



SYNOPSIS

Senate Bills and Joint Resolutions
2017 Maryland General Assembly Session

January 25, 2017
Schedule 11

PLEASE NOTE: 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 25, 2017

SB 328 Senator Nathan–Pulliam, et al

STATE HIGHWAYS – DEDICATION – HENRIETTA LACKS WAY

Requiring the State Highway Administration to dedicate a specified portion of Dundalk Avenue in Baltimore County as Henrietta Lacks Way.

EFFECTIVE OCTOBER 1, 2017

TR, § 8-659 - 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 329 Howard County Senators

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 an 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: Budget and Taxation

SB 330 Howard County Senators

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: Budget and Taxation

SB 331 Howard County Senators

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: Budget and Taxation

SB 332 **Howard County Senators****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: Budget and Taxation

SB 333 **Howard County Senators****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: Budget and Taxation

SB 334 **Senator Ferguson, et al****EDUCATION – SCHOOL EMERGENCY AIR–CONDITIONING FUND – ESTABLISHED**

Establishing the School Emergency Air–Conditioning Fund as a special, nonlapsing fund; specifying the purpose of the Fund is to provide grants to public primary and secondary schools in the State to install air conditioning; requiring the Interagency Committee on School Construction to administer the Fund; requiring that in each of fiscal years 2019 through 2022, the Governor shall appropriate at least \$7,500,000 to the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; etc.

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

EMERGENCY BILL

ED, § 5-314 - added and SF, § 6-226(a)(2)(ii)94. and 95. - amended and § 6-226(a)(2)(ii)96. - added

Assigned to: Budget and Taxation

SB 335 **Senator Rosapepe****CAREER APPRENTICESHIP OPPORTUNITY ACT OF 2017**

Requiring the State Board of Education to develop, on or before December 1, 2017, goals for percentages of high school graduates for completing specified career and technical education programs and earning specified credentials, and to develop a method to consider a student’s attainment of a specified credential or completion of a specified apprenticeship program as equivalent to a specified Advanced Placement examination score for a specified purpose; etc.

VARIOUS EFFECTIVE DATES

ED, § 21-204 and TG, § 10-741 - added and LE, § 11-103 - amended

Assigned to: Finance and Budget and Taxation

SB 336 **Senator Manno****MARYLAND TORT CLAIMS ACT – CERTAIN CLAIM REQUIREMENT**

Repealing the requirement that a claimant make a specified motion and show good cause before a court may entertain a specified action under the Maryland Tort Claims Act; requiring a court to entertain an action under the Maryland Tort Claims Act even if a claimant fails to submit a specified written claim, under specified circumstances; and providing for the prospective application of the Act.

EFFECTIVE OCTOBER 1, 2017

SG, § 12-106 - amended

Assigned to: Judicial Proceedings

SB 337 **Senator Manno, et al****VEHICLE LAWS – BICYCLES AND PEDESTRIANS – USE OF CROSSWALKS**

Requiring the driver of a vehicle to come to a stop when a pedestrian or bicycle is stopped on a curb, a median divider, or any other place of safety, waiting to cross the roadway in a crosswalk; authorizing a person to ride a bicycle in or through a crosswalk in a place where a person may not lawfully ride a bicycle on a sidewalk or sidewalk area; providing that a person riding a bicycle in or through a crosswalk is subject to specified traffic control signals; etc.

EFFECTIVE OCTOBER 1, 2017

TR, §§ 21-502 and 21-1103 - amended and § 21-1103.1 - added

Assigned to: Judicial Proceedings

SB 338 **Senator Manno, et al****VEHICLE LAWS – PEDESTRIAN HYBRID SIGNALS**

Requiring the driver of a vehicle to obey a pedestrian hybrid signal in a specified manner; establishing a specified penalty for a violation of the Act; establishing that specified provisions of law relating to traffic control signal monitoring systems apply to pedestrian hybrid signals; establishing the manner in which a pedestrian or bicyclist is required to obey a pedestrian hybrid signal; etc.

EFFECTIVE OCTOBER 1, 2017

TR, §§ 21-101(1-1), 21-201(e), 21-202(n), 21-204.2, and 21-204.3 - added and Various Sections - amended

Assigned to: Judicial Proceedings

SB 339 **Howard County Senators****CREATION OF A STATE DEBT – HOWARD COUNTY – PHILLIPS SCHOOL COMMERCIAL KITCHEN**

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: Budget and Taxation

SB 340 **Senator Nathan–Pulliam, et al****UNIVERSITY OF MARYLAND SCHOOL OF PUBLIC HEALTH, CENTER FOR HEALTH EQUITY – WORKGROUP ON HEALTH IN ALL POLICIES**

Requiring the University of Maryland School of Public Health, Center for Health Equity, in consultation with the Department of Health and Mental Hygiene, to convene a workgroup to study and make recommendations to units of State and local government on laws and policies to implement that will positively impact the health of residents of the State; requiring the University of Maryland School of Public Health, Center for Health Equity to report the workgroup findings to specified committees of the General Assembly; etc.

EFFECTIVE JUNE 1, 2017

Assigned to: Finance and Education, Health, and Environmental Affairs

SB 341 **Senator Edwards****VEHICLE LAWS – SCHOOL VEHICLES – DEFINITION**

Altering the definition of “school vehicle” to include specified vehicles that meet or comply with specified standards and requirements, were originally titled and used to transport children, students, and teachers in another state, comply with the regulations on transporting children enrolled in the federally funded Head Start Program, and are used only for transporting children to and from a Head Start program.

EFFECTIVE OCTOBER 1, 2017

TR, § 11-154 - amended

Assigned to: Judicial Proceedings

SB 342 **Senator Edwards****DRIVER’S LICENSES – SCHOOL BUS DRIVERS – REQUIREMENTS**

Repealing the requirement that an individual receive a specified endorsement on the individual’s commercial driver’s license in order to drive a school vehicle.

EFFECTIVE OCTOBER 1, 2017

TR, § 16-816(a) - amended

Assigned to: Judicial Proceedings

SB 343 **Senator Eckardt, et al****BAY RESTORATION FUND – ELIGIBLE COSTS – EXPANSION**

Altering the definition of “eligible costs” as it relates to projects that receive funding from the Bay Restoration Fund to include any wastewater facility upgrade to enhanced nutrient removal, as determined by the Department of the Environment.

EFFECTIVE JULY 1, 2017

EN, § 9-1605.2(i)(1) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 344 **Senators Feldman and Zucker****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: Budget and Taxation

SB 345 **Senator King****INCOME TAX REFUNDS – WYNNE CASE – ELIGIBILITY**

Authorizing, on or before December 31, 2017, specified individuals eligible for an income tax refund as a result of a specified United States Supreme Court decision to file an amended income tax return for specified taxable years to claim an income tax refund; providing for the determination of eligibility for a specified income tax refund; prohibiting an individual that claims a specified income tax refund from receiving interest on the income tax refund; etc.

EFFECTIVE JULY 1, 2017

Assigned to: Budget and Taxation

SB 346 **Senator Conway, et al**

EDUCATION – PREKINDERGARTEN STUDENTS – FUNDING

Establishing specified supplemental prekindergarten grants beginning in fiscal year 2019; providing for the calculation of specified supplemental prekindergarten grants; requiring specified prekindergarten students to be included in a specified enrollment count for purposes of calculating specified State aid formulas for education; and prohibiting the Act from being construed to authorize the inclusion of specified students in specified education aid calculations.

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

EFFECTIVE JULY 1, 2017

ED, § 5-207.1 - added

Assigned to: Budget and Taxation

SB 347 **Charles County Senators**

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: Finance

SB 348 **Senator Kelley, et al**

STATE COMPENSATION FOR ERRONEOUS CONVICTION AND IMPRISONMENT – GUBERNATORIAL PARDON REQUIREMENT – REPEAL

Repealing a requirement that an erroneously convicted individual must receive a gubernatorial pardon to be eligible for specified payments by the Board of Public Works; etc.

EFFECTIVE OCTOBER 1, 2017

SF, § 10-501 - amended

Assigned to: Judicial Proceedings

SB 349 **Senator Zirkin****CRIMINAL PROCEDURE – SEXUAL ASSAULT VICTIMS’ RIGHTS – DISPOSAL OF RAPE KIT EVIDENCE AND NOTIFICATION**

Requiring a specified health care provider to provide a specified victim of sexual assault with written information describing the laws and policies governing the testing, preservation, and disposal of a sexual assault evidence collection kit; prohibiting a law enforcement agency, government agency, or health care provider from destroying or disposing of a sexual assault evidence collection kit or other crime scene evidence relating to a sexual assault within 20 years after the evidence is collected; etc.

EFFECTIVE OCTOBER 1, 2017

CP, § 11-926 - amended

Assigned to: Judicial Proceedings

SB 350 **Senator Manno****CREATION OF A STATE DEBT – MONTGOMERY COUNTY – PARKLAND POOL RENOVATION**

Authorizing the creation of a State Debt not to exceed \$35,000, the proceeds to be used as a grant to the Board of Directors of the Parkland Pool Association, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Parkland Pool, 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, 2017

Assigned to: Budget and Taxation

SB 351 **Senator Manno****CREATION OF A STATE DEBT – MONTGOMERY COUNTY – MELVIN J. BERMAN HEBREW ACADEMY**

Authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Melvin J. Berman Hebrew Academy for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement and capital equipping related to the Melvin J. Berman Hebrew Academy, 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, 2017

Assigned to: Budget and Taxation

SB 352 Calvert County Senators**CALVERT COUNTY – CALVERT COUNTY YOUTH RECREATIONAL OPPORTUNITIES FUND – USES AND FUNDING EXTENSION**

Requiring funds in the Calvert County Youth Recreational Opportunities Fund first to be used for the sole purpose of completing the development of Ward Farm Recreation and Nature Park until the development of the park is complete; requiring the Calvert County Board of County Commissioners to adopt a specified plan after the development of Ward Farm Recreation and Nature Park is complete; making permanent the funding for the Fund from specified revenue beginning in fiscal year 2018; etc.

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

EFFECTIVE JULY 1, 2017

NR, § 5-1901 and TG, § 2-202(b) - amended

Assigned to: Budget and Taxation

SB 353 Senator Guzzone (Chair, Joint Committee on Pensions)**OPTIONAL RETIREMENT PROGRAM – ANNUITY CONTRACTS – EMPLOYEE RIGHTS**

Repealing a specified requirement that annuity contracts purchased under the optional retirement program shall be issued to and become the property of participating employees of the program; and clarifying that, in accordance with the Internal Revenue Code, the rights of participating employees who purchase annuity contracts under the program are not subject to forfeit.

EFFECTIVE JULY 1, 2017

SP, § 30-206 - amended

Assigned to: Budget and Taxation

SB 354 Senator Guzzone, et al**RICHARD E. ISRAEL AND ROGER “PIP” MOYER END-OF-LIFE OPTION ACT**

Authorizing an individual to request aid in dying by making specified requests; prohibiting another individual from requesting aid in dying on behalf of an individual; requiring a written request for aid in dying to meet specified requirements; establishing specified requirements for witnesses to a written request for aid in dying; requiring a written request for aid in dying to be in a specified form; etc.

EFFECTIVE OCTOBER 1, 2017

CR, § 3-103 - amended and HG, §§ 5-6A-01 through 5-6A-16 and IN, § 27-208.1 - added

Assigned to: Judicial Proceedings

SB 355 **Senators Serafini and Astle****GAS COMPANIES – RATE REGULATION – ENVIRONMENTAL
REMEDATION 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: Finance

SB 356 **Senator Serafini, et al****WORKGROUP TO STUDY THE OPTIONAL RETIREMENT PROGRAM**

Establishing the Workgroup to Study the Optional Retirement Program; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving specified compensation; requiring the Workgroup to study and make recommendations on specified matters and to report its findings to the Governor and the General Assembly on or before December 1, 2017; etc.

EFFECTIVE JUNE 1, 2017

Assigned to: Budget and Taxation

SB 357 **Senator Pinsky, et al****BUSINESS RELIEF AND TAX FAIRNESS ACT OF 2017**

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, 2017

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 358 **Senator Pinsky, et al****PRESIDENTIAL CANDIDATE TAX TRANSPARENCY ACT**

Requiring specified candidates for President or Vice President of the United States to file copies of specified federal income tax returns and written consent for the disclosure of those federal income tax returns with the State Board of Elections no later than 65 days before a presidential general election; requiring the State Board to make federal income tax returns filed by candidates for President or Vice President of the United States publicly available on the State Board's Web site; etc.

EFFECTIVE OCTOBER 1, 2017

EL, § 5-102 - added

Assigned to: Education, Health, and Environmental Affairs

SB 359 **Senator Madaleno, et al****EDUCATION – MARYLAND MEALS FOR ACHIEVEMENT IN-CLASSROOM BREAKFAST PROGRAM – ADMINISTRATION (MARYLAND MEALS FOR ACHIEVEMENT FOR TEENS ACT OF 2017)**

Authorizing participating secondary schools to serve breakfast in any part of the school, including from "Grab and Go" carts; and clarifying when breakfast in the classroom should be served.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2017

ED, § 7-704 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 360 **Senator Madaleno, et al****STATE DEPARTMENT OF EDUCATION – BREAKFAST AND LUNCH PROGRAMS – FUNDING (THE MARYLAND CARES FOR KIDS ACT)**

Repealing the requirement that the State Board of Education adopt and publish standards for the administration of a subsidized feeding program; requiring the State to be responsible for the student share of the costs of specified meals; prohibiting a county board from charging students eligible for a reduced price breakfast or lunch for any portion of the cost of a meal; altering the calculation for the reimbursement for specified meals to specified county boards of education; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2017

ED, §§ 7-601 through 7-605 and 7-701 through 7-703 - amended

Assigned to: Budget and Taxation and Education, Health, and Environmental Affairs

SB 361 **Senator Madaleno, et al****HUNGER-FREE SCHOOLS ACT OF 2017**

Altering a specified definition for specified fiscal years to determine the number of students used to calculate a specified grant for schools that participate in a specified federal program; and requiring the superintendent of each local school system to report to the General Assembly on or before September 1, 2017.

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

EFFECTIVE JULY 1, 2017

ED, § 5-207(a)(3) - amended

Assigned to: Budget and Taxation and Education, Health, and Environmental Affairs

SB 362 **Senator Conway****PUBLIC INFORMATION ACT – RECORDS RELATING TO ALLEGED JOB-RELATED MISCONDUCT BY LAW ENFORCEMENT OFFICERS**

Providing that a record of an investigation or adjudication of alleged job-related misconduct by a law enforcement officer is not a personnel record for purposes of the Public Information Act; authorizing a custodian to deny inspection of specified records relating to alleged job-related misconduct by a law enforcement officer, subject to specified conditions;

EFFECTIVE OCTOBER 1, 2017

GP, §§ 4-101, 4-311, and 4-351 - amended

Assigned to: Judicial Proceedings and Education, Health, and Environmental Affairs

SB 363 **Senator Conway****PHARMACISTS – CONTRACEPTIVES – PRESCRIBING AND DISPENSING**

Authorizing a pharmacist who meets the requirements of State Board of Pharmacy regulations to prescribe and dispense specified contraceptives; requiring the Board to adopt regulations establishing the conditions under which pharmacists may prescribe and dispense contraceptives; establishing requirements for the regulations; requiring the Maryland Medical Assistance Program and the Maryland Children’s Health Program to provide coverage for contraceptive services rendered by a licensed pharmacist to a specified extent; etc.

EFFECTIVE JANUARY 1, 2018

HG, § 15-148(c), HO, § 12-511, and IN, § 15-716 - added and HO, § 12-101(u) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 364 **Senator Ferguson, et al****ONE MARYLAND ECONOMIC DEVELOPMENT TAX CREDITS – BUSINESS INCUBATORS, ENTERPRISE ZONES, AND REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONES**

Altering specified eligibility criteria for specified credits under the One Maryland Economic Development Tax Credit to include specified persons who establish or expand in specified areas a business facility that, for business incubators, creates a specified aggregate number of qualified positions at the facility under specified circumstances; authorizing specified business incubators to claim a refund of specified project tax credits or start-up tax credits; applying the Act to all taxable years beginning after December 31, 2016; etc.

EFFECTIVE JULY 1, 2017

EC, §§ 6-401(b), 6-402, 6-403(a), (e), and (f), 6-404, and 6-405 - amended

Assigned to: Budget and Taxation

SENATE JOINT RESOLUTION INTRODUCED January 25, 2017

SJ 2 **Senator Madaleno, et al**

CONSTITUTIONAL CONVENTION – AMENDMENT – REPEAL

Repealing and withdrawing specified applications to Congress to call a Constitutional Convention; and urging the legislatures of specified other states to take specified actions.

Assigned to: Education, Health, and Environmental Affairs