

HB1424/583227/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1424
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in the sponsor line, strike “**and Ziegler**” and substitute “**Ziegler, Barnes, Chang, Acevero, Edelson, Forbes, Harris, McCaskill, Ruff, Schindler, Shetty, and Watson**”; in line 2, strike “**and**” and substitute a comma; in line 3, after “**Fund**” insert “**, and Powers of the Attorney General**”; in line 10, after the semicolon insert “authorizing the Maryland Department of Labor to forgive a loan from the Fund; expanding the authority of the Attorney General to take certain actions under certain circumstances; increasing the amount the Governor is required to appropriate in the proposed budget each year to the Attorney General to be used for certain purposes; altering a requirement that the Attorney General use a certain appropriation to employ a certain number of attorneys;”; in line 11, strike “and” and substitute a comma; in line 12, after “Fund” insert “, and the powers of the Attorney General”; and after line 22, insert:

“BY repealing and reenacting, with amendments,

Article - State Government

Section 6–106.1

Annotated Code of Maryland

(2021 Replacement Volume and 2024 Supplement)”.

AMENDMENT NO. 2

On page 6, in line 6, after “(iii)” insert “**IF REPAYMENT IS REQUIRED,**”; after line 7, insert:

“(4) THE MARYLAND DEPARTMENT OF LABOR MAY FORGIVE A LOAN PROVIDED UNDER THIS SECTION.

Article – State Government

HB1424/583227/01 Appropriations Committee
Amendments to HB 1424
Page 2 of 5

6-106.1.

(a) The General Assembly finds that:

(1) the federal government's action or failure to take action may pose a threat to the health and welfare of the residents of the State; and

(2) the State should investigate and obtain relief from any arbitrary, unlawful, or unconstitutional federal action or inaction and prevent such action or inaction from harming the residents of the State.

(b) (1) In addition to any other powers and duties and subject to the requirements of this subsection, the Attorney General may investigate, commence, and prosecute or defend any civil or criminal suit or action that is based on the federal government's action or inaction that threatens the public interest and welfare of the residents of the State with respect to:

(i) protecting the health of the residents of the State and ensuring the availability of affordable health care;

(ii) safeguarding public safety and security;

(iii) protecting civil liberties;

(iv) preserving and enhancing the economic security of workers and retirees;

(v) protecting financial security of the residents of the State, including their pensions, savings, and investments, and ensuring fairness in mortgages, student loans, and the marketplace;

HB1424/583227/01 Appropriations Committee
Amendments to HB 1424
Page 3 of 5

(vi) protecting the residents of the State against fraud and other deceptive and predatory practices;

(vii) protecting the natural resources and environment of the State;

(viii) protecting the residents of the State against illegal and unconstitutional federal immigration and travel restrictions; [or]

(IX) PROTECTING RESIDENTS OF THE STATE WHO ARE EMPLOYEES OF THE FEDERAL GOVERNMENT WHO ARE NOT BEING PAID BECAUSE OF A FULL OR PARTIAL FEDERAL GOVERNMENT SHUTDOWN DUE TO A LAPSE IN APPROPRIATIONS;

(X) PROTECTING RESIDENTS OF THE STATE WHO WERE EMPLOYEES OF THE FEDERAL GOVERNMENT, AND ON OR AFTER JANUARY 1, 2025:

1. WERE TERMINATED FROM EMPLOYMENT BY THE FEDERAL GOVERNMENT DUE TO THE CLOSURE, RELOCATION, OR MASS LAYOFF OF A UNIT OF THE FEDERAL GOVERNMENT, OR OTHER SIMILAR CIRCUMSTANCES BEYOND THE EMPLOYEES' CONTROL; OR

2. SEPARATED FROM EMPLOYMENT BY THE FEDERAL GOVERNMENT AS A RESULT OF A VOLUNTARY SEPARATION INCENTIVE PAYMENT; OR

[(ix)] (XI) otherwise protecting, as parens patriae, the State's interest in the general health and well-being of its residents.

(Over)

HB1424/583227/01 Appropriations Committee
Amendments to HB 1424
Page 4 of 5

(2) Except as provided in paragraph (4) of this subsection, before commencing a suit or an action under paragraph (1) of this subsection, the Attorney General shall provide to the Governor:

- (i) written notice of the intended suit or action; and
- (ii) an opportunity to review and comment on the intended suit or action.

(3) If the Governor objects to the intended suit or action for which notice was provided under this subsection:

- (i) the Governor shall provide in writing to the Attorney General the reasons for the objection within 10 days after receiving the notice; and
- (ii) except as provided in paragraph (4) of this subsection, the Attorney General shall consider the Governor's objection before commencing the suit or action.

(4) If the Attorney General determines that emergency circumstances require the immediate commencement of a suit or an action under paragraph (1) of this subsection, the Attorney General shall provide to the Governor notice of the suit or action as soon as reasonably practicable.

(c) The Governor's proposed budget for fiscal year 2019, and for each fiscal year thereafter, shall appropriate at least [\$1,000,000] **\$2,500,000** to the Attorney General to be used only for:

- (1) carrying out this section; and
- (2) employing [five] attorneys in the Office of the Attorney General.

HB1424/583227/01 Appropriations Committee
Amendments to HB 1424
Page 5 of 5

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding § 7–311(i) of the State Finance and Procurement Article, after providing the Legislative Policy Committee with at least 7 days to review and comment, the Governor may transfer up to \$5,000,000 from the Revenue Stabilization Account under § 7–311 of the State Finance and Procurement Article to the Federal Government Employee Assistance Loan Fund under § 7–327 of the State Finance and Procurement Article, as enacted by Section 1 of this Act.

(b) Notwithstanding § 7–311(i) of the State Finance and Procurement Article, after providing the Legislative Policy Committee with at least 7 days to review and comment, the Governor may transfer up to \$1,500,000 from the Revenue Stabilization Account under § 7–311 of the State Finance and Procurement Article to the expenditure accounts of the Attorney General to fund costs associated with carrying out § 6–106.1 of the State Government Article, as enacted by Section 1 of this Act.”;

and strike in their entirety lines 8 and 9 and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. Section 2 of this Act shall remain effective through June 30, 2025, and at the end of June 30, 2025, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.