

# SENATE BILL 579

P5

EMERGENCY BILL

9lr0883

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

Introduced and read first time: February 4, 2019

Assigned to: Rules

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## 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; repealing a provision of law authorizing the Board of License  
5 Commissioners for Washington County to issue a beer tasting license to the holder  
6 of a Class A or Class B beer and wine license; authorizing the County Executive of  
7 Cecil County, rather than the County Commissioners of Cecil County, to collectively  
8 bargain on behalf of Cecil County with certain full-time sworn law enforcement  
9 deputy sheriffs under certain circumstances; requiring that certain fines collected by  
10 Prince George's County for violations enforced by a certain speed monitoring system  
11 be deposited into the Criminal Injuries Compensation Fund; providing that certain  
12 provisions of law related to forensic examinations for certain sexually related crimes  
13 be applicable to certain qualified health care providers, including immunity from  
14 civil liability under certain circumstances; authorizing a county board of education  
15 to award credit to a high school student toward a high school diploma or a  
16 postsecondary credential, or both, for work-based training and classroom instruction  
17 completed under a registered apprenticeship program; requiring the Maryland  
18 Higher Education Commission to compare successful completers of the Cyber  
19 Warrior Diversity Program to certain similarly situated students with regard to  
20 certain characteristics; limiting the authority of counties and municipalities to  
21 impose a penalty against an alarm system contractor for the alarm system  
22 contractor's failure to register or renew the registration of an alarm system to certain  
23 circumstances; requiring a public service company to provide certain notice to owners  
24 of land and each owner of adjacent land over, on, or under which the public service  
25 company proposes to construct transmission lines under certain circumstances;  
26 requiring the Public Service Commission or an applicant to provide certain notice to  
27 certain owners of land and adjacent land of certain applications for a certificate of  
28 public convenience and necessity for proposed overhead transmission lines under  
29 certain circumstances; repealing the authority of the St. Mary's County Metropolitan  
30 Commission to discharge at pleasure a director, a secretary, and certain personnel;  
31 providing for the effect and construction of certain provisions of this Act; making this

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 Act an emergency measure; and generally repealing and reenacting without  
2 amendments certain Acts of the General Assembly that may be subject to possible  
3 title defects in order to validate those Acts.
- 4 BY repealing and reenacting, without amendments,  
5 Article – Alcoholic Beverages  
6 Section 31–1307(b)  
7 Annotated Code of Maryland  
8 (2016 Volume and 2018 Supplement)
- 9 BY repealing and reenacting, without amendments,  
10 Article – Courts and Judicial Proceedings  
11 Section 2–309(i)(4)(ii)3. and 7–302(e)(4)(iii)  
12 Annotated Code of Maryland  
13 (2013 Replacement Volume and 2018 Supplement)
- 14 BY repealing and reenacting, without amendments,  
15 Article – Criminal Procedure  
16 Section 11–1007(a)(5), (b)(2), (c)(3)(iii), and (d)(1) and (2)(i)  
17 Annotated Code of Maryland  
18 (2018 Replacement Volume)
- 19 BY repealing and reenacting, without amendments,  
20 Article – Education  
21 Section 7–205.4 and 11–1404(a)  
22 Annotated Code of Maryland  
23 (2018 Replacement Volume and 2018 Supplement)
- 24 BY repealing and reenacting, without amendments,  
25 Article – Local Government  
26 Section 1–1312(c) and (d)  
27 Annotated Code of Maryland  
28 (2013 Volume and 2018 Supplement)
- 29 BY repealing and reenacting, without amendments,  
30 Article – Public Utilities  
31 Section 7–204(a)(1), 7–207(c)(1)(vi), and 7–208(e)(1)(i)  
32 Annotated Code of Maryland  
33 (2010 Replacement Volume and 2018 Supplement)
- 34 BY repealing and reenacting, without amendments,  
35 Article – State Government  
36 Section 2–407(a)(8)  
37 Annotated Code of Maryland  
38 (2014 Replacement Volume and 2018 Supplement)
- 39 BY repealing and reenacting, without amendments,

1 The Public Local Laws of St. Mary’s County  
 2 Section 113–1C.  
 3 Article 19 – Public Local Laws of Maryland  
 4 (2007 Edition and October 2014 Supplement, as amended)  
 5 (As enacted by Chapters 296 and 297 of the Acts of the General Assembly of 2017,  
 6 as amended by Chapter 108 of the Acts of the General Assembly of 2018)

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

9 **Article – Alcoholic Beverages**

10 31–1307.

11 (b) The Board may issue the license to a holder of any class of beer, wine, and  
 12 liquor license.

13 DRAFTER’S NOTE:

14 Error: Purpose paragraphs of bills being cured failed to accurately describe the  
 15 changes made by the bills.

16 Occurred: Chapters 320 and 321 (House Bill 1156/Senate Bill 340) of the Acts of  
 17 2018.

18 **Article – Courts and Judicial Proceedings**

19 2–309.

20 (i) (4) (ii) A full–time sworn law enforcement deputy sheriff at the rank of  
 21 Captain and below may:

22 3. Engage in collective bargaining with the Sheriff and the  
 23 County Executive of Cecil County, or the designee of the Sheriff and the County Executive,  
 24 concerning wages, benefits, and any working conditions that are not included in  
 25 subparagraph (v)4A of this paragraph through a labor organization certified as the  
 26 exclusive representative of the deputy sheriffs subject to this paragraph;

27 DRAFTER’S NOTE:

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

30 Occurred: Chapter 607 (House Bill 284) of the Acts of 2018.

31 7–302.

1 (e) (4) (iii) The fines collected by Prince George's County as a result of  
2 violations enforced by a speed monitoring system at the intersection of Old Fort Road and  
3 Maryland Route 210 shall be remitted to the Comptroller for deposit into the Criminal  
4 Injuries Compensation Fund under § 11–819 of the Criminal Procedure Article.

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 806 (House Bill 175) of the Acts of 2018.

9 **Article – Criminal Procedure**

10 11–1007.

11 (a) (5) “Qualified health care provider” means an individual who is licensed by  
12 a health occupations board established under the Health Occupations Article.

13 (b) If a physician, a qualified health care provider, or a hospital provides a service  
14 described in subsection (c) of this section to a victim of an alleged rape or sexual offense or  
15 a victim of alleged child sexual abuse:

16 (2) the physician, qualified health care provider, or hospital is entitled to  
17 be paid by the Criminal Injuries Compensation Board as provided under Subtitle 8 of this  
18 title for the costs of providing the services.

19 (c) This section applies to the following services:

20 (3) for up to 5 hours of professional time to gather information and evidence  
21 of the alleged sexual abuse, an initial assessment of a victim of alleged child sexual abuse  
22 by:

23 (iii) a qualified health care provider;

24 (d) (1) A physician or a qualified health care provider who examines a victim  
25 of alleged child sexual abuse under the provisions of this section is immune from civil  
26 liability that may result from the failure of the physician or qualified health care provider  
27 to obtain consent from the child's parent, guardian, or custodian for the examination or  
28 treatment of the child.

29 (2) The immunity extends to:

30 (i) any hospital with which the physician or qualified health care  
31 provider is affiliated or to which the child is brought; and

32 DRAFTER'S NOTE:

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

3 Occurred: Chapter 422 (House Bill 247) of the Acts of 2018.

4 **Article – Education**

5 7–205.4.

6 Notwithstanding any other provision of law, a county board may award credit to a  
7 high school student toward a high school diploma or a postsecondary credential, or both,  
8 for the work–based training and classroom instruction completed under a registered  
9 apprenticeship program.

10 **DRAFTER’S NOTE:**

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

13 Occurred: Chapter 403 (House Bill 1234) of the Acts of 2018.

14 11–1404.

15 (a) The Commission shall compare successful completers of each Program to  
16 similarly situated students who did not enroll in either Program with regard to the  
17 following characteristics:

- 18 (1) Employment rate;
- 19 (2) Wage earnings; and
- 20 (3) Job retention rate.

21 **DRAFTER’S NOTE:**

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

24 Occurred: Chapters 566 and 567 (House Bill 1819/Senate Bill 615) of the Acts of  
25 2018.

26 **Article – Local Government**

27 1–1312.

28 (c) If a county or municipality requires an alarm user or an alarm system

1 contractor to register an alarm system, the county or municipality may impose a penalty  
2 against an alarm system contractor for failure to register an alarm system only if:

3 (1) the alarm system contractor requested a dispatch to an alarm user; and

4 (2) the alarm system contractor failed to register the alarm system.

5 (d) If a county or municipality requires an alarm user or an alarm system  
6 contractor to renew an alarm system's registration, the county or municipality may impose  
7 a penalty against an alarm system contractor for failure to renew an alarm system's  
8 registration only if:

9 (1) the alarm system contractor requested a dispatch to an alarm user;

10 (2) the alarm system contractor failed to renew the alarm system's  
11 registration; and

12 (3) the county or municipality provided the alarm system contractor notice  
13 that:

14 (i) the alarm system's registration expired;

15 (ii) the alarm user or the alarm system contractor did not renew the  
16 alarm system's registration; or

17 (iii) the alarm system's registration has been suspended.

18 DRAFTER'S NOTE:

19 Error: Purpose paragraphs of bills being cured failed to accurately describe the  
20 changes made by the bills.

21 Occurred: Chapters 477 and 478 (House Bill 1117/Senate Bill 927) of the Acts of  
22 2018.

23 **Article – Public Utilities**

24 7–204.

25 (a) (1) Notwithstanding any other provision of this division, at least 30 days  
26 before a hearing, a public service company shall provide to each owner of land and each  
27 owner of adjacent land, by certified mail, written notice of intent to run a line or similar  
28 transmission device over, on, or under the land.

29 7–207.

30 (c) (1) On receipt of an application for a certificate of public convenience and

1 necessity under this section, the Commission shall provide notice immediately or require  
2 the applicant to provide notice immediately of the application to:

3 (vi) for a proposed overhead transmission line, each owner of land  
4 and each owner of adjacent land; and

5 7–208.

6 (e) (1) On the receipt of an application under this section, together with any  
7 additional information requested under subsection (d)(2) of this section, the Commission  
8 shall provide notice to:

9 (i) for a proposed overhead transmission line, each owner of land  
10 and each owner of adjacent land;

11 DRAFTER'S NOTE:

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

14 Occurred: Chapter 282 (House Bill 869) of the Acts of 2018.

## 15 Article – State Government

16 2–407.

17 (a) The Committee has the following functions:

18 (8) at least every 2 years, to review and update as necessary the  
19 antiharassment policy and procedures of the General Assembly to create and maintain an  
20 environment in which all members and employees are treated with respect and are free  
21 from unlawful discrimination and harassment.

22 DRAFTER'S NOTE:

23 Error: Function paragraph of bill being cured incorrectly indicated that § 2–407(a)(9)  
24 and (c) of the State Government Article were being added.

25 Occurred: Chapter 525 (House Bill 1342) of the Acts of 2018.

## 26 Article 19 – St. Mary's County

27 113–1.

28 C. The Commission shall elect one (1) of its voting members as Chairman and  
29 one (1) of its voting members as Vice Chairman, who shall serve in the absence or disability  
30 of the Chairman. The Commission shall appoint and fix the compensation of a Director, a

1 Secretary, and engineering, legal, clerical and other personnel which the Commission  
2 deems necessary to carry out the provisions of this chapter. The Commission may offer a  
3 contract to the Director and Assistant Director. The Commission may, by contract, appoint  
4 and fix the compensation of a General Counsel, Treasurer or Chief Financial Officer, Chief  
5 Engineer, and any other department director. The Director may not serve concurrently as  
6 the Director and as General Counsel to the Commission. The Director shall be the  
7 immediate supervisor of the General Counsel, Treasurer or Chief Financial Officer, Chief  
8 Engineer, and any other department director.

9 DRAFTER'S NOTE:

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

12 Occurred: Chapter 108 (House Bill 275) of the Acts of 2018.

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

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