SYNOPSIS



Senate Bills and Joint Resolutions 2017 Maryland General Assembly Session

January 24, 2017 Schedule 10

PLEASE NOTE: January 24 – Bill request deadline.

February 3 – Bill introduction deadline.

All bills should be given to the Secretary of the Senate's office by

5:00 P.M. on Monday, February 6.

As required by Senate Rule 32(b), bills introduced after this date will

be referred to the Senate Rules Committee.

SENATE BILLS INTRODUCED January 20, 2017

SB 289 Senator Middleton

MARYLAND INSURANCE COMMISSIONER – RATE MAKING FOR AUTOMOBILE INSURANCE – REPORTS

Repealing provisions of law that require the Maryland Insurance Commissioner to provide to the Governor and the General Assembly specified reports relating to the effect of competitive rating on the insurance markets in the State; and repealing provisions of law that require the Commissioner, on or before December 1 of each year, to submit a report to the General Assembly about the use of territory as a factor in establishing private passenger automobile insurance rates by insurers and the Maryland Automobile Insurance Fund.

EFFECTIVE JULY 1, 2017

IN, §§ 11-338 and 11-339 - repealed

Assigned to: Finance

Department of Legislative Services

SB 290 Senator Middleton

MARYLAND AUTOMOBILE INSURANCE FUND – MOTOR VEHICLE LIABILITY INSURANCE POLICIES – ELIGIBILITY AND PRODUCER CHARGE

Authorizing the Maryland Automobile Insurance Fund, under specified circumstances, to sell, issue, and deliver a motor vehicle liability insurance policy to a person that is eligible for a policy under a specified provision of the Act and has a specified license; providing that a person that commutes to a full—time job in the State and resides in a state that is immediately adjacent to this State is eligible for a specified policy; and increasing the maximum charge a fund producer may charge and collect as a specified expense.

EFFECTIVE OCTOBER 1, 2017

IN, §§ 20-502(a) and (b) and 27-216(b)(2)(iv) - amended

Assigned to: Finance

SB 291 Senator Rosapepe, et al

MARYLAND ENVIRONMENTAL SERVICE – COLLECTIVE BARGAINING

Requiring the Maryland Environmental Service, consistent with specified provisions of law, to recognize and deal with an employee organization once elected as an exclusive representative, to collectively bargain, and to enter into specified types of agreements applicable to specified State employees; and providing for an exception to an exemption from specified provisions of State personnel law.

EFFECTIVE OCTOBER 1, 2017

NR, §§ 3-103.1 and 3-103.2 - amended

Assigned to: Finance

SB 292 Senator Salling, et al

TRANSPORTATION – BALTIMORE HARBOR TUNNEL, FORT MCHENRY TUNNEL, AND FRANCIS SCOTT KEY BRIDGE – ANNUAL PASS STUDY

Requiring the Maryland Transportation Authority to study the feasibility of offering motorists, for specified toll transportation facilities projects, an option to pay a flat fee for an annual pass to use the toll transportation facilities projects; requiring the study to include a cost–benefit analysis covering the potential for benefit to consumers, the programming and other costs associated with implementation of the annual pass option, and the impact on specified toll revenues; etc.

EFFECTIVE JUNE 1, 2017

Assigned to: Finance

SB 293 Senator King, 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: Budget and Taxation

SB 294 Senator King, 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

SB 295 Senator Peters, et al

INCOME TAX – SUBTRACTION MODIFICATION – MILITARY RETIREMENT INCOME – INDIVIDUALS AT LEAST 65 YEARS OLD

Altering a subtraction modification under the State income tax for specified military retirement income for individuals who are at least 65 years old from \$10,000 to \$15,000; and applying the Act to all taxable years beginning after December 31, 2016.

EFFECTIVE JULY 1, 2017

TG, § 10-207(q) - amended

Assigned to: Budget and Taxation

SB 296 Senator Peters, et al

INCOME TAX CHECKOFF - MARYLAND VETERANS TRUST FUND

Establishing an income tax checkoff for voluntary contributions to the Maryland Veterans Trust Fund; requiring the Comptroller to include a checkoff on the individual income tax return; requiring the Comptroller to collect and account for contributions made through the checkoff and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff; applying the Act to taxable years beginning after December 31, 2016; etc.

EFFECTIVE JULY 1, 2017

TG, §§ 2-115 and 10-804(1) - added and SG, § 9-913(g) - amended Assigned to: Budget and Taxation

SB 297 Senator Waugh

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

SB 298 Senator Waugh

ST. MARY'S COUNTY – SHERIFF, COUNTY TREASURER, AND STATE'S ATTORNEY – SALARIES

Altering the salary of the Sheriff of St. Mary's County, the County Treasurer of St. Mary's County, and the State's Attorney for St. Mary's County; and providing for the application of the Act.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2017

CJ, § 2-309(t), CP, § 15-419(b), and LG, § 16-203 - amended

Assigned to: Judicial Proceedings

SB 299 Senator Waugh

MOTOR VEHICLE REGISTRATION – EXCEPTION FOR GOLF CARTS – GOLDEN BEACH PATUXENT KNOLLS

Creating an exception from motor vehicle registration requirements for golf carts in the community of Golden Beach Patuxent Knolls, St. Mary's County; providing that a person who operates a golf cart in Golden Beach Patuxent Knolls may operate the golf cart only on specified roads, between dawn and dusk, and only if the golf cart is equipped with specified lighting; requiring a person who operates a golf cart in Golden Beach Patuxent Knolls to keep as far to the right of the roadway as feasible and possess a driver's license; etc.

EFFECTIVE OCTOBER 1, 2017

TR, § 13-402(c) - amended and § 21-104.3 - added

Assigned to: Judicial Proceedings

SB 300 Senator Middleton

CREATION OF A STATE DEBT – CHARLES COUNTY – MARYLAND VETERANS MEMORIAL MUSEUM LAND ACQUISITION

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 Maryland Veterans Memorial Museum, Inc. at Charles County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Maryland Veterans Memorial Museum, located in Charles 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

SB 301 Senator Feldman, et al

REAL PROPERTY – INSTALLATION AND USE OF ELECTRIC VEHICLE RECHARGING EQUIPMENT

Providing that specified provisions of a recorded covenant or restriction, a declaration, or the bylaws or rules of a condominium or homeowners association are void and unenforceable; establishing specified requirements and procedures relating to an application to the governing body of a condominium or homeowners association to install or use electric vehicle recharging equipment; requiring specified owners of electric vehicle recharging equipment to be responsible for specified costs and disclosures; etc.

EFFECTIVE OCTOBER 1, 2017

RP, §§ 11-111.4 and 11B-111.7 - added

Assigned to: Judicial Proceedings

SB 302 Senator Feldman, et al

VEHICLE LAWS – PLUG–IN ELECTRIC DRIVE VEHICLES – RESERVED PARKING SPACES

Prohibiting a person from stopping, standing, or parking a vehicle that is not a plug—in electric drive vehicle in a parking space that is designated for the use of plug—in electric drive vehicles; requiring that a parking space for the use of plug—in electric drive vehicles have green pavement markings; requiring that a parking space that is for the use of plug—in electric drive vehicles be counted as part of the overall number of parking spaces for specified purposes; applying a penalty of \$100 for a violation of the Act; etc.

EFFECTIVE OCTOBER 1, 2017

TR, § 21-1003.2 - added

Assigned to: Judicial Proceedings

SB 303 The President (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

SB 304 The President (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(1), and TG, Various Sections - amended and TG, §§ 13-706.1 and 13-715(c) - added

Assigned to: Budget and Taxation

SB 305 The President (By Request – Administration)

COMMONSENSE PAID LEAVE ACT

Requiring specified employers to provide employees with specified paid time off; providing that specified employers are eligible for a specified tax subtraction modification under specified circumstances; providing for the method of determining whether an employer is required to provide paid time off; providing for the manner in which paid time off is accrued by the employee and treated by the employer; applying the Act to all taxable years beginning after December 31, 2017; etc.

EFFECTIVE OCTOBER 1, 2017

LE, § 2-106(b) - amended and §§ 3-103(k) and 3-1301 through 3-1306 - added and TG, § 10-105.1 - added

Assigned to: Finance and Budget and Taxation

SB 306 The President (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

SB 307 The President (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: Budget and Taxation

SB 308 The President (By Request – Administration), et al

CHILD ABUSE – SEX TRAFFICKING (PROTECTING VICTIMS OF SEX TRAFFICKING ACT OF 2017)

Altering the definition of "sexual abuse" in provisions of law relating to child abuse to include the sex trafficking of a child; defining the terms "sexual molestation or exploitation" and "sex trafficking" in provisions of law relating to child abuse; etc.

EMERGENCY BILL

FL, § 5-701(x) - added and § 5-701(x) and (y) - amended

Assigned to: Judicial Proceedings

SB 309 The President (By Request – Administration), et al

STATE FINANCE AND PROCUREMENT – SMALL AND MINORITY BUSINESS PARTICIPATION

Clarifying what constitutes good cause for the purpose 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

SB 310 The President (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 specified 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, $\S\S$ 12-102(a)(2)(xv), 12-105, 13-221, and 15-218 - amended and \S 13-204 - repealed

Assigned to: Education, Health, and Environmental Affairs

SB 311 The President (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

SB 312 The President (By Request – Administration), et al

VEHICLE LAWS – DRUNK AND DRUGGED DRIVING – SUBSEQUENT OFFENDERS – FELONIES (REPEAT DRUNK DRIVING OFFENDERS ACT OF 2017)

Increasing specified penalties for drunk and drugged driving offenses for individuals who have been convicted previously for specified crimes; making specified drunk and drugged driving offenses felonies; and establishing that the District Court and circuit courts have concurrent jurisdiction over specified drunk and drugged driving offenses.

EFFECTIVE OCTOBER 1, 2017

CJ, §§ 4-301(b)(24) and (25) and 4-302(a) and (d)(1) and TR, § 27-101(f), (k), and (q) - amended and CJ and TR, Various Sections - added

Assigned to: Judicial Proceedings

SB 313 The President (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: Finance

SB 314 The President (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

SB 315 The President (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: Finance and Budget and Taxation

SB 316 The President (By Request – Administration), et al

COURTS – EVIDENCE OF SEXUALLY ASSAULTIVE BEHAVIOR – ADMISSIBILITY (THE REPEAT SEXUAL PREDATOR PREVENTION ACT OF 2017)

Providing that, in a prosecution for specified sexual offenses, evidence of other sexually assaultive behavior by the defendant occurring before or after the offense for which the defendant is on trial may be admissible; requiring the State to file a motion to introduce evidence of sexually assaultive behavior at a specified time; requiring a motion to introduce evidence of sexually assaultive behavior to include specified information; requiring the State to provide a copy of the motion to the defendant; etc.

EFFECTIVE JULY 1, 2017

CJ, § 10-923 - added

Assigned to: Judicial Proceedings

SB 317 The President (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 deprecation 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: Budget and Taxation

SB 318 The President (By Request – Administration), et al

CYBERSECURITY INVESTMENT INCENTIVE TAX CREDIT – ELIGIBILITY AND SUNSET EXTENSION

Altering the eligibility criteria under the cybersecurity investment incentive tax credit to provide the credit to a specified qualified investor in a specified qualified Maryland cybersecurity company rather than providing the credit to the company; and extending the termination date of the credit from June 30, 2019, to June 30, 2023.

EFFECTIVE JUNE 1, 2017

TG, \S 10-733 and Chapter 390 of the Acts of 2013, \S 2 - amended

SB 319 The President (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: Education, Health, and Environmental Affairs and Budget and Taxation

SB 320 The President (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: Budget and Taxation

SB 321 The President (By Request – Administration), et al

INCOME TAX – SUBTRACTION MODIFICATION – MILITARY RETIREMENT INCOME

Phasing out, over specified taxable years, the limitation on the amount of specified military retirement income that may be subtracted from federal adjusted gross income for Maryland income tax purposes.

EFFECTIVE JULY 1, 2018

TG, § 10-207(q) - amended

SB 322 The President (By Request – Administration), et al

INCOME TAX SUBTRACTION MODIFICATION – LAW ENFORCEMENT, FIRE, RESCUE, AND EMERGENCY SERVICES PERSONNEL (HOMETOWN HEROES ACT)

Increasing the amount of a subtraction modification under the Maryland income tax for specified qualifying volunteer fire, rescue, and emergency medical services members; providing a subtraction modification under the Maryland income tax under specified circumstances for a specified amount of retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel; etc.

EFFECTIVE JULY 1, 2017

TG, §§ 10-208(i-1) and 10-209 - amended

Assigned to: Budget and Taxation

SENATE BILLS INTRODUCED January 24, 2017

SB 323 Carroll County Senators

CARROLL COUNTY - PUBLIC FACILITIES BONDS

Authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$25,000,000 in order to finance the construction, improvement, or development of specified public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency–related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds; etc.

EFFECTIVE JUNE 1, 2017

Assigned to: Budget and Taxation

SB 324 Carroll County Senators

CARROLL COUNTY – MECHANICAL MUSICAL DEVICES – LICENSING REQUIREMENTS – REPEAL

Repealing a licensing requirement for specified mechanical musical devices in Carroll County.

EFFECTIVE OCTOBER 1, 2017

PLL of Carroll Co, Art. 7, § 6-103 - repealed

SB 325 Senator Ready

ALCOHOLIC BEVERAGES – ON–PREMISES PROMOTIONS AND PRODUCT SAMPLING – HOLDERS OF MANUFACTURER'S LICENSES

Altering a specified exception to allow a holder of any Maryland manufacturer's license to bring specified products onto a retail licensed premises for on–premises promotions and product sampling under specified circumstances; and making an exception to a provision of law that prohibits an individual from consuming on the licensed premises of a license holder a specified alcoholic beverage.

EFFECTIVE JULY 1, 2017

AB, § 6-319 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 326 Senators Young and Hough

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: Education, Health, and Environmental Affairs

SB 327 Senator Young, et al

PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS – FINANCIAL AID – REDUCTION RESTRICTIONS

Regulating how public senior higher education institutions may adjust funds awarded by the institution when the total amount of financial aid awarded to a student exceeds the student's demonstrated financial need; authorizing financial aid awarded by a public senior higher education institution to be reduced only under specified circumstances and up to a specified amount; prohibiting financial aid awarded by a public senior higher education institution from being reduced under specified circumstances; etc.

EFFECTIVE JULY 1, 2017

ED, § 15-121 - added