forfeiture of specified retirement benefits under specified circumstances; requiring a specified court to order the restoration of specified retirement benefits under specified circumstances; etc.

EFFECTIVE JULY 1, 2015

SP, § 21-701 - added

Assigned to: Budget and Taxation

SB 166 **Senator Feldman, et al**

GENERAL ASSEMBLY – SPECIAL ELECTION TO FILL A VACANCY IN OFFICE

Proposing an amendment to the Maryland Constitution authorizing the counties and the Mayor and City Council of Baltimore to enact legislation authorizing a special election to fill a vacancy in the office of Delegate or Senator; establishing that if a vacancy occurs by January 1 of the year immediately following the year that the Delegate or Senator takes office and a special election is authorized, the special election shall coincide with the next ensuing regular presidential and congressional election; etc.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Constitution of Maryland, Art. III, §§ 6, 7, and 13 and Art. XVII, §§ 1 through 3 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 167 **Chair, Anne Arundel County Senators**

ANNE ARUNDEL COUNTY – POLICE OFFICERS – SECONDARY EMPLOYMENT

Authorizing Anne Arundel County to enact a local law that authorizes secondary employment of county police officers.

EFFECTIVE OCTOBER 1, 2015

GP, § 5-811.1 - added

Assigned to: Finance

SB 168 Senator Feldman, et al

CRIMINAL PROCEDURE – EXPUNGEMENT – MARIJUANA POSSESSION

Authorizing a person to file a specified petition for expungement if the person was convicted of a specified crime involving the use or possession of less than 10 grams of marijuana; and excluding specified charges involving less than 10 grams of marijuana that arise from the same incident, transaction, or set of facts as another charge from a specified unit for the purposes of a specified petition for expungement.

EFFECTIVE OCTOBER 1, 2015

CP, § 10-105 and § 10-107 - amended

Assigned to: Judicial Proceedings

SB 169 Senator Gladden (By Request – Baltimore City Administration)

CRIMINAL PROCEDURE – WARRANTLESS ARRESTS – ASSAULT ON BALTIMORE CITY SPECIAL ENFORCEMENT OFFICER

Expanding the authority of a police officer without a warrant to arrest a person suspected of committing a specified assault against a specified Baltimore City special parking enforcement officer or special traffic enforcement officer engaged in the performance of the officer's official duties.

EFFECTIVE OCTOBER 1, 2015

CP, § 2-203(b)(10) and (11) - amended and § 2-203(b)(12) - added

Assigned to: Judicial Proceedings

SB 170 Senator Gladden

CREATION OF A STATE DEBT – BALTIMORE CITY – TUTTIE'S PLACE

Authorizing the creation of a State Debt not to exceed \$85,000, the proceeds to be used as a grant to the Board of Directors of the TuT's, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the TuTTie's Place facility, located in Baltimore City; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Budget and Taxation

SB 171 Senator Gladden**PROGRAM OPEN SPACE – BALTIMORE CITY – PURCHASE TALBOT ROAD PROPERTY**

Requiring the Mayor and City Council of Baltimore City to use a portion of specified Program Open Space funding for grants to acquire property in the Windsor Hills area of Baltimore City that will protect and enhance Gwynns Falls/Leakin Park and associated conservation trails; providing that Baltimore City may not use specified grant funds for any other purpose until the specified property is acquired; requiring the Department of Natural Resources to determine when a specified requirement is met; etc.

Preliminary analysis: local government mandate

EFFECTIVE JUNE 1, 2015

Assigned to: Education, Health, and Environmental Affairs

SB 172 Senator Gladden**JUVENILES – TRANSFER DETERMINATIONS – CONFINEMENT IN JUVENILE FACILITIES**

Requiring a court exercising criminal jurisdiction in a case involving a child, or the District Court at a bail review or preliminary hearing involving a child, to order a specified child to be held in a secure juvenile facility pending a specified transfer determination except under specified circumstances.

EFFECTIVE OCTOBER 1, 2015

CP, § 4-202 - amended

Assigned to: Judicial Proceedings

SB 173 Senator Gladden**PUBLIC SAFETY – SWAT TEAM – DEPLOYMENT AND REPORTING**

Authorizing the deployment of a SWAT team only under specified circumstances; requiring a law enforcement agency to create a specified report before the deployment of a SWAT team, with a specified exception; requiring, at specified intervals beginning on a specified date, a law enforcement agency that maintains a SWAT team to report specified information to the Governor's Office of Crime Control and Prevention using a specified format; etc.

EFFECTIVE JULY 1, 2015

PS, § 3-507 - added

Assigned to: Judicial Proceedings

SB 174 Senator Eckardt**BEHAVIORAL HEALTH ADMINISTRATION – BEHAVIORAL HEALTH ADVISORY COUNCIL**

Establishing the Behavioral Health Advisory Council in the Office of the Governor; providing for the purpose, duties, and membership of the Council; requiring the Council to appoint the chair of the Council; providing for the terms of members; authorizing the Council to adopt specified procedures; authorizing the chair to designate specified individuals to serve on a committee or task force of the Council; requiring the submission of an annual report to the Governor and General Assembly on or before December 31 of each year; etc.

EFFECTIVE OCTOBER 1, 2015

HG and SG, Various Sections - added, amended, and repealed

Assigned to: Finance

SB 175 Senator Manno, et al**PUBLIC HEALTH – SALES RECEIPTS CONTAINING BISPHENOL-A – PROHIBITION**

Prohibiting a person from manufacturing, knowingly selling, or distributing in commerce any sales receipt containing bisphenol-A on or after January 1, 2017, except under specified circumstances; requiring a person to use a safe and legal alternative when replacing bisphenol-A in sales receipts; prohibiting a person from replacing bisphenol-A in sales receipts with specified carcinogens or reproductive toxicants; etc.

EFFECTIVE OCTOBER 1, 2015

HG, § 24-304 - amended

Assigned to: Finance

SB 176 Senator Kagan**CREATION OF A STATE DEBT – MONTGOMERY COUNTY – F. SCOTT FITZGERALD THEATRE AND SOCIAL HALL**

Authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Rockville for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the F. Scott Fitzgerald Theatre and Social Hall facility, 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: Budget and Taxation

SB 177 **Senator Kasemeyer**

ESTATE TAX – FILING OF TAX RETURNS

Altering specified requirements for filing specified estate tax returns so as to require them to be filed 9 months after the date of death of the decedent and with the Comptroller only.

EFFECTIVE JULY 1, 2015

TG, § 7-305(a) and (b) - amended

Assigned to: Budget and Taxation

SB 178 **Senator Kasemeyer**

ESTATE TAX – ALTERNATIVE PAYMENT SCHEDULE – PENALTY PROHIBITION

Prohibiting a specified penalty for late payment of the Maryland estate tax if an alternative payment schedule is allowed by the Comptroller and the tax is paid in accordance with the alternative payment schedule; and providing that the Act will apply to an estate that applies for an alternative payment schedule for payment of the Maryland estate tax on or after July 1, 2015, and receives approval by the Comptroller to pay the estate tax in accordance with an alternative payment schedule.

EFFECTIVE JULY 1, 2015

TG, § 7-307 - amended

Assigned to: Budget and Taxation

SB 179 **Senator Pinsky, et al**

BUSINESS RELIEF AND TAX FAIRNESS ACT OF 2015

Prohibiting the State Department of Assessments and Taxation from imposing a fee for the filing of specified documents by corporations or business entities with 10 or fewer employees; requiring specified corporations to compute Maryland taxable income using a specified combined reporting method; requiring, subject to specified regulations, specified groups of corporations to file a combined income tax return reflecting the aggregate income tax liability of all the members of the group; etc.

EFFECTIVE JULY 1, 2015

CA, § 1-203(b)(3)(ii) and TG, § 10-811 - amended and TG, §§ 10-402.1 and 10-402.2 - added

Assigned to: Budget and Taxation

SB 180 **Senator Manno, et al**

GENERAL PROVISIONS – COMMEMORATIVE DAYS – NATIONAL HEALTHCARE DECISIONS DAY

Requiring the Governor annually to proclaim April 16 as National Healthcare Decisions Day.

EFFECTIVE OCTOBER 1, 2015

GP, § 7-404 - added

Assigned to: Education, Health, and Environmental Affairs

SB 181 **Senator Manno, et al**

TRANSPORTATION – HIGHWAY USER REVENUES – PHASED RESTORATION

Increasing the portion of highway user revenues that is distributed to local governments; altering the allocation of the local share of highway user revenues among Baltimore City, counties, and municipalities; etc.

EFFECTIVE JULY 1, 2015

TR, §§ 8-402 and 8-403 - amended

Assigned to: Budget and Taxation

SB 182 **Senator King, et al**

VIDEO LOTTERY TERMINAL REVENUES – PURSE DEDICATION ACCOUNT – STANDARD BRED RACETRACK OPERATING ASSISTANCE

Extending through calendar year 2019 the authorization to use specified Purse Dedication Account funds generated from video lottery proceeds for operating assistance by the Ocean Downs Race Course and Rosecroft Raceway to support a minimum of 40 live racing days at each race course.

EFFECTIVE OCTOBER 1, 2015

SG, § 9-1A-28(g)(1) - amended

Assigned to: Budget and Taxation

SB 183 **Senator King, et al**EDUCATION – GEOGRAPHIC COST OF EDUCATION –
REQUIREMENT

Requiring that the county boards of education receive a specified grant to reflect regional differences in the cost of education that are due to factors outside of the control of the local jurisdiction; and repealing a provision that allowed for the reduction of a grant under specified circumstances.

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

EFFECTIVE JULY 1, 2015

ED, § 5-202(f) - amended

Assigned to: Budget and Taxation

SB 184 **Senator King, et al**

CRIMINAL LAW – GAMING – HOME GAMES

Allowing a person to conduct a home game that is a game of chance or skill involving wagering that is conducted in a person's home and allows a player to compete directly against one or more other players; prohibiting a person from conducting a home game involving a player's use of an electronic device that connects to the Internet; and prohibiting a person from benefiting financially in any way, directly or indirectly, other than from winnings accrued by participating as a player in a game.

EFFECTIVE OCTOBER 1, 2015

CR, §§ 12-102(a) and 13-203 - amended

Assigned to: Judicial Proceedings