



SYNOPSIS

House Bills and Joint Resolutions
2017 Maryland General Assembly Session

January 26, 2017
Schedule 10

PLEASE NOTE: February 10 – Bill introduction deadline.
All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 9.
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 26, 2017

HB 390 **The Speaker (By Request – Administration), et al**

IMPROVING THE STATE PROCUREMENT OVERSIGHT STRUCTURE

Renaming the Procurement Advisory Council and altering the membership and duties of the Council; repealing a specified provision of law relating to prequalification of bidders and offerors; increasing from \$100,000 to \$200,000 the total value of specified contracts, leases, or other agreements that require a business to file a specified disclosure with the Secretary of State; providing that a decision not to pay a contract claim is a final action for the purpose of a specified appeal; etc.

EFFECTIVE OCTOBER 1, 2017

SF, §§ 12-102(a)(2)(xv), 12-105, 13-221, and 15-218 - amended and § 13-204 - repealed

Assigned to: Health and Government Operations

Department of Legislative Services

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HB 391 Howard County Delegation

CREATION OF A STATE DEBT – HOWARD COUNTY – HARRIET TUBMAN COMMUNITY CENTER AND MUSEUM HO. CO. 6-17

Authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Harriet Tubman Community Center and Museum, located in Howard 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, 2017

Assigned to: Appropriations

HB 392 Delegates Krimm and Chang

HIGHER EDUCATION – SENATORIAL AND DELEGATE SCHOLARSHIPS – ALLOCATION OF UNUSED FUNDS

Authorizing Senators and Delegates to use unspent Senatorial and Delegate scholarship money to reimburse specified county boards of education for expenditures made on behalf of dually enrolled students; etc.

EFFECTIVE OCTOBER 1, 2017

ED, §§ 18-407(d), 18-506, and 18-507 - amended and § 18-501(d) - added

Assigned to: Ways and Means

HB 393 Delegate Dumais, et al

MANSLAUGHTER AND HOMICIDE BY VEHICLE OR VESSEL – PENALTIES

Increasing the maximum terms of imprisonment for the crimes of manslaughter by vehicle or vessel, homicide by vehicle or vessel while under the influence of alcohol or under the influence of alcohol per se, homicide by vehicle or vessel while impaired by alcohol, homicide by vehicle or vessel while impaired by drugs, and homicide by vehicle or vessel while impaired by a controlled dangerous substance.

EFFECTIVE OCTOBER 1, 2017

CR, Various Sections - amended

Assigned to: Judiciary

HB 394 The Speaker (By Request – Administration), et al**MORE JOBS FOR MARYLANDERS ACT OF 2017**

Establishing the More Jobs for Marylanders Program within the Department of Commerce; requiring the Department to administer the Program; providing that specified business entities certified to participate in the Program are exempt from specified fees and the sales tax imposed on specified purchases; allowing, under specified circumstances, specified business entities a credit against the State income and property taxes; exempting specified business entities from specified expensing and depreciation subtraction modifications; etc.

EFFECTIVE JUNE 1, 2017

EC, §§ 6-801 through 6-809, TG, §§ 10-741 & 11-233, & TP, § 9-110 - added & CA, § 1-203.1 & TG, § 10-210.1(a) & (b)(1) & (3) - amended

Assigned to: Ways and Means

HB 395 Delegate Kelly, et al**CHILD CARE SUBSIDY PROGRAM – ALTERNATIVE METHODOLOGY – REPORT**

Requiring the State Department of Education to report to specified committees of the General Assembly on or before October 1, 2017 on methodologies to set child care subsidy reimbursement rates in the Child Care Subsidy Program; and requiring the report to contain specified information.

EFFECTIVE JULY 1, 2017

Assigned to: Appropriations

HB 396 Frederick County Delegation**FREDERICK COUNTY – ALCOHOLIC BEVERAGES – CIGAR SHOP LICENSES**

Establishing a cigar shop beer, wine, and liquor license in Frederick County; authorizing the Board of License Commissioners to issue the license to a specified establishment; specifying that the license authorizes the license holder to sell beer, wine, and liquor to a cigar shop customer for consumption in the smoking room of the cigar shop; prohibiting the average daily receipts from the sale of alcoholic beverages at the cigar shop from exceeding a specified amount; providing for an annual fee of \$500; etc.

EFFECTIVE JULY 1, 2017

AB, § 20-1002.1 - added

Assigned to: Economic Matters

HB 397 **Montgomery County Delegation**

MONTGOMERY COUNTY – ALCOHOLIC BEVERAGES – LICENSES
MC 17–17

Authorizing a holder of a Class 7 micro–brewery license to obtain a second location in the State to brew and bottle the malt beverages produced at the first microbrewery location; exempting the holder of a Class 7 brewery license in Montgomery County from a specified provision of law; etc.

EFFECTIVE JULY 1, 2017

AB, § 25-405 - amended

Assigned to: Economic Matters

HB 398 **Delegate K. Young, et al**

LABOR AND EMPLOYMENT – EQUAL PAY – JOB ANNOUNCEMENT
AND SALARY HISTORY INFORMATION DISCLOSURES

Requiring employers with 15 or more employees to include specified information in a job announcement to recruit an employee or independent contractor to fill a position within the employer’s organization; prohibiting specified employers from paying less than the minimum rate of pay included in a specified job announcement to a specified employee; prohibiting specified employers from seeking salary history information for an employee by specified methods; etc.

EFFECTIVE OCTOBER 1, 2017

LE, § 3-304.1 - amended and § 3-304.2 - added

Assigned to: Economic Matters

HB 399 **The Speaker (By Request – Administration), et al**

STUDENT DEBT RELIEF ACT OF 2017

Allowing a subtraction modification under the State income tax for the amount of interest paid by a qualified taxpayer on qualified student loans; requiring the Comptroller to adopt specified regulations; applying the Act to taxable years beginning after December 31, 2017; etc.

EFFECTIVE JULY 1, 2017

TG, § 10-208(w) - added

Assigned to: Ways and Means

HB 400 Delegate Beidle, et al**EDUCATION – PUBLIC SCHOOL HOLIDAYS – PRESIDENTS’ DAY AND EASTER MONDAY**

Repealing the requirement that Presidents’ Day and the Monday after Easter be public school holidays; and authorizing a county board of education to designate Presidents’ Day and the Monday after Easter as public school holidays.

EFFECTIVE JULY 1, 2017

ED, § 7-103(c) - amended

Assigned to: Ways and Means

HB 401 Delegate Anderson, et al**CRIMINAL PROCEDURE – LIFE WITHOUT PAROLE – IMPOSITION**

Prohibiting a court from imposing a sentence of life imprisonment without the possibility of parole on an individual who was under the age of 18 years at the time the offense was committed.

EFFECTIVE OCTOBER 1, 2017

CR, § 1-402 - added

Assigned to: Judiciary

HB 402 The Speaker (By Request – Administration), et al**REPEAL OF THE MARYLAND OPEN TRANSPORTATION INVESTMENT DECISION ACT OF 2016 (ROAD KILL BILL REPEAL)**

Repealing specified State transportation goals; repealing a requirement that the Department of Transportation score the extent to which specified transportation projects satisfy the goals; repealing a requirement that the Department develop a specified scoring system and promulgate specified regulations; repealing a requirement that the Department, in accordance with the specified scoring system, rank major transportation projects for inclusion in the draft and final Consolidated Transportation Program; etc.

EMERGENCY BILL

Chapter 36 of the Acts of 2016 - repealed

Assigned to: Appropriations and Environment and Transportation

HB 403 Delegate Pendergrass**MARYLAND PATIENT REFERRAL LAW – COMPENSATION ARRANGEMENTS UNDER FEDERALLY APPROVED PROGRAMS AND MODELS**

Exempting, under specified circumstances, a health care practitioner who has a specified compensation arrangement with a health care entity from a provision of law that prohibits a health care practitioner from referring a patient or directing specified persons to refer a patient to a specified health care entity; providing that the exemption is null and void if the Maryland Insurance Commissioner issues a specified order; etc.

EFFECTIVE OCTOBER 1, 2017

HO, §§ 1-301(c), (k), and (l) and 1-302 - amended and HO, § 1-301(k) and IN, §§ 2-112(a)(12) and 15-143 - added

Assigned to: Health and Government Operations

HB 404 St. Mary's County Delegation**ST. MARY'S COUNTY – LAND RECORDS – REPEAL**

Repealing a specified provision of law concerning the preparation of specified documents submitted for inclusion in the land records of St. Mary's County.

EFFECTIVE OCTOBER 1, 2017

PLL of St. Mary's Co, Art. 19, § 73-1 - repealed

Assigned to: Environment and Transportation

HB 405 Delegate Anderson (By Request – Baltimore City Administration)**PLUMBING AND HEATING, VENTILATION, AIR-CONDITIONING, AND REFRIGERATION INSPECTORS – QUALIFICATIONS**

Providing an exception to the authority of a county or local government to employ only plumbing inspectors who hold a master plumbing license issued by specified entities; authorizing a county or local government to hire plumbing inspectors who obtain certification by the International Code Council as a mechanical inspector within 6 months of being hired; providing that plumbing and HVAC inspectors must have at least 5 years of experience before being appointed or employed; etc.

EFFECTIVE OCTOBER 1, 2017

BOP, § 12-503(b) and BR, § 9A-403(a) - amended

Assigned to: Economic Matters

HB 406 The Speaker (By Request – Administration), et al**CLEAN CARS ACT OF 2017**

Extending to fiscal year 2020 the Electric Vehicle Recharging Equipment Rebate Program and authorization to issue motor vehicle excise tax credits for specified qualified plug-in electric drive vehicles; increasing the total amount of rebates from up to \$600,000 to a maximum of \$1,200,000; increasing the amount required to be transferred from the Strategic Energy Investment Fund to the Transportation Trust Fund; increasing the amount of motor vehicle excise tax credits that may be issued during a fiscal year; etc.

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

EFFECTIVE JULY 1, 2017

SG, § 9-2009, TR, § 13-815, Chapter 359 of the Acts of 2014, § 2, and Chapter 360 of the Acts of 2014, § 2 - amended

Assigned to: Environment and Transportation

HB 407 Howard County Delegation**CREATION OF A STATE DEBT – HOWARD COUNTY – THE ARC OF HOWARD COUNTY HVAC SYSTEM REPLACEMENT HO. CO. 3-17**

Authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of The Arc of Howard County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the HVAC system at The Arc of Howard County, located in Howard 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, 2017

Assigned to: Appropriations

HB 408 Delegate Dumais**CRIMINAL PROCEDURE – CHARGING PROCEDURES AND DOCUMENTS – CITATION**

Modifying the categories of offenses for which a police officer is required to charge by citation; repealing a provision of law authorizing a police officer to charge by citation for specified offenses; and modifying the circumstances under which a police officer may charge a defendant by citation to include a defendant subject to arrest for another alleged misdemeanor involving serious injury or immediate health risk, an alleged felony related to the same incident, or an open warrant.

EFFECTIVE OCTOBER 1, 2017

CP, § 4-101(c) - amended

Assigned to: Judiciary

HB 409 Delegate Grammer**BALTIMORE COUNTY – FREEDOM IN BREWING ACT**

Authorizing a holder of a Class 5 brewery license in Baltimore County to sell at retail kegs of beer for off-premises consumption to individuals who have attained the legal drinking age; authorizing an individual who has attained the legal drinking age to purchase a keg of beer from a holder of a Class 5 brewery license in Baltimore County; authorizing a holder of a Class 7 micro-brewery license in Baltimore County to sell at retail kegs of beer for off-premises consumption to individuals who are of the legal drinking age; etc.

EFFECTIVE JULY 1, 2017

AB, § 13-401 - amended and §§ 13-403 and 13-404 - added

Assigned to: Economic Matters

HB 410 The Speaker (By Request – Administration), et al**ECONOMIC DEVELOPMENT – MARYLAND ENERGY INNOVATION INSTITUTE**

Establishing a Maryland Energy Innovation Institute for specified purposes; providing that the Institute is a part of the A. James Clark School of Engineering; establishing the purposes of the Institute; establishing an Advisory Board for the Institute; providing for the membership, terms, powers, and officers of the Institute Board; establishing the Maryland Energy Innovation Fund to be used by the Institute and the Maryland Clean Energy Center for specified purposes; altering the purposes of the Center; etc.

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

EFFECTIVE JULY 1, 2017

EC, Various Sections - amended, repealed, and added and SF, § 6-226(a)(2)(ii)94. and 95. - amended and § 6-226(a)(2)(ii)96. - added

Assigned to: Economic Matters and Appropriations

HB 411 Delegates West and Aumann**STATE HIGHWAY ADMINISTRATION – TRAFFIC CONTROL DEVICES – INSTALLATION AT LARGE CONTINUING CARE RETIREMENT COMMUNITIES**

Requiring the State Highway Administration to place and maintain traffic control devices at specified entrances and exits of large continuing care retirement communities, those serving at least 100 residents, and located along highways under the Administration's jurisdiction; requiring the Administration to provide a specified notice to the owner or manager of the large continuing care retirement community at least 30 days before installation of the traffic control device is scheduled to begin; etc.

EFFECTIVE OCTOBER 1, 2017

TR, § 25-106.2 - added

Assigned to: Environment and Transportation

HB 412 Delegate West, et al**COMMERCIAL LAW – UNIFORM COMMERCIAL CODE – REPEAL OF TITLE 6**

Repealing Title 6 of the Maryland Uniform Commercial Code governing bulk transfers; making specified conforming changes; and providing that the rights and obligations that arose under Title 6 of the Maryland Uniform Commercial Code before its repeal by the Act remain valid and may be enforced as though Title 6 had not been repealed.

EFFECTIVE OCTOBER 1, 2017

CL, §§ 1-301(c) and 2-403(4) - amended and §§ 6-101 through 6-111 - repealed
Assigned to: Economic Matters

HB 413 The Speaker (By Request – Administration), et al**PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH (P-TECH) SCHOOL ACT OF 2017**

Establishing the Pathways in Technology Early College High (P-TECH) School Program; requiring the State Department of Education, in consultation with the Maryland Higher Education Commission, to administer and develop the Program; requiring P-TECH students to be included in the full-time equivalent enrollment calculation for primary and secondary education and requiring the funding calculation for credit hours at a community college to include P-TECH students; etc.

Preliminary analysis: local government mandate

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

EFFECTIVE JULY 1, 2017

ED, §§ 5-202(a)(6), 7-1801, and 16-305(b)(12) - amended and §§ 7-1802 through 7-1806 - added

Assigned to: Ways and Means and Appropriations

HB 414 Delegates Barkley and W. Miller**GAS COMPANIES – RATE REGULATION – ENVIRONMENTAL REMEDIATION COSTS**

Authorizing the Public Service Commission, when determining specified expenses while setting a just and reasonable rate for a gas company, to include all costs reasonably incurred by the gas company for performing environmental remediation of real property in response to a State or federal law, regulation, or order under specified conditions; authorizing that specified environmental remediation costs be included in a gas company's specified expenses regardless of specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2017

PU, § 4-211 - added

Assigned to: Economic Matters

HB 415 Delegate Malone, et al**CREATION OF A STATE DEBT – ANNE ARUNDEL COUNTY – WOODS COMMUNITY CENTER**

Authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Woods Community Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Woods Community Center, located in Anne Arundel 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, 2017

Assigned to: Appropriations

HB 416 Delegate Moon, et al**FAMILY LAW – PROTECTING THE RESOURCES OF CHILDREN IN STATE CUSTODY**

Requiring the Department of Human Resources to take specified actions in the best interests of the child when serving as a representative payee or fiduciary for specified federal benefits for a child in the Department's custody; requiring the Department to provide immediate notification to the child, through the child's attorney, of specified actions taken with respect to specified benefits for the child; etc.

EFFECTIVE OCTOBER 1, 2017

FL, § 5-527.1 - added

Assigned to: Judiciary

HB 417 The Speaker (By Request – Administration), et al**CLEAN WATER COMMERCE ACT OF 2017**

Authorizing funds in the Bay Restoration Fund to be used for the costs associated with the purchase of specified nutrient credits, not to exceed \$10,000,000 per year; and requiring the Department of the Environment to consult with the Secretary of Agriculture and the Secretary of Natural Resources when developing specified regulations.

EFFECTIVE JULY 1, 2017

EN, § 9-1605.2(i)(2) and (l) - amended

Assigned to: Environment and Transportation

HB 418 Delegate Kelly, et al**CHILD CARE SUBSIDY PROGRAM – REIMBURSEMENT RATE ADJUSTMENTS**

Requiring the State Department of Education to conduct a specified analysis regarding the Child Care Subsidy Program beginning in 2017 and every 2 years thereafter; requiring the Department to consult with specified entities before conducting a specified analysis; and requiring the Department to report to specified committees of the General Assembly on or before September 1, 2017, and by September 1 every 2 years thereafter.

EFFECTIVE JULY 1, 2017

ED, § 9.5-111 - added

Assigned to: Appropriations

HB 419 Howard County Delegation**CREATION OF A STATE DEBT – HOWARD COUNTY – ELLICOTT CITY AREA FLOOD MITIGATION HO. CO. 7-17**

Authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of stormwater controls and flood management systems in Historic Ellicott City and surrounding areas, located in Howard County; providing for disbursement of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2017

Assigned to: Appropriations

HB 420 The Speaker (By Request – Administration)

COMMONSENSE SPENDING ACT OF 2017

Providing that, beginning in fiscal year 2019, any appropriation that is mandated by law is required to have its mandated level of spending increased by the lesser of the amount of the existing formula or 1% less than the amount of General Fund revenue growth in a specified report submitted by the Board of Revenue Estimates; providing that the General Assembly may not enact specified legislation that creates a specified mandated level of funding except under specified circumstances; etc.

EFFECTIVE JUNE 1, 2017

Assigned to: Appropriations

HB 421 Howard County Delegation

CREATION OF A STATE DEBT – HOWARD COUNTY – PHILLIPS SCHOOL COMMERCIAL KITCHEN HO. CO. 4–17

Authorizing the creation of a State Debt not to exceed \$175,000, the proceeds to be used as a grant to the Board of Trustees of PHILLIPS Programs Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of a commercial kitchen at PHILLIPS School, located in Howard 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, 2017

Assigned to: Appropriations

HB 422 Howard County Delegation

CREATION OF A STATE DEBT – HOWARD COUNTY – CARROLLTON HALL RESTORATION HO. CO. 2–17

Authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Carrollton Hall, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of Carrollton Hall and the surrounding grounds, located in Howard 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, 2017

Assigned to: Appropriations

HB 423 Howard County Delegation**CREATION OF A STATE DEBT – HOWARD COUNTY – MANNEQART MUSEUM AND MARYLAND FASHION INSTITUTE HO. CO. 5–17**

Authorizing the creation of a State Debt not to exceed \$333,000, the proceeds to be used as a grant to the Board of Directors of ManneqART, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the ManneqART Museum and Maryland Fashion Institute, located in Howard 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, 2017

Assigned to: Appropriations

HB 424 The Speaker (By Request – Administration)**TAXPAYER PROTECTION ACT**

Prohibiting a person from employing an individual not registered with the State Board of Individual Tax Preparers to provide specified tax preparation services; authorizing specified employees of the Comptroller's Office to act as police officers when enforcing specified laws; authorizing an injunction, under specified circumstances, to prohibit specified persons from acting as income tax return preparers; etc.

EFFECTIVE JULY 1, 2017

BOP, § 21-401, CJ, § 5-106(l), and TG, Various Sections - amended and TG, §§ 13-706.1 and 13-715(c) - added

Assigned to: Judiciary

HB 425 Delegate Lierman, et al**PUBLIC SCHOOLS – SUSPENSIONS AND EXPULSIONS**

Prohibiting prekindergarten students from being suspended or expelled from public schools; authorizing the suspension or expulsion of students in kindergarten, first grade, or second grade if the student has knowingly brought a firearm to school or has possessed a firearm at school; requiring the school to provide specified supports to address the student's behavior; requiring the school system to remedy the impact of the student's behavior through specified intervention methods; etc.

EFFECTIVE JULY 1, 2017

ED, §§ 4-319(d) and 7-305 - amended and § 7-305.1 - added

Assigned to: Ways and Means

HB 426 The Speaker (By Request – Administration), et al**PROMOTING EFFICIENCIES IN STATE PROCUREMENT**

Altering provisions of State procurement law; altering the dollar value threshold that triggers the requirement to publish notice in eMaryland Marketplace regarding specified procurements; expanding the list of the types of procurement methods available to a procurement officer for specified procurements; specifying a preferred procurement method for human, social, cultural, or educational services; establishing qualification based selection as the method of procurement for specified procurements; etc.

EFFECTIVE OCTOBER 1, 2017

SF, Various Sections - amended, added, and repealed and ED, §§ 16-311 and 16-313 - amended

Assigned to: Health and Government Operations

HB 427 Delegate Queen**PUBLIC INSTITUTIONS OF HIGHER EDUCATION – PUBLIC HEALTH ADVISORIES – REQUIRED COMMUNICATION**

Requiring the governing body of each public institution of higher education in the State to develop and implement a policy for the timely communication of public health advisories issued by specified entities to students, faculty, staff, and other employees of the institution; and requiring specified institutions to send to the Maryland Higher Education Commission a copy of a specified policy on or before October 1, 2017.

EFFECTIVE JULY 1, 2017

ED, § 15-121 - added

Assigned to: Appropriations

HB 428 Delegate Dumais, et al**FAMILY LAW – CHILD CONCEIVED WITHOUT CONSENT – TERMINATION OF PARENTAL RIGHTS (RAPE SURVIVOR FAMILY PROTECTION ACT)**

Authorizing a court, under specified circumstances, to terminate the parental rights of an individual convicted of or found to have committed an act of nonconsensual sexual conduct against the other parent that resulted in the conception of a child; prohibiting the court from terminating parental rights under specified circumstances; specifying that a termination of parental rights under the Act terminates completely specified rights and responsibilities of a parent; etc.

EFFECTIVE OCTOBER 1, 2017

FL, §§ 5-1401 through 5-1405 - added

Assigned to: Judiciary

HB 429 Delegate Dumais, et al**CRIMINAL LAW – SEXUAL OFFENSES – PHYSICAL RESISTANCE**

Establishing that evidence of physical resistance by a victim is not required to prove that a sexual crime was committed; establishing that a specified provision of the Act may not be construed to affect the admissibility of evidence of actual physical resistance by a victim of a sexual crime; etc.

EFFECTIVE OCTOBER 1, 2017

CR, § 3-301 - amended and § 3-319.1 - added

Assigned to: Judiciary

HB 430 The Speaker (By Request – Administration)**FISCAL RESPONSIBILITY ACT OF 2017**

Requiring the Bureau of Revenue Estimates to calculate a specified share of and a specified limit on specified nonwithholding income tax revenues and requiring the Bureau to report the information to the Board of Revenue Estimates; requiring the State Comptroller to make a specified distribution to the Revenue Stabilization Account under specified circumstances; establishing the Fiscal Responsibility Fund and requiring the State Comptroller to make a specified distribution to the Fund under specified circumstances; etc.

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

EFFECTIVE JUNE 1, 2017

SF, §§ 6-104, 7-117, and 7-311 - amended and § 7-329 - added

Assigned to: Appropriations

HB 431 St. Mary's County Delegation**ST. MARY'S COUNTY – TAX EXEMPTIONS – REPEAL OF LOCAL PROVISIONS**

Repealing provisions of law that relate to exemptions for specified persons engaged in the business of manufacturing in St. Mary's County from specified taxes under specified circumstances.

EFFECTIVE OCTOBER 1, 2017

PLL of St. Mary's Co, Art. 19, §§ 131-1 and 131-2 - repealed

Assigned to: Ways and Means

HB 432 Delegate Carr**PUBLIC HEALTH – RABIES VACCINATION INFORMATION – SUBMISSION TO LOCAL AGENCIES AND USE FOR LICENSING**

Requiring, under specified circumstances, a licensed veterinarian who vaccinates a dog, cat, or ferret against rabies to send to a specified local agency specified rabies vaccination information; requiring the licensed veterinarian to send the information within 45 days after a vaccination certificate is completed; establishing a specified penalty; requiring a local agency to forward the information to another local agency under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2017

HG, § 18-319 - amended

Assigned to: Health and Government Operations

HB 433 The Speaker (By Request – Administration), et al**STATE FINANCE AND PROCUREMENT – SMALL AND MINORITY BUSINESS PARTICIPATION**

Clarifying what constitutes good cause for the purposes of removal of a certified minority business enterprise after the execution of a contract; repealing the definition of "designated procurement unit" in the Small Business Reserve Program; altering a requirement that specified units structure specified procurement procedures to achieve a specified minimum percentage of the unit's total dollar value of specified contracts to be made directly to small businesses; etc.

EFFECTIVE OCTOBER 1, 2017

SF, §§ 14-302 and 14-501 through 14-505 - amended

Assigned to: Health and Government Operations

HB 434 Delegate Carr**REAL PROPERTY – BACKYARD GARDENS – PROHIBITION ON RESTRICTIONS**

Prohibiting specified documents from prohibiting a specified homeowner or tenant from installing or cultivating a backyard garden; establishing that a specified homeowner or tenant may not be prohibited from installing or cultivating a backyard garden on specified property; providing that a local jurisdiction may not prohibit specified backyard gardens; applying the prohibition to charter counties and Baltimore City; etc.

EFFECTIVE OCTOBER 1, 2017

LU, §§ 1-401(b) and 10-103(b) - amended and LU, § 4-104(c) and RP, § 14-133 - added

Assigned to: Environment and Transportation

HB 435 Delegate Stein**GOVERNMENTAL PROCEDURES – SECURITY OF COMPUTERIZED DATA – ENCRYPTION OF PERSONAL INFORMATION**

Requiring specified State and local governmental units to secure by encryption specified personal information of an individual that the unit has collected in computerized form.

EFFECTIVE OCTOBER 1, 2017

SG, § 10-1304(a) - amended

Assigned to: Health and Government Operations

HB 436 Delegate Ebersole, et al**BALTIMORE COUNTY – ALCOHOLIC BEVERAGES – ISSUANCE OF LICENSES NEAR PLACES OF WORSHIP**

Authorizing the Baltimore County Board of License Commissioners to issue or transfer a specified license for an establishment that is at least 100 feet away from a place of worship under specified circumstances and subject to specified restrictions and qualifications.

EFFECTIVE JULY 1, 2017

AB, § 13-1601 - amended

Assigned to: Economic Matters

HB 437 Delegate Jones**HIGHER EDUCATION – UNIVERSITY SYSTEM OF MARYLAND – QUASI-ENDOWMENT FUNDS**

Authorizing the Board of Regents of the University System of Maryland to make a one-time transfer of no more than \$50,000,000 from the State-supported fund balance to a quasi-endowment fund; and limiting the use of specified proceeds for facility renewal projects relating only to capital facilities used for State-supported activities.

EFFECTIVE JULY 1, 2017

ED, § 12-104(e)(2) - amended

Assigned to: Appropriations

HB 438 The Speaker (By Request – Administration)**LEGISLATIVE TRANSPARENCY ACT OF 2017**

Altering the annual reporting requirement of the State Open Meetings Law Compliance Board; altering the scope of the training requirements under the Open Meetings Act; requiring a lobbyist who invites specified employees of the Executive Branch to a meal or reception to register specified information with the State Ethics Commission; requiring reports filed with the Ethics Commission after a specified date to be made available in a specified format; requiring the General Assembly to make available specified video of specified meetings; etc.

EFFECTIVE JULY 1, 2017

GP, § 3-101(d-1) - added and §§ 3-204(d) and (e), 3-211, 3-213, 5-709, and 5-710(a) - amended and SG, § 2-1805 - added

Assigned to: Health and Government Operations and Environment and Transportation

HB 439 Delegate Otto**SOMERSET COUNTY – STATE’S ATTORNEY – ANNUAL SALARY**

Increasing the annual salary of the State’s Attorney for Somerset County from \$98,000 to \$113,066; and providing that the provisions of the Act will take effect at the beginning of the next following term of office.

EFFECTIVE OCTOBER 1, 2017

CP, § 15-420(b) - amended

Assigned to: Environment and Transportation

HB 440 Delegate Cassilly, et al**EMPLOYERS OF EX-OFFENDERS – LIABILITY FOR NEGLIGENT HIRING OR INADEQUATE SUPERVISION – IMMUNITY**

Establishing that specified employers are not liable for negligently hiring or failing to adequately supervise an employee based on evidence that the employee has received probation before judgment for an offense or has been convicted of an offense under specified circumstances; providing that the Act does not limit or abrogate specified other immunities or defenses; applying the Act prospectively; etc.

EFFECTIVE OCTOBER 1, 2017

CJ, § 5-427 - added

Assigned to: Economic Matters

HB 441 Delegate Anderson (By Request – Baltimore City Administration) and Delegate McIntosh**EDUCATION – DEBT SERVICE FOR TRANSFERRED SCHOOLS – COUNTY REIMBURSEMENT GRACE PERIOD**

Establishing a 2-year period of time during which a county government is not required to reimburse the State for outstanding debt service for specified school buildings that are transferred to a county government; and requiring a county government to reimburse the State for a specified amount of outstanding debt service for specified school buildings after the 2-year period of time has elapsed.

EFFECTIVE JULY 1, 2017

ED, § 5-308 - amended

Assigned to: Appropriations

HB 442 Delegate Robinson, et al**VOLKSWAGEN SETTLEMENT FUNDS – USE OF ENVIRONMENTAL MITIGATION TRUST**

Establishing the Volkswagen Settlement Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of the Environment and the Maryland Energy Administration to administer the Fund; requiring specified funds received under the Volkswagen settlement agreement to be distributed to the Fund; providing that at least 15% of the revenue received by the Fund must be used for specified purposes related to electric vehicle infrastructure; etc.

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

EMERGENCY BILL

SF, § 6-226(a)(2)(ii)94. and 95. - amended and §§ 6-226(a)(2)(ii)96. and 7-329 - added

Assigned to: Appropriations

HB 443 Delegate West, et al**ASSISTED LIVING PROGRAMS – LICENSURE FEES**

Repealing a requirement that the Department of Health and Mental Hygiene adopt regulations requiring the Secretary of Health and Mental Hygiene to charge specified fees in a specified manner; and requiring the Department to adopt regulations that establish a specified application fee for an assisted living program license.

EFFECTIVE JULY 1, 2017

HG, § 19-1805 - amended

Assigned to: Health and Government Operations

HB 444 Delegate Queen**PUBLIC HEALTH – PARTICIPATION IN HEALTHY LIFESTYLE PROGRAMS – INCENTIVES AND TAX CREDITS**

Altering the authorized uses of the HealthChoice Performance Incentive Fund to include financial incentives designed to promote participation in a healthy lifestyle program by Maryland Medical Assistance Program managed care organization enrollees; authorizing an individual who meets specified requirements to claim a credit against the State income tax for participation in a healthy lifestyle program; establishing a credit of \$500 for specified individuals; applying the Act to taxable years beginning after December 31, 2017; etc.

EFFECTIVE OCTOBER 1, 2017

HG, § 15-103.3 - amended and TG, § 10-741 - added

Assigned to: Health and Government Operations and Ways and Means

HB 445 Delegate West, et al**PUBLIC HEALTH – REPEAL OF AIDS EDUCATION PROGRAM FOR PERSONS CONVICTED OF DRUG– OR SEX–RELATED CRIMES**

Repealing a specified educational program on acquired immune deficiency syndrome (AIDS) for persons who plead guilty or nolo contendere to or are found guilty of specified drug– or sex–related crimes.

EFFECTIVE OCTOBER 1, 2017

HG, § 18-339 - repealed

Assigned to: Health and Government Operations

HB 446 Charles County Delegation (By Request)**CHARLES COUNTY – COLLECTIVE BARGAINING FOR PUBLIC SAFETY OFFICIALS**

Authorizing specified fire, emergency medical service, paramedic, and rescue employees of Charles County to collectively bargain with the County Commissioners of Charles County with respect to specified matters; prohibiting the County Commissioners from recognizing an exclusive representative except under specified circumstances; requiring negotiations for the collective bargaining agreement to begin on or before a specified date; specifying the time period during which an exclusive bargaining agreement may be valid; etc.

EFFECTIVE OCTOBER 1, 2017

LE, §§ 4-501, 4-504, and 4-505 - amended

Assigned to: Appropriations

HB 447 Delegate Anderson (By Request – Baltimore City Administration)**BALTIMORE CITY – BOARD OF MUNICIPAL AND ZONING APPEALS
– APPEALS AUTHORITY**

Limiting the authority of the Baltimore City Board of Municipal and Zoning Appeals to hear and decide specified appeals to instances when the Board is authorized to hear and decide the appeals by the Mayor and City Council of Baltimore City by local law or the Charter of Baltimore City; and stating that the Act does not prohibit an administrative official or unit from making a specified decision when authorized by the Mayor and City Council of Baltimore City by local law or the Charter of Baltimore City.

EFFECTIVE OCTOBER 1, 2017

LU, § 10-404 - amended

Assigned to: Environment and Transportation

HB 448 Delegate Bromwell, et al**MARYLAND ACHIEVING A BETTER LIFE EXPERIENCE (ABLE)
PROGRAM – ACCOUNT CLARIFICATIONS**

Clarifying that a specified amount may be contributed in each calendar year to an account for a disabled individual under the Maryland Achieving a Better Life Experience (ABLE) Program; providing that contributions to an ABLE account may not exceed a specified maximum amount; and requiring the Maryland 529 Board to adopt specified procedures to ensure that specified contributions to ABLE accounts do not exceed a specified maximum limit.

EFFECTIVE JULY 1, 2017

ED, §§ 18-19C-03(c) and 18-19C-09 - amended

Assigned to: Health and Government Operations

HB 449 Delegate Bromwell**BALTIMORE COUNTY – ELECTION JUDGES – COMPENSATION**

Increasing the daily compensation for each election judge from \$225 to \$450 per day and each chief election judge from \$162.50 to \$325 per day in Baltimore County.

EFFECTIVE OCTOBER 1, 2017

EL, § 10-205(b)(3) - amended

Assigned to: Ways and Means

HB 450 Delegate Bromwell, et al**STATE EMPLOYEE AND RETIREE HEALTH AND WELFARE BENEFITS PROGRAM – PRESCRIPTION DRUGS AND DEVICES – COPAYMENT OR COINSURANCE REQUIREMENTS**

Requiring the Secretary of Budget and Management to ensure that the State Employee and Retiree Health and Welfare Benefits Program complies with a provision of the Insurance Article that prohibits a copayment or coinsurance requirement for a covered prescription drug or device that exceeds the retail price of the prescription drug or device.

EFFECTIVE OCTOBER 1, 2017

SP, § 2-503(a) - amended

Assigned to: Appropriations

HB 451 Delegate Cluster**INSURANCE – BAIL BONDSMEN – CONTINUING EDUCATION REQUIREMENTS**

Requiring insurance producers who sell, solicit, or negotiate bail bonds to receive continuing education that directly relates to bail bond insurance.

EFFECTIVE OCTOBER 1, 2017

IN, § 10-116 - amended

Assigned to: Economic Matters

HB 452 Delegate Queen, et al**INCOME TAX CREDITS – EMPLOYER CHILD CARE CENTER AND EMPLOYER-PROVIDED CHILD CARE SERVICES**

Authorizing a credit against the State income tax for specified taxpayers who establish a child care center that provides child care services for the children of the taxpayer's employees or who compensate a child care provider or child care referral service under specified circumstances; requiring the State Department of Education, on application of a taxpayer, to issue a tax credit certificate under specified circumstances; applying the Act to all taxable years beginning after December 31, 2016; etc.

EFFECTIVE JULY 1, 2017

TG, §§ 10-741 and 10-742 - added

Assigned to: Ways and Means

HB 453 Delegate M. Washington, et al**TAX SALES – WATER LIENS**

Prohibiting a tax sale of real property solely to enforce liens for unpaid water, sewer, and sanitary system services; providing a specified exception to the prohibition on specified tax sales of real property; repealing a specified prohibition on specified tax sales made obsolete by the Act; and providing that the Act applies prospectively to liens attaching to real property on or after October 1, 2017.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2017

TP, § 14-808 - amended and § 14-849.1 - repealed

Assigned to: Ways and Means

HB 454 Delegate Lierman, et al**EDUCATION – HEALTHY OUT OF SCHOOL TIME HEROES RECOGNITION PROGRAM**

Establishing the Healthy Out of School Time Heroes Recognition Program; requiring the State Department of Education to administer the Program; requiring the Department to develop a specified recognition process; requiring the Department to use specified standards; requiring the Department to create a specified certificate; establishing that a specified certificate is valid for a specified amount of time; requiring the Department to maintain a specified list of programs; etc.

EFFECTIVE OCTOBER 1, 2017

ED, §§ 7-2001 through 7-2005 - added

Assigned to: Ways and Means

HB 455 Delegate Atterbeary, et al**CRIMINAL LAW – ANIMAL CRUELTY – APPLICABILITY**

Clarifying that a person who has charge or custody of an animal and who unnecessarily fails to provide the animal with proper air, proper space, proper shelter, or proper protection from the weather is guilty of violating a specified prohibition against abuse or neglect of an animal; and clarifying that a person who intentionally mutilates, intentionally tortures, intentionally cruelly beats, or intentionally cruelly kills an animal is guilty of violating a specified prohibition against aggravated cruelty to animals.

EFFECTIVE OCTOBER 1, 2017

CR, §§ 10-604 and 10-606 - amended

Assigned to: Judiciary

HB 456 Delegate Kaiser, et al**FAMILY CHILD CARE HOMES AND CHILD CARE CENTERS –
DISPUTE RESOLUTION PROCESS – REGULATIONS**

Requiring the State Board of Education to develop specified regulations relating to the establishment of a specified dispute resolution process to be used in specified disputes related to specified family child care homes and child care centers; providing guidelines for the content of the regulations; and requiring a specified dispute resolution process to be developed by a specified workgroup composed of specified members.

EFFECTIVE JULY 1, 2017

ED, §§ 9.5-303(c) and 9.5-404 - amended

Assigned to: Ways and Means

HB 457 Charles County Delegation**CHARLES COUNTY – STATE’S ATTORNEY’S OFFICE AND CHILD
SUPPORT ENFORCEMENT ADMINISTRATION – TRANSFER OF
PERSONNEL**

Transferring the Child Support Unit of the Office of the State’s Attorney for Charles County to the Child Support Enforcement Administration of the Department of Human Resources; requiring that the employees be transferred in accordance with specified provisions of law; requiring that specified transferred employees be given credit with the State for years of county employment for the purposes of determining specified retirement eligibility and also be subject to specified benefit selections in the Employees’ Pension System; etc.

EFFECTIVE JULY 1, 2017

Assigned to: Judiciary

HB 458 Delegate Kittleman, et al**VISUAL IMPAIRMENTS – REQUIREMENTS FOR TEACHER TRAINING, STUDENT SCREENING, AND MARYLAND MEDICAL ASSISTANCE PROGRAM COVERAGE**

Requiring, on or before July 1, 2018, the Professional Standards and Teacher Education Board to require a certificate holder applying for renewal of a certificate as a teacher to complete a course on understanding and recognizing the symptoms of visual impairments; requiring the Board to approve a course that meets specified criteria; requiring the Board to adopt specified regulations; etc.

EFFECTIVE JULY 1, 2017

ED, § 6-704.2 - added and § 7-404 - amended and HG, § 15-103(a)(2) - amended

Assigned to: Ways and Means and Health and Government Operations

HB 459 Delegate Queen, et al**HIGHER EDUCATION – ADULT CORRECTIONAL INSTITUTIONS – JOB TRAINING AND EDUCATION**

Requiring, subject to specified funding recommendations, post-secondary education and workforce training programs developed and recommended by the Correctional Education Council to provide inmates in correctional institutions in the Division of Correction with the requisite training, certifications, and experience to obtain careers in in-demand job sectors; etc.

EFFECTIVE OCTOBER 1, 2017

LE, § 11-902(a) and SG, § 9-3207(b) - amended

Assigned to: Economic Matters

HB 460 Montgomery County Delegation**MONTGOMERY COUNTY – LAW ENFORCEMENT VEHICLES – AUTOMATED EXTERNAL DEFIBRILLATOR MC 26-17**

Requiring, in Montgomery County, by October 1, 2020, a patrol vehicle used by a law enforcement officer who is a first responder or trained in cardiopulmonary resuscitation (CPR) and the operation and use of an automated external defibrillator (AED) to be equipped with an AED; providing that the Act does not apply to a vehicle being used by a law enforcement officer solely for transit purposes across or through Montgomery County; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2018

PS, § 3-520 - added

Assigned to: Judiciary

HB 461 Delegate Luedtke, et al**EDUCATION – ACCOUNTABILITY PROGRAM – ASSESSMENTS (LESS TESTING, MORE LEARNING ACT OF 2017)**

Requiring the State Board of Education to adopt regulations limiting the amount of time in the aggregate that may be devoted to federal, State, and locally mandated assessments for each grade to 2% of the specified minimum required annual instructional hours; prohibiting time devoted to teacher-selected classroom quizzes and exams, portfolio reviews, or performance assessments from being counted toward the specified testing time limits; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2017

ED, § 7-203 - amended

Assigned to: Ways and Means

HB 462 Delegate P. Young, et al**HIGHER EDUCATION – TUITION WAIVERS FOR FOSTER CARE RECIPIENTS AND UNACCOMPANIED HOMELESS YOUTH – ALTERATIONS**

Altering the definition of “foster care recipient” for specified tuition waivers to include an individual who resided in an out-of-home placement at the time the individual graduated from high school or successfully completed a GED; and clarifying that the definition of “tuition” includes fees for credit-bearing and noncredit courses.

EFFECTIVE JULY 1, 2017

ED, § 15-106.1(a) - amended

Assigned to: Ways and Means

HB 463 Delegate Tarlau, et al**MARYLAND ESTATE TAX – UNIFIED CREDIT**

Altering a specified limit on the unified credit used for determining the Maryland estate tax for decedents dying on or after January 1, 2017; and altering a specified limitation on the amount of the Maryland estate tax for decedents dying on or after January 1, 2017.

EFFECTIVE JULY 1, 2017

TG, § 7-309(b)(1), (2), and (3) - amended

Assigned to: Ways and Means

HB 464 Delegate Branch, et al

ALCOHOLIC BEVERAGES – BEER, WINE, AND LIQUOR EXHIBITION PERMIT

Altering the national family beer and wine exhibition permit to make it the national beer, wine, and liquor exhibition permit; authorizing the Comptroller to issue the permit to a bona fide alcohol trade association; authorizing the permit holder to exhibit, judge, and taste beer, wine, and liquor under specified circumstances; authorizing the permit holder to receive for use beer, wine, and liquor from specified persons under specified circumstances; providing a permit fee of \$50; etc.

EMERGENCY BILL

AB, § 2-139 - amended

Assigned to: Economic Matters