
By: **The President (By Request - Department of Legislative Services)**

Introduced and read first time: January 16, 2006

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Annual Curative Bill**

3 FOR the purpose of generally curing previous Acts of the General Assembly with
4 possible title or other defects; authorizing the Prince George's County Board of
5 License Commissioners to approve the transfer of one Class D beer and light
6 wine license with an off-sale privilege from a certain alcoholic beverages district
7 to another certain alcoholic beverages district for use on a certain premises;
8 establishing that the Sheriff of Howard County has exclusive discretion to
9 determine whether a probationary deputy sheriff has the qualifications and
10 ability to serve in the position of a permanent nonprobationary employee;
11 providing that a certain prohibition against destroying, damaging, or removing
12 a tree, plant, or shrub in a cemetery does not prohibit certain care and
13 maintenance activities; expanding the list of offenses for which a law
14 enforcement agency making an arrest of a child enrolled in a public school
15 system is required to notify the local superintendent to include certain offenses
16 involving gang affiliation and certain arson offenses; repealing a certain
17 exemption for certain expenditures related to removal, restoration, or remedial
18 action in response to the disposal or storage of scrap tires from certain sites
19 from a requirement to reimburse the Department of the Environment;
20 expanding the sources of funding for the State Recycling Trust Fund; providing
21 for the appointment, tenure, and duties of the Executive Director of the
22 Maryland Community Health Resources Commission; providing a certain
23 exception to the requirement that a State flag be presented to the family of the
24 deceased by a certain State Senator; authorizing the Motor Vehicle
25 Administration to suspend an individual's driver's license for a certain violation
26 for up to a certain period of time; requiring that the operator of a certain parking
27 facility allocate at least a certain number of parking spaces for employees of the
28 General Assembly; requiring that the spaces be assigned by the President of the
29 Senate and the Speaker of the House of Delegates; requiring that the spaces be
30 made available on certain financial terms; requiring that all contracts for
31 financing, construction, or operation of a certain parking facility be made
32 subject to certain requirements; requiring that certain public agencies and
33 instrumentalities be subject to certain requirements; providing for the effect and
34 construction of certain provisions of this Act; making this Act an emergency
35 measure; and generally repealing and reenacting without amendments certain

1 Acts of the General Assembly that may be subject to possible title or other
2 defects in order to validate those Acts.

3 BY repealing and reenacting, without amendments,
4 Article 2B - Alcoholic Beverages
5 Section 6-301(a) and 9-217(h)
6 Annotated Code of Maryland
7 (2005 Replacement Volume)

8 BY repealing and reenacting, without amendments,
9 Article - Business Regulation
10 Section 4.5-308(a)(10)
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2005 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article - Courts and Judicial Proceedings
15 Section 2-309(o)(2) and 3-819(b)
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2005 Supplement)

18 BY repealing and reenacting, without amendments,
19 Article - Criminal Law
20 Section 10-404
21 Annotated Code of Maryland
22 (2002 Volume and 2005 Supplement)

23 BY repealing and reenacting, without amendments,
24 Article - Education
25 Section 5-301(j) and 7-303(a)
26 Annotated Code of Maryland
27 (2004 Replacement Volume and 2005 Supplement)

28 BY repealing and reenacting, without amendments,
29 Article - Election Law
30 Section 2-103
31 Annotated Code of Maryland
32 (2003 Volume and 2005 Supplement)
33 (As enacted by Chapter 4 of the Acts of 2005)

34 BY repealing and reenacting, without amendments,
35 Article - Environment
36 Section 9-276 and 9-1707(f)

1 Annotated Code of Maryland
2 (1996 Replacement Volume and 2005 Supplement)

3 BY repealing and reenacting, without amendments,
4 Article - Health - General
5 Section 19-2105
6 Annotated Code of Maryland
7 (2005 Replacement Volume and 2005 Supplement)

8 BY repealing and reenacting, without amendments,
9 Article - Public Safety
10 Section 1-202(e)
11 Annotated Code of Maryland
12 (2003 Volume and 2005 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article - State Finance and Procurement
15 Section 5A-304
16 Annotated Code of Maryland
17 (2001 Replacement Volume and 2005 Supplement)

18 BY repealing and reenacting, without amendments,
19 Article - Tax - Property
20 Section 7-513 and 9-320(c)
21 Annotated Code of Maryland
22 (2001 Replacement Volume and 2005 Supplement)

23 BY repealing and reenacting, without amendments,
24 Article - Transportation
25 Section 1-103 and 8-750, and the part "Part VII. Bus Passenger Shelter
26 Program"
27 Annotated Code of Maryland
28 (2001 Replacement Volume and 2005 Supplement)

29 BY repealing and reenacting, without amendments,
30 Article - Transportation
31 Section 21-1124(e)
32 Annotated Code of Maryland
33 (2002 Replacement Volume and 2005 Supplement)

34 BY repealing and reenacting, without amendments,
35 The Public Local Laws of St. Mary's County
36 Section 27-11A

1 Article 19 - Public Local Laws of Maryland
2 (2002 Edition, as amended)

3 BY repealing and reenacting, with amendments,
4 Chapter 164 of the Acts of the General Assembly of 2005
5 Section 1

6 BY repealing and reenacting, without amendments,
7 Chapter 445 of the Acts of the General Assembly of 2005
8 Section 2

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

11 **Article 2B - Alcoholic Beverages**

12 6-301.

13 (a) (1) Except as provided in subsection (n) of this section, a Class C beer,
14 wine and liquor license shall be issued by the license issuing authority of the county
15 in which the place of business is located. It authorizes the holder to keep for sale and
16 sell all alcoholic beverages at retail at any club, at the place described in the license,
17 for consumption on the premises only.

18 (2) The annual fee for the license shall be paid to the local collecting
19 agent before the license is issued, for distribution as provided.

20 (3) In this section, "board" means the board of commissioners for the
21 jurisdiction to which the subsection applies.

22 DRAFTER'S NOTE:

23 Error: Function paragraph of bill being cured incorrectly indicated that Article
24 2B, § 6-301(a), rather than § 6-301(a)(1), was being amended.

25 Occurred: Chapter 70 (House Bill 901) of the Acts of 2005.

26 9-217.

27 (h) (1) Except as provided in paragraph (2) of this subsection, an alcoholic
28 beverage license with an off-sale privilege of any class, except by way of renewal, may
29 not be transferred or issued to any business establishment of the type commonly
30 known as chain stores, supermarkets, discount houses or their franchisors and
31 franchisees or concessionaires. However, those establishments holding an alcoholic
32 beverage license at the time of enactment of this section may continue to hold such
33 license, and may, at the discretion of the Board of License Commissioners, change the
34 classification of their license.

1 (2) Notwithstanding any other provision of this article, the Board of
2 License Commissioners may approve the transfer from the 47th alcoholic beverages
3 district to the 21st alcoholic beverages district of one Class D beer and light wine
4 license with an off-sale privilege for use by a supermarket or similar type of premises.

5 DRAFTER'S NOTE:

6 Error: Possible violation of the single subject requirement of Article III, § 29 of
7 the Maryland Constitution.

8 Occurred: Chapter 260 (House Bill 1110) of the Acts of 2005.

9 **Article - Business Regulation**

10 4.5-308.

11 (a) The Unit may deny registration to an applicant, reprimand a registrant,
12 suspend or revoke a registration, or impose a civil penalty on a registrant if the Unit
13 determines that the applicant or registrant:

14 (10) repeatedly engaged in fraud, deception, misrepresentation, or
15 knowing omissions of material facts related to home building contracts;

16 DRAFTER'S NOTE:

17 Error: Function paragraph of bill being cured incorrectly indicated that §
18 4.5-308(a)(10) of the Business Regulation Article was being amended.

19 Occurred: Chapter 612 (House Bill 1576) of the Acts of 2005.

20 **Article - Courts and Judicial Proceedings**

21 2-309.

22 (o) (2) (i) Each full-time deputy sheriff at the rank of lieutenant or below
23 appointed by the Sheriff on or after October 1, 2005:

24 1. Shall be required by the Sheriff to serve an initial
25 probationary period of 12 months; and

26 2. May be dismissed by the Sheriff for any reason only
27 during the initial probationary period.

28 (ii) The Sheriff may extend the probationary period for reasonable
29 cause.

30 (iii) During the probationary period, the Sheriff has exclusive
31 discretion to determine whether a probationary deputy sheriff has the qualifications
32 and ability to serve in the position of a permanent nonprobationary employee.

1 (iv) Each probationary deputy sheriff shall be required to complete
2 the minimum number of hours mandated for law enforcement agencies established by
3 the Maryland Police Training Commission.

4 (v) After the probationary period, a full-time deputy sheriff at a
5 rank of lieutenant or below may be disciplined or dismissed only for just cause:

6 1. In accordance with the Law Enforcement Officers' Bill of
7 Rights, if the employee's rights are covered under this bill of rights; or

8 2. In accordance with the personnel rules and regulations of
9 the Howard County Sheriff's Office, if the employees' rights are not covered under the
10 Law Enforcement Officers' Bill of Rights.

11 (vi) Except for an appeal taken pursuant to the Law Enforcement
12 Officers' Bill of Rights, an appeal by an aggrieved party shall be taken to the Circuit
13 Court for Howard County.

14 DRAFTER'S NOTE:

15 Error: Purpose paragraph of bill being cured failed to accurately describe the
16 changes made by the bill.

17 Occurred: Chapter 272 (House Bill 1443) of the Acts of 2005.

18 3-819.

19 (b) (1) In making a disposition on a CINA petition under this subtitle, the
20 court shall:

21 (i) Find that the child is not in need of assistance and, except as
22 provided in subsection (e) of this section, dismiss the case; or

23 (ii) Subject to paragraph (2) of this subsection, find that the child is
24 in need of assistance and:

25 1. Not change the child's custody status; or

26 2. Commit the child on terms the court considers appropriate
27 to the custody of:

28 A. A parent;

29 B. Subject to § 3-819.2 of this subtitle, a relative, or other
30 individual; or

31 C. A local department, the Department of Health and Mental
32 Hygiene, or both, including designation of the type of facility where the child is to be
33 placed.

1 (2) Unless good cause is shown, a court shall give priority to the child's
2 relatives over nonrelatives when committing the child to the custody of an individual
3 other than a parent.

4 DRAFTER'S NOTE:

5 Error: Function paragraph of bill being cured incorrectly indicated that §
6 3-189(b) of the Courts Article was unamended.

7 Occurred: Chapter 507 (Senate Bill 746) of the Acts of 2005.

8 **Article - Criminal Law**

9 10-404.

10 (a) (1) Subject to the provisions of paragraph (2) of this subsection, a person
11 may not willfully destroy, damage, deface, or remove:

12 (i) an associated funerary object or another structure placed in a
13 cemetery; or

14 (ii) a building, wall, fence, railing, or other work, for the use,
15 protection, or ornamentation of a cemetery.

16 (2) The provisions of paragraph (1) of this subsection do not prohibit the
17 removal of a funerary object or a building, wall, fence, railing, or other object installed
18 for the use, protection, or ornamentation of a cemetery or burial site, for the purpose
19 of repair or replacement, either at the request of or with the permission of heirs or
20 descendants of the deceased or the owner or manager of the cemetery or burial site.

21 (b) (1) Subject to the provisions of paragraph (2) of this subsection, a person
22 may not willfully destroy, damage, or remove a tree, plant, or shrub in a cemetery.

23 (2) The provisions of paragraph (1) of this subsection do not prohibit
24 normal maintenance of a cemetery or burial site, including trimming of trees and
25 shrubs, removal of weeds or noxious growths, grass cutting, or other routine care and
26 maintenance.

27 (c) A person may not engage in indecent or disorderly conduct in a cemetery.

28 (d) A person who violates this section is guilty of a misdemeanor and on
29 conviction is subject to:

30 (1) for a violation of subsection (a) of this section, imprisonment not
31 exceeding 5 years or a fine not exceeding \$10,000 or both; and

32 (2) for a violation of subsection (b) or (c) of this section, imprisonment not
33 exceeding 2 years or a fine not exceeding \$500 or both.

1 (e) This section does not prohibit the removal of human remains or a funerary
2 object from an abandoned cemetery if:

3 (1) the removal is authorized in writing by the State's Attorney of the
4 county in which the cemetery containing the human remains or funerary object is
5 located; and

6 (2) the human remains or funerary object are placed in an accessible
7 place in a permanent cemetery.

8 DRAFTER'S NOTE:

9 Error: Purpose paragraph of bill being cured failed to accurately describe the
10 changes made by the bill.

11 Occurred: Chapter 208 (House Bill 410) of the Acts of 2005.

12 **Article - Education**

13 5-301.

14 (j) (1) Whether by budget bill or supplementary appropriation bill, all
15 money appropriated to carry out the purposes of this section is a separate fund that
16 shall be administered by the State Comptroller in accordance with the regulations
17 adopted by the Board of Public Works.

18 (2) (i) Except as provided in subparagraph (ii) of this paragraph,
19 notwithstanding any other contrary provision of the Annotated Code, any funds
20 approved for a project that has not been contracted for within 2 years of the approval
21 of the project shall revert to the fund established under paragraph (1) of this
22 subsection.

23 (ii) The Interagency Committee, with the approval of the Board of
24 Public Works, may extend the time period under subparagraph (i) of this paragraph if
25 the Interagency Committee determines that unusual circumstances exist.

26 (3) Any unexpended allocations of funds for previously approved projects
27 shall be transferred to the fund established under paragraph (1) of this subsection.

28 (4) On or before March 30, June 30, September 30, and December 31 of
29 each year, the Interagency Committee shall report to the General Assembly, in
30 accordance with § 2-1246 of the State Government Article, and the Department of
31 Legislative Services on the balance in the fund as of the reporting date as the result
32 of transfers or reversions required under this subsection and any expenditures.

33 DRAFTER'S NOTE:

34 Error: Function paragraph of bill being cured incorrectly indicated that §
35 5-301(j), rather than § 5-301(j)(4), of the Education Article was being amended.

1 Occurred: Chapter 444 (House Bill 147) of the Acts of 2005.

2 7-303.

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

4 (2) "Criminal gang" has the meaning stated in § 9-801 of the Criminal
5 Law Article.

6 (3) "Law enforcement agency" means the law enforcement agencies
7 listed in § 3-101(e) of the Public Safety Article.

8 (4) "Local school system" means the schools and school programs under
9 the supervision of the local superintendent.

10 (5) "Local superintendent" means the county superintendent, for the
11 county in which a child is enrolled, or a designee of the superintendent, who is an
12 administrator.

13 (6) "Reportable offense" means:

14 (i) A crime of violence, as defined in § 14-101 of the Criminal Law
15 Article;

16 (ii) Any of the offenses enumerated in § 3-8A-03(d)(4) of the Courts
17 Article;

18 (iii) A violation of § 4-101, § 4-102, § 4-203, or § 4-204 of the
19 Criminal Law Article;

20 (iv) A violation of §§ 5-602 through 5-609, §§ 5-612 through 5-614,
21 § 5-617, § 5-618, § 5-627, or § 5-628 of the Criminal Law Article;

22 (v) A violation of § 4-503, § 9-504, or § 9-505 of the Criminal Law
23 Article;

24 (vi) A violation of § 6-102, § 6-103, § 6-104, or § 6-105 of the
25 Criminal Law Article; or

26 (vii) A violation of § 9-802 or § 9-803 of the Criminal Law Article.

27 (7) "Student" means an individual enrolled in a public school system in
28 the State who is 5 years of age or older and under 22 years of age.

29 DRAFTER'S NOTE:

30 Error: Purpose paragraph of bill being cured failed to accurately describe the
31 changes made by the bill.

32 Occurred: Chapter 313 (Senate Bill 488) of the Acts of 2005.

Article - Election Law

1 2-103.

2 (a) There is a State Administrator of Elections.

3 (b) The State Administrator shall:

4 (1) be appointed by the State Board, with the advice and consent of the
5 Senate of Maryland, and serve at the pleasure of the State Board;

6 (2) receive a salary as provided in the State budget;

7 (3) as provided in the State budget, employ and supervise:

8 (i) a deputy administrator, who shall serve as State Administrator
9 in the event the State Administrator resigns, becomes disabled, or dies, pending the
10 appointment of a successor State Administrator; and

11 (ii) pursuant to the State Personnel and Pensions Article, other
12 staff of the State Board;

13 (4) supervise the operations of the local boards;

14 (5) perform all duties and exercise all powers that are assigned by law to
15 the State Administrator or delegated by the State Board;

16 (6) implement, in a uniform and nondiscriminatory manner, a single,
17 uniform, official, centralized, interactive computerized statewide voter registration
18 list;

19 (7) provided the State Board is fully constituted with five duly confirmed
20 members, be subject to removal by the affirmative vote of four duly confirmed
21 members of the State Board for incompetence, misconduct, or other good cause except
22 that:

23 (i) prior to removal, the State Board shall set forth written charges
24 stating the grounds for dismissal and afford the State Administrator notice and an
25 ample opportunity to be heard; and

26 (ii) subsequent to a valid vote for removal by at least four duly
27 confirmed members of the State Board, the State Administrator is authorized to
28 continue to serve until a successor is appointed and confirmed by the Senate of
29 Maryland; and

30 (8) be the chief State election official.

31 (c) Before taking office, the appointee to the office of State Administrator shall
32 take the oath required by Article I, § 9 of the Maryland Constitution.

33 DRAFTER'S NOTE:

1 Error: Function paragraph of bill being cured incorrectly indicated that § 2-103,
2 rather than § 2-103(a) and (b), of the Election Law Article was being amended.

3 Occurred: Chapter 4 (Senate Bill 444) of the Acts of 2005.

4 **Article - Environment**

5 9-276.

6 (a) Except as provided in subsection (d) of this section, all expenditures from
7 the State Used Tire Cleanup and Recycling Fund made by the Department under §
8 9-275(a)(1) of this subtitle in response to the storage or disposal of used tires at a
9 particular site shall be reimbursed to the Department for the State Used Tire
10 Cleanup and Recycling Fund by the owner or operator of the site or any other person
11 who caused the tires to be stored or disposed of at the site in violation of this subtitle.

12 (b) In addition to any other legal action authorized by this subtitle, the
13 Attorney General may bring an action to recover costs and interest from any person
14 who fails to make reimbursement as required under subsection (a) of this section.

15 (c) Except as provided in subsection (d) of this section, the Department may
16 recover costs incurred by the Department under § 9-275(a)(1) of this subtitle whether
17 or not the discarded tires were disposed of or stored at the site before July 1, 1989.

18 (d) This section does not apply to expenditures related to removal, restoration,
19 or remedial action in response to the disposal or storage of scrap tires in violation of
20 this subtitle if the owner of a site where scrap tires were stored, disposed, or
21 processed only before July 1, 1989:

22 (1) Is not engaged in the business of storage, disposal, or processing of
23 scrap tires, hazardous substances, or other waste;

24 (2) Did not cause or allow scrap tires to be stored, disposed, or processed
25 on the site; and

26 (3) Obtained the site or an interest in the site by inheritance, bequest, or
27 otherwise at the death of the transferor prior to January 1, 2000.

28 DRAFTER'S NOTE:

29 Error: Purpose paragraph of bill being cured failed to accurately describe the
30 changes made by the bill.

31 Occurred: Chapter 597 (House Bill 1245) of the Acts of 2005.

32 9-1707.

33 (f) (1) There is a State Recycling Trust Fund.

34 (2) The Fund shall consist of:

- 1 (i) The newsprint recycling incentive fee;
- 2 (ii) The telephone directory recycling incentive fee collected under §
3 9-1709 of this subtitle;
- 4 (iii) The computer manufacturer registration fee collected under §
5 9-1728 of this subtitle;
- 6 (iv) Money appropriated in the State budget to the Fund; and
- 7 (v) Any other money from any other source accepted for the benefit
8 of the Fund.
- 9 (3) The Secretary shall administer the Fund.
- 10 (4) The Treasurer shall hold the Fund separately and the Comptroller
11 shall account for the Fund.
- 12 (5) At the end of each fiscal year, any unspent or unencumbered balance
13 in the Fund shall revert to the General Fund of the State in accordance with § 7-302
14 of the State Finance and Procurement Article.
- 15 (6) In accordance with the State budget, the Fund shall be used only:
- 16 (i) To provide grants to the counties to be used by the counties to
17 develop and implement local recycling plans;
- 18 (ii) To provide grants to counties that have addressed methods for
19 the separate collection and recycling of computers in accordance with § 9-1703(c)(1) of
20 this subtitle;
- 21 (iii) To provide grants to municipalities to be used by the
22 municipalities to implement local computer recycling programs; and
- 23 (iv) To carry out the purposes of the Office of Recycling under this
24 subtitle.
- 25 (7) (i) The Treasurer shall invest the money in the Fund in the same
26 manner as other State money may be invested.
- 27 (ii) Any investment earnings of the Fund shall be credited to the
28 General Fund of the State.

29 DRAFTER'S NOTE:

30 Error: Purpose paragraph of bill being cured failed to accurately describe the
31 changes made by the bill.

32 Occurred: Chapter 384 (House Bill 575) of the Acts of 2005.

1

Article - Health - General

2 19-2105.

3 (a) With the approval of the Governor, the Commission shall appoint an
4 Executive Director, who is the chief administrative officer of the Commission.

5 (b) The Executive Director serves at the pleasure of the Commission.

6 (c) Under the direction of the Commission, the Executive Director shall
7 perform any duty or function that the Commission requires.

8 DRAFTER'S NOTE:

9 Error: Purpose paragraph of bill being cured failed to accurately describe the
10 changes made by the bill.

11 Occurred: Chapter 280 (House Bill 627) of the Acts of 2005.

12

Article - Public Safety

13 1-202.

14 (e) (1) The Secretary of State shall issue a State flag to the family of a
15 firefighter, policeman, member of the military, or sworn member of the office of State
16 Fire Marshal who is killed in the performance of duty.

17 (2) (i) Except when the deceased is a member of the military, the flag
18 shall be presented to the family of the deceased by the State Senator of the legislative
19 district in which the deceased resided or served.

20 (ii) When the deceased is a member of the military, the flag shall be
21 presented to the family of the deceased by the Department of Veterans Affairs.

22 DRAFTER'S NOTE:

23 Error: Purpose paragraph of bill being cured failed to accurately describe the
24 changes made by the bill.

25 Occurred: Chapter 264 (House Bill 1226) of the Acts of 2005.

26

Article - State Finance and Procurement

27 5A-304.

28 (a) (1) On request by the Trust, the Board of Public Works may acquire part
29 or all of any property that the Trust finds is a historic landmark worthy of public care
30 and preservation.

31 (2) The property may be acquired by gift or by purchase with any
32 available money.

1 (b) (1) Under § 5A-318 of this subtitle, the Board of Public Works may select
2 the Trust as the State unit to control and administer any property acquired.

3 (2) For these purposes the Board of Public Works may transfer title to or
4 an interest in the property to the Trust or to an appropriate governmental unit,
5 private agency, or corporation, subject to covenants and conditions that call for the
6 property to:

7 (i) be properly maintained and controlled; and

8 (ii) revert to the Board of Public Works on breach of any of these
9 conditions or covenants.

10 DRAFTER'S NOTE:

11 Error: Bills being cured purported to amend Article 78A, § 14B(b), which was
12 repealed by Chapter 26 of the Acts of 2005.

13 Occurred: Chapter 44 (House Bill 237) and Chapter 440 (House Bill 1562) of the
14 Acts of 2005.

15 **Article - Tax - Property**

16 7-513.

17 (a) Subject to subsection (b) of this section, the governing body of Dorchester
18 County may reduce, by law, the percent of the assessment of personal property other
19 than operating personal property of a public utility.

20 (b) If the governing body of the county enacts a law reducing the assessment of
21 personal property, personal property other than operating personal property of a
22 public utility is subject to county property tax on:

23 (1) 90% of its value for the first taxable year beginning after enactment
24 of the law;

25 (2) 80% of its value for the second taxable year beginning after
26 enactment of the law;

27 (3) 70% of its value for the third taxable year beginning after enactment
28 of the law;

29 (4) 60% of its value for the fourth taxable year beginning after
30 enactment of the law;

31 (5) 50% of its value for the fifth taxable year beginning after enactment
32 of the law;

33 (6) 40% of its value for the sixth taxable year beginning after enactment
34 of the law;

1 (7) 30% of its value for the seventh taxable year beginning after
2 enactment of the law;

3 (8) 20% of its value for the eighth taxable year beginning after
4 enactment of the law;

5 (9) 10% of its value for the ninth taxable year beginning after enactment
6 of the law; and

7 (10) 0% of its value for the tenth taxable year beginning after enactment
8 of the law and for each taxable year thereafter.

9 DRAFTER'S NOTE:

10 Error: Short title of bill being cured failed to accurately describe the changes
11 made by the bill.

12 Occurred: Chapter 386 (House Bill 585) of the Acts of 2005.

13 9-320.

14 (c) (1) The governing body of St. Mary's County may grant, by law, a
15 property tax credit against the county property tax imposed on real property used as
16 a principal residence and owned by an individual at least 70 years old who is of
17 limited income.

18 (2) The governing body of St. Mary's County may provide, by law, for:

19 (i) eligibility criteria for the credit under this section;

20 (ii) the amount and duration of the tax credit under this section;

21 (iii) regulations and procedures for the application and uniform
22 processing of requests for the tax credit; and

23 (iv) any other provision necessary to carry out the credit under this
24 section.

25 DRAFTER'S NOTE:

26 Error: Short title of bill being cured failed to accurately describe the changes
27 made by the bill.

28 Occurred: Chapter 195 (House Bill 121) of the Acts of 2005.

29 **Article - Transportation**

30 1-103.

31 (a) A license or permit is considered renewed for purposes of this section if the
32 license or permit is issued by a unit of State government to a person for the period

1 immediately following a period for which the person previously possessed the same or
2 a substantially similar license.

3 (b) Before any license or permit may be renewed under this article, the issuing
4 authority shall verify through the Office of the Comptroller that the applicant has
5 paid all undisputed taxes and unemployment insurance contributions payable to the
6 Comptroller or the Secretary of Labor, Licensing, and Regulation or that the applicant
7 has provided for payment in a manner satisfactory to the unit responsible for
8 collection.

9 (c) Subsection (b) of this section does not apply to licenses issued under:

10 (1) Title 13 of this article (motor vehicle registrations); or

11 (2) Title 16 of this article (drivers' licenses).

12 DRAFTER'S NOTE:

13 Error: Function paragraph of bill being cured incorrectly indicated that § 1-103
14 of the Transportation Article was being amended.

15 Occurred: Chapter 444 (House Bill 147) of the Acts of 2005.

16 Part VII. Bus Passenger Shelter Program.

17 8-750.

18 (a) In this part the following words have the meanings indicated.

19 (b) "Bus passenger shelter" means a shelter located at a designated transit
20 bus stop for the convenience of passengers of a public transportation system owned
21 and operated by a governmental unit, public authority, or transit operator.

22 (c) "Commercial advertising sign" means any sign, display, or device designed,
23 intended, or used to encourage or promote the purchase or use of goods or services.

24 DRAFTER'S NOTE:

25 Error: Function paragraph of bill being cured incorrectly described part
26 designation.

27 Occurred: Chapter 131 (Senate Bill 158) of the Acts of 2005.

28 21-1124.

29 (e) (1) If the Administration receives satisfactory evidence that an
30 individual has violated this section, the Administration:

31 (i) May suspend the individual's driver's license for not more than
32 90 days; and

1 (ii) May issue a restricted license for the period of suspension that
2 is limited to driving a motor vehicle:

- 3 1. In the course of the individual's employment;
- 4 2. For the purpose of driving to or from a place of
5 employment; or
- 6 3. For the purpose of driving to or from school.

7 (2) An individual may request a hearing as provided for a suspension or
8 revocation under Title 12, Subtitle 2 of this article.

9 DRAFTER'S NOTE:

10 Error: Purpose paragraph of bill being cured failed to accurately describe the
11 changes made by the bill.

12 Occurred: Chapter 543 (House Bill 394) of the Acts of 2005.

13 **Article 19 - St. Mary's County**

14 27-11.

15 A. Unless and until otherwise provided by ordinance of the County
16 Commissioners within the limitations provided by public general law, the aggregate
17 amount of bonds and other evidences of indebtedness outstanding at any time may
18 not exceed five (5) percent upon the assessable basis of the county. However, tax
19 anticipation notes or other evidences of indebtedness having a maturity not in excess
20 of twelve (12) months, bonds or other evidences of indebtedness issued or guaranteed
21 by the county, payable primarily or exclusively from taxes levied in or on or other
22 revenues of special taxing areas or districts heretofore or hereafter established by
23 law, and bonds or other evidences of indebtedness issued for self-liquidating and
24 other projects payable primarily or exclusively from the proceeds of assessments or
25 charges for special benefits or services, and agreements or other evidences of
26 indebtedness executed or guaranteed by the county, payable primarily or exclusively
27 from investment instruments purchased by the county, that are guaranteed to yield
28 proceeds equal to or exceeding the amount of the county's indebtedness, are not
29 subject to or to be included as bonds or evidences of indebtedness in computing or
30 applying the percent limitations above provided.

31 DRAFTER'S NOTE:

32 Error: Function paragraph of bill being cured incorrectly indicated that § 27-11,
33 rather than § 27-11A, of the Public Local Laws of St. Mary's County was being
34 amended.

35 Occurred: Chapter 526 (House Bill 140) of the Acts of 2005.

1 **Chapter 164 of the Acts of 2005**

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

4 **Chapter 302 of the Acts of 2004**

5 SECTION [2.] 3. AND BE IT FURTHER ENACTED, That this Act shall take
6 effect July 1, 2006.

7 DRAFTER'S NOTE:

8 Error: Function paragraph and body of bill incorrectly indicated that Section 2
9 of Chapter 302 of the Acts of 2004, rather than Section 3 of Chapter 302 of the Acts of
10 2004, was being amended.

11 Occurred: Chapter 164 (Senate Bill 583) of the Acts of 2005.

12 **Chapter 445 of the Acts of 2005**

13 SECTION 2. AND BE IT FURTHER ENACTED, That:

14 (a) With respect to any parking facility financed using any combination of
15 cash, revenue bonds, or other debt and constructed on the State property bounded by
16 Rowe Boulevard/Bladen Street, Calvert Street, St. Johns Street, and Bloomsbury
17 Square in Annapolis or any other location within 1,320 feet of the boundaries of that
18 property:

19 (1) The operator of that facility shall allocate for 12 months of the year at
20 least 250 parking spaces for employees of the General Assembly which shall be
21 assigned by the President of the Senate and the Speaker of the House of Delegates.

22 (2) Spaces in the facility shall be made available to the General
23 Assembly on the financial terms equivalent to the most favorable terms under which
24 spaces may be provided to other State agencies.

25 (3) All contracts for financing, construction, or operation of this facility
26 shall be made subject to the requirements of this section.

27 (b) The Department of General Services may not reduce the total number of
28 parking spaces available to staff of the General Assembly in the parking lot adjacent
29 to the Lowe House Office Building ("B" lot), the adjoining parking garage ("A"
30 Garage), or the Gotts Garage below the number assigned on April 11, 2005 without
31 the written consent of the President of the Senate and the Speaker of the House of
32 Delegates.

33 (c) The Department of General Services, the Maryland Transportation
34 Authority, and any other public agencies or instrumentalities involved in the
35 financing, construction, or operation of the parking facilities referenced in this
36 Section shall be subject to the requirements of this Section.

1 DRAFTER'S NOTE:

2 Error: Purpose paragraph of bill being cured failed to accurately describe the
3 changes made by the bill.

4 Occurred: Chapter 445 (House Bill 340) of the Acts of 2005.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the repeal of Article 78A,
6 § 14B(b) by Chapter 26 of the Acts of the General Assembly of 2005 is hereby
7 validated.

8 DRAFTER'S NOTE:

9 Error: Bills being cured purported to amend Article 78A, § 14B(b), which was
10 repealed by Chapter 26 of the Acts of 2005.

11 Occurred: Chapter 44 (House Bill 237) and Chapter 440 (House Bill 1562) of the
12 Acts of 2005.

13 SECTION 3. AND BE IT FURTHER ENACTED, That the Drafter's Notes
14 contained in this Act are not law and may not be considered to have been enacted as
15 part of this Act.

16 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency
17 measure, is necessary for the immediate preservation of the public health or safety,
18 has been passed by a ye and nay vote supported by three-fifths of all the members
19 elected to each of the two Houses of the General Assembly, and shall take effect from
20 the date it is enacted.