

HOUSE BILL 448

P1, G1, D5

5lr2501
CF SB 275

By: ~~Delegate Kipke~~ Delegates Kipke, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Lopez, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Ross, Szeliga, Taveras, White Holland, Woods, and Woorman

Introduced and read first time: January 16, 2025

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 27, 2025

CHAPTER _____

1 AN ACT concerning

2 **Modernization of Military Laws Act**

3 FOR the purpose of establishing rules of interpretation related to the uniformed services;
4 altering the rule of interpretation for “veteran”; requiring the Secretary of Veterans
5 and Military Families to develop certain policies related to life transitions of
6 veterans, service members, and military families; altering the application of certain
7 provisions of law governing the filing of certificates of candidacy, the powers of the
8 Governor, State veterans’ cemeteries, and housing and employment discrimination
9 as they relate to veterans and the uniformed services; and generally relating to
10 veterans and the uniformed services.

11 BY repealing and reenacting, without amendments,
12 Article – Election Law
13 Section 1–101(a)
14 Annotated Code of Maryland
15 (2022 Replacement Volume and 2024 Supplement)

16 BY adding to
17 Article – Election Law
18 Section 1–101(b–1) and (tt–1)
19 Annotated Code of Maryland
20 (2022 Replacement Volume and 2024 Supplement)

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 BY repealing and reenacting, with amendments,
2 Article – Election Law
3 Section 1–101(b–1) and (b–2), 3–202.1(a), and 5–304(b)
4 Annotated Code of Maryland
5 (2022 Replacement Volume and 2024 Supplement)
- 6 BY adding to
7 Article – General Provisions
8 Section 1–101.1, 1–101.2, 1–103.1, 1–114.1, 1–114.2, and 1–116
9 Annotated Code of Maryland
10 (2019 Replacement Volume and 2024 Supplement)
- 11 BY repealing and reenacting, with amendments,
12 Article – General Provisions
13 Section 1–117
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2024 Supplement)
- 16 BY repealing and reenacting, with amendments,
17 Article – Public Utilities
18 Section 18–111
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2024 Supplement)
- 21 BY repealing and reenacting, with amendments,
22 Article – State Government
23 Section 2–104(d), 3–303(a), 9–901, 9–902, ~~9–906(a)(5) and (f)~~, 9–906, 9–907,
24 9–910(b), 9–911(a), 9–946(6) through (8), 9–957(a)(2), and 20–101(f)
25 Annotated Code of Maryland
26 (2021 Replacement Volume and 2024 Supplement)
- 27 BY repealing and reenacting, without amendments,
28 Article – State Government
29 Section 9–906(a)(1), 9–957(a)(1), and 20–101(a)
30 Annotated Code of Maryland
31 (2021 Replacement Volume and 2024 Supplement)
- 32 BY adding to
33 Article – State Government
34 Section 9–946(9)
35 Annotated Code of Maryland
36 (2021 Replacement Volume and 2024 Supplement)
- 37 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
38 That the Laws of Maryland read as follows:

1 **Article – Election Law**

2 1–101.

3 (a) In this article the following words have the meanings indicated unless a
4 different meaning is clearly intended from the context.

5 **(B–1) “ACTIVE DUTY” HAS THE MEANING STATED IN § 9–901 OF THE STATE**
6 **GOVERNMENT ARTICLE.**

7 [(b–1)] **(B–2)** “Address confidentiality program” means the Address
8 Confidentiality Program administered by the Secretary of State under Title 7, Subtitle 3 of
9 the State Government Article.

10 [(b–2)] **(B–3)** “Administrative policy affecting voting rights” means any action
11 relating to voter registration, provisional voting, absentee voting, or the location of a polling
12 place or early voting center.

13 **(TT–1) “UNIFORMED SERVICES” HAS THE MEANING STATED IN § 9–901**
14 **OF THE STATE GOVERNMENT ARTICLE.**

15 3–202.1.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) “Common access card” means the identification card issued by the U.S.
18 Department of Defense to active-duty [military personnel] **MEMBERS OF THE**
19 **UNIFORMED SERVICES**, eligible [reserve personnel] **MEMBERS OF A RESERVE**
20 **COMPONENT**, Department of Defense civilian employees, and eligible Department of
21 Defense contractor personnel.

22 (3) “Federal post card application” means the form prescribed under 52
23 U.S.C. § 20301(b)(2) that may be used by absent uniformed services voters and overseas
24 voters to simultaneously apply to register to vote and apply for an absentee ballot.

25 **(4) “RESERVE COMPONENT” HAS THE MEANING STATED IN § 9–901**
26 **OF THE STATE GOVERNMENT ARTICLE.**

27 ~~**(5) “UNIFORMED SERVICES” HAS THE MEANING STATED IN § 9–901**~~
28 ~~**OF THE STATE GOVERNMENT ARTICLE.**~~

29 5–304.

30 (b) A certificate of candidacy may be filed as permitted under subsection (a)(1)(ii)
31 of this section, if:

1 (1) the individual filing the certificate is unable to do so in person because
2 of illness, [military] service **IN THE UNIFORMED SERVICES**, or temporary absence from
3 the State; and

4 (2) the certificate is accompanied by an affidavit signed by the individual
5 filing the certificate setting forth fully the facts that prevent that individual from filing the
6 certificate in person.

7 Article – General Provisions

8 1–101.1.

9 “ACTIVE DUTY” HAS THE MEANING STATED IN § 9–901 OF THE STATE
10 GOVERNMENT ARTICLE.

11 1–101.2.

12 “ACTIVE SERVICE MEMBER” HAS THE MEANING STATED IN § 9–901 OF THE
13 STATE GOVERNMENT ARTICLE.

14 1–103.1.

15 “ARMED FORCES” HAS THE MEANING STATED IN § 9–901 OF THE STATE
16 GOVERNMENT ARTICLE.

17 1–114.1.

18 “RESERVE COMPONENT” HAS THE MEANING STATED IN § 9–901 OF THE STATE
19 GOVERNMENT ARTICLE.

20 1–114.2.

21 “SERVICE MEMBER” HAS THE MEANING STATED IN § 9–901 OF THE STATE
22 GOVERNMENT ARTICLE.

23 1–116.

24 “UNIFORMED SERVICES” HAS THE MEANING STATED IN § 9–901 OF THE STATE
25 GOVERNMENT ARTICLE.

26 1–117.

27 (A) “VETERAN” HAS THE MEANING STATED IN § 9–901 OF THE STATE
28 GOVERNMENT ARTICLE.

1 (3) the surviving spouse of a deceased ~~eligible~~ veteran.

2 (c) Granting a preference under subsection (b) of this section does not violate any
3 State or local equal employment opportunity law.

4 Article – State Government

5 2–104.

6 (d) Any full-time permanent employee of the General Assembly of Maryland or
7 the Department of Legislative Services who separates from State service and returns to
8 State service in the Executive or Judicial Branch within 3 years from the time of separation
9 from active duty, **AS DEFINED IN § 9–901 OF THIS ARTICLE**, shall be eligible for
10 reinstatement and shall receive full credit for any prior State service.

11 3–303.

12 (a) The Governor is the commander-in-chief of the land and naval militia of the
13 State, except for any part of the militia that is in the active [military] service of the [United
14 States] **UNIFORMED SERVICES**.

15 9–901.

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

17 **(B) “ACTIVE DUTY” HAS THE MEANING STATED IN 37 U.S.C. § 101.**

18 **(C) “ACTIVE SERVICE MEMBER” MEANS AN INDIVIDUAL WHO IS:**

19 **(1) AN ACTIVE DUTY MEMBER OF THE UNIFORMED SERVICES; OR**

20 **(2) SERVING IN A RESERVE COMPONENT OF THE UNIFORMED**
21 **SERVICES ON ACTIVE DUTY ORDERS.**

22 **(D) “ARMED FORCES” HAS THE MEANING STATED IN 10 U.S.C. § 101.**

23 **[(b)] (E) “Board” means the Board of Trustees of the Maryland Veterans Trust.**

24 **[(c)] (F) “Department” means the Department of Veterans and Military**
25 **Families.**

26 **(G) “MILITARY FAMILY” INCLUDES THE SPOUSE AND DEPENDENT**
27 **CHILDREN OF A SERVICE MEMBER OR VETERAN RELATED BY BLOOD, MARRIAGE, OR**
28 **ADOPTION.**

29 **(H) “RESERVE COMPONENT” HAS THE MEANING STATED IN 37 U.S.C. § 101.**

1 [(d)] (I) “Secretary” means the Secretary of Veterans and Military Families.

2 (J) “SERVICE MEMBER” MEANS AN INDIVIDUAL WHO IS A MEMBER OF:

3 (1) THE UNIFORMED SERVICES; OR

4 (2) A RESERVE COMPONENT OF THE UNIFORMED SERVICES.

5 [(e)] (K) “Trust” means the Maryland Veterans Trust.

6 (L) “UNIFORMED SERVICES” HAS THE MEANING STATED IN 37 U.S.C. § 101.

7 [(f)] (M) Except as otherwise provided [in this subtitle], “veteran” [means an
8 individual who served on active duty in the armed forces of the United States, other than
9 for training, and was discharged or released under conditions other than dishonorable] HAS
10 THE MEANING STATED IN 38 U.S.C. § 101.

11 9–902.

12 (a) There is a Department of Veterans and Military Families, established as a
13 principal department of the State government.

14 (b) The head of the Department is the Secretary of Veterans and Military
15 Families who shall be:

16 (1) a veteran ~~who has an honorable discharge from active service with a~~
17 ~~uniformed service of the United States]; and~~

18 (2) appointed by the Governor with the advice and consent of the Senate.

19 (c) (1) The Secretary serves at the pleasure of the Governor and is responsible
20 directly to the Governor. The Secretary shall advise the Governor on all matters assigned
21 to the Department and is responsible for carrying out the Governor’s policies on these
22 matters.

23 (2) The Secretary is responsible for:

24 (I) the operation of the Department and shall establish guidelines
25 and procedures to promote the orderly and efficient operation of the Department; AND

26 (II) THE DEVELOPMENT OF COORDINATED POLICIES FOR
27 LEADING VETERANS, SERVICE MEMBERS, AND THEIR FAMILIES THROUGH LIFE’S
28 TRANSITIONS, INCLUDING ASSISTING IN SECURING BENEFITS EARNED THROUGH
29 SERVICE IN THE UNIFORMED SERVICES AND RESERVE COMPONENTS.

1 (3) Subject to the provisions of this subtitle, the Secretary may establish,
2 reorganize, or consolidate areas of responsibility in the Department as necessary to fulfill
3 the duties assigned by the Secretary.

4 (4) The Secretary shall adopt regulations necessary to carry out the
5 provisions of this subtitle.

6 (d) The Secretary is entitled to the salary provided in the State budget.

7 ~~9-906.~~

8 (a) ~~(1) In this section the following words have the meanings indicated.~~

9 ~~(5) In this section and in § 9-907 of this subtitle, "veteran" means an~~
10 ~~individual who:~~

11 ~~(i) served other than dishonorably on active duty in the [armed~~
12 ~~forces of the United States] UNIFORMED SERVICES; or~~

13 ~~(ii) served other than dishonorably as a member of the State militia~~
14 ~~ordered into active service [of the United States] by order of the President and was killed~~
15 ~~in the line of duty.~~

16 ~~(f) To qualify for a plot in a State veterans' cemetery:~~

17 ~~(1) the applicant must be a veteran who meets the requirements for burial~~
18 ~~at a national veterans' cemetery or an eligible spouse or dependent of a veteran who meets~~
19 ~~the requirements of this subsection; and~~

20 ~~(2) if a veteran, the veteran must also have been a resident of the State:~~

21 ~~(i) when the veteran entered the [armed forces] UNIFORMED~~
22 ~~SERVICES;~~

23 ~~(ii) when the veteran died; or~~

24 ~~(iii) for 2 years, unless, for a reason that the Department finds~~
25 ~~compelling, the Department waives the time period.~~

26 9-906.

27 (a) (1) In this section the following words have the meanings indicated.

28 (2) IN THIS SECTION AND IN § 9-907 OF THIS SUBTITLE, "ELIGIBLE
29 DECEDENT" MEANS:

1 **(I) A VETERAN;**

2 **(II) A QUALIFIED RESERVE MEMBER; OR**

3 **(III) AN ELIGIBLE SPOUSE OR DEPENDENT.**

4 **(3) “Eligible dependent” means:**

5 (i) a child who meets the requirements stated in 38 C.F.R. §
6 38.620(e); [or]

7 (ii) a parent who meets the requirements stated in 38 C.F.R. §
8 38.620(i); OR

9 **(III) A PARENT OR CHILD RELATED BY BLOOD, MARRIAGE, OR**
10 **ADOPTION OF A QUALIFIED RESERVE MEMBER.**

11 **[3] (4) “Eligible spouse” means:**

12 **(I) a spouse who meets the requirements stated in 38 C.F.R. §**
13 **38.620(e); OR**

14 **(II) A SPOUSE OF A QUALIFIED RESERVE MEMBER.**

15 **(5) “QUALIFIED RESERVE MEMBER” MEANS A RESERVE COMPONENT**
16 **MEMBER WHO DOES NOT MEET THE REQUIREMENTS FOR BURIAL AT A NATIONAL**
17 **VETERANS’ CEMETERY BUT SERVED OTHER THAN DISHONORABLY AND COMPLETED**
18 **THE INDIVIDUAL’S CONTRACTUAL OBLIGATION OF SERVICE.**

19 **[4] (6) “State veterans’ cemetery” means a cemetery that the**
20 **Department establishes under this section.**

21 **[5) In this section and in § 9–907 of this subtitle, “veteran” means an**
22 **individual who:**

23 (i) served other than dishonorably on active duty in the armed
24 forces of the United States; or

25 (ii) served other than dishonorably as a member of the State militia
26 ordered into active service of the United States by order of the President and was killed in
27 the line of duty.

28 **[6] (7) “Washington Cemetery” means the Civil War cemetery grounds**
29 **authorized by Chapter 213 of the Acts of the General Assembly of 1870.**

1 (b) The Department may establish one or more cemeteries in the State for the
2 burial of [veterans and their eligible spouse or dependents] **ELIGIBLE DECEDENTS** as
3 authorized by the Secretary.

4 (c) The Department may accept land, on behalf of the State or a political
5 subdivision of the State, or otherwise acquire land for a State veterans' cemetery, if the
6 Department has the approval of:

7 (1) the governing body of the county where the State veterans' cemetery is
8 to be located;

9 (2) the delegation in the General Assembly for the county where the State
10 veterans' cemetery is to be located; and

11 (3) the Board of Public Works.

12 (d) (1) The Department shall maintain and supervise each State veterans'
13 cemetery.

14 (2) The Washington Cemetery shall be under the supervision of the
15 Department.

16 (e) The Department shall provide a plot in a State veterans' cemetery, without
17 charge, to a veteran **OR A VETERAN'S ELIGIBLE SPOUSE OR DEPENDENT** who meets the
18 requirements of this section.

19 (f) To qualify for a plot in a State veterans' cemetery:

20 (1) the [applicant] **ELIGIBLE DECEDENT** must be:

21 (I) a veteran who meets the requirements for burial at a national
22 veterans' cemetery;

23 (II) **A QUALIFIED RESERVE MEMBER;** or

24 (III) an eligible spouse or dependent [of a veteran] who meets the
25 requirements of this subsection; and

26 (2) if a [veteran, the veteran] **QUALIFIED RESERVE MEMBER, THE**
27 **QUALIFIED RESERVE MEMBER** must also have been a resident of the State:

28 (i) when the [veteran] **QUALIFIED RESERVE MEMBER** entered the
29 [armed forces] **RESERVE COMPONENT;**

30 (ii) when the [veteran] **QUALIFIED RESERVE MEMBER** died; or

1 (iii) for 2 years, unless, for a reason that the Department finds
 2 compelling, the Department waives the time period.

3 (g) To obtain a plot in a State veterans' cemetery, an applicant shall submit to
 4 the Department an application on the form that the Department provides.

5 (h) (1) In a plot that is allotted to a veteran OR A QUALIFIED RESERVE
 6 MEMBER, the Department shall bury:

7 (i) the veteran OR QUALIFIED RESERVE MEMBER; and

8 (ii) any member of the immediate family who is an eligible spouse or
 9 dependent [of the veteran] if the family member can be buried in a space above or below
 10 the veteran OR QUALIFIED RESERVE MEMBER or in the next available plot.

11 (2) With each plot, the Department shall provide a grave liner at no cost
 12 for the veteran or THE VETERAN'S eligible spouse or dependent.

13 (i) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
 14 SUBSECTION, THE Department [shall bury the] MAY NOT CHARGE A veteran or A
 15 VETERAN'S eligible spouse or dependent [without charge] FOR BURIAL.

16 (2) IF THE INDIVIDUAL BEING BURIED IS A QUALIFIED RESERVE
 17 MEMBER OR A QUALIFIED RESERVE MEMBER'S ELIGIBLE SPOUSE OR DEPENDENT,
 18 THE DEPARTMENT SHALL COLLECT AT THE TIME OF BURIAL A FEE THAT IS EQUAL
 19 TO THE ANNUAL PLOT ALLOWANCE ESTABLISHED BY THE NATIONAL CEMETERY
 20 ADMINISTRATION.

21 9-907.

22 The Department shall keep a registry of the graves of [veterans and family members
 23 of veterans] ELIGIBLE DECEDENTS who are buried in the State veterans' cemeteries.

24 9-910.

25 (b) (1) The Department may appoint a Director for the home and employ any
 26 other staff that is needed to manage the home properly.

27 (2) In appointing or employing staff, the Department shall give preference
 28 to a veteran ~~who has an honorable discharge from the armed forces~~ UNIFORMED
 29 SERVICES.

30 (3) The Director shall:

- 1 (i) serve at the pleasure of the Secretary; and
- 2 (ii) perform any duty that the Department requires.

3 9–911.

4 (a) In accordance with the regulations of the Department and applicable law, the
5 home shall be open:

6 (1) to a veteran who~~f~~:

7 (i) has an honorable discharge from active service with a uniformed
8 service ~~of the United States~~; and

9 (ii)~~f~~ is a resident of the State as defined in regulations adopted by the
10 Secretary; or

11 (2) to a spouse of an eligible veteran.

12 9–946.

13 The Secretary shall submit a report by December 31 of each year to the Governor
14 and, in accordance with § 2–1257 of this article, the General Assembly, that includes:

15 (6) the estimated impact current [military] operations are likely to have
16 on the needs of veterans in the future;

17 (7) the status of federal veterans programs as they relate to Maryland
18 veterans; [and]

19 (8) any other issues concerning veterans that the Secretary considers
20 appropriate; AND

21 **(9) ANY OTHER ISSUES CONCERNING SERVICE MEMBERS, INCLUDING**
22 **ISSUES UNIQUELY PERTAINING TO ACTIVE SERVICE MEMBERS THAT THE**
23 **SECRETARY CONSIDERS APPROPRIATE.**

24 9–957.

25 (a) (1) In this section the following words have the meanings indicated.

26 (2) “Eligible veteran” means [an individual who:

27 (i) served on active duty in:

28 1. the armed forces of the United States;

1 2. the National Guard; or
2 3. a reserve component of the armed forces of the United
3 States;

4 (ii) served in a capacity other than for training;

5 (iii) was discharged or released under conditions other than
6 dishonorable; and] **A VETERAN WHO:**

7 [(iv) 1.] **(I)** is a resident of the State; or

8 **[2.] (II)** receives treatment or care from a U.S. Department
9 of Veterans Affairs or U.S. Department of Defense medical facility in the State.

10 20–101.

11 (a) In Subtitles 1 through 11 of this title the following words have the meanings
12 indicated.

13 (f) “Military status” means the status of being:

14 (1) a member of the uniformed services[, as defined in 10 U.S.C. § 101];

15 (2) a member of a reserve component of the [armed forces of the United
16 States, as listed in 10 U.S.C. § 10101] **UNIFORMED SERVICES**; or

17 (3) a dependent, as defined in 50 U.S.C. § 3911(4).

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.