

SENATE BILL 102

J1, E4

4lr0051

(PRE-FILED)

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

Requested: September 30, 2013

Introduced and read first time: January 8, 2014

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 22, 2014

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
13 (2011 Replacement Volume and 2013 Supplement)

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

16 **Article – Public Safety**

17 14–301.

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

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

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

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

7 **(2) IS USED BY ~~AN ACCREDITED~~ A LICENSED HEALTH CARE**
8 **FACILITY TO PROVIDE MEDICAL SERVICES, NURSING SERVICES, OR OTHER**
9 **HEALTH-RELATED SERVICES DURING A DECLARED STATE OF EMERGENCY.**

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

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

15 **[(c)] (E) “Public emergency” means:**

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

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

21 (3) an energy emergency.

22 14-303.

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

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

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

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

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

4 (5) control individuals on public streets;

5 (6) establish curfews;

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

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

9 (9) control the storage, use, and transportation of explosives or
10 flammable materials or liquids considered to be dangerous to public safety, including
11 "Molotov cocktails"; AND

12 (10) AUTHORIZE THE USE OF ALTERNATE CARE SITES.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.