

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 771 (Frederick County Delegation)
Ways and Means

Baltimore County and Frederick County – Career Exploration and Development
Activities – Sale of Coffee

This bill prohibits an Executive Branch agency from banning or regulating the sale of coffee in conjunction with a career exploration and development activity in a public high school in Baltimore County and Frederick County. The bill applies only if the activity is directed at or organized by students with individualized education programs (IEPs). **The bill takes effect July 1, 2022.**

Fiscal Summary

State Effect: None.

Local Effect: The bill does not materially affect Baltimore County or Frederick County Public School System operations or finances.

Small Business Effect: Small businesses that sell coffee are not materially affected.

Analysis

Current Law: Generally, an Executive Branch agency is authorized to ban or regulate the sale of coffee in conjunction with a career exploration and development activity in a public high school in Baltimore County. However, this authorization does not apply to a public high school that allowed such coffee sales on or before June 30, 2018. This provision is repealed by the bill.

[Maryland Food and Nutrition Standards for All Foods Sold in School](#) prohibit the sale of caffeine to students from 12:01 a.m. through 30 minutes after the end of the school day.

The federal Individuals with Disabilities Education Act (IDEA) requires that a child with disabilities be provided a free appropriate public education in the least restrictive environment from birth through the end of the school year in which the student turns 21 years old, in accordance with an individualized family service plan (IFSP) or IEP specific to the individual needs of the child. An IFSP is for children with disabilities from birth up to age 3, and up to age 5 under Maryland's Extended IFSP Option if a parent chooses the option. An IEP is for students with disabilities from age 3 through 21. Local school systems are required to make a free appropriate public education available to students with disabilities from age 3 through 21. However, the State, under its supervisory authority required by IDEA, has the ultimate responsibility for ensuring that this obligation is met.

Additional Information

Prior Introductions: HB 309 of 2020 passed the House and was referred to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Designated Cross File: SB 702 (Senators Hough and Young) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland State Department of Education; Maryland Higher Education Commission; Maryland Department of Health; Maryland Department of Labor; Baltimore County Public Schools; Department of Legislative Services

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Analysis by: Scott P. Gates

Direct Inquiries to:
(410) 946-5510
(301) 970-5510