

SENATE BILL 102

J1, E4

(4lr0051)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Health and Government
Operations* —

Introduced by **Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Health and Mental Hygiene)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Health – Use of Alternate Care Sites During a State of Emergency –**
3 **Authorization**

4 FOR the purpose of authorizing the Governor to promulgate certain orders, rules, or
5 regulations to authorize the use of certain alternate care sites by ~~accredited~~
6 licensed health care facilities during a declared state of emergency under
7 certain circumstances; defining certain terms; and generally relating to the use
8 of alternate care sites during a state of emergency.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 14–301 and 14–303(b)
12 Annotated Code of Maryland

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.

Italics indicate opposite chamber/conference committee amendments.



(2011 Replacement Volume and 2013 Supplement)

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

Article – Public Safety

14–301.

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

(B) “ALTERNATE CARE SITE” MEANS AN AREA THAT:

(1) (I) IS NOT LOCATED ON A HEALTH CARE FACILITY’S PREMISES; OR

(II) IS LOCATED ON A HEALTH CARE FACILITY’S PREMISES IN AN AREA NOT TYPICALLY USED TO PROVIDE MEDICAL SERVICES, NURSING SERVICES, OR OTHER HEALTH–RELATED SERVICES; AND

(2) IS USED BY ~~AN ACCREDITED~~ A LICENSED HEALTH CARE FACILITY;

(I) TO PROVIDE MEDICAL SERVICES, NURSING SERVICES, OR OTHER HEALTH–RELATED SERVICES DURING A DECLARED STATE OF EMERGENCY; AND

(II) THAT HAS ACCESS TO AN EMERGENCY ELECTRICAL POWER GENERATOR.

[(b)] (C) “Energy emergency” means a situation in which the health, safety, or welfare of the public is threatened by an actual or impending acute shortage in energy resources.

(D) “HEALTH CARE FACILITY” HAS THE MEANING STATED IN § 19–114 OF THE HEALTH – GENERAL ARTICLE.

[(c)] (E) “Public emergency” means:

(1) a situation in which three or more individuals are at the same time and in the same place engaged in tumultuous conduct that leads to the commission of unlawful acts that disturb the public peace or cause the unlawful destruction or damage of public or private property;

(2) a crisis, disaster, riot, or catastrophe; or

1 (3) an energy emergency.

2 14–303.

3 (b) After proclaiming a state of emergency, the Governor may promulgate
4 reasonable orders, rules, or regulations that the Governor considers necessary to
5 protect life and property or calculated effectively to control and terminate the public
6 emergency in the emergency area, including orders, rules, or regulations to:

7 (1) control traffic, including public and private transportation, in the
8 emergency area;

9 (2) designate specific zones in the emergency area in which the
10 occupancy and use of buildings and vehicles may be controlled;

11 (3) control the movement of individuals or vehicles into, in, or from the
12 designated zones;

13 (4) control places of amusement and places of assembly;

14 (5) control individuals on public streets;

15 (6) establish curfews;

16 (7) control the sale, transportation, and use of alcoholic beverages;

17 (8) control the possession, sale, carrying, and use of firearms, other
18 dangerous weapons, and ammunition; [and]

19 (9) control the storage, use, and transportation of explosives or
20 flammable materials or liquids considered to be dangerous to public safety, including
21 “Molotov cocktails”; AND

22 **(10) AUTHORIZE THE USE OF ALTERNATE CARE SITES.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2014.