

SENATE BILL 164

E4

(PRE-FILED)

5lr0621
CF 5lr0626

By: **Senator Kagan**

Requested: August 13, 2024

Introduced and read first time: January 8, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Terminology and Obsolete References – Maryland State Firefighters Association**
3 **and Related Terms**

4 FOR the purpose of replacing obsolete references to the Maryland State Firemen’s
5 Association with references to the Maryland State Firefighters Association;
6 replacing related terminology; and generally relating to references to the Maryland
7 State Firefighters Association and related terminology.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 7–301(f)(3)(iii)
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Education
15 Section 13–511(b)(1)
16 Annotated Code of Maryland
17 (2022 Replacement Volume and 2024 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Education
20 Section 13–511(b)(2)(vi) and 18–602
21 Annotated Code of Maryland
22 (2022 Replacement Volume and 2024 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – Health – General
25 Section 18–213
26 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2023 Replacement Volume and 2024 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article – Labor and Employment
4 Section 3–213(a)(2)(iv)
5 Annotated Code of Maryland
6 (2016 Replacement Volume and 2024 Supplement)

7 BY repealing and reenacting, with amendments,
8 Article – Public Safety
9 Section 7–201, 7–202, 7–203, 8–103(b)(4)(i) and (c)(1) and (3)(i), and 8–201(b)
10 Annotated Code of Maryland
11 (2022 Replacement Volume and 2024 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Public Safety
14 Section 8–201(a)
15 Annotated Code of Maryland
16 (2022 Replacement Volume and 2024 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Tax – General
19 Section 10–208(i–1)(5)(ii)3. and (7)(ii)
20 Annotated Code of Maryland
21 (2022 Replacement Volume and 2024 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Transportation
24 Section 16–102(b)(2)(i) and 21–106(c)(3)(i)
25 Annotated Code of Maryland
26 (2020 Replacement Volume and 2024 Supplement)

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

29 **Article – Courts and Judicial Proceedings**

30 7–301.

31 (f) (3) (iii) An amount annually as set forth in the State budget shall be
32 distributed to the Maryland State [Firemen’s] **FIREFIGHTERS** Association for the Widows’
33 and Orphans’ Fund.

34 **Article – Education**

35 13–511.

1 (b) (1) The Advisory Council consists of 31 members. The members shall be
2 appointed by the Board from a list of three qualified nominees submitted to the Board by
3 their respective organizations or associations represented on the Council. The
4 appointments by the Board shall be subject to the approval of the Governor.

5 (2) Of the 31 members:

6 (vi) One shall be a representative of the Maryland State [Firemen's]
7 **FIREFIGHTERS** Association;

8 18-602.

9 (a) There is a program of scholarships for children of volunteer [fire fighters]
10 **FIREFIGHTERS** or volunteer ambulance or rescue squad members who died or were
11 disabled by an accident resulting from:

12 (1) Performing any duties necessary to the operation or maintenance of the
13 fire company; or

14 (2) Actively participating in the ambulance or rescue squad work of an
15 incorporated volunteer fire company or volunteer ambulance or rescue squad in the State.

16 (b) The recipient of a scholarship under this section shall be a graduate of an
17 accredited high school.

18 (c) The Board of Trustees of the Maryland State [Firemen's] **FIREFIGHTERS**
19 Association, in its discretion, shall:

20 (1) Determine the amount of each award; and

21 (2) Select the recipient of each award.

22 (d) The Maryland State [Firemen's] **FIREFIGHTERS** Association shall provide
23 the funds for these awards.

24 Article – Health – General

25 18-213.

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

27 (2) “Contagious disease or virus” means:

28 (i) Human immunodeficiency virus (HIV);

29 (ii) Meningococcal meningitis;

1 (iii) Tuberculosis;

2 (iv) Mononucleosis;

3 (v) Any form of viral hepatitis, including but not limited to hepatitis
4 A, B, C, D, E, F, and G;

5 (vi) Diphtheria;

6 (vii) Plague;

7 (viii) Hemorrhagic fevers; or

8 (ix) Rabies.

9 (3) "Correctional institution" means a place of detention or correctional
10 confinement operated by or for the State or a local government.

11 (4) (i) "Correctional officer" means a member of a correctional unit who
12 is charged with and actually performs those duties that relate to the investigation, care,
13 custody, control, or supervision of persons confined to places of incarceration.

14 (ii) "Correctional officer" includes any sheriff, warden,
15 superintendent, or any other person having an equivalent title.

16 (5) "Law enforcement officer" means any person who, in an official
17 capacity, is authorized by law to make arrests and who is a member of one of the following
18 law enforcement agencies:

19 (i) The Department of State Police;

20 (ii) The Baltimore City Police Department;

21 (iii) The police department, bureau, or force of any county;

22 (iv) The police department, bureau, or force of any incorporated city
23 or town;

24 (v) The office of the sheriff of any county;

25 (vi) The police department, bureau, or force of any bicounty agency
26 or constituent institution of the University System of Maryland, Morgan State University,
27 St. Mary's College, or of any institution under the jurisdiction of the Maryland Higher
28 Education Commission;

1 (vii) The Maryland Transit Administration police force of the
2 Department of Transportation, the Maryland Transportation Authority Police Force, and
3 the Maryland Port Administration police force of the Department of Transportation;

4 (viii) The law enforcement officers of the Department of Natural
5 Resources;

6 (ix) The Field Enforcement Bureau of the Comptroller's Office;

7 (x) The Field Enforcement Division of the Alcohol and Tobacco
8 Commission;

9 (xi) The Crofton Police Department;

10 (xii) The Intelligence and Investigative Division of the Department of
11 Public Safety and Correctional Services; or

12 (xiii) The Ocean Pines Police Department.

13 (6) "Medical care facility" means a hospital as defined in § 19-301 of this
14 article or a health care facility of a correctional institution.

15 (b) While treating or transporting an ill or injured patient to a medical care
16 facility or while acting in the performance of duty, if a paid or volunteer [fire fighter]
17 **FIREFIGHTER**, emergency medical technician, or rescue [squadman] **SQUAD MEMBER**
18 comes into contact with a patient who is subsequently diagnosed as having a contagious
19 disease or virus, as a result of information obtained in conjunction with the services
20 provided during the visit to the facility, the attending physician, medical examiner, a
21 designee of the medical care facility who receives the patient, the Chief Medical Examiner,
22 or the Chief Medical Examiner's designee shall notify the [fire fighter] **FIREFIGHTER**,
23 emergency medical technician, or rescue [squadman] **SQUAD MEMBER**, and the employer
24 or employer's designee of the individual's possible exposure to the contagious disease or
25 virus.

26 (c) If, while treating or transporting an ill or injured patient to a medical care
27 facility or while acting in the performance of duty, a law enforcement officer comes into
28 contact with a patient who is subsequently diagnosed, as a result of information obtained
29 in conjunction with the services provided during the visit to the facility, as having a
30 contagious disease or virus, the attending physician, medical examiner, a designee of the
31 medical care facility who receives the patient, the Chief Medical Examiner or the Chief
32 Medical Examiner's designee shall notify the law enforcement officer and the officer's
33 employer or employer's designee of the officer's possible exposure to the contagious disease
34 or virus.

35 (d) If, while treating or transporting an ill or injured incarcerated individual to a
36 medical care facility or while acting in the performance of duty, a correctional officer comes
37 into contact with an incarcerated individual who is subsequently diagnosed, as a result of

1 information obtained in conjunction with the services provided during the visit to the
2 facility, as having a contagious disease or virus, the attending physician, medical examiner,
3 a designee of the medical care facility that receives the incarcerated individual, the Chief
4 Medical Examiner, or the Chief Medical Examiner's designee shall notify the correctional
5 officer and the correctional officer's correctional institution or the correctional institution's
6 designee of the officer's possible exposure to the contagious disease or virus.

7 (e) The notification required under subsection (b), (c), or (d) of this section shall:

8 (1) Be made within 48 hours, or sooner, of confirmation of the patient's
9 diagnosis;

10 (2) Include subsequent written confirmation of possible exposure to the
11 contagious disease or virus;

12 (3) Be conducted in a manner that will protect the confidentiality of the
13 patient; and

14 (4) To the extent possible, be conducted in a manner that will protect the
15 confidentiality of the [fire fighter] **FIREFIGHTER**, emergency medical technician, rescue
16 [squadman] **SQUAD MEMBER**, law enforcement officer, or correctional officer.

17 (f) The written confirmation required under subsection (e)(2) of this section shall
18 constitute compliance with this section.

19 (g) Each medical care facility shall develop written procedures for the
20 implementation of this section, and, upon request, make copies available to the local fire
21 authority, the local fire authority's designee, the local law enforcement authority, the local
22 law enforcement authority's designee, the correctional officer, or the correctional
23 institution's designee having jurisdiction.

24 (h) A medical care facility, physician, Chief Medical Examiner, or the Chief
25 Medical Examiner's designee acting in good faith to provide notification in accordance with
26 this section may not be liable in any cause of action related to the breach of patient
27 confidentiality.

28 (i) A medical care facility, physician, Chief Medical Examiner, or the Chief
29 Medical Examiner's designee acting in good faith to provide notification in accordance with
30 this section may not be liable in any cause of action for:

31 (1) The failure to give the required notice, if the [fire fighter]
32 **FIREFIGHTER**, emergency medical technician, rescue [squadman] **SQUAD MEMBER**, law
33 enforcement officer, or correctional officer fails to properly initiate the notification
34 procedures developed by the health care facility under subsection (g) of this section; or

35 (2) The failure of the employer or employer's designee to subsequently
36 notify the [fire fighter] **FIREFIGHTER**, emergency medical technician, rescue [squadman]

1 **SQUAD MEMBER**, law enforcement officer, or correctional officer of the possible exposure
2 to a contagious disease or virus.

3 (j) A [fire fighter] **FIREFIGHTER**, emergency medical technician, rescue
4 [squadman] **SQUAD MEMBER**, law enforcement officer, or correctional officer shall receive
5 from their employers or local governmental bodies, at the expense of the employer or local
6 governmental body, as part of their training, education on:

7 (1) (i) The routes of transmission of HIV and hepatitis B virus; and

8 (ii) The routes by which a [fire fighter] **FIREFIGHTER**, emergency
9 medical technician, rescue [squadman] **SQUAD MEMBER**, law enforcement officer, or
10 correctional officer may be exposed to HIV and hepatitis B virus; and

11 (2) The current Centers for Disease Control and Prevention guidelines for
12 preventing prehospital exposure to HIV and hepatitis B while rendering emergency
13 medical care.

14 (k) A [fire fighter] **FIREFIGHTER**, emergency medical technician, rescue
15 [squadman] **SQUAD MEMBER**, law enforcement officer, or correctional officer shall receive
16 from their employers, associations, or local governmental bodies, at the employers',
17 associations', or local governmental bodies' expense, equipment recommended by the
18 Centers for Disease Control and Prevention to protect a [fire fighter] **FIREFIGHTER**,
19 emergency medical technician, rescue [squadman] **SQUAD MEMBER**, law enforcement
20 officer, or correctional officer from exposure to HIV and hepatitis B while rendering
21 emergency medical care.

22 (l) (1) The fire department, law enforcement agency, and all other agencies or
23 organizations employing a [fire fighter] **FIREFIGHTER**, emergency medical technician,
24 rescue [squadman] **SQUAD MEMBER**, law enforcement officer, or correctional officer shall
25 develop written procedures for the implementation of this section.

26 (2) On request, copies of the procedures developed in this subsection shall
27 be made available to employees, employee unions, volunteer associations, and the
28 Secretary.

29 (m) A person under this section may not refuse to treat or transport an individual
30 because the individual is HIV positive.

31 **Article – Labor and Employment**

32 3–213.

33 (a) Except as otherwise provided in this subtitle, a minor may not be employed or
34 allowed to work:

1 (2) in, about, or in connection with:

2 (iv) an engineer, [fireman] **FIREFIGHTER**, or pilot on a vessel that
3 is engaged in commerce; or

4 **Article – Public Safety**

5 7–201.

6 In Part I of this subtitle, “Board” means the Board of Trustees of the Maryland State
7 [Firemen’s] **FIREFIGHTERS** Association.

8 7–202.

9 (a) (1) A member of a volunteer fire company or volunteer rescue squad is
10 eligible for disability benefits from the Maryland State [Firemen’s] **FIREFIGHTERS**
11 Association if:

12 (i) the member’s fire company or rescue squad recommends that the
13 member receive benefits; and

14 (ii) the member is permanently or temporarily disabled:

15 1. as a direct result of actively participating in fighting a fire;

16 2. while going to or from a fire;

17 3. while performing other duties necessary to the operation
18 or maintenance of the fire company;

19 4. while actively participating in the emergency medical
20 services unit, or rescue work of a volunteer advanced life support unit or a volunteer fire,
21 ambulance, or rescue company located in the State; or

22 5. while providing emergency or rescue assistance, whether
23 acting alone or at the direction of or with a fire, ambulance, or rescue company or advanced
24 life support unit.

25 (2) A benefit under this section shall be paid:

26 (i) regardless of the district in which the beneficiary was disabled;
27 or

28 (ii) regardless of whether the beneficiary was disabled in this State,
29 Delaware, the District of Columbia, Pennsylvania, Virginia, or West Virginia.

1 (b) The Board shall pay a benefit under this section from the treasury of the
2 Maryland State [Firemen's] **FIREFIGHTERS** Association in the amount and in the manner
3 that the Board determines until the beneficiary is no longer disabled.

4 (c) The secretary of the Board shall add the name of each beneficiary under this
5 section to the Disabled [Firemen's] **FIREFIGHTER'S** and Rescue [Squadmen's] **SQUAD**
6 **PERSON'S** List.

7 7-203.

8 (a) (1) The Board shall pay death benefits under this section if a member of a
9 volunteer fire company or member of a volunteer rescue squad dies:

10 (i) as a direct result of actively participating in fighting a fire;

11 (ii) while going to or from a fire;

12 (iii) while performing other duties necessary to the operation or
13 maintenance of the fire company;

14 (iv) while actively participating in the ambulance, advanced life
15 support, or rescue work of a volunteer advanced life support unit or volunteer fire,
16 ambulance, or rescue company located in the State; or

17 (v) while providing emergency or rescue assistance, whether acting
18 alone or at the direction of or with a fire, ambulance, or rescue company or advanced life
19 support unit.

20 (2) A benefit under this subsection shall be paid:

21 (i) regardless of the district in which the decedent died; or

22 (ii) regardless of whether the decedent died in this State, Delaware,
23 the District of Columbia, Pennsylvania, Virginia, or West Virginia.

24 (b) (1) The Board shall pay a benefit under this section from the treasury of
25 the Maryland State [Firemen's] **FIREFIGHTERS** Association in the amount that the Board
26 determines, but not less than \$2,000.

27 (2) The Board shall pay a benefit under this subsection:

28 (i) to the decedent's surviving spouse or dependent child;

29 (ii) if no individual is eligible under item (i) of this paragraph, to the
30 decedent's surviving dependent parent;

1 (iii) if no individual is eligible under item (i) or (ii) of this paragraph,
2 to each surviving child of the decedent in equal shares;

3 (iv) if no individual is eligible under item (i), (ii), or (iii) of this
4 paragraph, to the decedent's surviving parent; or

5 (v) if no individual is eligible under item (i), (ii), (iii), or (iv) of this
6 paragraph, to each surviving sister, brother, or grandparent of the decedent in equal
7 shares.

8 (c) (1) If there is a surviving spouse or dependent child:

9 (i) until the surviving spouse remarries, the surviving spouse is
10 entitled to receive a pension from the Maryland State [Firemen's] **FIREFIGHTERS**
11 Association; and

12 (ii) until the dependent child becomes an adult, each dependent child
13 is entitled to receive a pension from the Maryland State [Firemen's] **FIREFIGHTERS**
14 Association.

15 (2) The Board shall pay a benefit under this subsection from the treasury
16 of the Maryland State [Firemen's] **FIREFIGHTERS** Association in the amount, at the
17 times, and in the installments that the Board determines.

18 (3) The secretary of the Board shall add the name of each beneficiary under
19 this subsection to the Disabled [Firemen's] **FIREFIGHTER'S** and Rescue [Squadmen's]
20 **SQUAD PERSON'S** List.

21 8-103.

22 (b) (4) In determining need under this subsection, the county shall consider:

23 (i) the failure to meet minimum standards established by the county
24 or the Maryland State [Firemen's] **FIREFIGHTERS** Association;

25 (c) (1) Subject to paragraph (6) of this subsection, each county shall distribute
26 the money provided under this subtitle on the basis of need to fire, rescue, and ambulance
27 companies, departments, or stations in the county, including companies, departments, or
28 stations:

29 (i) located in municipal corporations; or

30 (ii) located outside the State if the company, department, or station:

31 1. has been a member of the Maryland State [Firemen's]
32 **FIREFIGHTERS** Association for at least the past 10 years; and

1 2. has a first due response area in the State.

2 (3) In determining need under this subsection, the county shall consider:

3 (i) the failure to meet minimum standards established by the county
4 or the Maryland State [Firemen's] **FIREFIGHTERS** Association;

5 8-201.

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

7 (b) "Association" means the Maryland State [Firemen's] **FIREFIGHTERS**
8 Association.

9 **Article - Tax - General**

10 10-208.

11 (i-1) (5) (ii) Each fire, rescue, or emergency medical services organization or
12 auxiliary organization shall:

13 3. provide a report that includes the names, Social Security
14 numbers, and points earned by those members qualifying for the subtraction modification
15 under this subsection to the Maryland State [Firemen's] **FIREFIGHTERS** Association by
16 May 1 of the following year.

17 (7) (ii) On or before October 1 of each year, the Maryland State
18 [Firemen's] **FIREFIGHTERS** Association shall submit to the Department of Public Safety
19 and Correctional Services and the Office of the Comptroller a report stating the
20 participation in the point system by the various local subdivisions with the names and
21 Social Security numbers of individuals who qualified for the subtraction modification under
22 this subsection for the preceding taxable year.

23 **Article - Transportation**

24 16-102.

25 (b) (2) The Administration shall adopt the regulations required under this
26 subsection in consultation with:

27 (i) The Maryland [Firemen's] **FIREFIGHTERS** Association;

28 21-106.

29 (c) (3) (i) The driver of an emergency vehicle may not use flashing lights
30 or a bell, siren, or exhaust whistle while returning from an emergency call, fire alarm, or

1 motorcade or escort, except that fire apparatus carrying standing [firemen]
2 **FIREFIGHTERS** may use flashing lights that are visible only to the rear.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the
4 Annotated Code of Maryland, in consultation with and subject to the approval of the
5 Department of Legislative Services, shall correct, with no further action required by the
6 General Assembly, cross-references and terminology rendered incorrect by this Act. The
7 publisher shall adequately describe any correction made in an editor's note following the
8 section affected.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2025.