



SYNOPSIS

Senate Bills and Joint Resolutions
2017 Maryland General Assembly Session

January 23, 2017
Schedule 9

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 254 **Senator Peters, et al**

INCOME TAX – SUBTRACTION MODIFICATION – PERPETUAL CONSERVATION EASEMENTS

Providing a subtraction modification under the Maryland income tax for the first \$250,000 in proceeds from the sale of a perpetual conservation easement on real property in the State.

EFFECTIVE JULY 1, 2017

TG, § 10-207(ee) - added

Assigned to: Budget and Taxation

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

Baltimore Area: 410-946-5400 — Washington Area: 301-970-5400

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SB 255 **Senator Guzzone (Chair, Joint Committee on Pensions)**

STATE RETIREMENT AGENCY – AUTHORITY TO ARRANGE CUSTODY OF INVESTMENTS AND PROCUREMENT EXEMPTION

Exempting from specified procurement law expenditures made by the State Retirement Agency for the safe custody of investments of the State Retirement and Pension System; and transferring the authority to arrange for the safe custody of investments from the State Treasurer to the Chief Investment Officer of the Investment Division in the Agency.

EFFECTIVE JULY 1, 2017

SF, § 11-203(d) and SP, §§ 21-122(d) and 21-124 - amended

Assigned to: Budget and Taxation

SB 256 **Senator Guzzone (Chair, Joint Committee on Pensions)**

EMPLOYEES' AND TEACHERS' PENSION SYSTEMS – REFORMED CONTRIBUTORY PENSION BENEFIT – SERVICE CREDIT PURCHASE CLARIFICATION

Clarifying that a member of the Employees' Pension System or the Teachers' Pension System who is subject to the Reformed Contributory Pension Benefit is eligible to purchase service credit for a specified period of employment under specified circumstances.

EFFECTIVE JULY 1, 2017

SP, § 23-306.2 - amended

Assigned to: Budget and Taxation

SB 257 **Senators Kasemeyer and Guzzone**

PROGRAM OPEN SPACE – AUTHORIZED TRANSFER TO THE MARYLAND HERITAGE AREAS AUTHORITY FINANCING FUND – INCREASE

Increasing from \$3,000,000 to \$6,000,000 the maximum amount that may be transferred, in the State budget or through a specified budget amendment process, to the Maryland Heritage Areas Authority Financing Fund from funds that are distributed to Program Open Space.

EFFECTIVE JULY 1, 2017

NR, § 5-903(a)(1) - amended

Assigned to: Budget and Taxation

SB 258 **Senator Astle****INCOME TAX – SUBTRACTION MODIFICATION – POLICE AUXILIARIES OR RESERVE VOLUNTEERS**

Increasing the amount of a subtraction modification under the Maryland income tax for specified qualifying police auxiliaries and reserve volunteers for taxable years beginning after December 31, 2016.

EFFECTIVE JULY 1, 2017

TG, § 10-208(l) - amended

Assigned to: Budget and Taxation

SB 259 **Senator Bates, et al****ELECTION LAWS – LOANS TO A CAMPAIGN FINANCE ENTITY**

Altering the conditions under which the principal balance on a loan to a campaign finance entity is considered a contribution; providing that the terms of a loan to a campaign finance entity require that the loan be repaid no later than the end of the second year of the election cycle immediately following the election cycle in which the loan was made; specifying that penalties assessed for violations of campaign contribution limits may be assessed against a lender, the candidate whose campaign finance entity received the loan, or both; etc.

EFFECTIVE OCTOBER 1, 2017

EL, § 13-230 - amended and § 13-604.3 - added

Assigned to: Education, Health, and Environmental Affairs

SB 260 **Senator Bates, et al****TAX OVERPAYMENT – INTEREST ON REFUNDS**

Altering the day on which interest begins to accrue on specified taxpayer refunds of specified tax payments; requiring a tax collector to pay interest on specified taxpayer refunds beginning on the date of the overpayment if the overpayment is attributable to an error or a mistake of the State or a unit of the State government; etc.

EFFECTIVE JULY 1, 2017

TG, § 13-603 - repealed and added

Assigned to: Budget and Taxation

SB 261 **Senator Bates, et al****PROPERTY TAX CREDIT – RESIDENTIAL PROPERTY DAMAGED BY NATURAL DISASTER**

Altering a specified property tax credit authorized against the county or municipal corporation property tax for specified residential real property damaged by flooding to include damage caused by a natural disaster; and applying the Act to tax years beginning after June 30, 2017.

EFFECTIVE JUNE 1, 2017

TP, § 9-211 - amended

Assigned to: Budget and Taxation

SB 262 **Senator Bates, et al****PUBLIC HEALTH – MOBILE FOOD SERVICE FACILITIES – LICENSING AND INSPECTION BY COUNTY HEALTH DEPARTMENTS**

Requiring a county health department to issue a mobile reciprocity license to a specified mobile food service facility; authorizing a county health department to charge a fee not exceeding \$300 for a mobile reciprocity license; providing that a mobile reciprocity license is valid for 1 year; prohibiting a county, under specified circumstances, from requiring that a mobile food service facility be inspected before a county health department issues a mobile reciprocity license; etc.

EMERGENCY BILL

HG, § 21-304(f) - added

Assigned to: Finance

SB 263 **Senator Bates, et al****EDUCATION – MARYLAND HIGH SCHOOL DIPLOMA – CIVICS TEST REQUIREMENT**

Requiring a student to achieve a passing score on a civics test that consists of the 100 questions used for the civics portion of the naturalization test given the U.S. Citizenship and Immigration Services; requiring, on or before the first day of the 2018–2019 school year, the State Board to determine the means of providing each high school student an opportunity to take the required civics test; requiring a student to answer correctly at least 60% of the civics test questions to receive a passing score; etc.

EFFECTIVE OCTOBER 1, 2017

ED, § 7-205.4 - added and LE, §§ 11-807(b) and 11-808 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 264 **Senator King, et al****MARYLAND TRANSPORTATION AUTHORITY – PUBLIC SCHOOL BUSES – EXEMPTION FROM TOLLS**

Requiring the Maryland Transportation Authority, beginning on or before January 1, 2020, to exempt school buses owned and operated by county boards of education from tolls, fees, or any other charges for the use of transportation facilities projects; requiring the Authority to renegotiate the trust agreement with its bondholders to allow a school bus owned and operated by a county board of education to use a transportation facilities project without paying a toll, a fee, or any other charge; etc.

EFFECTIVE JULY 1, 2017

TR, § 4-312(c) - amended

Assigned to: Budget and Taxation and Finance

SB 265 **Senator Feldman, et al****WASHINGTON METRORAIL SAFETY COMMISSION MEMBERSHIP ACT**

Requiring that two regular members and one alternate member of the board of directors of the Washington Metrorail Safety Commission be appointed by the Governor with the advice and consent of the Senate; requiring one regular member of the board of directors of the Commission who is appointed by the Governor to be a resident of Montgomery County or Prince George's County; etc.

CONTINGENT – EFFECTIVE JUNE 1, 2017

TR, § 7-709 - added

Assigned to: Finance

SB 266 **Senator Conway, et al****ENVIRONMENT – ON-SITE SEWAGE DISPOSAL SYSTEMS – BEST AVAILABLE TECHNOLOGY FOR NITROGEN REMOVAL – PROHIBITION**

Prohibiting a person from installing, or having installed, on property a person owns in the State in the Chesapeake Bay watershed, the Atlantic Coastal Bays watershed, or the watershed of a nitrogen-impaired body of water, an on-site sewage disposal system to service a newly constructed building, unless the on-site sewage disposal system utilizes specified nitrogen removal technology; and repealing specified obsolete provisions of law.

EFFECTIVE OCTOBER 1, 2017

EN, § 9-1108 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 267 **Senator Conway, et al****NATALIE M. LAPRADE MEDICAL CANNABIS COMMISSION – COMPOSITION AND LICENSES**

Altering the membership of the Natalie M. LaPrade Medical Cannabis Commission; providing that an appointment made to the Commission is subject to confirmation by the Senate of Maryland; requiring the membership of the Commission to reflect the racial diversity of the State; prohibiting a member of the Commission from being employed or otherwise affiliated with a grower, processor, or dispensary for 2 years from the date on which the term of the member ended; increasing the number of growers that may be licensed by the Commission; etc.

EMERGENCY BILL

HG, §§ 13-3303, 13-3306(a), and 13-3309 - amended

Assigned to: Judicial Proceedings

SB 268 **Senator Young, et al****COWNOSE RAY FISHING TOURNAMENTS – PROHIBITION**

Prohibiting a person from organizing, sponsoring, promoting, conducting, or participating in a cownose ray fishing tournament in State waters; and requiring the Secretary of Natural Resources to adopt specified regulations.

EFFECTIVE JUNE 1, 2017

NR, § 4-748 - added

Assigned to: Education, Health, and Environmental Affairs

SB 269 **Senator Lee, et al****EMERGENCY VETERINARY CARE – IMMUNITY FROM LIABILITY**

Providing that prohibitions relating to the practice of veterinary medicine do not apply to emergency veterinary care for which a person may not be held civilly liable; providing immunity from civil liability for specified people providing emergency veterinary aid, care, or assistance to an animal where the owner or custodian is not available to grant permission under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2017

AG, §§ 2-313(a) and 2-314 - amended and CJ, § 5-614 - repealed and added

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

SB 270 **Senator Lee, et al****CONSUMER PROTECTION – CREDIT REPORT SECURITY FREEZES – PROHIBITION ON FEES AND REQUIRED NOTICES**

Prohibiting a consumer reporting agency from charging a consumer a fee for placing a security freeze, or for the first two temporary lifts of a security freeze in a calendar year, if the consumer has received a notice of a breach of the security of a system under specified provisions of State law or from or on behalf of a federal agency, and provides a copy of the notice to the consumer reporting agency; etc.

EFFECTIVE OCTOBER 1, 2017

CL, §§ 14-1212.1(i) and (j) and 14-3504(g) and SG, § 10-1305(g) - amended
Assigned to: Finance

SB 271 **Senator Lee, et al****CRIMINAL LAW – PROSTITUTION AND ASSIGNATION – PENALTIES**

Altering the penalty to which a person is subject on conviction of procuring or soliciting or offering to procure or solicit for prostitution or assignation; altering the penalty to which a person is subject on conviction of engaging in prostitution or assignation; and altering the penalty to which a person is subject for keeping, setting up, occupying, maintaining, or operating specified structures for prostitution or assignation.

EFFECTIVE OCTOBER 1, 2017

CR, § 11-306 - amended
Assigned to: Judicial Proceedings

SB 272 **Senator Kelley, et al****GUARDIANSHIP AND CHILD IN NEED OF ASSISTANCE PROCEEDINGS – JURISDICTION AND AUTHORITY OF JUVENILE COURT**

Authorizing the juvenile court to direct the provision of specified services to a specified child during a specified disposition hearing; requiring the juvenile court to direct the provision of specified services to a specified child during a permanency planning hearing or guardianship hearing; providing that, if the juvenile court enters an order directing the provision of specified services to a specified child, the juvenile court retains jurisdiction for a specified period of time and for specified purposes; etc.

EFFECTIVE OCTOBER 1, 2017

CJ and FL, Various Sections - amended and CJ, §§ 3-819(m) and 3-823(k) and FL, § 5-324(d) - added
Assigned to: Judicial Proceedings

SB 273 **Senator Edwards, et al****STATE FOREST, STATE PARK, AND WILDLIFE MANAGEMENT AREA REVENUE EQUITY PROGRAM**

Prohibiting a county from receiving specified revenues derived from a State forest or State park reserve and concession operations within a county if the county receives specified payments in a fiscal year; requiring specified payments to counties for State forests, State parks, and wildlife management areas that are exempt from the property tax; providing for a payment of \$250,000 for each open space unit in specified counties beginning in fiscal year 2019; etc.

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

EFFECTIVE JULY 1, 2017

NR, §§ 5-212 and 5-212.1 - amended and TP, §§ 6.5-101 through 6.5-301 - added

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

SB 274 **Senator Ramirez****FAMILY LAW – DIVORCE – DOMESTIC VIOLENCE ORDER**

Repealing a provision providing that an order or a decision in a domestic violence proceeding is inadmissible as evidence in a divorce proceeding; and repealing a provision prohibiting a court from considering compliance with a domestic violence order as grounds for granting a decree of limited or absolute divorce.

EFFECTIVE OCTOBER 1, 2017

FL, § 7-103.1 - repealed

Assigned to: Judicial Proceedings

SB 275 **Senator Reilly****ALCOHOLIC BEVERAGES – WINE VILLAGE PERMIT**

Establishing a wine village permit; authorizing the Comptroller to issue the permit to a holder of a Class 4 limited winery license for use at a location in an area that a governing body of a county or municipality designates within its territory; requiring the governing body to give notice to the Comptroller of the boundaries of the wine village; requiring the holder to comply with specified laws and regulations; authorizing the holder to sell wine and pomace brandy in a specified amount and to sell or serve specified foods; etc.

EFFECTIVE JULY 1, 2017

AB, § 2-134.1 - added

Assigned to: Education, Health, and Environmental Affairs

SB 276 **Senator Madaleno**

INHERITANCE TAX – EXEMPTION – EVIDENCE OF DOMESTIC PARTNERSHIP

Establishing that a specified affidavit is not required as evidence of a domestic partnership to qualify for an exemption from the inheritance tax on the receipt of interest in real property held in joint tenancy that passes from a decedent to a domestic partner.

EFFECTIVE JULY 1, 2017

TG, § 7-203(l) - amended

Assigned to: Budget and Taxation

SB 277 **Senator Madaleno**

MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM – PROHIBITION ON SUSPENSION OR REVOCATION OF REGISTRATION

Prohibiting the Motor Vehicle Administration from suspending, revoking, or denying the registration of a vehicle based solely on the vehicle owner's failure to have the vehicle inspected and tested as required under the Motor Vehicle Emissions Inspection Program.

EFFECTIVE OCTOBER 1, 2017

TR, § 23-207 - amended

Assigned to: Judicial Proceedings

SB 278 **Senator Middleton, et al**

MARYLAND FARMS AND FAMILIES ACT

Establishing the Maryland Farms and Families Program in the Department of Agriculture; establishing the purpose of the Program is to double the purchasing power of food–insecure Maryland residents with limited access to fresh fruits and vegetables and to increase revenue for farmers through redemption of specified benefits at Maryland Farmers Markets; establishing a Maryland Farms and Families Fund in accordance with specified requirements; requiring the Governor to include a specified appropriation to the Fund each fiscal year; etc.

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

EFFECTIVE OCTOBER 1, 2017

AG, §§ 10-2001 through 10-2005 - added

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

SB 279 **Senator Middleton****HOMEOWNER'S INSURANCE – NOTICES**

Authorizing specified notices and statements relating to homeowner's insurance to be delivered by electronic means if the insurer complies with specified requirements; authorizing insurers to comply with specified renewal notice requirements relating to homeowner's insurance by sending a specified notice; requiring the Maryland Insurance Commissioner to adopt by regulation a specified notice to be provided to insureds and policyholders at each renewal that contains specified information; etc.

EFFECTIVE OCTOBER 1, 2017

IN, §§ 19-202, 19-205, 19-206, 19-206.1, 19-207, 19-209.1, 19-210, 19-214, 19-215, and 27-501(n) - amended and § 19-216 - added

Assigned to: Finance

SB 280 **Senators Guzzone and Middleton****ENVIRONMENT – NONWOVEN DISPOSABLE PRODUCTS – ADVERTISING AND LABELING**

Prohibiting the manufacturer of a nonwoven disposable product from, beginning January 1, 2018, advertising or labeling the nonwoven disposable product in a specified manner unless the nonwoven disposable product is flushable; and requiring the manufacturer of a nonwoven disposable product to label a nonwoven disposable product in a specified manner beginning January 1, 2018.

EFFECTIVE OCTOBER 1, 2017

EN, § 9-258 - added

Assigned to: Education, Health, and Environmental Affairs

SB 281 **Senator Ready, et al****ALCOHOLIC BEVERAGES – DEFINITION OF BEER – HARD CIDER**

Altering from 7% to 8.5% the alcoholic content of hard cider that is part of the definition of beer used in the Alcoholic Beverages Article.

EFFECTIVE JULY 1, 2017

AB, § 1-101(c) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 282 **Senator Ready, et al****PROPERTY TAX CREDIT – DISABLED OR FALLEN LAW ENFORCEMENT OFFICERS AND RESCUE WORKERS – ACQUISITION OF DWELLING**

Increasing from 2 to 10 the number of years within which a disabled law enforcement officer or rescue worker or the surviving spouse of a fallen law enforcement officer or rescue worker must have acquired specified residential property in order to qualify for a specified property tax credit against the county or municipal corporation property tax imposed on the property; and applying the Act to all taxable years beginning after June 30, 2017.

EFFECTIVE JUNE 1, 2017

TP, § 9-210 - amended

Assigned to: Budget and Taxation

SB 283 **Senator Ready, et al****COMMERCIAL LAW – CREDIT REGULATION – REVERSE MORTGAGES – ESCROW ACCOUNTS**

Requiring a reverse mortgage lender to establish an escrow account for the payment of property taxes and insurance; requiring the escrow account to be established in accordance with specified provisions of law; requiring the escrow account to allow for monthly collection and deposit of funds; requiring a reverse mortgage lender to send specified notices; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2017

CL, § 12-1206 - amended

Assigned to: Finance

SB 284 **Senator Ready, et al****VEHICLE–MILES–TRAVELED TAX AND ASSOCIATED MANDATED DEVICES – PROHIBITION**

Prohibiting the State or a local jurisdiction from imposing or levying a vehicle–miles–traveled tax or other similar fees, tolls, or taxes; prohibiting the State or a local jurisdiction from requiring the installation of a device in or on a privately owned vehicle to facilitate the reporting of vehicle–miles traveled; and providing for the application of specified provisions of the Act.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2017

TG, § 9-401 and TR, § 22-107 - added

Assigned to: Budget and Taxation

SB 285 **Senator Ready, et al****AGRICULTURAL LAND PRESERVATION EASEMENTS – OVERLAY EASEMENTS, RIGHTS-OF-WAY, OR SERVITUDES**

Prohibiting a landowner whose land is subject to an agricultural land preservation easement from granting, or allowing a person to establish, an overlay easement, a right-of-way, or any other servitude on the land without prior written permission of the Maryland Agricultural Land Preservation Foundation; and authorizing the Foundation to approve an overlay easement, a right-of-way, or any other servitude on land subject to an agricultural land preservation easement under specified circumstances.

EFFECTIVE OCTOBER 1, 2017

AG, § 2-513(d) - added and amended

Assigned to: Education, Health, and Environmental Affairs

SB 286 **Senator Lee****STATEWIDE INFORMATION TECHNOLOGY MASTER PLAN – INCLUSION OF CYBERSECURITY FRAMEWORK – REQUIREMENT**

Requiring that the statewide information technology master plan developed by the Secretary of Information Technology include a cybersecurity framework; and requiring that the Secretary consider materials developed by the National Institute of Standards and Technology in developing or modifying the cybersecurity framework.

EFFECTIVE OCTOBER 1, 2017

SF, § 3A-304 - amended

Assigned to: Finance

SB 287 **Senator Lee****CIVIL ACTION – UNAUTHORIZED ACCESS TO COMPUTERS AND DATA**

Authorizing a victim of a specified offense to bring a civil action for damages against a specified person; providing for the recovery of reasonable attorney's fees and court costs in an action brought under the Act; and providing for the prospective application of the Act.

EFFECTIVE OCTOBER 1, 2017

CR, § 7-302 - amended

Assigned to: Judicial Proceedings

SB 288 **Senator Lee****CREATION OF A STATE DEBT – MONTGOMERY COUNTY – YMCA
BETHESDA–CHEVY CHASE**

Authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Directors of the Young Men's Christian Association of Metropolitan Washington for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the YMCA Bethesda–Chevy Chase facility, located in Montgomery County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2017

Assigned to: Budget and Taxation