



# SYNOPSIS

Senate Bills and Joint Resolutions  
2020 Maryland General Assembly Session

**January 16, 2020**  
**Schedule 8**

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**PLEASE NOTE:** January 17 – Bill request deadline.  
January 31 – Bill introduction deadline.  
All bills should be given to the Secretary of the Senate's office by 5:00 P.M. on Monday, February 3.  
As required by Senate Rule 32(b), bills introduced after this date will be referred to the Senate Rules Committee.

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## **SENATE BILLS INTRODUCED January 16, 2020**

### **SB 197 Senator Hough, et al**

**CORRECTIONAL FACILITIES – INDIVIDUALS SUBJECT TO IMMIGRATION DETAINER – HOMELAND SECURITY NOTIFICATION**

Requiring a State or local correctional facility that is notified by the United States Department of Homeland Security that a certain individual is subject to an immigration detainer to provide a certain notice to the Department at least 72 hours before the individual is released from the facility if the individual is charged with or convicted of certain violations; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2020

CS, § 9-617 - added

Assigned to: Judicial Proceedings

### **Department of Legislative Services**

90 State Circle, Annapolis, Maryland 21401-1991

Baltimore Area: 410-946-5400 — Washington Area: 301-970-5400

Other Maryland Areas: 1-800-492-7122 — Maryland Relay Service: 1-800-735-2258

**SB 198**     **Senator Hough, et al****PUBLIC SAFETY – PERMIT TO CARRY, WEAR, OR TRANSPORT A HANDGUN – QUALIFICATIONS**

Clarifying that personal protection or self–defense can qualify as a good and substantial reason to carry, wear, or transport a handgun for purposes of the issuance by the Secretary of State Police of a permit to carry, wear, or transport a handgun.

EFFECTIVE OCTOBER 1, 2020

PS, § 5-306(a) - amended

Assigned to: Judicial Proceedings

**SB 199**     **Senator Lee****VEHICLE LAWS – OVERTAKING AND PASSING BICYCLES**

Authorizing the driver of a vehicle to drive on the left side of the roadway in a no–passing zone to overtake and pass at a safe distance a bicycle traveling in the same direction in accordance with a certain provision of law and in a certain manner.

EFFECTIVE OCTOBER 1, 2020

TR, § 21-307 - amended

Assigned to: Judicial Proceedings

**SB 200**     **The President (By Request – Office of the State Prosecutor)****CRIMINAL LAW – MISCONDUCT IN OFFICE**

Prohibiting a person from committing two or more acts constituting misconduct in office under one scheme or continuing course of conduct; providing that a person who violates the Act is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 10 years; establishing a statute of limitations for a prosecution commenced under the Act; providing that a person who violates the Act may reserve a point or question for in banc review; and defining a certain term.

EFFECTIVE OCTOBER 1, 2020

CR, §§ 9-901 and 9-902 - added

Assigned to: Judicial Proceedings

**SB 201**     **Senator Lee****COMMERCIAL LAW – PERSONAL INFORMATION PROTECTION ACT  
– REVISIONS**

Requiring a business that maintains personal information of an individual residing in the State to implement and maintain certain security procedures and practices; altering the circumstances under which the owner or licensee of certain computerized data is required to notify certain individuals of a certain breach; altering the time periods within which certain notifications regarding the breach of a security system are required to be given; etc.

EFFECTIVE OCTOBER 1, 2020

CL, §§ 14-3501, 14-3503(a), and 14-3504 - amended

Assigned to: Finance

**SB 202**     **Senator Kagan****PUBLIC ETHICS – EXECUTIVE BRANCH – LOBBYING BY FORMER  
SECRETARIES OF PRINCIPAL DEPARTMENTS (SHUT THE  
REVOLVING DOOR ACT OF 2020)**

Prohibiting, subject to a certain exception, a former secretary of a principal department of the Executive Branch from assisting or representing another party for compensation, for 1 calendar year from the date the secretary leaves State office, in a matter that is the subject of legislative action.

EFFECTIVE OCTOBER 1, 2020

GP, § 5-504(d) - amended

Assigned to: Education, Health, and Environmental Affairs

**SB 203**     **Senator Elfreth, et al****INCOME TAX CHECKOFF – MARYLAND VETERANS TRUST FUND**

Establishing an income tax checkoff for voluntary contributions to the Maryland Veterans Trust Fund; requiring the Comptroller to include a checkoff on the individual income tax return; requiring the Comptroller to collect and account for contributions made through the checkoff and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff; applying the Act to taxable years beginning after December 31, 2019; etc.

EFFECTIVE JULY 1, 2020

TG, §§ 2-116 and 10-804(l) - added and SG, § 9-913(g) - amended

Assigned to: Budget and Taxation

**SB 204**     **Senators Elfreth and Lam****POTOMAC COMPACT FOR FAIR REPRESENTATION**

Establishing the Potomac Compact for Fair Representation between the State of Maryland and the Commonwealth of Virginia; establishing the Congressional Districting Commission to develop a congressional districting plan; requiring the Executive Director of the Department of Legislative Services to determine the size and composition of the Commission and, on or before June 1 of the year following the decennial census, select the members of the Commission; etc.

CONTINGENT – EFFECTIVE OCTOBER 1, 2020

EL, §§ 8-6A-01 through 8-6A-05 - added

Assigned to: Education, Health, and Environmental Affairs

**SB 205**     **Senator Lee****PUBLIC SAFETY – CRIME OF VIOLENCE – WITNESS INTIMIDATION**

Altering a certain definition of “crime of violence” to include felony witness intimidation.

EFFECTIVE OCTOBER 1, 2020

PS, § 5-101(c) - amended

Assigned to: Judicial Proceedings

**SB 206**     **Senator Lee, et al****CRIMINAL PROCEDURE – MOTION TO VACATE JUDGMENT – HUMAN TRAFFICKING (TRUE FREEDOM ACT OF 2020)**

Altering the eligibility for the filing of a certain motion to vacate judgment if the person’s participation in the offense was a direct result of being a victim of human trafficking; requiring that a certain motion be served on a certain State’s Attorney; requiring that a certain motion be mailed to a victim or victim’s representative at a certain address if the qualifying offense occurred within 5 years before the filing of the motion; requiring the court to take certain factors into consideration when making a certain finding; etc.

EFFECTIVE JUNE 1, 2020

CP, §§ 8-302 and 10-105(a) - amended

Assigned to: Judicial Proceedings

**SB 207**     **Senator Washington, et al****UNACCOMPANIED MINORS IN NEED OF SHELTER AND SUPPORTIVE SERVICES**

Authorizing a certain unaccompanied minor in need of shelter to consent to shelter and supportive services if the service provider believes the minor understands the risk, benefits, and limits of certain services and can communicate an informed consent; authorizing a unaccompanied minor who is a parent in need of shelter to consent to shelter and supportive services for the minor's child; requiring a certain service provider to contact a parent, a guardian, or an adult relative of an unaccompanied minor within 72 hours; etc.  
EFFECTIVE OCTOBER 1, 2020

HS, §§ 4-2701 through 4-2707 - added

Assigned to: Education, Health, and Environmental Affairs

**SB 208**     **Senator Lee, et al****PUBLIC SAFETY – RIFLES AND SHOTGUNS – SECONDARY TRANSACTIONS**

Providing that a person who is not a certain licensee may not complete the transfer of a certain rifle or shotgun as transferor or transferee, except under certain circumstances; requiring, before a certain transfer is conducted, the transferor and transferee to meet jointly with a certain licensee and request that the licensee facilitate the transfer; requiring a licensee to take certain actions when facilitating a transfer; providing certain penalties; etc.

EFFECTIVE OCTOBER 1, 2020

PS, § 5-201 - amended and § 5-204.1 - added

Assigned to: Judicial Proceedings

**SB 209**     **Senator West****CRIMINAL LAW – UNRULY SOCIAL GATHERINGS – CIVIL PENALTIES**

Prohibiting a person responsible for any premises from conducting, causing, permitting, or aiding an unruly social gathering; authorizing certain law enforcement officers to issue a citation for certain violations of the Act; specifying who may be issued a citation for certain violations; excluding a certain type of party or gathering from the prohibitions in the Act; providing certain circumstances constituting a certain defense; requiring that a citation include certain information; etc.

EFFECTIVE OCTOBER 1, 2020

CR, §§ 10-801 through 10-805 - added

Assigned to: Judicial Proceedings

**SB 210**     **Senator Waldstreicher, et al****PROTECTIVE ORDERS – RELIEF ELIGIBILITY – RAPE AND SEXUAL OFFENSES**

Removing rape and certain sexual offenses from the list of offenses alleged to have been committed by a certain respondent against a certain victim for which a peace order petition may be filed under certain circumstances; and altering the definition of “person eligible for relief” for purposes of certain provisions of law relating to domestic violence protective orders to include an individual who alleges the commission of certain acts against the individual by a certain respondent.

EFFECTIVE OCTOBER 1, 2020

CJ, § 3-1503(a) and FL, § 4-501(m) - amended

Assigned to: Judicial Proceedings

**SB 211**     **Senator Salling, et al****INCOME TAX – SUBTRACTION MODIFICATION – MILITARY RETIREMENT INCOME**

Altering the maximum amount of a subtraction modification under the Maryland income tax for certain military retirement income for certain taxable years; removing a certain limitation on the subtraction modification for taxable years beginning after December 31, 2022; etc.

EFFECTIVE JULY 1, 2020

TG, § 10-207(q) - amended

Assigned to: Budget and Taxation

**SB 212**     **Senator Lee, et al****CRIMINAL LAW – ASSAULT IN THE FIRST DEGREE – SUFFOCATION OR STRANGULATION**

Prohibiting a person from intentionally suffocating or strangling another in the commission of an assault; and providing a penalty of imprisonment not exceeding 25 years for a violation of the Act.

EFFECTIVE OCTOBER 1, 2020

CR, § 3-202 - amended

Assigned to: Judicial Proceedings

**SB 213**     **Senator Lee****CRIMINAL PROCEDURE – VICTIMS AND WITNESSES –  
RESTRICTIONS ON RELEASE OF PERSONAL INFORMATION**

Altering the circumstances under which a certain person may withhold the address or telephone number of a certain victim, victim's representative, or witness before a certain trial or adjudicatory hearing to apply to all crimes or delinquent acts instead of only felonies or crimes that would be a felony if committed by an adult.

EFFECTIVE OCTOBER 1, 2020

CP, § 11-205 - amended

Assigned to: Judicial Proceedings

**SB 214**     **Senators Young and Hough****FREDERICK COUNTY – ALCOHOLIC BEVERAGES – WEINBERG  
CENTER LICENSE**

Altering in Frederick County the area in which alcoholic beverages may be consumed in the Weinberg Center for the Arts to be anywhere on the licensed premises.

EFFECTIVE JULY 1, 2020

AB, § 20-1015 - amended

Assigned to: Education, Health, and Environmental Affairs

**SB 215**     **Senators Young and Hough****FREDERICK COUNTY – ALCOHOLIC BEVERAGES – REPEAL OF  
QUOTA FOR CLASS B LICENSES**

Repealing in Frederick County a license quota for Class B (on-sale) beer licenses and Class B (on-sale) beer and wine licenses.

EFFECTIVE JULY 1, 2020

AB, § 20-1601 - amended

Assigned to: Education, Health, and Environmental Affairs

**SB 216**     **Senator Pinsky, et al**

## INCOME TAX – CARRIED INTEREST – ADDITIONAL TAX

Imposing a tax of 17% on the Maryland taxable income attributable to certain investment management services of an individual or a corporation or the distributive share of a pass-through entity; providing that the tax does not apply to investment management services if at least 80% of the specified assets consists of real estate; terminating the Act if certain federal legislation is enacted into law; applying the Act to taxable years beginning after December 31, 2019; etc.

EFFECTIVE JULY 1, 2020

TG, § 10-102.1(a) and (d) - amended and § 10-102.2 - added

Assigned to: Budget and Taxation

**SB 217**     **Senator Lee, et al**

## LABOR AND EMPLOYMENT – WAGE HISTORY AND WAGE RANGE

Requiring an employer, on request, to provide to an applicant for employment the wage range for the position for which the applicant applied; prohibiting an employer from taking negative actions against an applicant for employment because the applicant did not provide wage history or wage range; prohibiting an employer from relying on wage history, except when voluntarily provided, for the purpose of determining fair wage, and from seeking an applicant's wage history from former employers or their agents; etc.

EFFECTIVE OCTOBER 1, 2020

LE, § 3-304.2 - added and §§ 3-307(a) and 3-308 - amended

Assigned to: Finance