

Chapter 412

(House Bill 581)

AN ACT concerning

**State Government – Permits, Licenses, and Certificates – Processing
(Transparent Government Act of 2024)**

FOR the purpose of requiring each principal department and independent unit to create a certain catalog of information relating to permits, licenses, and certificates issued by the department or independent unit and submit the catalog to the Governor on or before a certain date; requiring each principal department and independent unit to post certain information relating to permits, licenses, and certificates on the website of the department or independent unit on or before a certain date; establishing the Government Efficiency Commission; and generally relating to the processing of State permits, licenses, and certificates.

BY adding to

Article – State Government
Section 8–506; and 9–3801 and 9–3802 to be under the new subtitle “Subtitle 38. Government Efficiency Commission”
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

8–506.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “DEPARTMENT” MEANS A PRINCIPAL DEPARTMENT ESTABLISHED UNDER § 8–201 OF THIS TITLE.

(3) “INDEPENDENT UNIT” MEANS A UNIT IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT IS NOT A DEPARTMENT.

(B) ON OR BEFORE ~~SEPTEMBER~~ OCTOBER 1, 2024, EACH DEPARTMENT AND INDEPENDENT UNIT SHALL:

(1) CREATE A CATALOG OF EACH TYPE OF PERMIT, LICENSE, OR CERTIFICATE THAT IT ISSUES; AND

(2) SUBMIT THE CATALOG REQUIRED UNDER ITEM (1) OF THIS SUBSECTION TO THE GOVERNOR.

(C) A CATALOG CREATED UNDER SUBSECTION (B) OF THIS SECTION SHALL INCLUDE:

(1) A DESCRIPTION OF EACH PERMIT, LICENSE, OR CERTIFICATE;

(2) THE TERM FOR WHICH EACH ISSUED PERMIT, LICENSE, OR CERTIFICATE IS VALID;

(3) THE STATUTORY AND REGULATORY AUTHORITY THAT:

(I) AUTHORIZES OR REQUIRES THE DEPARTMENT OR INDEPENDENT UNIT TO ISSUE THE PERMIT, LICENSE, OR CERTIFICATE; AND

(II) ESTABLISHES A TIMELINE WITHIN WHICH A DEPARTMENT OR INDEPENDENT UNIT MUST PROCESS AND ISSUE THE PERMIT, LICENSE, OR CERTIFICATE, IF ANY;

(4) THE METHOD AND PROCESS USED BY THE DEPARTMENT OR INDEPENDENT UNIT TO ACCEPT APPLICATIONS FOR EACH PERMIT, LICENSE, OR CERTIFICATE, INCLUDING A LIST OF:

(I) PRIOR SIGNIFICANT UPDATES TO THE METHOD AND PROCESS; AND

(II) THE CURRENT INFORMATION TECHNOLOGY SYSTEM USED, AND ANY REMAINING ASSOCIATED TASKS STILL PERFORMED MANUALLY WITH THE SYSTEM;

(5) AN ESTIMATE OF THE LENGTH OF TIME TO:

(I) ~~REVIEW AN APPLICATION FOR INITIAL COMPLETION~~ DETERMINE IF AN APPLICATION IS COMPLETE; AND

(II) MAKE A FINAL DETERMINATION ~~FOR A COMPLETED APPLICATION~~ TO ISSUE, WAIVE, OR DENY THE PERMIT, LICENSE, OR CERTIFICATE;

(6) THE APPLICATION FEE CHARGED FOR EACH PERMIT, LICENSE, OR CERTIFICATE AND HOW THE REVENUE COLLECTED FROM APPLICATION FEES IS ALLOCATED;

(7) ANY STATUTORY OR REGULATORY AUTHORITY THAT MAY IMPACT AN APPLICANT'S ABILITY TO RECEIVE A PERMIT, LICENSE, OR CERTIFICATE BASED ON THE CRIMINAL HISTORY OF THE APPLICANT;

(8) AN ANALYSIS AND ANY RECOMMENDATIONS BY THE DEPARTMENT OR INDEPENDENT UNIT ON THE APPROPRIATE LENGTH OF TIME TO PROMPTLY PROCESS COMPLETED APPLICATIONS FOR EACH PERMIT, LICENSE, OR CERTIFICATE AND FACTORS IMPEDING THE TIMELY PROCESSING OF EACH PERMIT, LICENSE, OR CERTIFICATE; AND

(9) STATUTORY OR REGULATORY CHANGES AND RESOURCES THAT COULD EXPEDITE THE PROCESSING TIMELINE.

(D) ON OR BEFORE DECEMBER 1, 2024, ~~AND EACH YEAR THEREAFTER,~~ EACH DEPARTMENT AND INDEPENDENT UNIT SHALL POST ON ITS WEBSITE ~~A DESCRIPTION OF~~ AN INTERIM DESCRIPTION, TO THE EXTENT PRACTICABLE, OF THE APPLICATION PROCESS FOR EACH PERMIT, LICENSE, OR CERTIFICATE IT ISSUES, INCLUDING:

(1) ANY UPDATES TO THE APPLICATION PROCESS IN THE PRECEDING 12-MONTH PERIOD; AND

(2) THE TIME TO PROCESS EACH APPLICATION TYPE.

(E) ON OR BEFORE OCTOBER 1, 2025, AND EACH YEAR THEREAFTER, EACH DEPARTMENT AND INDEPENDENT UNIT SHALL POST ON ITS WEBSITE A COMPLETED UPDATE OF THE INFORMATION REQUIRED UNDER SUBSECTION (D) OF THIS SECTION APPLICABLE TO THE IMMEDIATELY PRECEDING 12-MONTH PERIOD.

SUBTITLE 38. GOVERNMENT EFFICIENCY COMMISSION.

9-3801.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "COMMISSION" MEANS THE GOVERNMENT EFFICIENCY COMMISSION.

(C) "DEPARTMENT" HAS THE MEANING STATED IN § 8-506 OF THIS ARTICLE.

(D) "INDEPENDENT UNIT" HAS THE MEANING STATED IN § 8-506 OF THIS ARTICLE.

9-3802.

(A) (1) THERE IS A GOVERNMENT EFFICIENCY COMMISSION.

(2) THE PURPOSE OF THE COMMISSION IS TO ENHANCE GOVERNMENT EFFICIENCY AND ECONOMIC COMPETITIVENESS BY MONITORING EFFICIENCY IN THE PROCESSING OF PERMITS, LICENSES, AND CERTIFICATES.

(B) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:

(1) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(3) THE SECRETARY OF PLANNING, OR THE SECRETARY'S DESIGNEE;

(4) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;

(5) THE SECRETARY OF THE ENVIRONMENT, OR THE SECRETARY'S DESIGNEE;

~~**(6) THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION, OR THE DIRECTOR'S DESIGNEE;**~~

(6) THE SPECIAL SECRETARY OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, OR THE SPECIAL SECRETARY'S DESIGNEE;

(7) THE SECRETARY OF COMMERCE, OR THE SECRETARY'S DESIGNEE;

(8) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S DESIGNEE;

(9) THE SECRETARY OF LABOR, OR THE SECRETARY'S DESIGNEE;

(10) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE;

(11) THE SECRETARY OF INFORMATION TECHNOLOGY, OR THE SECRETARY'S DESIGNEE;

~~**(11)**~~ **(12) THE CHIEF PERFORMANCE OFFICER; AND**

~~(12)~~ **(13) TWO THREE** REPRESENTATIVES OF THE STATE'S BUSINESS COMMUNITY, APPOINTED BY THE GOVERNOR.

(C) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE COMMISSION.

(D) THE OFFICE OF THE GOVERNOR SHALL PROVIDE STAFF FOR THE COMMISSION.

(E) A MEMBER OF THE COMMISSION:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE COMMISSION; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(F) THE COMMISSION SHALL:

(1) COMPILE AND INDEX THE REPORTS SUBMITTED UNDER § 8-506 OF THIS ARTICLE;

(2) REVIEW STATUTORY AND REGULATORY PROVISIONS THAT MAY IMPACT THE EFFICIENCY OF PROCESSING PERMITS, LICENSES, AND CERTIFICATES; AND

(3) MAKE RECOMMENDATIONS ON:

(I) ANY FACTORS IMPEDING PROMPT AND FAIR PROCESSING OF PERMITS, LICENSES, AND CERTIFICATES;

(II) STRATEGIES FOR HOW DEPARTMENTS AND INDEPENDENT UNITS CAN IMPROVE PERMITTING AND LICENSING EFFICIENCY; AND

(III) REMOVING BARRIERS THAT HINDER INDIVIDUALS AND BUSINESSES FROM RECEIVING PERMITS, LICENSES, AND CERTIFICATES.

(G) ON OR BEFORE DECEMBER 1, 2024, AND EACH YEAR THEREAFTER, THE COMMISSION SHALL SUBMIT A REPORT ON ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE, THE GENERAL ASSEMBLY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, May 9, 2024.