



MARYLAND GENERAL ASSEMBLY
JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

SYNOPSIS OF EMERGENCY REGULATIONS

The following document provides synopses of emergency regulations received by the AELR Committee on the dates noted below. Please contact the issuing agency for copies of the text of emergency regulations. For more information, please contact Kelvin Lucas, Kathleen Kennedy, or Georgeanne Carter at the number below.

| Date Received | Title and Summary | Public Hearing Scheduled, *if any | Date & Summary of any action |
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| June 13, 2025 | Emergency Regulations DLS Control No. 25-148 Department of the Environment: Regulation of Water Supply, Sewage Disposal, and Solid Waste: On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.00 On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.01 On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.02 | | |

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| | <p> On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.03 On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.04 On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.05 On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.06 On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.07 On-site Wastewater Property Transfer Inspection License: COMAR 26.04.12.9999 Board of On-Site Wastewater Professionals: General Regulations: 26.31.01.01 General Regulations: COMAR 26.31.01.02 General Regulations: COMAR 26.31.01.03 General Regulations: COMAR 26.31.01.04 General Regulations: COMAR 26.31.01.05 General Regulations: COMAR 26.31.01.06 General Regulations: COMAR 26.31.01.07 </p> <p> The statute to license inspectors of onsite sewage disposal systems (OSDS), Env Art 9-217.2, sunsets on 6/30/25. That statute gave MDE the authority for COMAR 26.04.12.01-.07. This emergency action seeks to continue the inspector training and licensing under COMAR 26.31.01.01-.07 while the newly established State Board of On-Site Wastewater Professionals (Board), authorized by Env Art 9-11A-01 through 9-11A-23, develops regulations under a regular process for this professional function and for additional professional service categories. </p> | | |

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| June 6, 2025 | <p>Emergency Regulations DLS Control No. 25-145 Comptroller of the Treasury: Sales and Use Tax: Sales and Use Tax: COMAR 03.06.01.01 Sales and Use Tax: COMAR 03.06.01.03 Sales and Use Tax: COMAR 03.06.01.05 Sales and Use Tax: COMAR 03.06.01.07 Sales and Use Tax: COMAR 03.06.01.08 Sales and Use Tax: COMAR 03.06.01.11 Sales and Use Tax: COMAR 03.06.01.21 Sales and Use Tax: COMAR 03.06.01.25 Sales and Use Tax: COMAR 03.06.01.28 Sales and Use Tax: COMAR 03.06.01.47 Sales and Use Tax: COMAR 03.06.01.48 Sales and Use Tax: COMAR 03.06.01.49 Sales and Use Tax: COMAR 03.06.01.50 Administrative and Procedural Regulations, Sales and Use, and Admission and Amusement Taxes: COMAR 03.06.03.02</p> <p>These regulations are being proposed as emergency regulations to ensure that the Comptroller’s regulatory guidance in COMAR Title 3 Subtitle 6 is accurate as of the July 1, 2025 effective date of certain changes to Maryland’s sales and use tax laws, based upon legislation passed by the General Assembly in the 2025 legislative session.</p> | | |

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| April 24, 2025 | <p>Emergency/Proposed Regulations DLS Control No. 25-094 Maryland Department of Health: Board of Nursing: Examination and Licensure: COMAR 10.27.01.13</p> <p>The purpose of this action is to propose amendments to extend the scheduled years in which applicants applying for a license or certificate renewal must complete their criminal history records check.</p> | N/A | Emergency status approved beginning June 24, 2025 and expiring December 21, 2025. |
| April 1, 2025 | <p>Emergency/Proposed Regulations DLS Control No. 25-064 Maryland Department of Health: Hospitals: Acute General Hospitals and Special Hospitals: COMAR 10.07.01.24</p> <p>The purpose of this action is to (1) Reflect current Maryland law; (2) Require that the credential reappointment process for physician staff included in minimum standards for hospitals licensed in the State be conducted in accordance with standards of the accreditation organization that accredits a hospital, rather than every 2 years; and (3) Address concerns brought about by the hospital industry.</p> | N/A | Emergency status approved beginning May 6, 2025 and expiring November 2, 2025. |
| March 12, 2025 | <p>Emergency/Proposed Regulations DLS Control No. 25-053 Department of Transportation: State Highway Administration: Heavy Weight Port Corridor Permit: COMAR 11.04.17.04</p> | N/A | Emergency status approved beginning April 10, 2025 and expiring July 1, 2025. |

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| | The purpose of this action is to is to add additional routes to those permitted for the Heavy Weight Port Corridor. | | |
| December 5, 2024 | <p>Emergency/Proposed Regulations DLS Control No. 24-190 Maryland Department of Health: Procedures: Fees for Community Health Programs: COMAR 10.01.17.02 Housing: Certification for Youth Camps: 10.16.06.02 Certification for Youth Camps: COMAR 10.16.06.21</p> <p>The purpose of this action is to align regulations with statute pursuant to SB 708 (2023). Youth camp employees, volunteers, operators, and owners with access to a camper must have a state and federal criminal history records check performed to ensure the individual is not disqualified under statute and regulation to fill the proposed role. This regulation proposal also adds a definition for “sensitive position,” which creates the class of youth camp personnel subject to the criminal history record check requirements. The proposal also states the expectations of MDH to timely return results to the youth camps.</p> | N/A | Emergency status approved beginning January 6, 2025and expiring July 5, 2025. |

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| November 4, 2024 | <p>Emergency/Proposed Regulations DLS Control No. 24-156 Maryland Department of Health: Food: Food Service Facilities: COMAR 10.15.03.27</p> <p>The purpose of this action is to avert a potentially discriminatory and inequitable effect of regulations adopted pursuant to Health General Article §21-330.1 on the Amish and Mennonite communities. At-home producers of certain foods are exempt from the standard food service facility regulations under the allowances granted to “cottage food businesses.” This type of business consists of at-home food production in which a person/business has under \$50,000 gross receipts, prepares food products in a private kitchen, sells products only in the State, and is limited to selling select non-hazardous foods only. When selling cottage food products, each product is required to have a label identifying the name and address of the cottage food business, or the name, phone number, and unique identification number provided by MDH. When offered for sale in retail establishments, the label must additionally include an email address of the cottage food business.</p> <p>The State has an interest in requiring a phone number/email address to contact the makers of food products sold in Maryland in order to react quickly to complaints and adverse food-related events. Without a means to contact food producers quickly, the State may be delayed in locating and identifying the cause of a foodborne outbreak, which could lead to further injury to</p> | N/A | Emergency status approved beginning November 27, 2024 and expiring May 26, 2025. |

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| | <p>the public. Further, businesses have an interest in being contacted quickly and efficiently, so that the State can rapidly conclude if they are not likely to have been responsible for the outbreak.</p> <p>The Amish and Mennonite communities in Maryland do not have personal phones or email addresses. To legally market their cottage food products, those communities need an alternative to providing a personal phone number/email address, such as providing a designee's phone number/email address. While the statute and regulations do not explicitly prohibit this, the regulated community felt uncertain about whether the wording allowed this. In response to requests from multiple stakeholders, the Department is seeking this modification to the regulation to clarify that the phone numbers/email addresses do not need to be a cottage food business's direct personal contact information so long as MDH is able to contact the business.</p> | | |
| October 31, 2024 | <p>Emergency Regulations DLS Control No. 24-153 Maryland Department of Labor: Commissioner of Financial Regulation: Mortgage Lenders: COMAR 09.03.06.02 Mortgage Lenders: COMAR 09.03.06.04</p> <p>The recent Appellate Court of Maryland decision Estate of Brown v. Carrie M. Ward, et al, 261 Md.App. 385, (2024) found that entities, specifically mortgage trusts, were required to obtain a license as a credit grantor. This</p> | | Emergency status approved beginning December 18, 2024 and expiring June 16, 2025. |

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| | proposed action allows entities whose structure would otherwise make it excessively burdensome to obtain a license. | | |
| September 23, 2024 | <p>Emergency/Proposed Regulations DLS Control No. 24-114 Department of Agriculture: Soil and Water Conservation: Food Processing Residuals Utilization Program: COMAR 15.20.13.01 – .28</p> <p>The purpose of this action is to adopt new regulations implementing new legislation governing the utilization of food processing residuals in the State (e.g., the transportation of this material from a food processing plant to agricultural operations in the State, and the storage and land application of this material at these locations). See Ch. 531, Acts of 2024</p> | N/A | Emergency status approved beginning October 16, 2024 and expiring April 15, 2025. |
| September 23, 2024 | <p>Emergency/Proposed Regulations DLS Control No. 24-115 Department of Agriculture: Soil and Water Conservation: Agricultural Operation Nutrient Management Plan Requirements: COMAR 15.20.07.02</p> <p>The purpose of this action is to amend COMAR 15.20.07.02, which incorporates the Maryland Nutrient Management Manual, adding Supplement No. 10 to the manual. Among other things, Supplement No. 10 includes: (1) New standards governing the number of applications</p> | | Emergency status approved beginning October 16, 2024 and expiring April 15, 2025. |

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| | per field per season consistent with good husbandry and sound agronomic practices; and (2) The "USDA-NRCS Field Office Technical Guide - Maryland/D.c. Area - Waste Storage Structure - 313". | | |
| September 16, 2024 | <p>Emergency/Proposed Regulations DLS Control No. 24-108 Independent Agencies: Prescription Drug Affordability Board: Cost Review Study Process: COMAR 14.01.04.05</p> <p>The purpose of this action is to make technical corrections to clarify analyses and data sources, include additional factors for study, and establish procedures for the preliminary determination and cost review study report that align with the procedures for reviewing policies and setting upper payment limits.</p> | | Emergency status approved beginning November 14, 2024 and expiring May 13, 2025. |
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