

HOUSE BILL 1026

E4, F1, D4

4lr2249
CF SB 707

By: Delegates Patterson, Rogers, Acevero, Attar, Bagnall, Buckel, Crosby, Crutchfield, Fair, Fennell, Griffith, Hartman, Holmes, Hornberger, Kaiser, McComas, Pasteur, Toles, White Holland, Williams, Wilson, ~~and Young~~ Young, Alston, Bhandari, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kerr, Kipke, R. Lewis, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Szeliga, Taveras, and Woods

Introduced and read first time: February 5, 2024

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2024

CHAPTER _____

1 AN ACT concerning

2 **Armed Forces – Support of Military Families and Addition of Space Force**

3 FOR the purpose of adding the Space Force to certain provisions of law related to the armed
4 forces; authorizing military spouses and residents of the State who are members of
5 the National Guard of another state or a reserve component of the armed forces to
6 terminate certain contracts at any time after the date the service member receives
7 certain military orders to relocate; adding the Space Force and members of the
8 National Guard of any other state to the definition of a “military-connected student”
9 for purposes of the Purple Star Schools Program; authorizing the Governor to award
10 certain commissions, appointments, or promotions posthumously; and generally
11 relating to the armed forces.

12 BY repealing and reenacting, with amendments,

13 Article – Business Regulation

14 Section 19–501

15 Annotated Code of Maryland

16 (2015 Replacement Volume and 2023 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Education

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 7–129(a)
2 Annotated Code of Maryland
3 (2022 Replacement Volume and 2023 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article – Family Law
6 Section 9–108(a)
7 Annotated Code of Maryland
8 (2019 Replacement Volume and 2023 Supplement)

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 13–510, 13–601, 13–704.1, 13–901(b), 13–902(a), 13–904, 13A–101(k), and
12 13A–506(c)
13 Annotated Code of Maryland
14 (2022 Replacement Volume and 2023 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Public Safety
17 Section 13A–101(a)
18 Annotated Code of Maryland
19 (2022 Replacement Volume and 2023 Supplement)

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

22 Article – Business Regulation

23 19–501.

24 In this subtitle, “soldier” means:

25 (1) an active duty member of the armed forces of the United States,
26 including the Army, Marine Corps, Navy, Air Force, **SPACE FORCE**, Coast Guard,
27 National Guard, Reserve forces, and any other standard United States military agency; or

28 (2) a federal active duty member of the State National Guard or Reserve
29 force.

30 Article – Education

31 7–129.

32 (a) (1) In this section the following words have the meanings indicated.

33 (2) “Military–connected student” means a student who is a dependent of:

1 (i) A current member of:

2 1. The United States military serving in the Army, Navy, Air
3 Force, Marine Corps, **SPACE FORCE**, or Coast Guard on active duty;

4 2. The Maryland National Guard **OR THE NATIONAL**
5 **GUARD OF ANY OTHER STATE**; or

6 3. A reserve force of the United States military; or

7 (ii) A member of a military or reserve force described in item (i) of
8 this paragraph who was killed in the line of duty.

9 (3) "Program" means the Purple Star Schools Program.

10 **Article – Family Law**

11 9–108.

12 (a) In this section:

13 (1) "deployment" means compliance with military orders received by a
14 member of the United States Army, Navy, Air Force, Marine Corps, **SPACE FORCE**, Coast
15 Guard, National Guard, or any other Reserve component to report for combat operations or
16 other active service for which the member is required to report unaccompanied by any
17 family member or that is classified by the member's branch as remote; and

18 (2) "deployment" does not include National Guard or Reserve annual
19 training, inactive duty days, or drill weekends.

20 **Article – Public Safety**

21 13–510.

22 (a) (1) The Governor shall appoint and commission each commissioned officer
23 or appoint each warrant officer of the organized militia on recommendation of the Adjutant
24 General.

25 (2) The appointments under paragraph (1) of this subsection do not require
26 confirmation by the Senate of Maryland.

27 (b) (1) Each individual commissioned or appointed as an officer or warrant
28 officer shall be:

29 (i) an officer, warrant officer, or enlisted individual of the National
30 Guard;

1 (ii) a retired or former officer or warrant officer of the United States
2 Army, Navy, Marine Corps, Air Force, **SPACE FORCE**, or Coast Guard or any auxiliary
3 thereof;

4 (iii) an individual with prior enlisted service in the United States
5 Army, Navy, Marine Corps, Air Force, **SPACE FORCE**, or Coast Guard, or any auxiliary
6 thereof;

7 (iv) a graduate of the United States Military Academy, Naval
8 Academy, Coast Guard Academy, Merchant Marine Academy, or Air Force Academy;

9 (v) a graduate of a school, college, university, or officers' training
10 school who received military instruction under the supervision of an officer of the United
11 States Army, Navy, Marine Corps, Air Force, **SPACE FORCE**, or Coast Guard who certified
12 the graduate's fitness for appointment as a commissioned officer; or

13 (vi) an individual not otherwise identified in items (i) through (v) of
14 this paragraph who is specially qualified for service by achievement in any professional,
15 technical, or public service capacity or otherwise displays extraordinary qualifications for
16 commissioning as an officer of the Maryland Defense Force.

17 (2) ~~Before~~ **EXCEPT FOR A COMMISSION, AN APPOINTMENT, OR A**
18 **PROMOTION AWARDED UNDER SUBSECTION (F) OF THIS SECTION, BEFORE** taking
19 office, each member of the National Guard shall take the oath prescribed in § 13-407 of
20 this title and each member of the Maryland Defense Force shall take the oath prescribed
21 in § 13-509 of this subtitle.

22 (c) When initially appointed, a general officer or colonel of the organized militia
23 must:

24 (1) be an officer in the National Guard of a grade of O-4 or higher; or

25 (2) have served in any component or auxiliary of the United States Army,
26 Navy, Marine Corps, Air Force, **SPACE FORCE**, or Coast Guard or National Guard with
27 the grade of O-4 or higher.

28 (d) When initially appointed, a lieutenant-colonel or major of the line must have
29 had service as an officer for at least 2 years in any component or auxiliary of the United
30 States Army, Navy, Marine Corps, Air Force, **SPACE FORCE**, or Coast Guard or National
31 Guard.

32 (e) Subsections (c) and (d) of this section do not apply in the case of:

33 (1) officers promoted to the grade of major or above from within the
34 Maryland Defense Force; or

1 (2) officers qualified under subsection (b)(1)(vi) of this section.

2 **(F) THE GOVERNOR MAY AWARD A COMMISSION, AN APPOINTMENT, OR A**
3 **PROMOTION UNDER THIS SECTION POSTHUMOUSLY.**

4 13-601.

5 (a) (1) On the recommendation of the Adjutant General, the Governor may
6 grant to an officer of the organized militia a brevet commission of the next higher grade
7 than the regular commission held by the officer.

8 (2) The Governor may grant a brevet commission to an officer of the
9 organized militia of a grade equal to the highest grade in which the officer previously served
10 in the organized militia or in the United States Army, Navy, Marine Corps, Air Force,
11 **SPACE FORCE**, or Coast Guard.

12 (b) A brevet commission carries only the rights or privileges that are allowed in
13 like cases in the military service of the United States.

14 13-704.1.

15 (a) (1) In this section the following words have the meanings indicated.

16 (2) "Military service" means:

17 (i) in the case of a service member who is a member or reserve
18 member of the Army, Navy, Air Force, Marine Corps, **SPACE FORCE**, or Coast Guard,
19 full-time duty in the active military service of the United States, including:

20 1. full-time training duty;

21 2. annual training duty; and

22 3. attendance while at a school designated as a service school
23 by federal law or by the secretary of the military department concerned;

24 (ii) in the case of **A RESIDENT OF THE STATE WHO IS** a member or
25 reserve member of the Maryland National Guard, **THE NATIONAL GUARD OF ANOTHER**
26 **STATE, OR A RESERVE COMPONENT OF THE ARMED FORCES**, service under a call to:

27 1. active service authorized by the President of the United
28 States or the Secretary of Defense for a period of more than 30 days in response to a national
29 emergency declared by the President of the United States; or

30 2. active duty for a period of more than 30 consecutive days;

1 (iii) in the case of a service member who is a commissioned officer of
2 the Public Health Service or the National Oceanic and Atmospheric Administration, active
3 service; or

4 (iv) any period during which a service member is absent from duty
5 on account of sickness, wounds, leave, or other lawful cause.

6 (3) **“MILITARY SPOUSE” MEANS THE SPOUSE OF A SERVICE MEMBER.**

7 (4) **“Service member” means an individual engaged in military service.**

8 (b) This section is intended to supplement rights and protections provided in the
9 federal Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.).

10 (c) (1) In addition to the rights and protections regarding consumer
11 transactions, contracts, and service providers included in Title III of the federal
12 Servicemembers Civil Relief Act (50 U.S.C. App. 531 through 538), a service member **OR**
13 **MILITARY SPOUSE** may terminate a contract described in paragraph (2) of this subsection
14 at any time after the date the service member receives military orders to relocate for a
15 period of military service of at least 90 days to a location where the service member would
16 be unable to use the services under the contract.

17 (2) This section applies to a contract to provide any of the following:

18 (i) telecommunication services;

19 (ii) Internet services;

20 (iii) television services;

21 (iv) athletic club or gym memberships; and

22 (v) satellite radio services.

23 (3) (i) A service member **OR MILITARY SPOUSE** may terminate a
24 contract under this section by delivering a written or electronic notice of the termination
25 and a copy of the service member’s military orders to the service provider.

26 (ii) If a service member **OR MILITARY SPOUSE** terminates a
27 contract, the service provider shall provide the service member **OR MILITARY SPOUSE** with
28 a written or electronic notice of the service member’s rights posted on the Maryland
29 National Guard’s Internet website.

30 (d) (1) **[A] IF A** service member **[who] OR MILITARY SPOUSE** terminates or
31 suspends the provision of services under this section and **[who] THE SERVICE MEMBER** is
32 no longer in active military service, **THE SERVICE MEMBER OR MILITARY SPOUSE** may

1 reinstate the provision of service on the same terms and conditions as originally agreed to
2 with the service provider before the termination or suspension on written notice to the
3 provider that the service member is no longer in active military service.

4 (2) Written notice under this subsection shall be given within 90 days after
5 termination of the service member's active military service.

6 (e) A service member **OR MILITARY SPOUSE** who terminates, suspends, or
7 reinstates the provision of services under this section:

8 (1) may not be charged a penalty, fee, loss of deposit, or any other
9 additional cost because of the termination, suspension, or reinstatement; and

10 (2) is not liable for payment for any services after the effective date of the
11 termination or suspension, until the effective date of any reinstatement of services.

12 13-901.

13 (b) Without authority under the laws of the United States or this State, a person
14 may not wear a uniform or distinctive part of a uniform or an item similar to a uniform or
15 a distinctive part of a uniform of:

16 (1) the United States Army, Navy, Air Force, Marine Corps, **SPACE**
17 **FORCE**, or Coast Guard; or

18 (2) the National Guard of this State, another state, or the United States;

19 (3) the Maryland Defense Force; or

20 (4) an auxiliary of any of the military units listed in this subsection.

21 13-902.

22 (a) This section does not apply to a member of the United States Army, Navy, Air
23 Force, Marines, **SPACE FORCE**, or Coast Guard, the organized militia of this State or
24 another state, an officer of the Maryland Defense Force, or a member of associations wholly
25 composed of soldiers honorably discharged from the armed forces of the United States.

26 13-904.

27 (a) A person who is the owner or who is an agent of the owner of a place of
28 amusement or recreation open to the public may not refuse admission to an officer or
29 enlisted individual of the United States Army, Navy, Marine Corps, Coast Guard, **SPACE**
30 **FORCE**, or Air Force or the organized militia of this State or of another state because the
31 officer or enlisted individual is in uniform.

1 (b) A person who violates this section is guilty of a misdemeanor and on conviction
2 is subject to imprisonment not exceeding 6 months or a fine not exceeding \$500 or both.

3 13A–101.

4 (a) In this title, unless the context otherwise requires, the following words have
5 the meanings indicated.

6 (k) “Judge advocate” means a commissioned officer of the organized state military
7 forces who is a member in good standing of the bar of the highest court of a state:

8 (1) (i) certified or designated as a judge advocate in the Judge Advocate
9 General’s Corps of the Army, Air Force, Navy, **SPACE FORCE**, or the Marine Corps or
10 designated as a law specialist as an officer of the Coast Guard, or a reserve component of
11 one of these; or

12 (ii) certified as a non–federally recognized judge advocate, under
13 regulations adopted pursuant to this provision, by the senior judge advocate of the
14 commander of the force in the State military forces of which the accused is a member, as
15 competent to perform such military justice duties required by this code; or

16 (2) if no judge advocate certified under item (1) of this subsection is
17 available, certified by a senior judge advocate of the commander of another force in the
18 State military forces, as the convening authority directs.

19 13A–506.

20 (c) In the instance when a defense counsel is not a member of the bar of the
21 highest court of the state, the defense counsel shall be deemed admitted pro hac vice,
22 subject to filing a certificate with the military judge setting forth the qualifications that
23 counsel is:

24 (1) (i) a commissioned officer of the armed forces of the United States
25 or a component thereof;

26 (ii) a member in good standing of the bar of the highest court of a
27 state; and

28 (iii) certified as a judge advocate in the Judge Advocate General’s
29 Corps of the Army, Air Force, Navy, **SPACE FORCE**, or Marine Corps; or

30 (2) a judge advocate as defined in § 13A–101 of this title.

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