

SENATE BILL 811

P5

EMERGENCY BILL

8lr1949

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

Introduced and read first time: February 5, 2018

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 possible
4 title defects; requiring the Montgomery County Department of Liquor Control to
5 establish criteria for contracting with retail outlets; requiring the Governing Board
6 of the Maryland Education Development Collaborative to establish an Advisory
7 Council, made up of certain persons, to advise in certain matters; providing for the
8 effect and construction of certain provisions of this Act; making this Act an
9 emergency measure; and generally repealing and reenacting without amendments
10 certain Acts of the General Assembly that may be subject to possible title defects in
11 order to validate those Acts.

12 BY repealing and reenacting, without amendments,
13 Article – Alcoholic Beverages
14 Section 25–310(c)(3)
15 Annotated Code of Maryland
16 (2016 Volume and 2017 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Business Occupations and Professions
19 Section 16–5A–04(b)(3)
20 Annotated Code of Maryland
21 (2010 Replacement Volume and 2017 Supplement)

22 BY repealing and reenacting, without amendments,
23 Article – Economic Development
24 Section 1–101(e)
25 Annotated Code of Maryland
26 (2008 Volume and 2017 Supplement)

27 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 Article – Education
2 Section 9.8–103(j)
3 Annotated Code of Maryland
4 (2014 Replacement Volume and 2017 Supplement)
- 5 BY repealing and reenacting, without amendments,
6 Article – Environment
7 Section 9–1605.2(i)(3)
8 Annotated Code of Maryland
9 (2014 Replacement Volume and 2017 Supplement)
- 10 BY repealing and reenacting, without amendments,
11 Article – Health Occupations
12 Section 8–202(c)
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2017 Supplement)
- 15 BY repealing and reenacting, without amendments,
16 Article – Public Utilities
17 Section 7–703(b)(15)
18 Annotated Code of Maryland
19 (2010 Replacement Volume and 2017 Supplement)
- 20 BY repealing and reenacting, without amendments,
21 Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter
22 396 of the Acts of the General Assembly of 2011, Chapter 424 of the Acts of
23 the General Assembly of 2013, Chapter 463 of the Acts of the General
24 Assembly of 2014, and Chapter 22 of the Acts of the General Assembly of 2017
25 Section 1(3) Item MF05(A)
- 26 BY repealing and reenacting, without amendments,
27 Chapter 463 of the Acts of the General Assembly of 2014, as amended by Chapter
28 495 of the Acts of the General Assembly of 2015 and Chapter 22 of the Acts of
29 the General Assembly of 2017
30 Section 1(3) Item ZA00(J)
- 31 BY repealing and reenacting, without amendments,
32 Chapter 27 of the Acts of the General Assembly of 2016, as amended by Chapter 22
33 of the Acts of the General Assembly of 2017
34 Section 1(3) Item ZA00(AU)
- 35 BY repealing and reenacting, without amendments,
36 Chapter 315 of the Acts of the General Assembly of 2017
37 Section 1
- 38 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
39 That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

1
2 25–310.

3 (c) (3) The Department shall establish criteria for contracting with retail
4 outlets.

5 DRAFTER’S NOTE:

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

8 Occurred: Chapter 442 (House Bill 315) of the Acts of 2017.

Article – Business Occupations and Professions

9
10 16–5A–04.

11 (b) (3) If an electronic transmission under paragraph (2) of this subsection is
12 returned to the Commission as undeliverable, the Commission shall mail to the licensee,
13 at the last known address of the licensee, the materials required under paragraph (2) of
14 this subsection within 10 business days of the date the Commission received the notice that
15 the electronic transmission was undeliverable.

16 DRAFTER’S NOTE:

17 Error: Function paragraphs of bills being cured incorrectly indicated that §
18 16–15A–04(b)(3), rather than § 16–5A–04(b)(3), of the Business Occupations and
19 Professions Article was being added.

20 Occurred: Chapters 246 and 247 (Senate Bill 6/House Bill 138) of the Acts of 2017.

Article – Economic Development

21
22 1–101.

23 (e) (1) “Qualified distressed county” means a county with:

24 (i) an average rate of unemployment for the most recent 24–month
25 period for which data are available that exceeds 150% of the average rate of unemployment
26 for the State during that period;

27 (ii) an average rate of unemployment for the most recent 24–month
28 period for which data are available that exceeds the average rate of unemployment in the
29 State by at least 2 percentage points; or

1 (iii) an average per capita personal income for the most recent
2 24-month period for which data are available that is equal to or less than 67% of the
3 average per capita personal income for the State during that period.

4 (2) “Qualified distressed county” includes a county that:

5 (i) no longer meets either criterion stated in paragraph (1) of this
6 subsection; but

7 (ii) has met at least one of the criteria at some time during the
8 preceding 24-month period.

9 DRAFTER’S NOTE:

10 Error: Function paragraph of bill being cured failed to indicate that § 1–101(e) of the
11 Economic Development Article was being amended.

12 Occurred: Chapter 149 (Senate Bill 317) of the Acts of 2017.

13 **Article – Education**

14 9.8–103.

15 (j) (1) The Governing Board shall establish an Advisory Council to provide
16 advice on matters relating to 21st-century learning, data collection and sharing, and any
17 other issues related to the Collaborative’s work.

18 (2) The Advisory Council shall be made up of educators and
19 representatives of the business community, nonprofit organizations, and other
20 stakeholders with whom the Collaborative works.

21 DRAFTER’S NOTE:

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

24 Occurred: Chapter 849 (Senate Bill 908) of the Acts of 2017.

25 **Article – Environment**

26 9–1605.2.

27 (i) (3) The nitrogen, phosphorus, and sediment load reductions purchased
28 under paragraph (2)(xiii) of this subsection:

29 (i) Cannot be from the agricultural sector; and

1 (ii) Must be created on or after July 1, 2017.

2 DRAFTER'S NOTE:

3 Error: Function paragraphs of bills being cured failed to indicate that § 9–1605.2(i)(3)
4 of the Environment Article was being added.

5 Occurred: Chapters 366 and 367 (House Bill 417/Senate Bill 314) of the Acts of 2017.

6 **Article – Health Occupations**

7 8–202.

8 (c) Each member of the Board shall be:

9 (1) A citizen of the United States; and

10 (2) A resident of this State.

11 DRAFTER'S NOTE:

12 Error: Function paragraphs of bills being cured incorrectly indicated that § 8–202(c)
13 of the Health Occupations Article was being amended.

14 Occurred: Chapters 515 and 516 (House Bill 482/Senate Bill 385) of the Acts of 2017.

15 **Article – Public Utilities**

16 7–703.

17 (b) The renewable energy portfolio standard shall be as follows:

18 (15) in 2020 and later, 25% from Tier 1 renewable sources, including:

19 (i) at least 2.5% derived from solar energy; and

20 (ii) an amount set by the Commission under § 7–704.2(a) of this
21 subtitle, not to exceed 2.5%, derived from offshore wind energy.

22 DRAFTER'S NOTE:

23 Error: Function paragraphs of bills being cured incorrectly indicated that §
24 7–703(b)(16) and (17) of the Public Utilities Article were being amended, rather than
25 repealed.

26 Occurred: Chapters 1 and 2 (House Bill 1106 of 2016/Senate Bill 921 of 2016) of the
27 Acts of 2017.

1 Chapter 336 of the Acts of 2008, as amended by Chapter 396 of the Acts of 2011,
2 Chapter 424 of the Acts of 2013, Chapter 463 of the Acts of 2014, and Chapter 22
3 of the Acts of 2017

4 Section 1(3)

5 MF05 OFFICE OF THE CHIEF MEDICAL EXAMINER
6 (Baltimore City)

7 (A) New Forensic Medical Center. Provide funds to construct the
8 new Forensic Medical Center 43,467,184

9 DRAFTER’S NOTE:

10 Error: Function paragraph of bill being cured incorrectly indicated that Chapter 336
11 of the Acts of the General Assembly of 2008, as amended by Chapter 396 of the Acts of the
12 General Assembly of 2011, Chapter 424 of the Acts of the General Assembly of 2013, and
13 Chapter 463 of the Acts of the General Assembly of 2014, Section 1(3) MF05(A), rather than
14 Section 1(3) Item MF05(A), was being amended.

15 Occurred: Chapter 22 (House Bill 151) of the Acts of 2017.

16 Chapter 463 of the Acts of 2014, as amended by Chapter 495 of the Acts of 2015
17 and Chapter 22 of the Acts of 2017

18 Section 1(3)

19 ZA00 MISCELLANEOUS GRANT PROGRAMS

20 (J) Green Branch Athletic Complex. Provide a grant to the Board
21 of Directors of the Green Branch Management Group Corp. for
22 the acquisition, planning, design, site development,
23 construction, repair, renovation, reconstruction, and capital
24 equipping of the Green Branch Athletic Complex, provided that
25 notwithstanding Section 6 of this Act, work may commence on
26 this project prior to appropriation of all of the funds necessary
27 to complete this project 3,000,000

28 DRAFTER’S NOTE:

29 Error: Function paragraph of bill being cured incorrectly indicated that Chapter 463
30 of the Acts of the General Assembly of 2014, as amended by Chapter 495 of the Acts of the
31 General Assembly of 2015, Section 1(3) ZA00(J), rather than Section 1(3) Item ZA00(J), was
32 being amended.

33 Occurred: Chapter 22 (House Bill 151) of the Acts of 2017.

1 Chapter 27 of the Acts of 2016, as amended by Chapter 22 of the Acts of 2017

2 Section 1(3)

3 ZA00 MISCELLANEOUS GRANT PROGRAMS

4	(AU)	Rosewood Property Environmental Abatement. Provide a grant	
5		to the Board of Trustees of Stevenson University to design and	
6		construct the environmental abatement and demolition of	
7		buildings on the Rosewood property, including any appropriate	
8		site surveys and investigation (Baltimore County)	700,000

9 DRAFTER’S NOTE:

10 Error: Function paragraph of bill being cured incorrectly indicated that Section 1(3)
11 Item ZA01(AU), rather than Section 1(3) Item ZA00(AU), was being added to Chapter 27
12 of the Acts of the General Assembly of 2016.

13 Occurred: Chapter 22 (House Bill 151) of the Acts of 2017.

14 Chapter 315 of the Acts of 2017

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That Section(s) 1–101(p) through (dd), 13–801 through 13–804, 15–801 through 15–805,
17 16–801 through 16–804, 17–801 through 17–804, 19–801 through 19–804, 20–801 through
18 20–804, 21–801 through 21–805, 22–801 through 22–807, 22–807.1, and 22–808, 24–801
19 through 24–804, 25–801 through 25–805, 27–801 through 27–804, 28–801 through 28–804,
20 29–801 through 29–804, 30–801 through 30–804, 32–801 through 32–804, and 33–801
21 through 33–804, respectively, of Article – Alcoholic Beverages of the Annotated Code of
22 Maryland be renumbered to be Section(s) 1–101(q) through (ee), 13–802 through 13–805,
23 15–802 through 15–806, 16–802 through 16–805, 17–802 through 17–805, 19–802 through
24 19–805, 20–802 through 20–805, 21–802 through 21–806, 22–802 through 22–810, 24–802
25 through 24–805, 25–802 through 25–806, 27–802 through 27–805, 28–802 through 28–805,
26 29–802 through 29–805, 30–802 through 30–805, 32–802 through 32–805, and 33–802
27 through 33–805, respectively.

28 DRAFTER’S NOTE:

29 Error: Function paragraph of bill being cured incorrectly indicated that §§ 24–801
30 through 25–801 through 25–804, rather than §§ 24–801 through 24–804 and §§ 25–801
31 through 25–804, of the Alcoholic Beverages Article were being renumbered.

32 Occurred: Chapter 315 (House Bill 252) of the Acts of 2017.

33 SECTION 2. AND BE IT FURTHER ENACTED, That the Drafter’s Notes contained
34 in this Act are not law and may not be considered to have been enacted as part of this Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
2 measure, is necessary for the immediate preservation of the public health or safety, has
3 been passed by a yea and nay vote supported by three-fifths of all the members elected to
4 each of the two Houses of the General Assembly, and shall take effect from the date it is
5 enacted.