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House of Delegates

of

Maryland

2021 Regular Session

Volume III

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AFTER RECESS
Annapolis, Maryland
Legislative Day: March 2, 2021
Calendar Day: Wednesday, March 10, 2021

At 5:43 P.M. the House resumed its session and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 353)

EXCUSED:

Delegate Anderson – illness

Delegate Ruth – left briefly – personal

Delegate Valentino-Smith – other

ECONOMIC MATTERS COMMITTEE REPORT NO. 17

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 907 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Study on System Reforms

HB0907/223395/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 907

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “and” and substitute a comma; and in line 9, after “purposes” insert “, and to examine and consider a certain report or recommendation”.

AMENDMENT NO. 2

On page 1, in line 20, strike “self-employed individuals;” and substitute “individuals who:

1. are employed on a seasonal or temporary basis;
2. have received benefits during the pandemic but are not eligible for regular unemployment benefits; or
3. leave their job for family reasons or due to job schedule volatility;”.

On page 2, in line 5, after “including” insert “:

1.”;

after line 6, insert:

“2. potential methods for minimizing the impact on an employer’s experience rating when the employer establishes a work sharing agreement with the Maryland Department of Labor under Title 8, Subtitle 12 of the Labor and Employment Article;”;

in line 7, after “(iv)” insert “the establishment of clear standards for when an employee is entitled to claim unemployment insurance benefits if the employee:

1. leaves a job due to unsafe working conditions;
2. leaves a job in order to guard against an unreasonable risk of infection;
3. is terminated for refusing to work under unsafe work conditions; or
4. declines to accept work due to unsafe work conditions;

(v) the existing penalties for fraud and the need for enhancing or altering those penalties;

(vi)”;

in line 9, after “paragraph” insert “; and

(vii) any other issue that the Maryland Department of Labor determines is necessary to include in its evaluation of the State’s unemployment insurance system”;

in line 14, strike “and”; and in line 17, after “recommendations” insert “; and

(3) examine and consider any report or recommendation made by the National Academy of Social Insurance Unemployment Insurance Task Force of 2021”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 908 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Employer Contributions – Payment Plans

HB0908/603792/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 908

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Payment Plans”; in line 9, after “Act;” insert “authorizing certain employing units to elect to delay submitting certain contributions for certain calendar quarters under certain circumstances; authorizing the Secretary to authorize certain employing units to defer submitting certain contributions for certain calendar quarters under certain circumstances; prohibiting an employing unit that defers the submission of a contribution in accordance with this Act from being required by the Secretary to file for an extension or be assessed certain interest under certain circumstances; repealing certain provisions of law providing for the deferral of certain contribution and employment reports;”; in line 10, after “measure;” insert “providing for the termination of certain provisions of this Act;”; in the same line, strike “payment”; in line 11, strike “plans for”; in line 14, strike “8–607(d)” and substitute “8–607(a) and (d)”; in line 19, after “8–607.1” insert “and 8–607.2”; and after line 21 insert:

“BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8–626 and 8–628

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 39 of the Acts of the General Assembly of 2021)”.

On page 2, in line 30, strike “THEN” and substitute “THAN”.

AMENDMENT NO. 2

On page 3, after line 1, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Labor and Employment

8–607.

(a) Except as provided in Part III of this subtitle, AND SUBJECT TO § 8–607.2 OF THIS SUBTITLE, an employing unit shall pay to the Secretary contributions for the Unemployment Insurance Fund on taxable wages for covered employment that is performed for the employing unit.

8–607.2.

(A) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR CALENDAR YEAR 2021, AN EMPLOYING UNIT THAT EMPLOYS FEWER THAN 50

INDIVIDUALS MAY ELECT TO DEFER PAYING CONTRIBUTIONS FOR THE CALENDAR QUARTERS ENDING ON MARCH 31, JUNE 30, AND SEPTEMBER 30.

(2) AN EMPLOYING UNIT THAT ELECTS TO DEFER THE PAYMENT OF CONTRIBUTIONS AS AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) SHALL SUBMIT THE CONTRIBUTIONS ON OR BEFORE THE DATE ON WHICH THE CONTRIBUTION FOR THE CALENDAR QUARTER ENDING DECEMBER 31, 2021, IS DUE;

(II) MAY NOT BE REQUIRED BY THE SECRETARY TO FILE FOR AN EXTENSION; AND

(III) MAY NOT BE ASSESSED INTEREST THAT ACCRUES UNDER § 8-628 OF THIS SUBTITLE FOR THE PERIOD FOR WHICH THE CONTRIBUTIONS ARE DEFERRED.

(B) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR CALENDAR YEAR 2022, THE SECRETARY MAY AUTHORIZE AN EMPLOYING UNIT THAT EMPLOYS FEWER THAN 50 INDIVIDUALS TO DEFER PAYING CONTRIBUTIONS DUE IN ACCORDANCE WITH THIS SECTION.

(2) IF THE SECRETARY AUTHORIZES AN EMPLOYING UNIT TO DEFER PAYING CONTRIBUTIONS IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION:

(I) THE SECRETARY SHALL ESTABLISH THE DATE ON WHICH THE CONTRIBUTIONS ARE DUE;

(II) THE EMPLOYING UNIT MAY NOT BE REQUIRED TO FILE FOR AN EXTENSION; AND

(III) THE EMPLOYING UNIT MAY NOT BE ASSESSED INTEREST THAT ACCRUES UNDER § 8-628 OF THIS SUBTITLE FOR THE PERIOD FOR WHICH THE CONTRIBUTIONS ARE DEFERRED.

8–626.

(a) [(1) Subject to paragraphs (2) and (3) of this subsection, for] **FOR** each calendar quarter, each employing unit shall submit to the Secretary a contribution and employment report on or before the date that the Secretary sets.

[(2) (i) For calendar year 2021, an employing unit that employs fewer than 50 individuals may elect to defer submitting contribution and employment reports for the calendar quarters ending on March 31, June 30, and September 30.

(ii) An employing unit that elects to defer the submission of a contribution and employment report as authorized under subparagraph (i) of this paragraph:

1. shall submit the report on or before the date on which the report for the calendar quarter ending December 31, 2021, is due;

2. may not be required by the Secretary to file for an extension; and

3. may not be assessed interest that accrues under § 8–628 of this subtitle for the period for which the submission is deferred.

(3) (i) For calendar year 2022, the Secretary may authorize an employing unit that employs fewer than 50 individuals to defer submitting a contribution and employment report due in accordance with this section.

(ii) If the Secretary authorizes an employing unit to defer submitting a contribution and employment report in accordance with subparagraph (i) of this paragraph:

1. the Secretary shall establish the date on which the contribution and employment report is due;

2. the employing unit may not be required to file for an extension; and

3. the employing unit may not be assessed interest that accrues under § 8–628 of this subtitle for the period for which the submission is deferred.]

(b) An employing unit shall include in a contribution and employment report information that the Secretary requires.

(c) (1) An employing unit that fails to submit a contribution and employment report under this section is subject to a penalty of \$35 unless the Secretary waives the penalty for cause.

(2) An employing unit that submits a check or other negotiable instrument in payment of any penalty under this subsection which is returned for insufficient funds is subject to an additional penalty of \$25.

8-628.

(a) Except as provided in § 8-201.1 of this title and §§ 8-620 and [8-626] 8-607.2 of this subtitle, a contribution or reimbursement payment that is due and unpaid shall accrue interest at the rate of 1.5% per month or part of a month from the date on which it is due until the Secretary receives the contribution or payment in lieu of contributions and the interest.

(b) Notwithstanding subsection (a) of this section, except as provided in § 8-201.1 of this title, for any calendar year in which Table F is applicable under § 8-612(d)(6) of this subtitle, a contribution or reimbursement payment that is due and unpaid shall accrue interest at the rate of 0.5% per month or part of a month from the date on which it is due until the Secretary receives the contribution or payment in lieu of contributions and the interest.”.

On page 3, after line 1, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be construed to apply only prospectively to bills for contributions due on or after the effective date of this Act.”;

in line 2, strike “2.” and substitute “4.”; and in line 6, after “enacted.” insert “Section 2 of this Act shall remain effective through June 30, 2023, and, at the end of June 30, 2023, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1138 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Maryland Department of Labor – Accountability and Oversight

HB1138/173790/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1138

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “submit a report” and substitute “post on its website certain reports”; strike beginning with “to” in line 5 down through “month;” in line 6 and substitute “at certain regular intervals; requiring the Department to retain certain weekly reports on its website for at least a certain number of weeks; establishing when a disaster exists for the purposes of certain provisions of this Act;”; in line 9, after “requirements;” insert “requiring that the disaster plan remain in effect until the Department is able to process at least a certain percentage of certain payments within a certain time period in accordance with certain guidelines;”; in line 10, strike “a” and substitute “the”; in the same line, after “disaster” insert “plan is”; in line 11, strike “exists” and substitute “in effect”; in line 16, strike “defining a certain term;”; in line 25, strike “8–101(m–2),”; and in the same line, strike the second comma.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 11 through 13, inclusive.

On page 3, in line 18, after “(A)” insert “**FOR THE PURPOSES OF THIS SECTION, A DISASTER EXISTS IF, FOR THE WEEK IN WHICH THE DETERMINATION IS BEING MADE**”

AND THE 4 IMMEDIATELY PRECEDING WEEKS, THE RATE OF INSURED UNEMPLOYMENT, NOT SEASONALLY ADJUSTED, IS AT LEAST 6%.

(B)”;

in line 25, strike “(B)” and substitute “(C)”; in line 26, after “(3)” insert “(I) THE DISASTER PLAN SHALL REMAIN IN EFFECT UNTIL THE DEPARTMENT IS PAYING AT LEAST 87% OF FIRST PAYMENTS WITHIN 21 DAYS AFTER THE WEEK ENDING DATE OF THE FIRST COMPENSABLE WEEK IN THE BENEFIT YEAR, IN ACCORDANCE WITH GUIDELINES PUBLISHED BY THE U.S. DEPARTMENT OF LABOR.

(II)”;

in the same line, strike “A” and substitute “THE”; in the same line, after “DISASTER” insert “PLAN IS”; strike beginning with “EXISTS” in line 26 down through “TITLE” in line 27 and substitute “IN EFFECT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH”; and in line 30, strike “(B)” and substitute “(C)”.

On page 4, in lines 1, 18, and 24, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively.

AMENDMENT NO. 3

On page 3, strike beginning with “SECRETARY” in line 1 down through “ARTICLE,” in line 4 and substitute “DEPARTMENT SHALL POST ON ITS WEBSITE”; and after line 16, insert:

“(C) (1) ONCE PER WEEK, THE DEPARTMENT SHALL POST ON ITS WEBSITE A WEEKLY REPORT THAT INCLUDES THE NUMBER OF:

(I) OPEN CLAIMS;

(II) CLAIMS PENDING ADJUDICATION;

(III) CLAIMS FOR WHICH THE FIRST PAYMENT HAS NOT BEEN MADE WITHIN 21 DAYS AFTER THE WEEK ENDING DATE OF THE FIRST COMPENSABLE WEEK IN THE BENEFIT YEAR;

(IV) CLAIMS CLOSED;

(V) CLAIMS RESOLVED BY ADJUDICATION; AND

(VI) CLAIMS FOR WHICH THE CLAIMANT ENCOUNTERED TECHNOLOGICAL PROBLEMS WITH THE ONLINE PORTAL.

(2) THE DEPARTMENT SHALL RETAIN ON ITS WEBSITE THE WEEKLY REPORTS FOR AT LEAST THE IMMEDIATELY PRECEDING 8 WEEKS.”.

On page 4, in line 15, strike “NAVIGATING THE DISASTER” and substitute “MEETING STAFFING NEEDS”; in line 21, strike “100”; in line 22, strike “OR” and substitute a comma; and in the same line, after the second “EMPLOYEES” insert “, OR INDIVIDUALS UNDER CONTRACT WITH A THIRD-PARTY VENDOR AS NEEDED TO MEET STAFFING NEEDS AND”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1139 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Weekly Benefit Amount – Income Disregard

HB1139/103998/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1139

(First Reading File Bill)

On page 2, in line 1, strike “\$300” and substitute “\$200”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1143 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Work Sharing
(Work Share Expansion Act of 2021)**

HB1143/663490/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1143

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “certain interns and apprentices and”; in the same line, after “rehired” insert “, subject to a certain limitation”; strike beginning with “requiring” in line 6 down through “program;” in line 8; in line 18, after “that” insert “the cost of”; and strike beginning with “have” in line 18 down through “amount” in line 19 and substitute “be paid for using funding from certain sources”.

AMENDMENT NO. 2

On page 2, in line 17, strike the brackets; in the same line, strike the comma; in line 18, strike “OR AS A PAID INTERN OR APPRENTICE,”; and in line 22, after “PANDEMIC” insert “, SUBJECT TO FLEXIBILITY FOR NONCONTINUOUS EMPLOYMENT PROVIDED UNDER FEDERAL GUIDANCE”.

On page 3, strike in their entirety lines 5 through 7, inclusive; in line 8, strike “(B)”; and in line 10, strike “AN” and substitute “A COMPLETE”.

On page 5, in line 23, after “The” insert “cost of the”; in the same line, strike “have a value of up to \$500,000” and substitute “be paid for using funding from:”

(i) Chapter 39 of the Acts of the General Assembly of 2021 for purposes consistent with Section 9(f)(23) of Chapter 39;

(ii) the federal government; or

(iii) any other source.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

RECONSIDERATION

House Bill 260 – Delegate W. Fisher

AN ACT concerning

Courts – Jury Service – Disqualification

Delegate Szeliga moved to reconsider the vote by which **House Bill 260** was ordered printed for Third Reading.

The motion was adopted.

FLOOR AMENDMENT

HB0260/263020/1

BY: Delegate Rose

AMENDMENTS TO HOUSE BILL 260

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “crime;” insert “establishing that a person who has been required to register as sex offender under a certain provision of law is not qualified for jury service;”.

AMENDMENT NO. 2

On page 2, in line 7, strike “OR”; in line 14, after “PROBATION” insert “;OR”

(6) HAS BEEN REQUIRED TO REGISTER UNDER § 11-704 OF THE CRIMINAL PROCEDURE ARTICLE”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 55 Negative – 84 (See Roll Call No. 354)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 40

House Bill 670 – The Speaker (By Request – Workgroup to Address Police Reform and Accountability)

AN ACT concerning

Police Reform and Accountability Act of 2021

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0670/823427/1

BY: Delegate Pippy

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in lines 9 and 10, strike “providing that a warrant to search a residence shall be executed between certain times, absent certain circumstances;”.

AMENDMENT NO. 2

On page 6 of the bill, in lines 7 and 8, strike “A WARRANT TO SEARCH A RESIDENCE SHALL BE EXECUTED BETWEEN 8:00 A.M. AND 7:00 P.M., ABSENT EXIGENT CIRCUMSTANCES.”.

On page 12 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 12 of Amendment No. 2, strike “**(II)**”; and in lines 14, 18, and 22, strike “**(III)**”, “**(IV)**”, and “**(V)**”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively.

On page 13 of the House Judiciary Committee Amendments, in line 4 of Amendment No. 2, strike “**(VI)**” and substitute “**(V)**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 49 Negative – 89 (See Roll Call No. 355)

FLOOR AMENDMENT

HB0670/213123/1

BY: Delegate Pippy

AMENDMENT TO HOUSE BILL 670

(First Reading File Bill)

On page 6, in line 2, strike “**CLEAR AND CONVINCING**” and substitute “**A PREPONDERANCE OF THE**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 40 Negative – 99 (See Roll Call No. 356)

FLOOR AMENDMENT

HB0670/223921/1

BY: Delegate Pippy

AMENDMENT TO HOUSE BILL 670, AS AMENDED

On pages 12 and 13 of the House Judiciary Committee Amendments (HB0670/992612/1), in Amendment No. 2, strike beginning with “**(V)**” in line 22 on page 12 down through “**CIRCUMSTANCES.**” in line 3 on page 13.

On page 13 of the House Judiciary Committee Amendments, in line 4 of Amendment No. 2, strike “**(VI)**” and substitute “**(V)**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 45 Negative – 91 (See Roll Call No. 357)

FLOOR AMENDMENT

HB0670/713829/1

BY: Delegate Acevero

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

AMENDMENT NO. 1

On page 3 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 10 of Amendment No. 1, after “board;” insert “authorizing a county to adopt a local law or ordinance to give its police accountability board certain duties, powers, and responsibilities to investigate or discipline law enforcement officers; specifying disciplinary procedures to be followed under certain circumstances relating to a police accountability board;”.

AMENDMENT NO. 2

On page 37 of the House Judiciary Committee Amendments, after line 12 of Amendment No. 4, insert:

“(C) SUBJECT TO SUBSECTION (D) OF THIS SECTION, A COUNTY MAY ADOPT A LOCAL LAW OR ORDINANCE TO GIVE ITS POLICE ACCOUNTABILITY BOARD SOME OR ALL OF THE DUTIES, POWERS, AND RESPONSIBILITIES OF A CHIEF OF A LAW ENFORCEMENT AGENCY TO INVESTIGATE OR DISCIPLINE LAW ENFORCEMENT OFFICERS UNDER THIS SUBTITLE.

(D) IF A COUNTY OR POLITICAL SUBDIVISION ADOPTS A LOCAL LAW OR ORDINANCE UNDER SUBSECTION (C) OF THIS SECTION, ALL OF THE PROCEDURES REGARDING DISCIPLINE OF A LAW ENFORCEMENT OFFICER SET FORTH IN THIS SUBTITLE SHALL BE FOLLOWED BY THE POLICE ACCOUNTABILITY BOARD.”;

and in line 13, strike “**(C)**” and substitute “**(E)**”.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

HB0670/803523/1

BY: Delegate Acevero

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 3 of the bill, in line 27, after “Act;” insert “requiring the Attorney General, in conjunction with the Secretary of State Police, to report to certain committees of the General Assembly and redact certain information and make available for public inspection certain information on or before a certain date;”.

AMENDMENT NO. 2

On page 23 of the bill, after line 26, insert:

“SECTION 11. AND BE IT FURTHER ENACTED, That on or before December 31, 2021, the Attorney General, in conjunction with the Secretary of State Police, shall:

(1) study and report to the House Judiciary Committee and the Senate Judicial Proceedings Committee, in accordance with § 2–1257 of the State Government Article, regarding:

(i) intelligence assessments relating to white supremacist infiltration of or links to law enforcement beginning from January 2006 through December 2021;

(ii) any actions taken to address the infiltration of white supremacists in and links to law enforcement beginning from January 2006 through December 2021;

(iii) an intelligence assessment describing the current relationship between white supremacy and law enforcement; and

(iv) whether further reports by the Attorney General, in conjunction with the Secretary of State Police, regarding the provisions of this subsection are necessary; and

(2) redact personally identifiable information and make available for public inspection any reports made in accordance with paragraph (1)(i), (ii), and (iii) of this section.”

On page 69 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 2 of Amendment No. 9, strike “11.” and substitute “12.”; and in line 15, strike “12.” and substitute “13.”.

On page 70 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 9, strike “13.” and substitute “14.”; and in line 3, strike “14.” and substitute “15.”.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

HB0670/573729/1

BY: Delegate Acevero

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

AMENDMENT NO. 1

On page 2 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 3 of Amendment No. 1, after “officer;” insert “establishing, notwithstanding any other provision of law, that a law enforcement officer is not immune from civil or criminal liability for acts or omissions causing certain physical or mental injury that occur while the law enforcement officer is acting in an official capacity; prohibiting a person from bringing an action under this Act under certain circumstances; specifying that certain immunity does not apply to a claim brought under this Act; specifying that qualified immunity is not a defense to liability under this Act; requiring the Maryland Police Training and Standards Commission to review certain cases and make certain determinations; providing for certain damages under this Act; requiring a court to award reasonable attorney’s fees and court costs to a prevailing plaintiff in certain actions brought under this Act; providing that, notwithstanding any other provision of law, if a claim is brought against a law enforcement officer’s employer or the local jurisdiction where the law enforcement officer is employed under this Act, certain provisions of law apply; authorizing a law enforcement officer’s employer or the local jurisdiction where the law enforcement officer is employed to seek certain reimbursement from a law enforcement officer under certain circumstances;”.

On page 6 of the House Judiciary Committee Amendments, after line 5 in Amendment No. 1, insert:

“BY adding to

Article – Courts and Judicial Proceedings

Section 5–1301 through 5–1304 to be under the new subtitle “Subtitle 13. Police Qualified Immunity and Accountability Act”

Annotated Code of Maryland
(2020 Replacement Volume)”.

AMENDMENT NO. 2

On page 23 of the House Judiciary Committee Amendments, after line 21 in Amendment No. 3, insert:

“SUBTITLE 13. POLICE QUALIFIED IMMUNITY AND ACCOUNTABILITY ACT.

5-1301.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “LOCAL JURISDICTION” MEANS A COUNTY OR MUNICIPAL CORPORATION.

(C) “MARYLAND POLICE TRAINING AND STANDARDS COMMISSION” MEANS THE UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES ESTABLISHED UNDER § 3-202 OF THE PUBLIC SAFETY ARTICLE.

(D) “MENTAL INJURY” MEANS THE OBSERVABLE, IDENTIFIABLE, AND SUBSTANTIAL IMPAIRMENT OF A PERSON’S MENTAL OR PSYCHOLOGICAL ABILITY TO FUNCTION.

(E) “OFFICER” MEANS A LAW ENFORCEMENT OFFICER AS DEFINED IN § 3-101 OF THE PUBLIC SAFETY ARTICLE.

(F) (1) “PHYSICAL INJURY” MEANS THE IMPAIRMENT OF THE PHYSICAL CONDITION.

(2) “PHYSICAL INJURY” INCLUDES:

(I) SKIN BRUISING;

(II) PRESSURE SORES;

(III) BLEEDING;

(IV) BURNS;

(V) FRACTURE OF ANY BONE;

(VI) SUBDURAL HEMATOMA;

(VII) SOFT TISSUE SWELLING;

(VIII) INJURY TO ANY INTERNAL ORGAN; AND

(IX) ANY PHYSICAL CONDITION THAT IMPERILS HEALTH OR WELFARE.

5-1302.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN OFFICER WHO CAUSES PHYSICAL OR MENTAL INJURY TO ANOTHER PERSON THROUGH AN ACT OR OMISSION COMMITTED WHILE THE OFFICER IS ACTING IN AN OFFICIAL CAPACITY IS:

(1) NOT IMMUNE FROM CIVIL OR CRIMINAL LIABILITY FOR THE ACT OR OMISSION; AND

(2) LIABLE TO THE INJURED PERSON FOR LEGAL, EQUITABLE, AND ANY OTHER APPROPRIATE RELIEF.

(B) A PERSON MAY NOT BRING AN ACTION UNDER THIS SECTION TO RECOVER FOR PHYSICAL OR MENTAL INJURY IF THE ACT OR OMISSION COMMITTED BY THE OFFICER:

(1) DID NOT RISE ABOVE ORDINARY NEGLIGENCE;

(2) WAS NOT OUTSIDE THE SCOPE OF LAW ENFORCEMENT TRAINING AND STANDARDS; OR

(3) DID NOT CONSTITUTE MISCONDUCT.

(C) (1) STATUTORY IMMUNITY PROVIDED UNDER TITLE 5, SUBTITLE 5 OF THIS ARTICLE, TITLE 12, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE, OR COMMON LAW PUBLIC OFFICIAL IMMUNITY DOES NOT APPLY TO A CLAIM BROUGHT UNDER THIS SECTION.

(2) QUALIFIED IMMUNITY IS NOT A DEFENSE TO LIABILITY UNDER THIS SECTION.

(D) THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL:

(1) REVIEW ANY CASE BROUGHT UNDER THIS SECTION IN WHICH AN OFFICER WAS HELD LIABLE; AND

(2) DETERMINE IF THE OFFICER’S CERTIFICATION TO WORK IN THE STATE SHOULD BE REVOKED.

(E) ANY DAMAGES AWARDED UNDER THIS SECTION MAY NOT EXCEED \$25,000.

(F) IN AN ACTION BROUGHT UNDER THIS SECTION, THE COURT SHALL AWARD REASONABLE ATTORNEY’S FEES AND COURT COSTS TO A PREVAILING PLAINTIFF.

5-1303.

NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF AN ACTION IS BROUGHT AGAINST AN OFFICER’S EMPLOYER OR THE LOCAL JURISDICTION WHERE THE OFFICER IS EMPLOYED FOR AN ACT OR OMISSION THAT IS THE BASIS OF A CLAIM AGAINST THE OFFICER UNDER § 5-1302 OF THIS SUBTITLE, THE DAMAGES AWARDED SHALL BE SUBJECT TO THE FOLLOWING:

(1) THE NONECONOMIC DAMAGES AWARDED SHALL COMPLY WITH THE PROVISIONS OF § 11-108 OF THIS ARTICLE;

(2) THE ECONOMIC DAMAGES AWARDED SHALL COMPLY WITH THE PROVISIONS OF § 11-109 OF THIS ARTICLE;

(3) IN AN ACTION FOR WRONGFUL DEATH, THE DAMAGES AWARDED SHALL COMPLY WITH THE PROVISIONS OF § 3-904 OF THIS ARTICLE; AND

(4) IN AN ACTION FOR SURVIVORSHIP, THE DAMAGES AWARDED SHALL INCLUDE THE AMOUNT OF FUNERAL EXPENSES ALLOWED UNDER § 8-106 OF THE ESTATES AND TRUSTS ARTICLE IN ADDITION TO OTHER DAMAGES RECOVERABLE IN THE ACTION.

5-1304.

(A) THE OFFICER’S EMPLOYER OR THE LOCAL JURISDICTION WHERE THE OFFICER IS EMPLOYED MAY SEEK REIMBURSEMENT FROM THE OFFICER FOR ANY FINAL JUDGMENT OR SETTLEMENT ENTERED AGAINST THE OFFICER’S EMPLOYER OR THE LOCAL JURISDICTION WHERE THE OFFICER IS EMPLOYED IF:

(1) THE OFFICER IS CONVICTED OF A CRIMINAL OFFENSE RELATED TO CONDUCT OF THE OFFICER THAT IS THE BASIS OF A CLAIM AGAINST THE OFFICER UNDER § 5-1302 OF THIS SUBTITLE; AND

(2) THE ACTION BROUGHT AGAINST THE OFFICER'S EMPLOYER OR THE LOCAL JURISDICTION WHERE THE OFFICER IS EMPLOYED IS RELATED TO THE OFFICER'S CONDUCT AND CONVICTION.

(B) THE OFFICER'S EMPLOYER MAY REVOKE AN OFFICER'S PENSION IF THE OFFICER IS CONVICTED OF A CRIMINAL OFFENSE RELATED TO THE CONDUCT OF THE OFFICER THAT IS THE BASIS OF A CLAIM AGAINST THE OFFICER UNDER § 5-1302 OF THIS SUBTITLE."

On page 69 of the House Judiciary Committee Amendments, in line 5 of Amendment No. 9, after "to" insert ":

(a) any cause of action arising before the effective date of this Act; or

(b)".

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

HB0670/243621/1

BY: Delegate Acevero

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 12 of Amendment No. 1, before "establishing" insert "repealing certain provisions of law relating to the establishment of the Baltimore City School Police Force; prohibiting a local school system from contracting with certain law enforcement agencies for a certain purpose; prohibiting a local school system from establishing its own police force; requiring each local school system to designate a security coordinator; altering the training required to be a school security employee at a public school in the State; requiring the Center to collect certain data regarding school security employees; altering the issues for which the Center, in collaboration with local law enforcement agencies and local school systems, is

required to develop certain guidelines; altering the school years during which each local school system is required to file a certain report; repealing a requirement that each local school system post certain information on its website; requiring the Center to collect data on all incidents of restraint by certain persons against a student under certain circumstances;”.

On page 5 of the House Judiciary Committee Amendments, after line 18 of Amendment No. 1, insert:

“BY repealing

Article – Education

Section 4–318

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

in line 21, after “Section” insert “7–1501(a) and (d) and”; and in line 24, before “18–3701” insert “7–128”.

On page 4 of the bill, after line 19, insert:

“BY repealing and reenacting, with amendments,

Article – Education

Section 7–1501(j), 7–1508, and 26–102

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 6 of the bill, after line 9, insert:

“[4–318.

(a) In this section, “Baltimore City school police officer” means any person who, when acting in an official capacity, is authorized by law to make arrests and who is a member of the Baltimore City School Police Force.

(b) There is a Baltimore City School Police Force.

(c) The members of the Baltimore City School Police Force shall be employees of and be appointed by the Baltimore City Board of School Commissioners.

(d) (1) Except as provided in paragraph (3) of this subsection, a Baltimore City school police officer has all the powers of a law enforcement officer in the State.

(2) (i) A Baltimore City school police officer may act in an official capacity only on the premises of schools and any other property used for educational purposes owned, leased, or operated by, or under the control of the Baltimore City Board of School Commissioners.

(ii) A Baltimore City school police officer may not act in an official capacity on any other property unless:

1. Engaged in fresh pursuit of a suspected offender;
2. Requested or authorized to do so by the Police Commissioner of Baltimore City;
3. The exercise of power is necessary to facilitate the orderly flow of traffic to and from property owned, leased, operated by, or under the control of the Baltimore City School System; or
4. Ordered to do so by the Mayor of Baltimore City.

(3) (i) Notwithstanding any other provision of law, a Baltimore City school police officer whose permanent or temporary assignment is at a school or on school property may carry a firearm on the premises of the school to which the officer is assigned before or after regular school hours on school days and on days other than school days.

(ii) The Baltimore City Board of School Commissioners shall establish policies to implement the provisions of subparagraph (i) of this paragraph.

(e) (1) In consultation with the Maryland Police Training and Standards Commission, the Civil Service Commission of Baltimore City shall adopt:

(i) Requirements for education, training, human and public relations skills, and moral character that an applicant must meet to qualify for employment as a Baltimore City school police officer; and

(ii) Standards for the performance of duties.

(2) Any requirements adopted by the Civil Service Commission on or after July 1, 1991 may not affect the status of any individual who is a qualified Baltimore City school police officer on that date.

(f) The Baltimore City Board of School Commissioners shall adopt regulations governing the:

(1) Operation of the Baltimore City School Police Force; and

(2) Conduct of each Baltimore City school police officer.

(g) This section does not:

(1) Make a Baltimore City school police officer a member of the Baltimore City Police Department; or

(2) Affect the salary, benefits, or retirement program of an employee of Baltimore City or the Baltimore City Board of School Commissioners.

(h) Beginning July 1, 2017, and every 2 years thereafter, the Baltimore City School Police Force shall submit a report to the members of the Baltimore City Delegation to the General Assembly, in accordance with § 2-1257 of the State Government Article, on:

(1) The condition of vehicles and firearms of the Baltimore City School Police Force; and

(2) The anticipated needs of the Baltimore City School Police Force for vehicles and firearms for the following 2 years.]

7-128.

(A) A LOCAL SCHOOL SYSTEM MAY NOT CONTRACT WITH A CITY, COUNTY, OR STATE LAW ENFORCEMENT AGENCY TO STATION POLICE OFFICERS OR OTHER LAW ENFORCEMENT PERSONNEL WITH ARREST AUTHORITY IN SCHOOLS OR ON SCHOOL PROPERTY.

(B) A LOCAL SCHOOL SYSTEM MAY NOT ESTABLISH ITS OWN POLICE FORCE.

7-1501.

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

(d) “Center” means the Maryland Center for School Safety.

(j) “School resource officer” means:

(1) A law enforcement officer as defined under § 3-101(e) of the Public Safety Article who has been assigned to a school in accordance with a memorandum of understanding between the chief of a law enforcement agency as defined under § 3-101(b) of the Public Safety Article and the local education agency; or

(2) A Baltimore City school police officer[, as defined in § 4-318 of this article].

7-1508.

(a) (1) Each local school system shall designate a [school safety] SECURITY coordinator.

(2) A designated [school safety] SECURITY coordinator shall:

(i) Be certified by the Center; and

(ii) Serve as a liaison between the local school system, the local law enforcement agency, and the Center.

(b) (1) (i) On or before September 1, [2018] 2021, the Center, in consultation with local school systems, shall:

1. Develop a specialized curriculum for use in training of school [resource officers and school] security employees; and

2. Submit the curriculum to the Maryland Police Training and Standards Commission for approval.

(ii) The specialized curriculum developed under this subsection shall include training in:

1. De-escalation;
2. Disability awareness;
3. Maintaining a positive school climate;
4. Constructive interactions with students; and
5. Implicit bias and disability and diversity awareness with specific attention to racial and ethnic disparities.

(iii) 1. The specialized curriculum developed under this subsection may not go into effect until it is approved by the Maryland Police Training and Standards Commission.

2. If the Maryland Police Training and Standards Commission does not initially approve the specialized curriculum, the Center shall amend the curriculum until it meets with the Commission's approval.

(2) On or before March 1, [2019] 2022, the Center shall develop and submit to the Maryland Police Training and Standards Commission for approval a model training program that meets the requirements of the curriculum approved under paragraph (1) of this subsection.

(3) [Each local law enforcement agency shall:

(i) Enroll individuals assigned to be school resource officers in the model training program developed by the Center under paragraph (2) of this subsection; or

(ii) 1. Submit to the Maryland Police Training and Standards Commission for approval a training program that is consistent with the curriculum developed under paragraph (1) of this subsection; and

2. Enroll individuals assigned to be school resource officers in the training program developed under item 1 of this item.

(4) Beginning September 1, [2019] 2022, to be [assigned] EMPLOYED as a school [resource officer] SECURITY EMPLOYEE AT A PUBLIC SCHOOL IN THE STATE, an individual shall:

(i) Complete:

1. The] COMPLETE THE model training program developed by the Center under paragraph (2) of this subsection through instruction provided by the Center in collaboration with the Maryland Police Training and Standards Commission]; or

2. A local law enforcement agency's training program developed under paragraph (3)(ii) of this subsection; and

(ii) Be certified by the Maryland Police Training and Standards Commission.

(5) Beginning September 1, 2019, to be employed as a school security employee at a public school, an individual shall complete:

(i) The model training program developed by the Center under paragraph (2) of this subsection through instruction provided by the Center in collaboration with the Maryland Police Training and Standards Commission; or

(ii) A local law enforcement agency's training program developed under paragraph (3)(ii) of this subsection].

(c) The Center shall collect data regarding the school [resource officers] SECURITY EMPLOYEES in each local school system, including:

(1) The number of full-time and part-time school [resource officers] SECURITY EMPLOYEES assigned to each elementary school, middle school, and high school; and

(2) Any other local school system employees or local law enforcement officers who are fulfilling the role of a school [resource officer] SECURITY EMPLOYEE.

(d) (1) On or before December 15, [2018] 2021, the Center, in collaboration with local law enforcement agencies and local school systems, shall analyze the initial data

collected under [subsection] SUBSECTIONS (c) AND (G) of this section and develop guidelines to assist local school systems in:

(i) Identifying [the appropriate number and assignment of school resource officers, including supplemental coverage by local] AND ADDRESSING ANY USE OF RESTRAINT OR FORCE BY A SCHOOL SECURITY EMPLOYEE OR BY law enforcement [agencies] OFFICERS CALLED TO A SCHOOL; and

(ii) Collaborating and communicating with local law enforcement agencies ON THE APPROPRIATE CIRCUMSTANCES DURING WHICH A SCHOOL EMPLOYEE SHOULD CONTACT LAW ENFORCEMENT.

(2) On or before July 1, [2019] 2022, each local school system, in consultation with local law enforcement agencies, shall:

(i) Develop a plan to implement the guidelines developed by the Center; and

(ii) Submit the plan to the Center for review and comment.

(e) (1) Before the [2018–2019] 2022–2023 school year begins, each local school system shall file a report with the Center identifying[:

(i) The public high schools in the local school system’s jurisdiction that have a school resource officer assigned to the school; and

(ii) If a public high school in the local school system’s jurisdiction is not assigned a school resource officer,] the adequate local law enforcement coverage that will be provided to [the] EACH public high school.

(2) Beginning with the [2019–2020] 2022–2023 school year, and each school year thereafter, before the school year begins, each local school system shall, in accordance with the plan developed under subsection (d)(2) of this section, file a report identifying:

(i) The public schools in the local school system’s jurisdiction that have a school [resource officer] SECURITY EMPLOYEE assigned to the school; and

(ii) If a public school in the local school system's jurisdiction is not assigned a school [resource officer] SECURITY EMPLOYEE, the adequate local law enforcement coverage that will be provided to the public school.

(3) On or before October 1, 2018, and each October 1 thereafter, the Center shall submit a summary of the reports required under this subsection to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

[(f) Each local school system shall post on the school system's website information on the role and authority of school resource officers assigned to public schools within the school system.]

[(g) (F) (1) For fiscal [year] YEARS 2020 [and each fiscal year thereafter] THROUGH 2022, the Governor shall appropriate in the annual State budget \$10,000,000 to the Fund for the purpose of providing grants to local school systems and local law enforcement agencies to assist in meeting the requirements of subsection (e) of this section.

(2) Grants provided under this subsection shall be made to each local school system based on the number of schools in each school system in proportion to the total number of public schools in the State in the prior year.

[(h) (G) (1) The Center shall collect data on incidents of RESTRAINT OR use of force [between] BY:

(i) [Any school resource officer and a student while a school resource officer is carrying out the officer's duties; and

(ii) Any school security employee [and] AGAINST a student while the school security employee is carrying out the employee's duties; AND

(II) ANY LAW ENFORCEMENT OFFICER WHO IS ON SCHOOL GROUNDS AGAINST A STUDENT.

(2) On or before December 1, 2020, and each December 1 thereafter, the Center shall submit a report on the data collected under paragraph (1) of this subsection for each jurisdiction, in accordance with federal and State law, to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.”

On page 20 of the House Judiciary Committee Amendments, after line 6 of Amendment No. 3, insert:

“26–102.

(a) [In this section, “school resource officer” means a law enforcement officer as defined under § 3–101(e) of the Public Safety Article who has been assigned to a school in accordance with a memorandum of understanding between the chief of a law enforcement agency as defined under § 3–101(b) of the Public Safety Article and the local education agency.

(b) The governing board, president, superintendent, OR principal[, or school resource officer] of any public institution of elementary, secondary, or higher education, or a person designated in writing by the board or any of these persons, may deny access to the buildings or grounds of the institution to any other person who:

(1) Is not a bona fide, currently registered student, or staff or faculty member at the institution, and who does not have lawful business to pursue at the institution;

(2) Is a bona fide, currently registered student at the institution and has been suspended or expelled from the institution, for the duration of the suspension or expulsion; or

(3) Acts in a manner that disrupts or disturbs the normal educational functions of the institution.

[(c)] (B) Administrative personnel, authorized employees of any public institution of elementary, secondary, or higher education, and persons designated in subsection [(b)] (A) of this section may demand identification and evidence of qualification from any person who desires to use or enter the premises of the institution.

[(d)] (C) The governing board of any public institution of elementary, secondary, or higher education may enter into an agreement with appropriate law enforcement agencies to carry out the responsibilities of this section when:

(1) The institution is closed; or

(2) None of the persons designated in subsection [(b)] (A) of this section are present in the buildings or on the grounds of the institution.

[(e)] (D) A person is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000, imprisonment not exceeding 6 months, or both if he:

(1) Trespasses on the grounds of any public institution of elementary, secondary, or higher education;

(2) Fails or refuses to leave the grounds of any of these institutions after being requested to do so by a person designated in subsection [(b)] (A) of this section as being authorized to deny access to the buildings or grounds of the institution; or

(3) Willfully damages or defaces any building, furnishing, statue, monument, memorial, tree, shrub, grass, or flower on the grounds of any of these institutions.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 4 Negative – 125 (See Roll Call No. 358)

FLOOR AMENDMENT

HB0670/683220/1

BY: Delegate Chisholm

AMENDMENT TO HOUSE BILL 670, AS AMENDED

On page 62 of the House Judiciary Committee Amendments (HB0670/992612/1), strike beginning with the comma in line 10 of Amendment No. 7 down through “CRIME” in line 11.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 92 (See Roll Call No. 359)

FLOOR AMENDMENT

HB0670/373620/1

BY: Delegate Buckel

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

On page 62 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 5 of Amendment No. 7, after “NOT” insert “KNOWINGLY AND WILLFULLY”.

On page 63 of the House Judiciary Committee Amendments, in line 8 of Amendment No. 7, after “NOT” insert “KNOWINGLY AND WILLFULLY”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 51 Negative – 87 (See Roll Call No. 360)

FLOOR AMENDMENT

HB0670/153323/1

BY: Delegate Buckel

AMENDMENT TO HOUSE BILL 670, AS AMENDED

On page 63 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 15 of Amendment No. 7, strike “ALL” and substitute “THE POLICE OFFICER ACTED OBJECTIVELY TO USE”; and in line 16, strike “HAVE BEEN EXHAUSTED”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 53 Negative – 82 (See Roll Call No. 361)

FLOOR AMENDMENT

HB0670/543920/1

BY: Delegate Reilly

AMENDMENT TO HOUSE BILL 670

(First Reading File Bill)

On page 17, in line 16, before “INTERVENE” insert “WHEN TIME, CIRCUMSTANCES, AND SAFETY ALLOW,”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 89 (See Roll Call No. 362)

FLOOR AMENDMENT

HB0670/173820/1

BY: Delegate Clark

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 23, after “times;” insert “requiring the Commission to develop training on certain Constitutional rights; requiring police officers to complete training on certain Constitutional rights at certain times;”.

On page 7 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 3 of Amendment No. 1, strike “and (k)” and substitute “, (k), and (l)”.

AMENDMENT NO. 2

On page 9 of the bill, after line 28, insert:

“(L) THE COMMISSION SHALL:

(1) DEVELOP TRAINING ON THE UNITED STATES CONSTITUTION, INCLUDING THE BILL OF RIGHTS;

(2) REQUIRE ALL NEW POLICE OFFICERS TO COMPLETE THE TRAINING DEVELOPED UNDER ITEM (1) OF THIS SUBSECTION; AND

(3) REQUIRE ALL INCUMBENT POLICE OFFICERS TO UNDERGO THE TRAINING DEVELOPED UNDER ITEM (1) OF THIS SUBSECTION ON AN ANNUAL BASIS.”

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 51 Negative – 75 (See Roll Call No. 363)

FLOOR AMENDMENT

HB0670/923327/1

BY: Delegate Saab

AMENDMENT TO HOUSE BILL 670, AS AMENDED

On page 35 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 20 of Amendment No. 4, strike “PHYSICAL FORCE” and substitute “LETHAL FORCE”.

On page 36 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 4, after “INJURY” insert “, AS DEFINED IN § 3-201 OF THE CRIMINAL LAW ARTICLE,”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 86 (See Roll Call No. 364)

FLOOR AMENDMENT

HB0670/393422/1

BY: Delegate Rose

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2 of the bill, strike beginning with “establishing” in line 29 on page 1 down through “officer;” in line 1 on page 2.

AMENDMENT NO. 2

On page 10 of the bill, strike in their entirety lines 29 and 30.

On page 57 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 2 of Amendment No. 5, strike “**(F)**”.

On page 11 of the bill, strike in their entirety lines 17 and 18.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 89 (See Roll Call No. 365)

FLOOR AMENDMENT

HB0670/463623/1

BY: Delegate Szeliga

AMENDMENT TO HOUSE BILL 670

(First Reading File Bill)

On page 8, strike beginning with “**WITHOUT**” in line 7 down through “**ENFORCEMENT**” in line 8.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 50 Negative – 85 (See Roll Call No. 366)

FLOOR AMENDMENT

HB0670/213825/1

BY: Delegate Shoemaker

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

AMENDMENT NO. 1

On page 2 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 9 of Amendment No. 1, strike “a certain exception” and substitute “certain exceptions”.

AMENDMENT NO. 2

On page 30 of the House Judiciary Committee Amendments, in line 16 of Amendment No. 3, after “**(2)**” insert “**(1)**”; and after line 17, insert:

“(II) A RECORD RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER IS A PERSONNEL RECORD FOR THE PURPOSES OF THIS SECTION IF THE RESULT OF THE INVESTIGATION FOUND THAT THE OFFICER DID NOT COMMIT THE ALLEGED ACTIONS.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 47 Negative – 80 (See Roll Call No. 368)

FLOOR AMENDMENT

HB0670/503524/1

BY: Delegate Morgan

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

AMENDMENT NO. 1

On page 3 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 16 of Amendment No. 1, after “agencies;” insert “prohibiting a citizen from serving as a member of a certain administrative charging committee if the citizen has been convicted of or charged with a crime that is subject to a certain penalty;”.

AMENDMENT NO. 2

On page 41 of the of the House Judiciary Committee Amendments, in line 10 of Amendment No. 4, after “(C)” insert “(1) A CITIZEN MAY NOT SERVE AS A MEMBER OF AN ADMINISTRATIVE CHARGING COMMITTEE IF THE CITIZEN HAS BEEN CONVICTED OF OR CHARGED WITH A CRIME THAT IS SUBJECT TO IMPRISONMENT FOR MORE THAN 90 DAYS.

(2)”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 48 Negative – 81 (See Roll Call No. 369)

FLOOR AMENDMENT

HB0670/533723/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

AMENDMENT NO. 1

On page 2 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 22 of Amendment No. 1., after “purpose” insert “; requiring the Independent Investigative Agency to employ certain sworn police officers for a certain purpose”.

AMENDMENT NO. 2

On page 35 of the House Judiciary Committee Amendments, in line 11 of Amendment No. 4, after “AGENCY” insert “:

(1)”;

and in line 12, after “WORK” insert “; AND

(2) SHALL EMPLOY SWORN POLICE OFFICERS TO CONDUCT INVESTIGATIONS”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 50 Negative – 83 (See Roll Call No. 370)

FLOOR AMENDMENT

HB0670/703529/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 2 of the bill, in line 33, after “time;” insert “requiring that a certain federal consent decree shall prevail over certain provisions of law relating to independent investigative agencies;”.

AMENDMENT NO. 2

On page 36 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 12 of Amendment No. 4, after “**(F)**” insert “**IF ANY PROVISION OF THIS SECTION CONFLICTS WITH A FEDERAL CONSENT DECREE ENTERED INTO BY A MUNICIPAL CORPORATION OR ANY OTHER JURISDICTION, THE FEDERAL CONSENT DECREE SHALL PREVAIL.**

(G)”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 45 Negative – 88 (See Roll Call No. 371)

FLOOR AMENDMENT

HB0670/353126/1

BY: Delegate Kipke

AMENDMENT TO HOUSE BILL 670, AS AMENDED

On page 33 of the House Judiciary Committee Amendments (HB0670/992612/1), in line 11 of Amendment No. 4, after “**MISCONDUCT**” insert “**, INCLUDING MISCONDUCT REPORTED BY AN INTERNAL COMPLAINT**”.

On page 34 of the House Judiciary Committee Amendments, in line 5 of Amendment No. 4, after “**(F)**” insert “**“INTERNAL COMPLAINT” MEANS A COMPLAINT ORIGINATING FROM WITHIN A LAW ENFORCEMENT AGENCY.**”

(G)”;

and in lines 7, 10, and 18, strike “**(G)**”, “**(H)**”, and “**(I)**”, respectively, and substitute “**(H)**”, “**(I)**”, and “**(J)**”, respectively.

On page 35 of the House Judiciary Committee Amendments, in Amendment No. 4, in lines 1, 3, and 5, strike “**(J)**”, “**(K)**”, and “**(L)**”, respectively, and substitute “**(K)**”, “**(L)**”, and “**(M)**”, respectively.

On page 41 of the House Judiciary Committee Amendments, in line 15 of Amendment No. 4, after “**OFFICER**” insert “**OR AN INTERNAL COMPLAINT AGAINST A POLICE OFFICER**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 49 Negative – 86 (See Roll Call No. 372)

FLOOR COMMITTEE AMENDMENT

HB0670/523021/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 670, AS AMENDED

On page 46 of the House Judiciary Committee Amendments (HB0670/992612/1), in Amendment No. 4, strike beginning with “**A**” in line 3 down through “**(G)**” in line 9; and in line 12, strike “**(H)**” and substitute “**(G)**”.

On page 47 of the House Judiciary Committee Amendments, in line 3 of Amendment No. 4, strike “**(I)**” and substitute “**(H)**”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 373)

ADJOURNMENT

At 9:57 P.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 3, 2021, Calendar Day, Thursday, March 11, 2021.

Annapolis, Maryland
Legislative Day: March 3, 2021
Calendar Day: Thursday, March 11, 2021
10:00 A.M. Session

The House met at 10:03 A.M. and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 124 Members present.

(See Roll Call No. 374)

EXCUSED:

Delegate Anderson – illness

The Journal of March 2, 2021 was read and approved.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 8
CONSENT NO. 38

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably on all of the following bills:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 309	FAV	Del. Pena–Melnyk	Public Health – Data – Race and Ethnicity Information
HB 1034	FAV	Del. Cullison	Prescription Drug Affordability Board – Plan of Action – Repeal of Date for Submission

Favorable report adopted on all of the preceding bills.

The preceding bill were read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 18

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 41 – Delegate Smith

AN ACT concerning

Maryland State Bank Task Force – Establishment

HB0041/553591/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 41

(First Reading File Bill)

AMENDMENT NO.1

On page 1, in line 16, strike “Budget and Taxation” and substitute “Finance”; and in line 18, strike “Appropriations” and substitute “Economic Matters”.

AMENDMENT NO.2

On page 2, in line 11, strike “and”; after line 11, insert:

“(12) the President of the Maryland Bankers Association , or the President’s designee; and”;

and in line 12, strike “(12)” and substitute “(13)”.

On page 4, in line 1, strike “Budget and Taxation” and substitute “Finance”; and in line 2, strike “Appropriations” and substitute “Economic Matters”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 221 – Delegate Turner

AN ACT concerning

Motor Vehicle Insurance – Use of Credit History in Rating Policies

HB0221/823097/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 221

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 3 down through “changes;” in line 8 and substitute “requiring an insurer, with respect to private passenger motor vehicle insurance, to provide certain exceptions to the insurer’s rates, ratings classifications, company or tier placement, and underwriting rules or guidelines to certain applicants and insureds on request; authorizing an insurer to take certain actions if an applicant or insured submits a request for an exception; providing that an insurer is not out of compliance with any law or rule relating to underwriting, rating, or rate filing as a result of granting an exception; providing for the construction of certain provisions of this Act; requiring an insurer to provide certain notice and information to applicants and insureds; requiring the insurer to inform the applicant or insured of the outcome of a certain request in a certain medium and within a certain time period;”.

AMENDMENT NO. 2

On page 2, in lines 12, 14, 15, 16, 24, and 26, in each instance, strike the bracket.

On page 2, in line 14, strike “(I)”; in the same line, strike “OR”; in line 15, strike “A RISK”; in line 16, strike “AN”; in the same line, strike “OR INSURED”; strike in their entirety lines 17 through 23; and in line 24, strike “(III)”.

On page 4, in lines 6, 7, and 10, in each instance, strike the bracket; in line 7, strike “(4)”; in line 10, strike “(5)”; and after line 12, insert:

“(8) (I) WITH RESPECT TO PRIVATE PASSENGER MOTOR VEHICLE INSURANCE, AN INSURER THAT USES CREDIT INFORMATION SHALL, ON WRITTEN REQUEST FROM AN APPLICANT OR AN INSURED, PROVIDE REASONABLE EXCEPTIONS TO THE INSURER’S RATES, RATINGS CLASSIFICATIONS, COMPANY OR TIER PLACEMENT, OR UNDERWRITING RULES OR GUIDELINES FOR AN APPLICANT

OR INSURED WHO HAS EXPERIENCED AND WHOSE CREDIT INFORMATION HAS BEEN DIRECTLY INFLUENCED BY ANY OF THE FOLLOWING EVENTS:

1. A CATASTROPHIC EVENT DECLARED BY THE FEDERAL OR A STATE GOVERNMENT;
2. SERIOUS ILLNESS OR INJURY, OR SERIOUS ILLNESS OR INJURY TO AN IMMEDIATE FAMILY MEMBER;
3. DEATH OF A SPOUSE, CHILD, OR PARENT;
4. DIVORCE OR INVOLUNTARY INTERRUPTION OF LEGALLY OWED ALIMONY OR SUPPORT PAYMENTS;
5. IDENTITY THEFT;
6. TEMPORARY LOSS OF EMPLOYMENT FOR A PERIOD OF 3 MONTHS OR MORE, IF IT RESULTS FROM INVOLUNTARY TERMINATION;
7. MILITARY DEPLOYMENT OVERSEAS; OR
8. OTHER EVENTS, AS DETERMINED BY THE INSURER.

(II) IF AN APPLICANT OR INSURED SUBMITS A REQUEST FOR AN EXCEPTION, AN INSURER, IN ITS SOLE DISCRETION, MAY:

1. REQUIRE THE APPLICANT OR INSURED TO PROVIDE REASONABLE WRITTEN AND INDEPENDENTLY VERIFIABLE DOCUMENTATION OF THE EVENT;
2. REQUIRE THE APPLICANT OR INSURED TO DEMONSTRATE THAT THE EVENT HAD DIRECT AND MEANINGFUL IMPACT ON THE APPLICANT'S OR INSURED'S CREDIT INFORMATION;

3. REQUIRE THAT THE REQUEST BE MADE NO MORE THAN 60 DAYS FROM THE DATE OF APPLICATION FOR INSURANCE OR THE POLICY RENEWAL;

4. GRANT AN EXCEPTION DESPITE THE APPLICANT OR INSURED NOT PROVIDING THE INITIAL REQUEST FOR AN EXCEPTION IN WRITING; AND

5. GRANT AN EXCEPTION WHERE THE APPLICANT OR INSURED ASKS FOR CONSIDERATION OF REPEATED EVENTS OR THE INSURER HAS CONSIDERED THIS EVENT PREVIOUSLY.

(III) 1. AN INSURER IS NOT OUT OF COMPLIANCE WITH ANY LAW OR REGULATION RELATING TO UNDERWRITING, RATING, OR RATE FILING AS A RESULT OF GRANTING AN EXCEPTION UNDER THIS PARAGRAPH.

2. THIS PARAGRAPH MAY NOT BE CONSTRUED TO PROVIDE AN APPLICANT OR OTHER INSURED WITH A CAUSE OF ACTION THAT DOES NOT EXIST IN THE ABSENCE OF THIS PARAGRAPH.

(IV) THE INSURER SHALL PROVIDE TO APPLICANTS AND INSUREDS:

1. NOTICE THAT REASONABLE EXCEPTIONS ARE AVAILABLE; AND

2. INFORMATION ABOUT HOW THE APPLICANT OR INSURED MAY INQUIRE FURTHER REGARDING THE EXCEPTIONS THAT ARE AVAILABLE.

(V) WITHIN 30 DAYS AFTER THE INSURER'S RECEIPT OF SUFFICIENT DOCUMENTATION OF AN EVENT DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE INSURER SHALL INFORM THE APPLICANT OR INSURED OF THE OUTCOME OF THE REQUEST FOR A REASONABLE EXCEPTION IN WRITING OR IN THE SAME MEDIUM IN WHICH THE REQUEST WAS MADE."

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 298 – Delegate Charkoudian

AN ACT concerning

Utility Regulation – Consideration of Climate and Labor

HB0298/423499/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 298

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 10 down through “year;” in line 14.

On page 2, strike in their entirety lines 7 through 11, inclusive.

AMENDMENT NO. 2

On pages 5 and 6, strike in their entirety the lines beginning with line 29 on page 5 through line 29 on page 6, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 945 – Delegate Carey

AN ACT concerning

Human Services – Critical Medical Needs Program – Application for Assistance**HB0945/283297/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 945

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “prohibiting” and substitute “requiring”; and in the same line, strike “from requiring” and substitute “to allow a certain amount of time for an individual to provide”.

AMENDMENT NO. 2

On page 3, in line 8, strike “MAY NOT REQUIRE” and substitute “SHALL ALLOW”; and in the same line, after “INDIVIDUAL” insert “90 DAYS AFTER APPLYING FOR ASSISTANCE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1002 – Delegate Charkoudian

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Revisions and Required Study**HB1002/283892/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1002

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Insurance** –” and substitute “– **Insurance**”; in the same line, strike “**and Required Study**” and substitute “**and Special Enrollment Period for Health Benefits**”; in line 3, after the first “of” insert “requiring the Maryland Health Benefit Exchange to open a certain enrollment period for an individual who consents to share information through a certain system; establishing certain requirements for a certain enrollment period; authorizing the Maryland Health Benefit Exchange to conduct outreach to a certain individual using certain methods;”; in line 14, after “funding;” insert “authorizing, for the purpose of implementing a certain system in a certain manner, the Maryland Department of Labor, the Maryland Health Benefit Exchange, and the Maryland Department of Health to take certain actions;”; strike beginning with “requiring” in line 16 down through “date” in line 25 and substitute “altering the information of which the Secretary of Labor is required to notify a claimant if the Secretary decides to recover benefits from the claimant under certain provisions of law; requiring the Secretary to allow a claimant to appeal a certain determination within a certain period of time; requiring the Maryland Department of Labor to submit to the General Assembly a certain report on or before a certain date; requiring the Maryland Department of Labor, on or before a certain date, to identify all changes in federal regulations and guidance that would expand access to unemployment benefits or reduce bureaucratic hurdles to prompt approval of unemployment benefits; requiring the Maryland Department of Labor, on or before a certain date, to revise State unemployment insurance rules and practices for a certain purpose”; in line 26, strike “insurance”; and after line 26, insert:

“BY adding to

Article – Insurance

Section 31–108(h)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”.

On page 2, after line 1, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–809(a) and (b)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)”;

and in line 4, strike “8–611(k) and 8–803(d)” and substitute “8–809(c)”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“Article – Insurance

31–108.

(H) (1) THE EXCHANGE SHALL OPEN A SPECIAL OR OTHER ENROLLMENT PERIOD FOR AN INDIVIDUAL WHO CONSENTS TO SHARE INFORMATION THROUGH THE SYSTEM IMPLEMENTED IN ACCORDANCE WITH § 8–109(B)(1) OF THE LABOR AND EMPLOYMENT ARTICLE.

(2) THE ENROLLMENT PERIOD OPENED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(I) APPLY TO QUALIFIED HEALTH PLANS OFFERED THROUGH THE EXCHANGE IN THE INDIVIDUAL MARKET;

(II) BEGIN ON THE DATE THE EXCHANGE SENDS NOTICE TO THE INDIVIDUAL;

(III) LAST FOR A PERIOD OF TIME DETERMINED BY THE EXCHANGE AND THAT IS AT LEAST 30 DAYS; AND

(IV) BE AVAILABLE TO AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION AND TO THE INDIVIDUAL’S DEPENDENT AS DEFINED IN 45 C.F.R. § 155.420.

(3) THE EXCHANGE MAY CONDUCT OUTREACH TO AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION USING METHODS THAT INCLUDE:

(I) WRITTEN NOTICES;

(II) CONTACT THROUGH TELEPHONIC AND ELECTRONIC MEANS; AND

(III) THE PROVISION OF INDIVIDUALIZED ASSISTANCE BY INSURANCE AGENTS AND BROKERS, NAVIGATORS, AND EXCHANGE CONTRACTORS AND STAFF.”

On page 4, after line 31, insert:

“(5) TO FACILITATE THE MOST EFFICIENT IMPLEMENTATION OF THE SYSTEM DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT, THE MARYLAND HEALTH BENEFIT EXCHANGE, AND THE MARYLAND DEPARTMENT OF HEALTH MAY:

(I) ENTER INTO AGREEMENTS;

(II) ADOPT REGULATIONS;

(III) ADOPT GUIDELINES;

(IV) ESTABLISH ACCOUNTS;

(V) CONDUCT TRAININGS;

(VI) PROVIDE PUBLIC INFORMATION; AND

(VII) TAKE ANY OTHER STEPS AS MAY BE NECESSARY TO ACCOMPLISH THE PURPOSE OF THE SYSTEM DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.”

AMENDMENT NO. 3

On page 2, in line 13, strike “ENSURE” and substitute “SECURE EQUAL ACCESS FOR INDIVIDUALS BY:

(I) ENSURING”;

in line 14, strike the second “AND” and substitute a comma; in the same line, after “INTERPRETIVE” insert “, AND TRANSLATION”; after line 14, insert:

“(II) FOR INDIVIDUALS WITH DISABILITIES:

1. INCORPORATING ACCESSIBILITY FEATURES THAT ARE CONSISTENT WITH MODERN ACCESSIBILITY STANDARDS FOR INDIVIDUALS WITH DISABILITIES; AND

2. PROVIDING NOTICE OF ALTERNATIVE ACCESSIBILITY OPTIONS FOR ACCESSING BENEFITS, SERVICES, AND INFORMATION IN MULTIPLE FORMATS; AND

(III) CONSPICUOUSLY PROVIDING CLAIMANTS WITH THE OPTION TO SELECT AT THE BEGINNING OF THE APPLICATION FOR UNEMPLOYMENT INSURANCE BENEFITS PROCESS THAT PAPER-BASED NOTICES OF DEPARTMENT ACTION BE SENT BY MAIL;”;

strike in their entirety lines 15 through 30, inclusive; after line 30, insert:

“(2) ESTABLISH PROCEDURES THAT REQUIRE AN INDIVIDUAL WHO HAS FILED AN INITIAL CLAIM FOR BENEFITS TO BE PROVIDED WITH A STATUS UPDATE ON THE CLAIM BY DEPARTMENT STAFF OR CONTRACTORS THROUGH TELEPHONE OR E-MAIL AT LEAST ONCE EVERY 3 WEEKS UNTIL THE INITIAL BENEFITS ARE PAID OR THE INITIAL CLAIM IS DENIED, WHICHEVER OCCURS FIRST;”;

in line 31, strike “(7)” and substitute “(3)”; in the same line, strike “PERIODICALLY REVIEW AND REVISE FOR” and substitute “ON OR BEFORE JULY 1, 2021, AND EACH JULY 1 THEREAFTER, CONTRACT WITH AN EXTERNAL CUSTOMER SERVICE QUALITY EVALUATION VENDOR TO MEASURE:

(I) THE”;

and in line 32, after “ORGANIZATION” insert “OF”.

On page 3, after line 1, insert:

“(II) THE ACHIEVEMENT OF THE CUSTOMER SERVICE STANDARDS REQUIRED UNDER THIS SUBSECTION AND THE DEPARTMENT’S PLAN TO IMPLEMENT THE REQUIREMENTS OF THIS SUBSECTION; AND

(III) OTHER CUSTOMER SERVICE METRICS THAT THE DEPARTMENT OR THE VENDOR AGREE ARE IMPORTANT;

in line 2, strike “(8)” and substitute “(4)”; in line 3, strike “INFORMS” and substitute “AND CONVENIENTLY PROVIDES”; strike beginning with “OF” in line 3 down through “REQUEST” in line 5 and substitute “WITH THE ABILITY TO SELECT THE METHOD OF PAYMENT”; strike in their entirety lines 6 through 8, inclusive; in line 9, strike “(10)” and substitute “(5)”; strike in their entirety lines 12 through 20, inclusive; in line 21, strike “(13)” and substitute “(6)”; in line 23, strike “(14)” and substitute “(7)”; and in line 29, strike “(15)” and substitute “(8)”.

On page 4, in line 1, strike “(16)” and substitute “(9)”; in line 5, after “PUBLISH” insert “QUARTERLY”; and in lines 5 and 6, strike “AT LEAST ONCE PER MONTH”.

On pages 5 through 7, strike in their entirety the lines beginning with line 3 on page 5 through line 21 on page 7, inclusive.

On page 7, after line 21, insert:

“8-809.

(a) The Secretary may recover benefits paid to a claimant if the Secretary finds that the claimant was not entitled to the benefits because:

(1) the claimant was not unemployed;

(2) the claimant received or retroactively was awarded wages; or

(3) due to a redetermination of an original claim by the Secretary, the claimant is disqualified or otherwise ineligible for benefits.

(b) If the Secretary finds that a claimant knowingly made a false statement or representation or knowingly failed to disclose a material fact to obtain or increase a benefit or other payment under this title, in addition to disqualification of the claimant, the Secretary may recover from the claimant:

(1) all benefits paid to the claimant for each week for which the false statement or representation was made or for which the claimant failed to disclose a material fact;

(2) a monetary penalty of 15% of all benefits paid to the claimant for each week for which the false statement or representation was made or for which the claimant failed to disclose a material fact; and

(3) interest of 1.5% per month on the amount of all benefits paid to the claimant for each week for which the false statement or representation was made or for which the claimant failed to disclose a material fact plus the amount of the monetary penalty accruing from the date that the claimant is notified by the Secretary that the claimant was not entitled to benefits received.

(c) (1) If the Secretary decides to recover benefits from a claimant under subsection (a) or (b) of this section, the Secretary shall notify the claimant of:

[(1)] (I) the amount to be recovered; AND

(II) THE BASIS FOR THE RECOVERY OF BENEFITS, INCLUDING ANY EVIDENCE THAT THE SECRETARY USED TO MAKE THE DETERMINATION;

[(2)] (III) the weeks for which benefits were paid;

[(3)] (IV) the amount of any monetary penalty assessed under subsection (b)(2) of this section and the reason for the assessment of the monetary penalty; [and]

[(4)] (V) the provision of this title under which the Secretary determined that the claimant was ineligible for benefits; AND

(VII) THE APPEAL RIGHTS AVAILABLE TO A CLAIMANT.

(2) THE SECRETARY SHALL ALLOW A CLAIMANT TO APPEAL A DETERMINATION REGARDING THE RECOVERY OF BENEFITS WITHIN 30 DAYS AFTER THE MAILING OR OTHER DELIVERY OF THE NOTICE.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 1, 2021, the Maryland Department of Labor shall submit to the General Assembly, in accordance

with § 2–1257 of the State Government Article, a detailed, comprehensive, and funded plan to ensure that call center staffing is adequate to allow an individual to reach a departmental employee or contractor to ask questions.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before June 1, 2021, the Maryland Department of Labor shall identify all changes in federal regulations and guidance that would expand access to unemployment benefits or reduce bureaucratic hurdles to prompt approval of unemployment benefits.

(b) On or before July 1, 2021, the Maryland Department of Labor shall revise State unemployment insurance rules and practices to encompass any changes in federal regulations and guidance.”;

and in line 22, strike “3.” and substitute “4.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Ghrist moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

House Bill 1004 – Delegate Crosby

AN ACT concerning

Financial Institutions – Commissioner of Financial Regulation – Credit Union Power

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1210 – The Speaker

AN ACT concerning

Corporate Diversity – Board, Executive Leadership, and Mission

HB1210/533796/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1210
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “promulgate” and substitute “adopt”; and in line 8, after “report;” insert “declaring the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, after line 18, insert:

“(4) “STATE CONTRACT” MEANS A CONTRACT THAT:

(I) RESULTED FROM A COMPETITIVE PROCUREMENT PROCESS;

AND

(II) IS NOT FEDERALLY FUNDED IN ANY WAY.”;

and in line 19, strike “(4)” and substitute “(5)”.

AMENDMENT NO. 3

On page 2, after line 22, insert:

“(B) THIS SECTION DOES NOT APPLY TO A SOLE PROPRIETOR.”

On page 2 in line 23, and on page 3 in line 1, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively.

On page 3, in line 9, strike “PROMULGATE” and substitute “ADOPT”.

On page 4, in line 7, strike “PROMULGATED” and substitute “ADOPTED”.

AMENDMENT NO. 4

On page 4, after line 12, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, if an entity receives a State benefit that is intended to be disbursed over more than 1 year, only the amount that will be disbursed in 1 fiscal year shall count toward the \$1,000,000 threshold in a single fiscal year established under § 19–106 of the Business Regulation Article as enacted by Section 1 of this Act.”;

and in lines 13, 18, 23, and 28, strike “2.”, “3.”, “4.”, and “5.”, respectively, and substitute “3.”, “4.”, “5.”, and “6.”, respectively.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for next session.

The motion was adopted.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 16

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 313 – Delegate Holmes

AN ACT concerning

Cooperative Housing Corporations, Condominiums, and Homeowners Associations – Reserve Studies – Statewide

HB0313/610419/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 313

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6, 18, and 27, in each instance, after “and” insert “updated”.

On page 2, in line 4, after “Act;” insert “making stylistic changes;”.

AMENDMENT NO. 2

On page 3 in line 9, on page 6 in lines 8 and 14, and on page 8 in lines 24 and 30, in each instance, strike “a” and substitute “AN UPDATED”.

On page 3, in line 16, strike the second “a” and substitute “AN UPDATED”.

On page 3 in line 21, on page 6 in line 19, and on page 9 in line 3, in each instance, after “and” insert “AN UPDATED RESERVE STUDY”.

On page 3 in line 28, on page 6 in line 25, and on page 9 in line 9, in each instance, strike “A” and substitute “AN UPDATED”.

On page 3 in line 34, on page 6 in line 30, and on page 9 in line 15, in each instance, after “AND” insert “AN UPDATED RESERVE STUDY”.

AMENDMENT NO.3

On page 8, strike beginning with “homeowners” in line 10 down through “has” in line 11 and substitute “HOMEOWNERS ASSOCIATION:

(I) THAT HAS”;

and in line 12, after “areas” insert “;**AND**

(II) FOR WHICH THE TOTAL INITIAL PURCHASE AND INSTALLATION COSTS FOR ALL COMPONENTS IDENTIFIED IN SUBSECTION (A)(1) OF THIS SECTION IS AT LEAST \$10,000”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Krebs moved to make the Bill a Special Order for next session.

The motion was adopted.

THE HONORABLE ERIC G. LUEDTKE, MAJORITY LEADER, NOW PRESIDING

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 861 – Delegate Palakovich Carr

AN ACT concerning

Real Property – Landlord and Tenant – Reusable Tenant Screening Reports

HB0861/190718/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 861

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “tenant” insert “of residential property”; strike beginning with “requiring” in line 4 down through “reports;” in line 8 and substitute “requiring a landlord to provide certain notice to prospective tenants regarding whether or not the landlord accepts reusable tenant screening reports;”; in line 9, after “tenant;” insert “authorizing a landlord to require a prospective tenant to make a certain certification; authorizing a landlord to reject an application for tenancy under certain circumstances;”; and in line 13, strike “8-119” and substitute “8-218”.

AMENDMENT NO. 2

On page 1, in line 19, strike “8-119.” and substitute “8-218.”; and in line 21, after “PREPARED” insert “WITHIN THE PREVIOUS 30 DAYS”.

On page 2, in line 3, strike “CONSUMER”; strike beginning with “PREPARED” in line 3 down through “DAYS” in line 4; in line 5, after “(2)” insert “FOR EACH JURISDICTION INDICATED AS A PRIOR RESIDENCE OF THE PROSPECTIVE TENANT, REGARDLESS OF WHETHER THE RESIDENCE IS REPORTED BY THE PROSPECTIVE TENANT OR BY A CONSUMER REPORTING AGENCY PREPARING A CONSUMER REPORT:

(I);

in the same line, after “A” insert “COMPREHENSIVE”; in the same line, strike “CHECK;” and substitute “CHECK FOR ALL FEDERAL, STATE, AND LOCAL CHARGES AGAINST AND CONVICTIONS OF THE PROSPECTIVE TENANT OVER THE PREVIOUS 7 YEARS; AND”; in line 6, strike “(3)” and substitute “(II)”; in the same line, strike “ANY” and substitute “A COMPREHENSIVE”; in the same line, after “HISTORY” insert “FOR ALL STATE AND LOCAL JURISDICTIONS FOR THE PREVIOUS 7 YEARS”; in line 7, after “EMPLOYMENT”

insert “AND INCOME”; in lines 7 and 8, strike “(4)” and “(5)”, respectively, and substitute “(3)” and “(4)”, respectively; strike beginning with “THAT” in line 9 down through “REPORT” in line 10; in line 10, after “TENANTS” insert “REGARDING WHETHER OR NOT THE LANDLORD ACCEPTS REUSABLE TENANT SCREENING REPORTS.”

(2) NOTICE UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE”;

in line 11, after “MANNER” insert “, INCLUDING”:

(I) A STATEMENT POSTED ON A RENTAL HOUSING LISTING;

(II) NOTICE POSTED ON THE HOMEPAGE OF A WEBSITE;

(III) INFORMATION PROVIDED IN THE RENTAL APPLICATION PAGE FOR A RENTAL PROPERTY ONLINE; OR

(IV) ANY OTHER MANNER REASONABLY CALCULATED TO PROVIDE POTENTIAL TENANTS WITH NOTICE”;

strike in their entirety lines 12 through 16, inclusive; and after line 21, insert:

“(E) A LANDLORD THAT ACCEPTS A REUSABLE TENANT SCREENING REPORT UNDER THIS SECTION MAY REQUIRE A PROSPECTIVE TENANT TO CERTIFY THAT THERE HAS NOT BEEN A MATERIAL CHANGE TO THE TENANT’S NAME, ADDRESS, BANKRUPTCY STATUS, CRIMINAL HISTORY, OR EVICTION HISTORY SINCE THE DATE THAT THE REPORT WAS GENERATED.”

(F) PRIOR TO THE EXECUTION OF A LEASE AGREEMENT, A LANDLORD MAY REJECT AN APPLICATION FOR TENANCY IF A PROSPECTIVE TENANT MADE A MATERIAL CHANGE TO A REUSABLE TENANT SCREENING REPORT.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 17

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 519 – Delegate Barve

AN ACT concerning

Vehicle Equipment – Safety Glass – Replacement Standards

HB0519/870314/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 519

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “that” insert “include certain requirements and”; in the same line, strike the first “the” and substitute “certain”; strike beginning with “under” in line 5 down through “Council” in line 6; in line 6, before “and” insert “defining a certain term”; in line 9, strike “without” and substitute “with”; in line 11, strike “(d) through (f)” and substitute “(g)”; in line 14, strike “with” and substitute “without”; and in line 16, strike “22–406(g)” and substitute “22–406(d) through (f)”.

AMENDMENT NO. 2

On page 1, in line 23, after “(a)” insert “**(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2) “AFTERMARKET SAFETY GLASS REPLACEMENT” MEANS MOTOR VEHICLE SAFETY GLASS REPLACEMENT SERVICES THAT OCCUR AFTER THE ORIGINAL INSTALLATION BY A VEHICLE MANUFACTURER.

(3)”;

and in line 24, strike “(1)” and substitute “**(I)**”.

On page 2, in line 2, strike “(2)” and substitute “**(II)**”; strike beginning with “MEET” in line 15 down through “COUNCIL” in line 17 and substitute “:

1. REQUIRE THAT THE PRODUCTS AND SERVICES USED MEET OR EXCEED ORIGINAL EQUIPMENT MANUFACTURER SPECIFICATIONS;

2. REQUIRE THE USE OF MOTOR VEHICLE SAFETY GLASS THAT MEETS AMERICAN NATIONAL STANDARDS INSTITUTE Z26.1 IN ACCORDANCE WITH FEDERAL MOTOR VEHICLE SAFETY STANDARD 205 AND ANY OTHER APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARD ADOPTED BY THE NATIONAL HIGHWAY TRANSPORTATION SAFETY ADMINISTRATION; AND

3. MEET OR EXCEED THE STANDARDS AND REQUIREMENTS OF THE AMERICAN NATIONAL STANDARDS INSTITUTE/AUTO GLASS SAFETY COUNCIL/AUTOMOTIVE GLASS REPLACEMENT SAFETY STANDARD”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 1074 – Delegate R. Watson

AN ACT concerning

**Vehicle Laws – Commercial Motor Carriers – Safety, Inspection, Performance,
and Insurance Information
(James Cohran’s Law)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1315 – Delegate Fraser–Hidalgo

AN ACT concerning

Motor Vehicles – Inspection Certificates – Exception

HB1315/780917/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1315

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “an” in line 3 down through “entity” in line 4 and substitute “a majority owner of the business entity”; and in line 5, after “certificate” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 2, in line 6, strike “AN INDIVIDUAL WHO WHOLLY OR PARTLY OWNS THE BUSINESS ENTITY” and substitute “THE MAJORITY OWNER OF THE BUSINESS ENTITY IF:

(I) THE VEHICLE IS PRIMARILY DRIVEN BY THE MAJORITY OWNER OF THE BUSINESS ENTITY; AND

(II) THE BUSINESS ENTITY HAS BEEN DISSOLVED OR IS IN THE PROCESS OF DISSOLUTION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE HONORABLE ADRIENNE A. JONES, SPEAKER, NOW PRESIDING

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 18

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 333 – Delegate Clark

AN ACT concerning

**Marine Contractor License – Performance of Services – Licensing Requirements
and Fees**

HB0333/760013/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 333

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “license;” in line 6.

AMENDMENT NO. 2

On page 2, in lines 4 and 5, in each instance, strike the bracket; in line 10, strike “SECTION” and substitute “SUBSECTION”; in line 11, strike “AN AGENCY OF THE STATE OR”; in line 17, after “(3)” insert “(I)”; in the same line, strike “AN” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN”; strike beginning with “(I)” in line 21 down through “(II)” in line 23 and substitute “1.”; in line 23, strike the first comma and substitute “OR”; in the same line, strike “, OR REPLACEMENT”; in line 27, strike “(III)” and substitute “2.”; and after line 29, insert:

“(II) IF AN INDIVIDUAL IS PERFORMING MARINE CONTRACTOR SERVICES FOR THE ROUTINE MAINTENANCE OR REPAIR OF AN EXISTING SHORE EROSION CONTROL STRUCTURE, THE INDIVIDUAL SHALL OBTAIN A LICENSE FROM THE BOARD UNDER THIS TITLE.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 860 – Delegate Gilchrist

AN ACT concerning

State Planning – Preservation of Agricultural Land – Goal

HB0860/130411/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 860

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “programs;” insert “declaring the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, in line 1, strike “AND”; after line 1, insert:

“**(5) THE NEXT GENERATION FARMLAND ACQUISITION PROGRAM;**
AND”;

and in line 2, strike “**(5)**” and substitute “**(6)**”.

AMENDMENT NO. 3

On page 2, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that this Act shall be construed as extending the deadline to meet the State’s agricultural land preservation goal set under Joint Resolutions 16 and 17 of the Acts of 2002, from 2022 to 2030, and to include acres preserved through the Maryland Environmental Trust and the Next Generation Farmland Acquisition Program as contributing toward the goal.”;

and in line 3, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 9

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 5 – Delegate Krebs

AN ACT concerning

Cemeteries – Perpetual Care – Distribution From Perpetual Care Trust Fund

HB0005/746685/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 5

(First Reading File Bill)

On page 5, in line 28, after “THAT” insert “:

**1. PROVIDES FOR A BALANCED PORTFOLIO, INCLUDING
A REASONABLE AMOUNT OF FIXED-INCOME SECURITIES; AND**

2.”

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 28 – Delegates Pena–Melnyk and R. Lewis

AN ACT concerning

Public Health – Implicit Bias Training and the Office of Minority Health and Health Disparities

HB0028/406187/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 28

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “altering the information required to be included in a certain report card to include certain disparities in morbidity and mortality rates for dementia;”.

AMENDMENT NO. 2

On page 2, in line 23, after “asthma,” insert “DEMENTIA,”; and in line 32, strike “1.2%” and substitute “.012%”.

AMENDMENT NO. 3

On page 6, in line 10, before “AN” insert “(A)”; strike beginning with “IF” in line 15 down through “2021” in line 16; and after line 16, insert:

“(B) THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION SHALL APPLY ONLY TO AN APPLICANT’S FIRST LICENSE OR CERTIFICATE RENEWAL CYCLE AFTER APRIL 1, 2022.”

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 34 – Delegate Rosenberg

EMERGENCY BILL

AN ACT concerning

State Department of Education and Maryland Department of Health – Maryland School-Based Health Center Standards – Telehealth

Favorable report adopted.

Delegate Cox moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 78 – Delegates Pena–Melnik, R. Lewis, Crutchfield, Wilkins, and Williams

AN ACT concerning

**Public Health – Maryland Commission on Health Equity
(The Shirley Nathan–Pulliam Health Equity Act of 2021)**

HB0078/576685/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 78
(First Reading File Bill)

On page 7, in line 11, strike “AND”; and in line 13, after “DESIGNEE” insert “;

(25) THE MARYLAND INSURANCE COMMISSIONER, OR THE INSURANCE COMMISSIONER’S DESIGNEE; AND

(26) ONE REPRESENTATIVE OF A LOCAL HEALTH DEPARTMENT, DESIGNATED BY THE MARYLAND ASSOCIATION OF COUNTY HEALTH OFFICERS”.

On page 8, in line 26, strike “AND”.

On page 9, in line 3, after “PRISON;” insert “AND

11. FOOD INSECURITY;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 123 – Delegates Pena–Melnyk, R. Lewis, Stein, and Wilson

AN ACT concerning

Preserve Telehealth Access Act of 2021**HB0123/786887/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 123

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “telehealth;” insert “requiring that certain services provided under the Program include counseling and treatment for certain disorders and conditions; prohibiting the Program from requiring a Program recipient to use telehealth under certain circumstances; requiring, for a certain time period, the Program to provide certain reimbursement for certain health care services provided through telehealth on a certain basis and at a certain rate; authorizing the Maryland Department of Health to adopt certain regulations relating to telehealth services provided to Program recipients; requiring the Department to include certain health care providers when specifying by regulation the types of health care providers eligible to receive certain reimbursement; repealing certain authorization of the Department relating to the coverage of and reimbursement for health care services that are delivered through store and forward technology or remote patient monitoring; establishing, for a certain purpose and certain standards, that a health care service provided through telehealth is equivalent to the same health care service when provided through an in–person consultation; prohibiting the Program or a certain organization from imposing as a condition of reimbursement of a health care service delivered through telehealth that the health care service be provided by a certain vendor;”; in the same line, strike “authorizing” and substitute “requiring”; in the same line, strike “Maryland”; in the same line, strike “of Health”; strike beginning with “apply” in line 7 down through “waivers” in line 8 and substitute “obtain certain federal authority necessary”; in line 8, after “Act;” insert “repealing certain authorization provided to the Department to require submission of a certain form to the Department;”; in line 12, after “General Assembly;” insert “establishing that a certain requirement relating to coverage of certain health care services delivered through telehealth include coverage for the treatment for substance use disorders and mental health conditions;”; in line 15, after “require” insert “certain”; in the same line, after “provided” insert “, for a certain time”

period.”; in line 16, after “rate;” insert “prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from requiring an insured patient to use telehealth in lieu of in-person service delivery for certain services; repealing the requirement that the Department study and submit a certain report to the General Assembly;”; in line 19, strike “health care provider” and substitute “vendor; revising, restating, and recodifying certain provisions of law relating to the Program and coverage and reimbursement of services provided through telemedicine and telehealth”; in line 21, after “telehealth;” insert “requiring the Maryland Health Care Commission, in consultation with certain State agencies, to submit a certain report to certain committees of the General Assembly on or before a certain date; establishing certain requirements for the report; establishing certain requirements on the Commission when completing the report; declaring the intent of the General Assembly;”; and in line 22, after “Act;” insert “providing for the construction of certain provisions of this Act;”.

On page 2, in line 3, before “and” insert “15-105.2.”; after line 10, insert:

“BY repealing

Chapter 17 of the Acts of the General Assembly of 2020

Section 3”;

and after line 13, insert:

“BY repealing

Chapter 18 of the Acts of the General Assembly of 2020

Section 3”.

AMENDMENT NO. 2

On page 3, in line 14, strike “, subject to the limitations of the State budget,”; after line 16, insert:

“15-105.2.

[(a)] The Program shall reimburse health care providers in accordance with the requirements of Title 19, Subtitle 1, Part IV of this article.

[(b) (1) (i) In this subsection the following words have the meanings indicated.

(ii) “Health care provider” means a person who is licensed, certified, or otherwise authorized under the Health Occupations Article to provide health care in the ordinary course of business or practice of a profession or in an approved education or training program.

(iii) 1. “Telemedicine” means, as it relates to the delivery of health care services, the use of interactive audio, video, or other telecommunications or electronic technology:

A. By a health care provider to deliver a health care service that is within the scope of practice of the health care provider at a site other than the site at which the patient is located; and

B. That enables the patient to see and interact with the health care provider at the time the health care service is provided to the patient.

2. “Telemedicine” does not include:

A. An audio-only telephone conversation between a health care provider and a patient;

B. An electronic mail message between a health care provider and a patient; or

C. A facsimile transmission between a health care provider and a patient.

(2) To the extent authorized by federal law or regulation, the provisions of § 15-139(c) through (f) of the Insurance Article relating to coverage of and reimbursement for health care services delivered through telemedicine shall apply to the Program and managed care organizations in the same manner they apply to carriers.

(3) Subject to the limitations of the State budget and to the extent authorized by federal law or regulation, the Department may authorize coverage of and reimbursement for health care services that are delivered through store and forward technology or remote patient monitoring.

(4) (i) The Department may specify by regulation the types of health care providers eligible to receive reimbursement for health care services provided to Program recipients under this subsection.

(ii) If the Department specifies by regulation the types of health care providers eligible to receive reimbursement for health care services provided to Program recipients under this subsection, the types of health care providers specified shall include:

1. Primary care providers; and

2. Psychiatrists and psychiatric nurse practitioners, as defined in § 10–601 of this article, who are providing Assertive Community Treatment or mobile treatment services to Program recipients located in a home or community-based setting.

(iii) For the purpose of reimbursement and any fidelity standards established by the Department, a health care service provided through telemedicine by a psychiatrist or a psychiatric nurse practitioner described under subparagraph (ii)2 of this paragraph is equivalent to the same health care service when provided through an in-person consultation.

(5) The Department may require a health care provider to submit a registration form to the Department that includes information required for the processing of claims for reimbursement for health care services provided to Program recipients under this subsection.

(6) The Department shall adopt regulations to carry out this subsection.];

in lines 24 and 27, in each instance, strike “PRACTITIONER” and substitute “PROVIDER”; and strike in their entirety lines 30 through 32, inclusive, and substitute:

“(4) “HEALTH CARE PROVIDER” MEANS:

(I) A PERSON WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THE HEALTH OCCUPATIONS ARTICLE TO PROVIDE HEALTH CARE IN THE ORDINARY COURSE OF BUSINESS OR PRACTICE OF A PROFESSION OR IN AN APPROVED EDUCATION OR TRAINING PROGRAM;

(II) A MENTAL HEALTH AND SUBSTANCE USE DISORDER PROGRAM LICENSED IN ACCORDANCE WITH § 7.5–401 OF THIS ARTICLE;

(III) A PERSON LICENSED UNDER TITLE 7, SUBTITLE 9 OF THIS ARTICLE TO PROVIDE SERVICES TO AN INDIVIDUAL WITH A DEVELOPMENTAL DISABILITY OR A RECIPIENT OF INDIVIDUAL SUPPORT SERVICES; OR

(IV) A PROVIDER AS DEFINED UNDER § 16-201.4 OF THIS ARTICLE TO PROVIDE SERVICES TO AN INDIVIDUAL RECEIVING LONG-TERM CARE SERVICES.

AMENDMENT NO. 3

On page 4, in line 6, after “MEDICAL” insert “, PATIENT-REPORTED,”; strike beginning with “AUDIO-ONLY” in line 18 down through “TECHNOLOGY” in line 19 and substitute “FROM JULY 1, 2021, TO JUNE 30, 2023, BOTH INCLUSIVE, AN AUDIO-ONLY TELEPHONE CONVERSATION BETWEEN A HEALTH CARE PROVIDER AND A PATIENT THAT RESULTS IN THE DELIVERY OF A BILLABLE, COVERED HEALTH CARE SERVICE”;

and in line 23, strike beginning with the first opening bracket through “transmissions” and substitute “;

1. EXCEPT AS PROVIDED IN SUBPARAGRAPH (II)2 OF THIS PARAGRAPH, AN AUDIO-ONLY TELEPHONE CONVERSATION;

2. AN E-MAIL MESSAGE; OR

3. A FACSIMILE TRANSMISSION”.

AMENDMENT NO. 4

On page 5, after line 17, insert:

“(C) THE SERVICES REQUIRED TO BE PROVIDED UNDER SUBSECTION (B) OF THIS SECTION SHALL INCLUDE COUNSELING AND TREATMENT FOR SUBSTANCE USE DISORDERS AND MENTAL HEALTH CONDITIONS.

(D) THE PROGRAM MAY NOT:

(1) EXCLUDE FROM COVERAGE A HEALTH CARE SERVICE SOLELY BECAUSE IT IS PROVIDED THROUGH TELEHEALTH AND IS NOT PROVIDED THROUGH AN IN-PERSON CONSULTATION OR CONTACT BETWEEN A HEALTH CARE PROVIDER AND A PATIENT; OR

(2) REQUIRE A PROGRAM RECIPIENT TO USE TELEHEALTH IN LIEU OF IN-PERSON SERVICE DELIVERY FOR BEHAVIORAL HEALTH SERVICES.

(E) THE PROGRAM MAY UNDERTAKE UTILIZATION REVIEW, INCLUDING PREAUTHORIZATION, TO DETERMINE THE APPROPRIATENESS OF ANY HEALTH CARE SERVICE WHETHER THE SERVICE IS DELIVERED THROUGH AN IN-PERSON CONSULTATION OR THROUGH TELEHEALTH IF THE APPROPRIATENESS OF THE HEALTH CARE SERVICE IS DETERMINED IN THE SAME MANNER.

(F) THE PROGRAM MAY NOT DISTINGUISH BETWEEN PROGRAM RECIPIENTS IN RURAL OR URBAN LOCATIONS IN PROVIDING COVERAGE UNDER THE PROGRAM FOR HEALTH CARE SERVICES DELIVERED THROUGH TELEHEALTH.

(G) (1) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE PROGRAM SHALL REIMBURSE A HEALTH CARE PROVIDER FOR THE DIAGNOSIS, CONSULTATION, AND TREATMENT OF A PROGRAM RECIPIENT FOR A HEALTH CARE SERVICE COVERED BY THE PROGRAM THAT CAN BE APPROPRIATELY PROVIDED THROUGH TELEHEALTH.

(2) THIS SUBSECTION DOES NOT REQUIRE THE PROGRAM TO REIMBURSE A HEALTH CARE PROVIDER FOR A HEALTH CARE SERVICE DELIVERED IN PERSON OR THROUGH TELEHEALTH THAT IS:

(I) NOT A COVERED HEALTH CARE SERVICE UNDER THE PROGRAM; OR

(II) DELIVERED BY AN OUT-OF-NETWORK PROVIDER UNLESS THE HEALTH CARE SERVICE IS A SELF-REFERRED SERVICE AUTHORIZED UNDER THE PROGRAM.

(3) (I) FROM JULY 1, 2021, TO JUNE 30, 2023, BOTH INCLUSIVE, WHEN A HEALTH CARE SERVICE IS APPROPRIATELY PROVIDED THROUGH TELEHEALTH, THE PROGRAM SHALL PROVIDE REIMBURSEMENT IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION ON THE SAME BASIS AND AT THE SAME RATE AS IF THE HEALTH CARE SERVICE WERE DELIVERED BY THE HEALTH CARE PROVIDER IN PERSON.

(II) THE REIMBURSEMENT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT INCLUDE:

1. CLINIC FACILITY FEES UNLESS THE HEALTH CARE SERVICE IS PROVIDED BY A HEALTH CARE PROVIDER NOT AUTHORIZED TO BILL A

PROFESSIONAL FEE SEPARATELY FOR THE HEALTH CARE SERVICE; OR2. ANY ROOM AND BOARD FEES.

(H) (1) THE DEPARTMENT MAY SPECIFY IN REGULATION THE TYPES OF HEALTH CARE PROVIDERS ELIGIBLE TO RECEIVE REIMBURSEMENT FOR HEALTH CARE SERVICES PROVIDED TO PROGRAM RECIPIENTS UNDER THIS SECTION.

(2) IF THE DEPARTMENT SPECIFIES BY REGULATION THE TYPES OF HEALTH CARE PROVIDERS ELIGIBLE TO RECEIVE REIMBURSEMENT FOR HEALTH CARE SERVICES PROVIDED TO PROGRAM RECIPIENTS UNDER THIS SUBSECTION, THE REGULATIONS SHALL INCLUDE ALL TYPES OF HEALTH CARE PROVIDERS THAT APPROPRIATELY PROVIDE TELEHEALTH SERVICES.

(3) FOR THE PURPOSE OF REIMBURSEMENT AND ANY FIDELITY STANDARDS ESTABLISHED BY THE DEPARTMENT, A HEALTH CARE SERVICE PROVIDED THROUGH TELEHEALTH IS EQUIVALENT TO THE SAME HEALTH CARE SERVICE WHEN PROVIDED THROUGH AN IN-PERSON CONSULTATION.

(I) SUBJECT TO SUBSECTION (G)(2) OF THIS SECTION, THE PROGRAM OR A MANAGED CARE ORGANIZATION THAT PARTICIPATES IN THE PROGRAM MAY NOT IMPOSE AS A CONDITION OF REIMBURSEMENT OF A COVERED HEALTH CARE SERVICE DELIVERED THROUGH TELEHEALTH THAT THE HEALTH CARE SERVICE BE PROVIDED BY A THIRD-PARTY VENDOR DESIGNATED BY THE PROGRAM.

(J) THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION.”;

in line 18, strike “(C)” and substitute “(K)”; in the same line, strike “APPLY” and substitute “OBTAIN ANY FEDERAL AUTHORITY NECESSARY TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION, INCLUDING APPLYING”; in line 20, strike “NECESSARY TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION” and substitute “OR THE STATE PLAN”; after line 20, insert:

“(L) THIS SECTION MAY NOT BE CONSTRUED TO SUPERSEDE THE AUTHORITY OF THE HEALTH SERVICES COST REVIEW COMMISSION TO SET THE APPROPRIATE RATES FOR HOSPITALS, INCLUDING SETTING THE HOSPITAL FACILITY FEE FOR HOSPITAL-PROVIDED TELEHEALTH.”;

and strike beginning with the colon in line 28 down through “TECHNOLOGY” in line 32 and substitute “, FROM JULY 1, 2021, TO JUNE 30, 2023, BOTH INCLUSIVE, AN

AUDIO-ONLY TELEPHONE CONVERSATION BETWEEN A HEALTH CARE PROVIDER AND A PATIENT THAT RESULTS IN THE DELIVERY OF A BILLABLE, COVERED HEALTH CARE SERVICE”.

AMENDMENT NO. 5

On page 6, in line 2, strike “[an” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN**”; in lines 4 and 6, in each instance, strike the bracket; in line 6, strike “(II)”; in line 17, strike “and”; in line 20, after “patient” insert “; **AND**

(III) WHEN PROVIDING THE COVERAGE REQUIRED UNDER THIS SUBSECTION, MAY NOT REQUIRE AN INSURED PATIENT TO USE TELEHEALTH IN LIEU OF IN-PERSON SERVICE DELIVERY FOR BEHAVIORAL HEALTH SERVICES”;

in line 22, after “counseling” insert “**AND TREATMENT**”; in the same line, after “disorders” insert “**AND MENTAL HEALTH CONDITIONS**”; in line 23, after “(d)” insert “**(1)**”; in the same line, strike “An” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**”; strike beginning with the colon in line 25 down through “(I)” in line 26; and strike beginning with “AND” in line 27 down through “(2)” in line 31 and substitute “**(II)**”.

AMENDMENT NO. 6

On page 7, in lines 1, 4, 6, 9, and 11, strike “(i)”, “(ii)”, “(i)”, “(ii)”, and “(iii)”, respectively, and substitute “**1.**”, “**2.**”, “**1.**”, “**2.**”, and “**3.**”, respectively; in line 6, strike “(3)” and substitute “**(III)**”; after line 11, insert:

“(2) (I) FROM JULY 1, 2021, TO JUNE 30, 2023, BOTH INCLUSIVE, WHEN A HEALTH CARE SERVICE IS APPROPRIATELY PROVIDED THROUGH TELEHEALTH, AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE REIMBURSEMENT IN ACCORDANCE WITH PARAGRAPH (1)(I) OF THIS SUBSECTION ON THE SAME BASIS AND AT THE SAME RATE AS IF THE HEALTH CARE SERVICE WERE DELIVERED BY THE HEALTH CARE PROVIDER IN PERSON.

(II) THE REIMBURSEMENT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT INCLUDE:

1. CLINIC FACILITY FEES UNLESS THE HEALTH CARE SERVICE IS PROVIDED BY A HEALTH CARE PROVIDER NOT AUTHORIZED TO BILL A PROFESSIONAL FEE SEPARATELY FOR THE HEALTH CARE SERVICE; OR

2. ANY ROOM AND BOARD FEES.

(III) THIS PARAGRAPH MAY NOT BE CONSTRUED TO SUPERSEDE THE AUTHORITY OF THE HEALTH SERVICES COST REVIEW COMMISSION TO SET THE APPROPRIATE RATES FOR HOSPITALS, INCLUDING SETTING THE HOSPITAL FACILITY FEE FOR HOSPITAL-PROVIDED TELEHEALTH.”;

in line 12, strike “(D)(2)” and substitute “(D)(1)(II)”; in line 13, after the second “A” insert “COVERED”; in line 15, strike “HEALTH CARE PROVIDER” and substitute “THIRD PARTY VENDOR”; after line 28, insert:

“[SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Department of Health shall study whether, under the Maryland Medical Assistance Program, substance use disorder services may be appropriately provided through telehealth to a patient in the patient’s home setting.

(b) On or before December 1, 2021, the Maryland Department of Health shall submit a report to the General Assembly, in accordance with § 2-1257 of the State Government Article, that includes any findings and recommendations from the study required under subsection (a) of this section, including:

(1) the types of substance use disorder services, if any, that may be appropriately provided through telehealth to a patient in the patient’s home setting; and

(2) any technological or other standards needed for the provision of appropriate and quality substance use disorder services to a patient in the patient’s home setting.]”;

and strike beginning with “[Sections” in line 32 down through “effect” in line 35.

AMENDMENT NO. 7

On page 8, after line 1, insert:

“[SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Department of Health shall study whether, under the Maryland Medical Assistance Program, substance use disorder services may be appropriately provided through telehealth to a patient in the patient’s home setting.

(b) On or before December 1, 2021, the Maryland Department of Health shall submit a report to the General Assembly, in accordance with § 2–1257 of the State Government Article, that includes any findings and recommendations from the study required under subsection (a) of this section, including:

(1) the types of substance use disorder services, if any, that may be appropriately provided through telehealth to a patient in the patient’s home setting; and

(2) any technological or other standards needed for the provision of appropriate and quality substance use disorder services to a patient in the patient’s home setting.]”;

strike beginning with “[Sections” in line 5 down through “effect” in line 8; after line 8, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before December 1, 2022, the Maryland Health Care Commission, in consultation with, as appropriate, the Maryland Health Services Cost Review Commission, the Maryland Department of Health, and the Maryland Insurance Administration, shall submit a report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, on the impact of providing telehealth services in accordance with the provisions of this Act.

(b) Unless otherwise indicated in this section, the Maryland Health Care Commission shall consider both audio–only and audio–visual technologies for purposes of reporting on the impact of providing telehealth services as required by this section.

(c) The report shall include:

(1) an analysis of:

(i) the impact of the use of telehealth on disparities in access to health care services including primary care and behavioral health services;

(ii) whether different communities and patient populations have differences in take-up rates of telehealth services; and

(iii) the comparative effectiveness of telehealth and in-person visits on the total costs of care and patient outcomes of care;

(2) a study on the alignment of telehealth with new models of care that addresses:

(i) opportunities for using telehealth to improve patient-centered care;

(ii) health care services for which telehealth can substitute for in-person care while maintaining the standard of care, including the use of remote patient monitoring for somatic and behavioral health care services; and

(iii) the impact of alternative care delivery models on telehealth coverage and reimbursement;

(3) an assessment on the efficiency and effectiveness of telehealth and in-person visits that includes:

(i) a review of peer-reviewed research on the impact of different communication technologies on patient health including patient retention rates and reduced barriers to care;

(ii) a survey of health care providers as defined under § 15-141.2 of the Health – General Article as enacted by this Act;

(iii) a review of the resources required to sustainably provide telehealth services for the continuum of health care providers, including private and small practices;

(4) an assessment of patient awareness of and satisfaction with telehealth coverage and care that includes:

- (i) the availability and appropriate uses of telehealth services;
 - (ii) the privacy risks and benefits of telehealth services and the strategies needed to navigate privacy issues; and
 - (iii) barriers to care and levels of patient engagement that have been addressed by audio-only and audio-visual telehealth;
- (5) a review of the appropriateness of:
 - (i) telehealth across the continuum of care ranging from virtual telecommunications services used for patient check-ins to in-person evaluation and management services as defined in the Berenson-Eggers type of service typology for somatic and behavioral health services;
 - (ii) inclusion of clinic hospital facility fees in reimbursement for hospital-provided telehealth; and
 - (iii) the use of telehealth to satisfy network access standards required under § 15-112(b) of the Insurance Article; and
- (6) the study or analysis of any other issues identified by the Commission.
- (d) The report shall include recommendations on:
 - (1) coverage of telehealth services; and
 - (2) payment levels for telehealth services relative to in-person care.
- (e) (1) The Maryland Health Care Commission shall complete the report using research methods appropriate for the issues identified in this section and available funding.
 - (2) To carry out the health care provider survey required under subsection (c)(3)(ii) of this section, the Maryland Health Care Commission shall develop survey questions and work with the health occupations boards and other appropriate entities within the Maryland Department of Health to send out information regarding the survey by means of:
 - (i) renewal notices;

- (ii) newsletters;
- (iii) e-mail blasts;
- (iv) website postings; or
- (v) any combination thereof.

SECTION 3, AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) until and no later than June 30, 2023, while the Maryland Health Care Commission completes the study and submits the report required under Section 2 of this Act for consideration by the General Assembly for the adoption of comprehensive telehealth policies by the State:

(i) the Maryland Medical Assistance Program continue to reimburse health care providers for covered health care services provided through audio-only and audio-visual technology in accordance with the requirements of Sections 1 and 2 of this Act, and all applicable executive orders and waivers issued in accordance with Chapters 13 and 14 of the Acts of the General Assembly of 2020; and

(ii) insurers, nonprofit health service plans, and health maintenance organizations that are subject to § 15-139 of the Insurance Article, as enacted by Section 1 of this Act, continue to reimburse health care providers for covered health care services provided through audio-only and audio-visual technology in accordance with the requirements of Section 1 of this Act and all applicable accommodations made by the insurers, nonprofit health service plans, and health maintenance organizations during the Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19 issued on March 5, 2020, and its renewals;

(2) the Maryland Health Care Commission use the data collected from utilization and coverage of telehealth as provided for in item (1) of this section to complete the report required under Section 2 of this Act; and

(3) the State to use the report required under Section 2 of this Act to establish comprehensive telehealth policies for implementation after the Declaration of

State of Emergency and Existence of Catastrophic Health Emergency – COVID–19 issued on March 5, 2020, and its renewals expire.”;

in lines 9 and 12, strike “2.” and “3.”, respectively, and substitute “4.” and “5.”, respectively; in line 11, strike “January 1, 2022” and substitute “July 1, 2021”; in line 13, strike “October 1, 2021” and substitute “July 1, 2021”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0123/663925/1

BY: Delegate Rose

AMENDMENTS TO HOUSE BILL 123, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Health and Government Operations Committee Amendments (HB0123/786887/1), in line 4 of Amendment No. 1, after “circumstances” insert “and from providing the prescription of a certain drug for a certain purpose to a Program recipient through telehealth”.

On page 1, in line 12 of the bill, after “Assembly” insert “; prohibiting certain health care services from including the prescription of a certain drug for a certain purpose”.

AMENDMENT NO. 2

On page 5 of the bill, in line 10, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE**”.

On page 6 of the Health and Government Operations Committee Amendments, in line 9 of Amendment No. 4, strike “**OR**”.

On page 7 of the Health and Government Operations Committee Amendments, in line 2 of Amendment No. 4, after “**SERVICES**” insert “**; OR**”.

(3) PROVIDE THE PRESCRIPTION OF MIFEPRISTONE TO INDUCE AN ABORTION TO A PROGRAM RECIPIENT THROUGH TELEHEALTH.

On page 6 of the bill, in line 21, after “(2)” insert “**(I)**”; and after line 22, insert

“(II) THE HEALTH CARE SERVICES APPROPRIATELY DELIVERED THROUGH TELEHEALTH MAY NOT INCLUDE THE PRESCRIPTION OF MIFEPRISTONE TO INDUCE AN ABORTION.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 94 (See Roll Call No. 375)

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 182 – Delegate Kerr

AN ACT concerning

Health Occupations – Podiatric Physicians

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 540 – Delegate Morgan

AN ACT concerning

Interstate Occupational Therapy Licensure Compact

HB0540/696782/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 540

(First Reading File Bill)

On page 4, in line 7, strike “ESTABLISHED IN ACCORDANCE WITH SECTION 9”; and in the same line, after “INCLUDES” insert “, BUT IS NOT LIMITED TO,”.

On page 6, in line 19, after “INCLUDING” insert “, BUT NOT LIMITED TO,”; and in line 26, strike “A PROCESS” and substitute “OR UTILIZE PROCEDURES”.

On page 7, in line 3, strike “COMPETENCY EDUCATION” and substitute “COMPETENCE/EDUCATION”; in line 15, strike “AND THE STATE AGENCY”; and in line 29, after “ATTEND” insert “ALL OCCUPATIONAL THERAPY COMPACT”.

On page 8, in line 12, strike “(E) THROUGH (J)” and substitute “(D), (F), (G), AND (H)”.

On page 9, in line 22, after “ENCUMBERED” insert “IN ACCORDANCE WITH SECTION 4(F)(1)”.

On page 14, in line 11, strike “MAY” and substitute “SHALL”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 598 – Delegate Kelly

AN ACT concerning

**Maryland Medical Assistance Program – Applied Behavior Analysis Services –
Reimbursement**

HB0598/756487/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 598

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “setting;” insert “providing that a certain provision of this Act does not prohibit the Department from establishing certain standards for the involvement of a parent or caregiver; requiring, on or before a certain date, the Department to adopt certain regulations in consultation with stakeholders;”.

AMENDMENT NO. 2

On page 2, in line 14, after “(C)” insert “(1)”; in the same line, strike “THE” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE”; after line 18, insert:

“(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT PROHIBIT THE PROGRAM FROM ESTABLISHING REASONABLE STANDARDS FOR THE INVOLVEMENT OF A PARENT OR CAREGIVER, INCLUDING REQUIRING NOTIFICATION FROM THE PARENT OR CAREGIVER OF THE DECISION OF THE PARENT OR CAREGIVER NOT TO BE PRESENT OR AVAILABLE WHEN THE PROGRAM PROVIDES APPLIED BEHAVIOR ANALYSIS SERVICES TO A PROGRAM RECIPIENT.

(D) ON OR BEFORE DECEMBER 1, 2021, THE DEPARTMENT, IN CONSULTATION WITH STAKEHOLDERS, SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.”;

and in line 20, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 667 – Delegate Sample–Hughes

AN ACT concerning

General Provisions – State Song – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 674 – Delegate Valentino–Smith

AN ACT concerning

Nursing Homes – Transfer of Ownership – Site Visits and Surveys

HB0674/696488/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 674

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Site Visits and**”; in lines 3 and 4, strike “conduct site visits and”; in line 4, after “conduct” insert “a certain”; in the same line, strike “surveys” and substitute “survey and follow-up survey”; and in line 7, strike “site visits and”.

AMENDMENT NO. 2

On page 2, strike beginning with “**MAKE**” in line 10 down through “**HOME**” in line 11 and substitute “CONDUCT”; strike line 12 in its entirety; in line 13, strike “**(2)**” and substitute “**(1)**”; in the same line, strike “**WITHIN**” and substitute “**THE FIRST FULL SURVEY OF THE LICENSED NURSING HOME AS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION WITHIN**”; in line 14, strike “**(3)**” and substitute “**(2)**”; and in line 14, strike beginning with “**WITHIN**” through “**TRANSFER**” substitute “**AN UNANNOUNCED, ON-SITE FOLLOW-UP SURVEY OF THE LICENSED NURSING HOME THAT COVERS ANY DEFICIENCIES NOTED IN THE FULL SURVEY WITHIN 120 DAYS AFTER THE FULL SURVEY WAS COMPLETED**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 689 – Delegate McComas

AN ACT concerning

**Certificates for Involuntary Admission – Licensed Certified Social
Worker–Clinical**

HB0689/666188/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 689

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Certificates**” insert “**Mental Health – Assent to and**”; in the same line, strike “**Involuntary**”; in line 3, after “**Worker–Clinical**” insert “**and Licensed Clinical Professional Counselor**”; in line 4, after “of” insert “altering a requirement that assent be given for the voluntary admission of a minor to certain facilities by providing that assent may be given by a physician and a licensed certified social worker–clinical or by a physician and a licensed clinical professional counselor;”; in line 6, after “worker–clinical” insert “or a physician and a licensed clinical professional counselor”; in lines 9 and 14, in each instance, after “worker–clinical” insert “or licensed clinical professional counselor”; in line 15, after the first “to” insert “assent to and”; in the same line, strike “involuntary”; in the same line, after the second “to” insert “mental health”; in the same line, strike “and” and substitute a comma; in line 16, after “workers–clinical” insert “, and licensed clinical professional counselors”; and in line 19, after “Section” insert “10–610.”

AMENDMENT NO. 2

On page 1, after line 24, insert:

“10–610.

(a) On behalf of a minor, a parent or guardian of the person of the minor may apply, under this section, for admission of the minor to:

(1) Any facility that is not a State facility; or

(2) The following State facilities:

(i) A regional institute for children and adolescents; and

(ii) The child or adolescent unit of a State facility.

(b) The applicant shall submit a formal, written application that contains the personal information and is on the form required by the Administration.

(c) A facility may not admit an individual under this section unless:

(1) The individual has a mental disorder;

(2) The mental disorder is susceptible to care or treatment;

(3) The applicant understands the nature of a request for admission; and

(4) Assent to the admission has been given:

(i) By the admitting physician of the facility; or

(ii) For a child or adolescent unit of a State facility, by:

1. [A] 1 physician and 1 psychologist;

2. 2 physicians; [or]

3. [A] 1 physician and 1 psychiatric nurse practitioner;

4. 1 PHYSICIAN AND 1 LICENSED CERTIFIED SOCIAL
WORKER–CLINICAL; OR

5. 1 PHYSICIAN AND 1 LICENSED CLINICAL
PROFESSIONAL COUNSELOR.

(d) An admission under this section to a child or adolescent unit of a State facility may not exceed 20 days.”.

On page 2, in line 14, strike “OR”; in line 16, after “WORKER–CLINICAL;” insert “OR

(V) 1 PHYSICIAN AND 1 LICENSED CLINICAL PROFESSIONAL
COUNSELOR;”;

in line 22, strike “OR”; and in line 23, after “WORKER–CLINICAL” insert “, OR LICENSED CLINICAL PROFESSIONAL COUNSELOR”.

On page 3, in lines 11, 19, and 26, in each instance, strike “OR”; and in lines 12, 19, and 26, in each instance, after “WORKER–CLINICAL” insert “, OR LICENSED CLINICAL PROFESSIONAL COUNSELOR”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 736 – The Speaker (By Request – Administration)

AN ACT concerning

Interstate Licensed Professional Counselors Compact

HB0736/996286/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 736

(First Reading File Bill)

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 27, after “terms;” insert “making this Act an emergency measure;”.

On page 29, strike in their entirety lines 28 and 29 and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of this Act, 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.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 780 – Delegate Kerr

AN ACT concerning

Maryland Health Benefit Exchange – State–Based Young Adult Health Insurance Subsidies Pilot Program

HB0780/676685/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 780

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, strike “requiring the Governor” and substitute “authorizing the Exchange”.

AMENDMENT NO. 2

On page 5, in line 29, strike “140%” and substitute “400%”.

AMENDMENT NO. 3

On page 6, in line 1, strike “**IN**” and substitute “**SUBJECT TO AVAILABLE FUNDS, IN**”; in the same line, strike “**GOVERNOR SHALL**” and substitute “**EXCHANGE MAY**”; and in line 3, strike “**\$10,000,000**” and substitute “**NOT MORE THAN \$20,000,000**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Ghrist moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 812 – Delegate Cullison

AN ACT concerning

**Maryland Department of Health – 2–1–1 Maryland – Mental Health Services
Phone Call Program**

HB0812/406181/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 812

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “program;” insert “authorizing the Governor to include in the annual budget bill an appropriation to the Department to carry out certain provisions of this Act;”.

AMENDMENT NO. 2

On page 2, after line 15, insert:

“(B) THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE DEPARTMENT IN AN AMOUNT SUFFICIENT TO CARRY OUT SUBSECTION (A)(7) OF THIS SECTION.”;

in line 16, strike “(b)” and substitute “(C)”; and in line 21, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0812/223729/1

BY: Delegate Cullison

AMENDMENT TO HOUSE BILL 812

(First Reading File Bill)

On page 1, in line 2, strike “**Maryland Department of Health –**”; and after line 3, insert:

“(The Thomas Bloom Raskin Act)”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 983 – Delegate Lehman

AN ACT concerning

Nursing Homes – COVID-19 – Visitation

HB0983/166187/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 983

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “**EMERGENCY**”; in line 2, after “**COVID-19**” insert “**and Other Catastrophic Health Emergencies**”; after line 2, insert:

“(The Gloria Daytz Lewis Act)”;

in line 5, after “**COVID-19**” insert “**or another disease that constitutes a catastrophic health emergency**”; and in line 6, after “**terms**,” insert “**declaring the intent of the General Assembly; making this Act an emergency measure**”.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“(2) “CATASTROPHIC HEALTH EMERGENCY” MEANS A HEALTH EMERGENCY WITH REGARD TO WHICH THE GOVERNOR ISSUES A PROCLAMATION UNDER § 14-3A-02 OF THE PUBLIC SAFETY ARTICLE.”;

in line 18, strike “(2)” and substitute “(3)”; and in line 19, after “RESIDENT” insert “OR ANY INDIVIDUAL”.

On page 2, in lines 1 and 4, strike “(3)” and “(4)”, respectively, and substitute “(4)” and “(5)”, respectively.

On page 2 in lines 9, 17, 18, and 24, and on page 3 in line 15, in each instance, after “COVID-19” insert “OR ANOTHER DISEASE THAT CONSTITUTES A CATASTROPHIC HEALTH EMERGENCY”.

AMENDMENT NO. 3

On page 2, in line 7, strike “THE” and substitute “CONSISTENT WITH FEDERAL REQUIREMENTS, THE”; in line 8, strike “PERSONAL AND COMPASSIONATE CARE”; in line 10, strike “REGARDING COMPASSIONATE CARE VISITATION”; strike beginning with “REQUIRE” in line 12 down through “VISITOR” in line 13 and substitute “DESCRIBE THE CIRCUMSTANCES UNDER WHICH VISITATION MAY BE RESTRICTED TO ONLY COMPASSIONATE CARE VISITORS AND PERSONAL CARE VISITORS”; in line 14, strike “RESTRICT THE COMPASSIONATE CARE VISITOR” and substitute “LIMIT THE MOVEMENT OF VISITORS WITHIN THE NURSING HOME, WHICH MAY INCLUDE RESTRICTING VISITORS”; in line 15, strike “AND”; in line 16, strike “COMPASSIONATE CARE”; and in line 25, after “HOME” insert “;

(IV) REQUIRE, AS PRACTICABLE AND WHEN AVAILABLE, ALTERNATIVE MEANS OF COMMUNICATION WITH VISITORS IF A NURSING HOME DETERMINES THAT AN IN-PERSON VISIT WOULD ENDANGER THE HEALTH AND SAFETY OF A PATIENT, RESIDENT, OR MEMBER OF THE STAFF; AND

(V) PROVIDE ADDITIONAL GUIDANCE NECESSARY TO PROMOTE ACCESS TO RESIDENTS BY COMPASSIONATE CARE VISITORS”;

in line 26, strike “THE” and substitute “IN ADDITION TO THE REQUIREMENTS IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and strike in their entirety lines 28 and 29.

AMENDMENT NO. 4

On page 3, in lines 1, 10, 12, 14, and 16, strike “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, and “(V)”, respectively; and strike in their entirety, lines 20 through 29, inclusive.

On page 4, in lines 1 and 3, strike “(VIII)” and “(IX)”, respectively, and substitute “(VI)” and “(VII)”, respectively; and strike in their entirety lines 5 and 6 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that during a catastrophic public health emergency issued by the Governor under § 14–3A–02 of the Public Safety Article that visitation in nursing homes be prioritized to balance the physical needs of the residents with the mental and spiritual needs of the residents and family members resulting from isolation and separation during the emergency.

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 ye 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.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 42

House Bill 714 – Delegate Guyton

AN ACT concerning

Special Education – Learning Continuity Plan – Requirement

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

HB0714/945560/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 714

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “students” insert “for a certain purpose”; strike beginning with “authorizing” in line 8 down through “models;” in line 9 and substitute “requiring an individualized education program team to notify certain parents or guardians that a learning continuity plan is in place within a certain number of days of a certain determination; requiring that the team seek input from a parent or guardian on how the learning continuity plan will best operate under a certain circumstance;”; strike beginning with “requiring” in line 12 down through “date;” in line 13 and substitute “providing that certain individualized education program teams may fulfill certain requirements in a certain manner by a certain date;”; in line 13, after “defining” insert “a”; in the same line, strike “terms” and substitute “term”; and strike in their entirety lines 20 through 24, inclusive.

AMENDMENT NO. 2

On page 4, in line 25, strike the first “A” and substitute “:

(I) A”;

in line 27, strike “IN PERSON OR”; and strike beginning with “BECAUSE” in line 27 down through the semicolon in line 32 and substitute “;AND”.

On page 5, strike in their entirety lines 1 through 9, inclusive, and substitute:

“(II) THE SCHOOL IS PROVIDING INSTRUCTION IN SOME FORM TO ITS STUDENTS.”;

and in line 12, after “CONDITIONS” insert “IN ORDER TO ENSURE THAT THE INDIVIDUALIZED EDUCATION PROGRAM IS PROCEEDING APPROPRIATELY DESPITE THE EMERGENCY CONDITIONS”.

On page 6, strike beginning with “A” in line 7 down through “LEARNING” in line 11 and substitute: “**(I) WITHIN 10 DAYS OF AN INDIVIDUALIZED EDUCATION PROGRAM TEAM DETERMINING THAT EMERGENCY CONDITIONS EXIST, THE TEAM SHALL MAKE A REASONABLE ATTEMPT TO NOTIFY THE PARENT OR GUARDIAN OF A CHILD WHO REQUIRES AN INDIVIDUALIZED EDUCATION PROGRAM THAT A LEARNING CONTINUITY PLAN IS IN PLACE.**”

(II) IN CONTACTING A PARENT OR GUARDIAN UNDER THIS PARAGRAPH, THE INDIVIDUALIZED EDUCATION PROGRAM TEAM SHALL SEEK INPUT FROM THE PARENT OR GUARDIAN ON HOW THE LEARNING CONTINUITY PLAN WILL BEST OPERATE DURING EMERGENCY CONDITIONS”;

in line 20, strike “SUFFICIENT” and substitute “COMPARABLE”; in the same line, strike “BE COMPARABLE WITH”; in line 26, after “INSTRUCTION;” insert “AND”; and strike beginning with “ACCOMMODATIONS” in line 27 down through “FREQUENT” in line 29 and substitute “FREQUENT”.

AMENDMENT NO. 3

On page 9, strike in their entirety lines 10 through 21, inclusive.

AMENDMENT NO. 4

On page 9, after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That an individualized education program team that had an individualized education program that was in existence during the 2020–2021 school year may fulfill the requirements of Section 1 of this Act by taking the following actions on or before July 1, 2022:

(1) reviewing the successes and failures of the individualized education program during the 2020–2021 school year with the parent or guardian of the child requiring the individualized education program; and

(2) amending the individualized education program based on the review required in item (1) of this section.”;

and in line 22, strike “2.” and substitute “3.”.

The preceding 4 amendments were withdrawn.

Favorable report, as amended, withdrawn.

SUBSTITUTE COMMITTEE AMENDMENT

HB0714/515063/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 714

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “students” insert “for a certain purpose”; strike beginning with “providing” in line 7 down through “models;” in line 9 and substitute “requiring an individualized education program team to notify certain parents or guardians that a learning continuity plan is in place within a certain number of days of a certain determination; requiring that the team seek input from a parent or guardian on how the learning continuity plan will best operate under a certain circumstance;”; strike beginning with “requiring” in line 12 down through “date;” in line 13 and substitute “providing that certain individualized education program teams may fulfill certain requirements in a certain manner by a certain date;”; in line 13, after “defining” insert “a”; in the same line, strike “terms” and substitute “term”; and strike in their entirety lines 20 through 24, inclusive.

AMENDMENT NO. 2

On page 4, in line 25, strike the first “A” and substitute “:

(I) A;

in line 27, strike “IN PERSON OR”; and strike beginning with “BECAUSE” in line 27 down through the semicolon in line 32 and substitute “;**AND**”.

On page 5, strike in their entirety lines 1 through 9, inclusive, and substitute:

“(II) THE SCHOOL IS PROVIDING INSTRUCTION IN SOME FORM TO ITS STUDENTS.”;

in line 12, after “CONDITIONS” insert “**IN ORDER TO ENSURE THAT THE INDIVIDUALIZED EDUCATION PROGRAM IS PROCEEDING APPROPRIATELY DESPITE THE EMERGENCY CONDITIONS**”; and strike in their entirety lines 20 through 27, inclusive.

On page 6, in line 1, strike “(4)” and substitute “(3)”; in line 2, strike “PARAGRAPH (3) OF”; and strike in their entirety lines 7 through 32, inclusive, and substitute:

“(4) (I) WITHIN 10 DAYS OF AN INDIVIDUALIZED EDUCATION PROGRAM TEAM DETERMINING THAT EMERGENCY CONDITIONS EXIST, THE TEAM

SHALL MAKE A REASONABLE ATTEMPT TO NOTIFY THE PARENT OR GUARDIAN OF A CHILD WHO REQUIRES AN INDIVIDUALIZED EDUCATION PROGRAM THAT A LEARNING CONTINUITY PLAN IS IN PLACE.

(II) IN CONTACTING A PARENT OR GUARDIAN UNDER THIS PARAGRAPH, THE INDIVIDUALIZED EDUCATION PROGRAM TEAM SHALL SEEK INPUT FROM THE PARENT OR GUARDIAN ON HOW THE LEARNING CONTINUITY PLAN WILL BEST OPERATE DURING EMERGENCY CONDITIONS.”.

On page 7, in lines 1 and 6, strike “(7)” and “(8)”, respectively, and substitute “(5)” and “(6)”, respectively.

AMENDMENT NO. 3

On page 9, strike in their entirety lines 10 through 21, inclusive.

AMENDMENT NO. 4

On page 9, after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That an individualized education program team that had an individualized education program that was in existence during the 2020–2021 school year may fulfill the requirements of Section 1 of this Act by taking the following actions on or before October 1, 2021:

(1) reviewing the successes and failures of the individualized education program during the 2020–2021 school year with the parent or guardian of the child requiring the individualized education program; and

(2) amending the individualized education program based on the review required in item (1) of this section.”;

and in line 22, strike “2.” and substitute “3.”.

The preceding 4 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 2

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1355 – Delegate Griffith

AN ACT concerning

**Primary and Secondary Education – Repeating Previous Grade Level –
Authorization
(Education Recovery Act of 2021)**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1357 – Delegate Clark

AN ACT concerning

Calvert County Board of Education – Public Meetings – Public Comment

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1365 – Delegate Korman

AN ACT concerning

Nonpublic Special Education Schools – State Contribution – Increase

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means and the Committee on Appropriations:

House Bill 1372 – The Speaker

EMERGENCY BILL

AN ACT concerning

Blueprint for Maryland’s Future – Revisions

The Bill was re-referred to the Committee on Ways and Means and the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1374 – Delegate B. Barnes

AN ACT concerning

Prior Authorizations of State Debt – Alterations

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1376 – Delegate Washington

AN ACT concerning

Primary and Secondary Education – Virtual Education – Requirements

The Bill was re-referred to the Committee on Ways and Means.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 19

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 50 – Delegate Stewart

AN ACT concerning

**Landlord and Tenant – Residential Leases – Tenant Rights and Protections
(Tenant Protection Act of 2021)**

HB0050/740311/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 50

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “bill” insert “, where practicable.”

AMENDMENT NO. 2

On page 4, in line 12, after “BILLING,” insert “WHERE PRACTICABLE,”.

AMENDMENT NO. 3

On page 5, in line 4, after “LAW” insert “OR ORDINANCE”; and in line 5, after the second “SECTION” insert “TO THE EXTENT THAT THE LOCAL LAW OR ORDINANCE IS MORE STRINGENT OR PROVIDES STRONGER PROTECTION OR BROADER APPLICABILITY THAN THIS SECTION”.

AMENDMENT NO. 4

On page 11, in line 4, strike “OR” and substitute “AND”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 104 – Delegate Stewart

AN ACT concerning

Landlord–Tenant – Nonrenewal of Lease – Notice Requirements

HB0104/260916/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 104

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 15, strike “ten” and substitute “10”; and in line 25, strike “five” and substitute “5”.

AMENDMENT NO. 2

On page 4, in line 12, strike “2 MONTHS” and substitute “60 DAYS”; in lines 15 and 20, strike “3 MONTHS” and substitute “90 DAYS”; in line 23, strike “6 MONTHS” and

substitute “**180 DAYS**”; in line 26, strike “**1 WEEK**” and substitute “**7 DAYS**”; strike beginning with “**3**” in line 28 down through “**WEEKS**” in line 29 and substitute “**21 DAYS**”; in line 31, strike “[one] 1 month” and substitute “**30 DAYS**”.

On page 5, in line 1, strike “[three] 3 months” and substitute “**90 DAYS**”; and in line 2, strike “[six] 6 months” and substitute “**180 DAYS**”.

AMENDMENT NO. 3

On page 5, in line 30, strike “holdover tenancy” and substitute “tenancy created under § 8–402(d) of the Real Property Article, as enacted by Section 1 of this Act.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Barve moved to make the Bill a Special Order for next session.

The motion was adopted.

JUDICIARY COMMITTEE REPORT NO. 10

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 52 – Delegate Wells

AN ACT concerning

Real Property – Alterations in Actions for Repossession and Establishment of Eviction Diversion Program

HB0052/692910/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 52

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Property –**” insert “**Eviction Actions –**”; in lines 2 and 3, strike “**and Establishment of Eviction Diversion Program**”; strike beginning with “establishing” in line 4 down through “circumstances;” in line 12; strike beginning with

“repealing” in line 15 down through “circumstances;” in line 18; and strike beginning with “requiring” in line 21 down through “circumstances;” in line 25 and substitute “altering the number of days before a tenant must appear before the court after the filing of a complaint to repossess property for the failure to pay rent;”.

On pages 1 and 2, strike beginning with “repealing” in line 28 on page 1 down through “circumstances;” in line 8 on page 2.

On page 2, strike beginning with “repealing” in line 10 down through “circumstances;” in line 14; in line 19, after “to” insert “eviction”; in the same line, strike “for” and substitute “and”; in line 20, strike “and the Eviction Diversion Program”; strike in their entirety lines 21 through 26, inclusive; in line 29, strike “8–208.3 and”; and in the same line after “8–401” insert “, 8–402, and 8–402.1”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 34 on page 2 through line 2 on page 4, inclusive.

On page 4, strike in their entirety lines 4 through 16, inclusive; strike beginning with “(A)” in line 18 down through “ARTICLE.” in line 24; in lines 25, 28, and 29, in each instance, strike the brackets; and in lines 25, 28, and 29 strike “(B)”, “(C)”, and “(B)”, respectively.

On page 4 in line 31, and on page 5 in line 3, in each instance, strike “(D)” and substitute “(C)”.

On page 6, in line 6, strike “(F)” and substitute “(E)”; in lines 13 and 14, in each instance, strike the bracket; in line 14, strike “fifth” and substitute “SEVENTH”; and strike beginning with “STATUS” in line 14 down through “SECTION” in line 15.

On page 7, in line 16, strike “fifth” and substitute “SEVENTH”; in lines 15 and 16, strike the brackets; strike beginning with “STATUS” in line 16 down through “SECTION” in line 17; and in line 34, strike “(D)” and substitute “(C)”.

AMENDMENT NO. 3

On page 8, strike beginning with “REQUEST” in line 18 down through “PROGRAM” in line 23 and substitute “STATEMENT CONTAINING INFORMATION ON RENTAL ASSISTANCE PROGRAMS”; and in line 28, strike “RESPOND” and substitute “CURE”.

On page 8 in line 28, and on page 9 in lines 15 and 30, in each instance, strike “10” and substitute “7”.

On pages 8 and 9, strike beginning with “A” in line 30 on page 8 down through “AID” in line 1 on page 9 and substitute “THE MARYLAND LEGAL SERVICES CORPORATION”.

On page 9, strike beginning with “IF” in line 4 down through “2.” in line 6; in line 8, strike “3.” and substitute “2.”; in line 10, strike “BE” and substitute “INCLUDE AT LEAST TWO DIFFERENT TYPES OF THE FOLLOWING FORMS OF NOTICE”; in line 11, after “MAIL” insert “;

(II)”;

in the same line, strike “AND AFFIXED” and substitute “AFFIXED”; in line 13, strike “(II)” and substitute “(III)”; in the same line, strike “DELIVERED BY E-MAIL” and substitute “ELECTRONIC DELIVERY IN THE FORM OF ONE OF THE FOLLOWING:

1. AN E-MAIL MESSAGE; OR
2. A TEXT MESSAGE”;

and in line 22, strike “EVICTION DIVERSION PROGRAM OR”.

AMENDMENT NO. 4

On pages 9 and 10, strike in their entirety the lines beginning with line 14 on page 9 through line 7 on page 10, inclusive.

On page 10, in line 8, strike “(5)” and substitute “(3)”; in lines 9 and 10, strike “ON A FORM PROVIDED BY THE COURT”; strike beginning with the colon in line 10 down through “AFFIRMS” in line 11 and substitute “AFFIRMS”; strike beginning with the semicolon in line 13 down through “CLAIM” in line 22; and in line 26, strike “(E)” and substitute “(D)”.

AMENDMENT NO. 5

On page 11, in line 10, strike “(F)” and substitute “(E)”; in the same line, strike “(I)”; in the same line, strike the third bracket; and in the same line, strike “fifth” and substitute “SEVENTH”.

On pages 11 and 12, strike beginning with the bracket in line 14 on page 11 down through “SUBSECTION” in line 33 on page 12.

On page 13, in line 1, strike “(3)”; strike beginning with “IF” in line 2 down through “TRIAL.” in line 4; in lines 1, 2, 9, 10, 11, 16, 18, 19, 21, and 23, in each instance, strike the bracket; and in lines 18, 19, 21, and 23, strike “1.”, “2.”, “3.”, and “4.”, respectively.

AMENDMENT NO. 6

On page 14, in line 8, strike the brackets; in the same line, strike “(4)”; in lines 10, 23, and 24, in each instance, strike “10” and substitute “7”; in line 10, strike the third bracket; strike beginning with the bracket in line 12 down through “DEMONSTRATES” in line 13; in line 13, strike “10-DAY” and substitute “7-DAY”; in lines 14 and 16, in each instance, strike the bracket; in line 21, strike “(G)” and substitute “(F)”; in line 21, strike “paragraph” and substitute “PARAGRAPHS”; in the same line, after “(2)” insert “AND (3)”; and in line 37, strike “(H)(2)” and substitute “(G)(2)”.

On page 15, in lines 1, 9, and 10, in each instance, strike “(H)(2)” and substitute “(G)(2)”; strike beginning with the colon in line 19 down through “ENDANGER” in line 20 and substitute “ENDANGER”; strike beginning with the semicolon in line 21 down through “PREMISES” in line 24; in lines 25 and 35, strike “(H)” and “(I)”, respectively, and substitute “(G)” and “(H)”, respectively; and in line 30, strike “(F)” and substitute “(E)”.

AMENDMENT NO. 7

On page 16, in line 1, strike “10” and substitute “7”; and after line 10, insert:

“8-402.

(a) (1) A tenant under any periodic tenancy, or at the expiration of a lease, and someone holding under the tenant, who shall unlawfully hold over beyond the expiration of the lease or termination of the tenancy, shall be liable to the landlord for the actual damages caused by the holding over.

(2) The damages awarded to a landlord against the tenant or someone holding under the tenant, may not be less than the apportioned rent for the period of holdover at the rate under the lease.

(3) (i) Any action to recover damages under this section may be brought by suit separate from the eviction or removal proceeding or in the same action and in any court having jurisdiction over the amount in issue.

(ii) The court may also give judgment in favor of the landlord for the damages determined to be due together with costs of the suit if the court finds that the residential tenant was personally served with a summons, or, in the case of a nonresidential tenancy, there was such service of process or submission to the jurisdiction of the court as would support a judgment in contract or tort.

(iii) A nonresidential tenant who was not personally served with a summons shall not be subject to personal jurisdiction of the court if that tenant asserts that the appearance is for the purpose of defending an in rem action prior to the time that evidence is taken by the court.

(4) Nothing contained herein is intended to limit any other remedies which a landlord may have against a holdover tenant under the lease or under applicable law.

(b) (1) (i) Where any tenancy is for any definite term or at will, and the landlord shall desire to repossess the property after the expiration of the term for which it was leased and shall give notice in writing one month before the expiration of the term or determination of the will to the tenant or to the person actually in possession of the property to remove from the property at the end of the term, and if the tenant or person in actual possession shall refuse to comply, the landlord may make complaint in writing to the District Court of the county where the property is located.

(ii) 1. The court shall issue a summons directed to any constable or sheriff of the county entitled to serve process, ordering the constable or sheriff to notify the tenant, assignee, or subtenant to appear on a day stated in the summons before the court to show cause why restitution should not be made to the landlord.

2. The constable or sheriff shall serve the summons on the tenant, assignee, or subtenant on the property, or on the known or authorized agent of the tenant, assignee, or subtenant.

3. If, for any reason those persons cannot be found, the constable or sheriff shall affix an attested copy of the summons conspicuously on the property.

4. After notice to the tenant, assignee, or subtenant by first-class mail, the affixing of the summons on the property shall be conclusively presumed to be a sufficient service to support restitution.

(iii) Upon the failure of either of the parties to appear before the court on the day stated in the summons, the court may continue the case to a day not less than six nor more than ten days after the day first stated and notify the parties of the continuance.

(2) (i) 1. If upon hearing the parties, or in case the tenant or person in possession shall neglect to appear after the summons and continuance the court shall find that the landlord had been in possession of the leased property, that the said tenancy is fully ended and expired, that due notice to quit as aforesaid had been given to the tenant or person in possession and that the tenant or person in possession had refused so to do, the court shall thereupon give judgment for the restitution of the possession of said premises and shall forthwith issue its warrant to the sheriff or a constable in the respective counties commanding the tenant or person in possession forthwith to deliver to the landlord possession thereof in as full and ample manner as the landlord was possessed of the same at the time when the tenancy was made, and shall give judgment for costs against the tenant or person in possession so holding over.

2. THE COURT MAY ORDER AN EMERGENCY STAY OF EXECUTION OF A WARRANT OF RESTITUTION ISSUED UNDER THIS PARAGRAPH FOR A RESIDENTIAL PROPERTY AS PROVIDED IN § 8-401(F)(3) OF THIS SUBTITLE.

(ii) Either party shall have the right to appeal therefrom to the circuit court for the county within ten days from the judgment.

(iii) If the tenant appeals and files with the District Court an affidavit that the appeal is not taken for delay, and also a good and sufficient bond with one or more securities conditioned that the tenant will prosecute the appeal with effect and well and truly pay all rent in arrears and all costs in the case before the District Court and in the appellate court and all loss or damage which the landlord may suffer by reason of the tenant's holding over, including the value of the premises during the time the tenant shall

so hold over, then the tenant or person in possession of said premises may retain possession thereof until the determination of said appeal.

(iv) The appellate court shall, upon application of either party, set a day for the hearing of the appeal, not less than five nor more than 15 days after the application, and notice for the order for a hearing shall be served on the opposite party or that party's counsel at least 5 days before the hearing.

(v) If the judgment of the District Court shall be in favor of the landlord, a warrant shall be issued by the appellate court to the sheriff, who shall proceed forthwith to execute the warrant.

(3) (i) The provisions of this subsection shall apply to all cases of tenancies at the expiration of a stated term, tenancies from year to year, and tenancies of the month and by the week. In case of tenancies from year to year (including tobacco farm tenancies), notice in writing shall be given three months before the expiration of the current year of the tenancy, except that in case of all other farm tenancies, the notice shall be given six months before the expiration of the current year of the tenancy; and in monthly or weekly tenancies, a notice in writing of one month or one week, as the case may be, shall be so given.

(ii) This paragraph, so far as it relates to notices, does not apply in Baltimore City.

(iii) In Montgomery County, except in the case of single family dwellings, the notice by the landlord shall be two months in the case of residential tenancies with a term of at least month to month but less than from year to year.

(4) When the tenant shall give notice by parol to the landlord or to the landlord's agent or representatives, at least one month before the expiration of the lease or tenancy in all cases except in cases of tenancies from year to year, and at least three months' notice in all cases of tenancy from year to year (except in all cases of farm tenancy, the notice shall be six months), of the intention of the tenant to remove at the end of that year and to surrender possession of the property at that time, and the landlord, the landlord's agent, or representative shall prove the notice from the tenant by competent testimony, it shall not be necessary for the landlord, the landlord's agent or representative to provide a written notice to the tenant, but the proof of such notice from the tenant as aforesaid shall entitle the landlord to recover possession of the property hereunder. This paragraph shall not apply in Baltimore City.

(5) Acceptance of any payment after notice but before eviction shall not operate as a waiver of any notice to quit, notice of intent to vacate or any judgment for possession unless the parties specifically otherwise agree in writing. Any payment accepted shall be first applied to the rent or the equivalent of rent apportioned to the date that the landlord actually recovers possession of the premises, then to court costs, including court awarded damages and legal fees and then to any loss of rent caused by the holdover. Any payment which is accepted in excess of the foregoing shall not bear interest but will be returned to the tenant in the same manner as security deposits as defined under § 8–203 of this title but shall not be subject to the penalties of that section.

(c) Unless stated otherwise in the written lease and initialed by the tenant, when a landlord consents to a holdover tenant remaining on the premises, the holdover tenant becomes a periodic week-to-week tenant if the tenant was a week-to-week tenant before the tenant's holding over, and a periodic month-to-month tenant in all other cases.

8–402.1.

(a) (1) (i) Where an unexpired lease for a stated term provides that the landlord may repossess the premises prior to the expiration of the stated term if the tenant breaches the lease, the landlord may make complaint in writing to the District Court of the county where the premises is located if:

1. The tenant breaches the lease;

2. A. The landlord has given the tenant 30 days' written notice that the tenant is in violation of the lease and the landlord desires to repossess the leased premises; or

B. The breach of the lease involves behavior by a tenant or a person who is on the property with the tenant's consent, which demonstrates a clear and imminent danger of the tenant or person doing serious harm to themselves, other tenants, the landlord, the landlord's property or representatives, or any other person on the property and the landlord has given the tenant or person in possession 14 days' written notice that the tenant or person in possession is in violation of the lease and the landlord desires to repossess the leased premises; and

3. The tenant or person in actual possession of the premises refuses to comply.

(ii) The court shall summons immediately the tenant or person in possession to appear before the court on a day stated in the summons to show cause, if any, why restitution of the possession of the leased premises should not be made to the landlord.

(2) (i) If, for any reason, the tenant or person in actual possession cannot be found, the constable or sheriff shall affix an attested copy of the summons conspicuously on the property.

(ii) After notice is sent to the tenant or person in possession by first-class mail, the affixing of the summons on the property shall be conclusively presumed to be a sufficient service to support restitution.

(3) If either of the parties fails to appear before the court on the day stated in the summons, the court may continue the case for not less than six nor more than 10 days and notify the parties of the continuance.

(b) (1) (I) If the court determines that the tenant breached the terms of the lease and that the breach was substantial and warrants an eviction, the court shall give judgment for the restitution of the possession of the premises and issue its warrant to the sheriff or a constable commanding the tenant to deliver possession to the landlord in as full and ample manner as the landlord was possessed of the same at the time when the lease was entered into. The court shall give judgment for costs against the tenant or person in possession.

(II) THE COURT MAY ORDER AN EMERGENCY STAY OF EXECUTION OF A WARRANT OF RESTITUTION ISSUED UNDER THIS PARAGRAPH FOR A RESIDENTIAL PROPERTY AS PROVIDED IN § 8-401(F)(3) OF THIS SUBTITLE.

(2) Either party may appeal to the circuit court for the county, within ten days from entry of the judgment. If the tenant (i) files with the District Court an affidavit that the appeal is not taken for delay; (ii) files sufficient bond with one or more securities conditioned upon diligent prosecution of the appeal; (iii) pays all rent in arrears, all court costs in the case; and (iv) pays all losses or damages which the landlord may suffer by reason of the tenant's holding over, the tenant or person in possession of the premises may retain possession until the determination of the appeal. Upon application of either party, the court shall set a day for the hearing of the appeal not less than five nor more than 15 days after the application, and notice of the order for a hearing shall be served on the other party or that party's counsel at least five days before the hearing. If the judgment of the

District Court is in favor of the landlord, a warrant shall be issued by the court which hears the appeal to the sheriff, who shall execute the warrant.

(c) (1) Acceptance of any payment after notice but before eviction shall not operate as a waiver of any notice of breach of lease or any judgment for possession unless the parties specifically otherwise agree in writing.

(2) Any payment accepted shall be first applied to the rent or the equivalent of rent apportioned to the date that the landlord actually recovers possession of the premises, then to court costs, including court awarded damages and legal fees and then to any loss of rent caused by the breach of lease.

(3) Any payment which is accepted in excess of the rent referred to in paragraph (2) of this subsection shall not bear interest but will be returned to the tenant in the same manner as security deposits as defined under § 8–203 of this title but shall not be subject to the penalties of that section.”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Clippinger moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1312 – Delegate Wilkins

EMERGENCY BILL

AN ACT concerning

COVID–19 Eviction and Housing Relief Act of 2021

HB1312/892718/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1312

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**COVID–19 Eviction and Housing Relief Act of 2021**” and substitute “**Landlord and Tenant – Eviction Actions – Catastrophic Health Emergencies**”; strike beginning with “Department” in line 3 down through “constables,” in line 4 and substitute “Maryland Judiciary”; and in line 6, after “actions;” insert “requiring the Maryland Judiciary to report to the Governor and the General Assembly on or before a certain date;”.

On pages 1 and 2, strike beginning with “requiring” in line 6 on page 1 down through “Act;” in line 34 on page 2 and substitute “establishing that a substantial loss of income due to a declared catastrophic health emergency is an affirmative defense to certain eviction actions under certain circumstances; prohibiting a court from entering a judgment for possession or repossession, or warrant for restitution of possession or repossession against a tenant if the tenant can demonstrate a substantial loss of income under certain circumstances; prohibiting a landlord from increasing the rent payment of a tenant or charging a tenant certain fees during a catastrophic health emergency under certain circumstances; defining certain terms; providing for the application of this Act; providing for the construction of certain provisions of this Act;”; and in line 35, strike “residential evictions” and substitute “eviction actions and catastrophic health emergencies”.

On page 2, strike beginning with “BY” in line 36 down through “Supplement)” in line 41; and in line 44, strike “7–114, 8–401(b–2), 8–406, 8–407, and 8A–1101(c)” and substitute “8–901 to be under the new subtitle “Subtitle 9. Eviction Data and Reporting Requirements”; and 8–1001 through 8–1004 to be under the new subtitle “Subtitle 10. Catastrophic Health Emergencies and Residential Leases”“.

On page 3, strike in their entirety lines 2 through 6, inclusive.

AMENDMENT NO. 2

On page 3, in line 9, strike “**Article – Housing and Community Development**” and substitute “**Article – Real Property**”; after line 9, insert:

“SUBTITLE 9. EVICTION DATA AND REPORTING REQUIREMENTS.”;

in line 10, strike “**2–302.**” and substitute “**8–901.**”; in line 15, strike “**THE REAL PROPERTY ARTICLE**” and substitute “**THIS ARTICLE**”; in line 16, after “**PREMISES**” insert “**IN BALTIMORE CITY AND IN EACH COUNTY OF THE STATE**”; strike beginning with “**DEPARTMENT**” in line 20 down through “**PROPERTY,**” in line 23 and substitute “**MARYLAND JUDICIARY**”; in line 24, after “**PUBLISH**” insert “**THE EVICTION DATA**”

EVERY 2 WEEKS"; in the same line, strike "DEPARTMENT'S" and substitute "MARYLAND JUDICIARY'S"; in the same line, strike ", EVICITION DATA"; in line 25, strike "DEPARTMENT" and substitute "MARYLAND JUDICIARY"; and strike beginning with the colon in line 25 on page 3 down through "WEBSITE" in line 30 and substitute "REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE EVICTION DATA ON OR BEFORE AUGUST 31 EACH YEAR WITH THE FIRST REPORT DUE ON OR BEFORE AUGUST 31, 2022".

AMENDMENT NO. 3

On page 4, after line 5, insert:

"SUBTITLE 10. CATASTROPHIC HEALTH EMERGENCIES AND RESIDENTIAL LEASES.

8-1001.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "CATASTROPHIC HEALTH EMERGENCY" HAS THE MEANING STATED IN §14-3A-01 OF THE PUBLIC SAFETY ARTICLE.

(C) "EVICT" MEANS TO TAKE ANY ACTION, JUDICIAL OR NONJUDICIAL, TO INITIATE, MAINTAIN, OR ENFORCE THE REMOVAL OF A TENANT FROM RESIDENTIAL PROPERTY.

(D) "SUBSTANTIAL LOSS OF INCOME" MEANS A SUBSTANTIAL LOSS OF INCOME RESULTING FROM A CATASTROPHIC HEALTH EMERGENCY PROCLAMATION, INCLUDING A SUBSTANTIAL LOSS OF INCOME DUE TO JOB LOSS, REDUCTION IN COMPENSATED HOURS OF WORK, CLOSURE OF PLACE OF EMPLOYMENT, OR THE NEED TO MISS WORK TO CARE FOR A HOME-BOUND, SCHOOL-AGE CHILD.

(E) "TENANT" INCLUDES ANY INDIVIDUAL OCCUPYING LAND OR PROPERTY RENTED FROM A LANDLORD.

8-1002.

THIS SUBTITLE APPLIES ONLY TO RESIDENTIAL LEASES.

8-1003.

(A) (1) A TENANT MAY RAISE A SUBSTANTIAL LOSS OF INCOME AS AN AFFIRMATIVE DEFENSE IN AN EVICTION PROCEEDING DURING A CATASTROPHIC HEALTH EMERGENCY.

(2) IF THE CATASTROPHIC HEALTH EMERGENCY HAS BEEN DECLARED FOR 60-179 CONSECUTIVE DAYS, THE TENANT MAY RAISE A SUBSTANTIAL LOSS OF INCOME AS AN AFFIRMATIVE DEFENSE IN AN EVICTION PROCEEDING FOR UP TO 3 MONTHS FOLLOWING THE CATASTROPHIC HEALTH EMERGENCY.

(3) IF THE CATASTROPHIC HEALTH EMERGENCY HAS BEEN DECLARED FOR 180 CONSECUTIVE DAYS OR LONGER, THE TENANT MAY RAISE A SUBSTANTIAL LOSS OF INCOME AS AN AFFIRMATIVE DEFENSE IN AN EVICTION PROCEEDING FOR UP TO 6 MONTHS FOLLOWING THE CATASTROPHIC HEALTH EMERGENCY.

(B) NOTWITHSTANDING § 8-401 OF THIS TITLE, A COURT MAY NOT ISSUE ANY JUDGMENT FOR POSSESSION OR REPOSSESSION, OR WARRANT FOR RESTITUTION OF POSSESSION OR REPOSSESSION OF RESIDENTIAL PROPERTY, IF A TENANT CAN DEMONSTRATE TO THE COURT, THROUGH DOCUMENTATION OR OTHER OBJECTIVELY VERIFIABLE MEANS, THAT:

(1) THE TENANT HAS SUFFERED A SUBSTANTIAL LOSS OF INCOME;
AND

(2) DUE TO THE SUBSTANTIAL LOSS OF INCOME, THE TENANT IS UNABLE TO PAY RENT OR UTILITY FEES OR WILL BE HOMELESS IF THE TENANT IS EVICTED.

(C) NOTWITHSTANDING § 8-402.1 OF THIS TITLE, A COURT MAY NOT ISSUE ANY JUDGMENT FOR POSSESSION OR REPOSSESSION, OR WARRANT FOR RESTITUTION OF POSSESSION OR REPOSSESSION OF RESIDENTIAL PROPERTY, IF

THE TENANT CAN DEMONSTRATE TO THE COURT, THROUGH DOCUMENTATION OR OTHER OBJECTIVELY VERIFIABLE MEANS, THAT:

(1) THE TENANT HAS SUFFERED A SUBSTANTIAL LOSS OF INCOME;
AND

(2) THE ALLEGED BREACH OF LEASE WAS CAUSED BY OR RELATED TO THE TENANT’S SUBSTANTIAL LOSS OF INCOME.

(D) THIS SECTION MAY NOT BE CONSTRUED TO:

(1) INTERFERE WITH OR HAVE ANY EFFECT ON THE PROVISIONS OF §§ 8-401 AND 8-402.1 OF THIS TITLE, EXCEPT AS SPECIFICALLY PROVIDED IN THIS SECTION; OR

(2) RELIEVE ANY PERSON OF ANY OBLIGATION TO MAKE PAYMENTS OR TO COMPLY WITH ANY OTHER OBLIGATION THAT THE PERSON MAY HAVE UNDER A LEASE.

8-1004.

DURING A CATASTROPHIC HEALTH EMERGENCY, A LANDLORD MAY NOT:

(1) INCREASE THE RENT PAYMENT OF A TENANT; OR

(2) CHARGE A TENANT A FINE OR FEE FOR THE NONPAYMENT OR LATE PAYMENT OF RENT, INCLUDING LATE FEES, ADMINISTRATIVE FEES RELATED TO RENT, COLLECTION FEES, COURT COSTS NOT AWARDED BY A COURT, OR LIQUIDATED OR OTHER DAMAGES FOR NONPAYMENT OR LATE PAYMENT OF RENT.”.

AMENDMENT NO. 4

On pages 3 through 21, strike in their entirety the lines beginning with line 31 on page 3 through line 11 on page 21, inclusive.

On page 21, in line 12, strike “17.” and substitute “2.”; and strike beginning with “except” in line 15 down through “Act,” in line 16.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Clippinger moved to make the Bill a Special Order for next session.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 376)

CALENDAR OF THIRD READING HOUSE BILLS NO. 36

House Bill 128 – Delegate Stewart

AN ACT concerning

Criminal Law – Hate Crimes – Protected Groups and Penalties

Read the third time and passed by yeas and nays as follows:

Affirmative – 126 Negative – 13 (See Roll Call No. 377)

The Bill was then sent to the Senate.

House Bill 842 – Delegate Howard

AN ACT concerning

Electric Companies – Billing Information

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 378)

The Bill was then sent to the Senate.

House Bill 940 – The Speaker

AN ACT concerning

Gaming – Regulation of Fantasy Gaming Competitions and Implementation of Sports Wagering

Read the third time and passed by yeas and nays as follows:

Affirmative – 129 Negative – 10 (See Roll Call No. 379)

The Bill was then sent to the Senate.

House Bill 1317 – Delegate Smith

AN ACT concerning

Barbers – Employment of Apprentice Barbers – Alterations

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 380)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 37

House Bill 907 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Study on System Reforms

Read the third time and passed by yeas and nays as follows:

Affirmative – 120 Negative – 20 (See Roll Call No. 381)

The Bill was then sent to the Senate.

House Bill 908 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Employer Contributions – ~~Payment Plans~~

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 382)

The Bill was then sent to the Senate.

House Bill 1138 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Maryland Department of Labor – Accountability
and Oversight**

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 383)

The Bill was then sent to the Senate.

House Bill 1139 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Weekly Benefit Amount – Income Disregard

Read the third time and passed by yeas and nays as follows:

Affirmative – 109 Negative – 31 (See Roll Call No. 384)

The Bill was then sent to the Senate.

House Bill 1143 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Work Sharing
(Work Share Expansion Act of 2021)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 2 (See Roll Call No. 385)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 386)

RECESS

At 11:24 A.M. on motion of Delegate Luedtke the House recessed until 5:00 P.M. on Legislative Day, March 3, 2021, Calendar Day, Thursday, March 11, 2021.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 3, 2021
Calendar Day: Thursday, March 11, 2021

At 5:05 P.M. the House resumed its session and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 387)

EXCUSED:

Delegate Anderson – illness
Delegate M. Fisher – personal
Delegate Sample–Hughes – personal
Delegate Szeliga – personal

MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 14

Senate Bill 10 – Senators Waldstreicher and Ferguson

SECOND PRINTING

AN ACT concerning

Election Law – Polling Sites – Firearms Prohibitions

FOR the purpose of prohibiting a person from carrying or displaying a firearm on certain premises or carrying or possessing a firearm within a certain number of feet of a polling site during an election, subject to ~~a certain exception~~ certain exceptions; establishing a certain civil penalty for a certain violation; defining a certain term; making conforming changes; and generally relating to prohibiting firearms in polling sites during an election.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 16–903 and 16–1002
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Election Law

Section 16–904

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 51 – ~~Senator Bailey~~ Senators Bailey and Jackson

AN ACT concerning

Tri-County Council for Southern Maryland – Property Management – Southern Maryland Regional Agricultural Center

FOR the purpose of authorizing the Tri-County Council for Southern Maryland to act as a property manager of the Southern Maryland Regional Agricultural Center; defining a certain term; and generally relating to the Tri-County Council for Southern Maryland.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 13–601(a) and (c)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 13–612

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 80 – Senator Kagan

AN ACT concerning

Economic Development – Maryland Technology Development Corporation – Alterations

FOR the purpose of altering the title of the Executive Director of the Maryland Technology Development Corporation to be the Chief Executive Officer of the Corporation; altering the membership of the Board of the Maryland Technology Development Corporation; altering certain provisions on the removal of a Board member; altering the quorum requirement for the Board; making conforming changes; authorizing the publisher of the Annotated Code of Maryland to make certain changes in a certain

manner; providing for the terms of certain members of the Board appointed under this Act; and generally relating to the Maryland Technology Development Corporation.

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 2.5–203(a)(1)(i)5.B., 6–606(1), 10–403, 10–404, 10–405(b)(3)(i), and 10–448(d)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–402(a), 10–405(a), and 10–448(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 12–305(d)(2)(iii)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–2204(c)(3)(iv) and 9–2901(c)(10)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 299 – ~~Senator Carter~~ Senators Carter, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Klausmeier, Kramer, and Ready

AN ACT concerning

**Human Services – Trauma–Informed Care – Commission and Training
(Healing Maryland’s Trauma Act)**

FOR the purpose of establishing the Commission on Trauma–Informed Care; providing for the composition, chair, and staffing of the Commission; providing that the Commission is an independent commission functioning in the Department of Human Services; providing for the purpose of the Commission; requiring the Commission to determine certain procedures; providing for the terms of members of the Commission; requiring the Governor to designate the chair of the Commission; prohibiting a member of the Commission from receiving certain compensation, but

authorizing the reimbursement of certain expenses; providing that a majority of members serving on the Commission is a quorum; requiring the Commission to identify certain programs and services; requiring the Commission to assist in the development of a certain statewide trauma–responsive strategy; requiring the Commission to establish certain metrics, in collaboration with the Maryland Department of Health, related to a certain initiative; requiring the Commission to coordinate and develop, in consultation with the Maryland Department of Health, certain training on trauma–informed care; requiring the Commission to disseminate certain information among agencies; requiring the Commission to advise and assist the Governor for a certain purpose; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date each year; requiring the Commission, in consultation with the Maryland Department of Health, the Department of Human Services, and the Maryland Health Care Commission, to conduct a certain study of a certain program and implement a certain program; providing for the purpose of a certain program; specifying the content of a certain study; requiring the Commission to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date each year; requiring members of the Commission to participate in a certain training each year; requiring certain State agencies to designate certain staff members to participate in a certain training each year; requiring certain staff members of certain State agencies to perform certain duties in a certain manner each year; requiring the Maryland Department of Health to provide certain technical support to certain staff members of certain State agencies; requiring certain directors of certain State agencies to submit to the Commission a certain report each year; defining certain terms; and generally relating to trauma–informed care.

BY adding to

Article – Human Services

Section 8–1301 through 8–1310 to be under the new subtitle “Subtitle 13.
Trauma–Informed Care”

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 324 – Senators Elfleth and Bailey

AN ACT concerning

**Environment and Natural Resources – Complaints, Inspections, and
Enforcement – Information Maintenance and Reporting**

FOR the purpose of requiring the Department of the Environment to receive and process complaints involving ~~suspected environmental~~ alleged violations of certain air and water quality requirements in a certain manner; requiring the Department of the Environment to keep an electronic record of certain complaints for a certain number of years; requiring the Department of the Environment to maintain and update

certain information involving ~~suspected environmental~~ alleged violations of certain air and water quality requirements; requiring the Department of the Environment to update and publish on its website a certain list that includes certain information; requiring the Department of the Environment to develop and maintain a certain website to provide certain complaint, inspection, and enforcement information; requiring certain information posted on a certain website to be kept in a certain manner; requiring the Department of Natural Resources to report to the Governor and the General Assembly on or before a certain date each year on information relating to the enforcement of natural resources and conservation laws; declaring the intent of the General Assembly; providing for the construction of this Act; providing for the application of certain provisions of this Act; defining ~~a certain term~~ terms; and generally relating to complaints, inspections, and enforcement under environment and natural resources laws.

BY adding to

Article – Environment
Section 1–305
Annotated Code of Maryland
(2013 Replacement Volume and 2020 Supplement)

BY adding to

Article – Natural Resources
Section 1–211
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 425 – Senator Augustine

AN ACT concerning

Workgroup on Screening Related to Adverse Childhood Experiences

FOR the purpose of establishing the Workgroup on Screening Related to Adverse Childhood Experiences; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to update, improve, and develop certain screening tools, submit certain screening tools to the Maryland Department of Health, study certain actions and best practices, develop a certain template, and make and develop certain recommendations; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Workgroup on Screening Related to Adverse Childhood Experiences.

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Ways and Means.

Senate Bill 520 – Senator Klausmeier

AN ACT concerning

Behavioral Health Services and Voluntary Placement Agreements – Children and Young Adults – Report Modifications

FOR the purpose of requiring that the Director of the Behavioral Health Administration’s annual report on behavioral health services for children and young adults in the State include certain information relating to outpatient and substance–related disorders program services by children and young adults and behavioral health services provided through telehealth; altering the scope of certain data required to be included in the report; requiring that certain data in the report be grouped by race and ethnicity; requiring that the Social Services Administration’s annual report on voluntary placement agreements for children and young adults include certain information relating to agreements requested for certain children with a developmental disability and the type of placement recommended for agreements that were approved; making a technical correction; and generally relating to behavioral health services and voluntary placement agreements for children and young adults.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7.5–209
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–505.1
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 561 – Senators Hershey and Eckardt

AN ACT concerning

Electric Cooperatives – Meetings – Alterations

FOR the purpose of authorizing an electric cooperative to hold certain meetings virtually or with a combination of in–person and virtual attendance; requiring the members of the cooperative, by majority vote, to determine in the cooperative’s bylaws how

meetings may be held; requiring the notice for a meeting that will be held virtually or with a combination of in-person and virtual attendance to include certain information; altering the requirements for a quorum to include members attending the meeting rather than members present in person; repealing the requirement that for voting to occur in a certain manner the manner must be provided in an electric cooperative's bylaws; authorizing voting in any manner provided in an electric cooperative's bylaws; making stylistic and conforming changes; and generally relating to meetings of members of electric cooperatives.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 5–616 through 5–619
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 609 – ~~Senator Augustine~~ Senators Augustine and Hayes

AN ACT concerning

**Economic Development – Maryland Industrial Development Financing
Authority – Marketing Plan**

FOR the purpose of requiring the Maryland Industrial Development Financing Authority to work to increase the utilization of certain programs and funds to assist minority and women-owned businesses and consider incentives to encourage the use of certain credit insurance programs; requiring the Authority to develop and implement a certain marketing plan; requiring the marketing plan implemented in accordance with this Act to identify methods to increase the utilization of certain credit insurance services by certain financial entities; and generally relating to the Maryland Industrial Development Financing Authority.

BY adding to
Article – Economic Development
Section 5–404
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 610 – Senator Cassilly

AN ACT concerning

**Lodging Establishments – Accessible Rooms for Individuals With Disabilities –
Deadlines**

FOR the purpose of altering the dates by which certain percentages of accessible rooms in a lodging establishment are required to be furnished with a bed of a certain height; and generally relating to lodging establishments.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 15–201(a) and (c)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 15–208
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 652 – Senator Klausmeier

AN ACT concerning

Public Health – Long–Term Care Planning

FOR the purpose of requiring the Maryland Department of Health, on or before a certain date, to develop and publish materials to assist State residents with long–term care family planning; requiring certain materials to meet certain requirements, be consistent with certain other materials, and include certain contact information; requiring the Department to make certain materials available in certain languages; requiring the Department to ensure that certain materials are understandable to individuals with limited literacy skills; requiring, on or before a certain date, certain State agencies to update certain websites in a certain manner; providing for a delayed effective date; and generally relating to long–term care planning.

BY adding to
Article – Health – General
Section 20–2001 to be under the new subtitle “Subtitle 20. Long–Term Care Planning”
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 704 – Senators Beidle, Augustine, and Hershey

AN ACT concerning

Nursing Homes – Transfer of Ownership – ~~Site Visits and~~ Surveys

FOR the purpose of requiring the Maryland Department of Health to ~~conduct site visits and~~ conduct a certain full ~~surveys~~ survey and a certain follow-up survey, within certain time periods, of a licensed nursing home if the ownership of the nursing home is transferred to a person that does not own or operate another nursing home in the State at the time of the transfer; and generally relating to nursing home ~~site visits and~~ surveys.

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 19–1408
 Annotated Code of Maryland
 (2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

SPECIAL ORDER CALENDAR NO. 43

House Bill 34 – Delegate Rosenberg

EMERGENCY BILL

AN ACT concerning

State Department of Education and Maryland Department of Health – Maryland School-Based Health Center Standards – Telehealth

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

HB0034/633627/1

BY: Delegate Cox

AMENDMENTS TO HOUSE BILL 34

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “requiring the State Department of Education and the Maryland Department of Health to establish certain requirements for, apply a certain standard and scope of oversight to, and ensure compliance with certain

laws for certain services, and to prohibit the provision of certain services, by a school-based health center providing health care services through telehealth;”.

AMENDMENT NO. 2

On page 2, in line 10, strike “may not”; after line 10, insert:

“(1) shall:

(i) require a school-based health center to submit an application to and receive approval from the State Department of Education and, as appropriate, the Maryland Department of Health before providing health care services through telehealth;

(ii) apply the same standard and scope of oversight to a school-based health center providing health care services through telehealth as the standards and scope of oversight applied to a school-based health center providing traditional health care services;

(iii) ensure that a school-based health center approved to provide health care services through telehealth meets all applicable privacy law requirements, including those required for protecting student information;

(iv) require that a school-based health center notify a student’s parent or guardian of any health care services provided to the student through telehealth; and

(v) prohibit a school-based health center from providing or referring a student for or counseling a student on abortion services or prescribing an abortifacient drug, including Mifeprex and mifepristone, through telehealth; and”;

strike in their entirety lines 11 through 14, inclusive; and in line 15, after “(2)” insert “may not”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 39 Negative – 93 (See Roll Call No. 388)

Read the second time and ordered prepared for Third Reading.

House Bill 313 – Delegate Holmes

AN ACT concerning

**Cooperative Housing Corporations, Condominiums, and Homeowners
Associations – Reserve Studies – Statewide**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED
ADOPTED.

Delegate Barve moved to reconsider the vote by which Committee Amendments #230014/1
were adopted.

The motion was adopted.

HB0313/230014/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 313

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6, 18, and 27, in each instance, after “and” insert “updated”.

On page 2, in line 4, after “Act;” insert “making stylistic changes;”.

AMENDMENT NO. 2

On page 3 in line 9, on page 6 in lines 8 and 14, and on page 8 in lines 24 and 30, in
each instance, strike “a” and substitute “AN UPDATED”.

On page 3, in line 16, strike the second “a” and substitute “AN UPDATED”.

On page 3 in line 21, on page 6 in line 19, and on page 9 in line 3, in each instance,
after “and” insert “AN UPDATED RESERVE STUDY”.

On page 3 in line 28, on page 6 in line 25, and on page 9 in line 9, in each instance,
strike “A” and substitute “AN UPDATED”.

On page 3 in line 34, on page 6 in line 30, and on page 9 in line 15, in each instance,
after “AND” insert “AN UPDATED RESERVE STUDY”.

The preceding 2 amendments were withdrawn.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 45

House Bill 104 – Delegate Stewart

AN ACT concerning

Landlord–Tenant – Nonrenewal of Lease – Notice Requirements

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 46

House Bill 780 – Delegate Kerr

AN ACT concerning

Maryland Health Benefit Exchange – State–Based Young Adult Health Insurance Subsidies Pilot Program

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 48

House Bill 1210 – The Speaker

AN ACT concerning

Corporate Diversity – Board, Executive Leadership, and Mission

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 389)

CALENDAR OF THIRD READING HOUSE BILLS NO. 38

House Bill 260 – Delegate W. Fisher

AN ACT concerning

Courts – Jury Service – Disqualification

Read the third time and passed by yeas and nays as follows:

Affirmative – 82 Negative – 53 (See Roll Call No. 390)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 39

House Bill 670 – The Speaker (By Request – Police Reform and Accountability in MD, Workgroup to Address)

AN ACT concerning

Police Reform and Accountability Act of 2021

Delegate Lierman moved the previous question.

The motion was adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 96 Negative – 40 (See Roll Call No. 391)

The Bill was then sent to the Senate.

INTRODUCTION OF BILLS

Delegate K. Young moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 126 Negative – 4 (See Roll Call No. 392)

In compliance with the rules, the Bill was introduced.

House Bill 1380 – Delegate K. Young

EMERGENCY BILL

AN ACT concerning

Criminal Law – Threat Against Public Health Official

FOR the purpose of prohibiting a person from making or sending a threat to a public health official with a certain intent; establishing certain penalties for a violation of this Act; defining certain terms; making this Act an emergency measure; and generally relating to the prohibition against making or sending threats to public health officials.

BY adding to

Article – Criminal Law

Section 3–708.1

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

LATE INTRODUCTION BOND INITIATIVES

Delegate Harrison moved the Bond Initiative be introduced?

The Speaker put the question: Shall the Bond Initiative be introduced?

The roll call vote resulted as follows:

Affirmative – 131 Negative – 1 (See Roll Call No. 393)

In compliance with the rules, the Bond Initiative was introduced.

Introductory House Bond Initiatives No. 29

March 3, 2021

1. Del. Harrison Mission of Love Charities APP

The preceding bond initiative was read and referred to the Committee on Appropriations.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 394)

ADJOURNMENT

At 6:50 P.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 4, 2021, Calendar Day, Friday, March 12, 2021.

Annapolis, Maryland
Legislative Day: March 4, 2021
Calendar Day: Friday, March 12, 2021
10:00 A.M. Session

The House met at 10:05 A.M. and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 395)

EXCUSED:

Delegate Anderson – illness
Delegate Ciliberti – medical
Delegate M. Fisher – personal
Delegate McIntosh – personal

The Journal of March 3, 2021 was read and approved.

ECONOMIC MATTERS COMMITTEE REPORT NO. 19

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 12 – Delegates C. Watson, C. Jackson, and Kerr

AN ACT concerning

Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption

HB0012/343594/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 12

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “circumstances;” insert “authorizing a local licensing board to limit the quantity of alcoholic beverages sold or delivered to an individual in a single transaction; providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, in line 19, strike “A MIXED DRINK OR COCKTAIL, IN A SEALED OR CLOSED CONTAINER” and substitute “MIXED DRINKS OR COCKTAILS IN SEALED OR CLOSED CONTAINERS”.

On page 3, strike in their entirety lines 10 through 12, inclusive, and substitute:

“(V) THE DELIVERY OF AN ALCOHOLIC BEVERAGE IS MADE FROM THE LICENSED PREMISES TO THE INDIVIDUAL PURCHASING THE ALCOHOLIC BEVERAGE BY THE LICENSE HOLDER OR THE LICENSE HOLDER’S EMPLOYEE, WHO IS AT LEAST 21 YEARS OLD AND CERTIFIED IN AN ALCOHOL AWARENESS PROGRAM; AND”;

and in line 23, strike “A MIXED DRINK OR COCKTAIL IN A SEALED OR CLOSED CONTAINER” and substitute “, IF AUTHORIZED UNDER THE HOLDER’S LICENSE, MIXED DRINKS OR COCKTAILS IN SEALED OR CLOSED CONTAINERS”.

On page 4, strike in their entirety lines 10 through 12, inclusive, and substitute:

“(IV) THE DELIVERY OF AN ALCOHOLIC BEVERAGE IS MADE FROM THE LICENSED PREMISES TO THE INDIVIDUAL PURCHASING THE ALCOHOLIC BEVERAGE BY THE LICENSE HOLDER OR THE LICENSE HOLDER’S EMPLOYEE, WHO IS AT LEAST 21 YEARS OLD AND CERTIFIED IN AN ALCOHOL AWARENESS PROGRAM; AND”.

AMENDMENT NO. 3

On page 4, in line 18, after “BOARD” insert “:

(1)”;

in line 20, after “SECTION” insert “**;** AND

(2) MAY LIMIT THE QUANTITY OF ALCOHOLIC BEVERAGES THAT MAY BE SOLD OR DELIVERED UNDER THIS SECTION TO AN INDIVIDUAL IN A SINGLE TRANSACTION”;

and in line 22, after the period, insert “It shall remain effective for a period of 2 years and, at the end of June 30, 2023, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 18

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 72 – Delegate Anderton

AN ACT concerning

County Boards of Education – Student Transportation – Vehicles

HB0072/265066/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 72

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after **“Vehicles”** insert **“and Report”**; in line 7, after “regulations;” insert “requiring each county board to submit a certain report to the Department on or before a certain date; requiring the Department to compile certain reports and submit a certain report to certain committees of the General Assembly on or before a certain date; altering the definition of “contracting agency” used for a certain application requirement to include an entity providing transportation in accordance with this Act;”; in the same line, after “definition;” insert “providing for the termination of this Act;”; after line 14, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 6–113.2(a)(1)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

and in line 17, after “Section” insert “6–113.2(a)(3) and”.

AMENDMENT NO. 2

On page 3, after line 1, insert:

“6–113.2.

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

(3) (I) “Contracting agency” means an entity that contracts with a county board or nonpublic school to provide a service to a school or the students of a school.

(II) “CONTRACTING AGENCY” INCLUDES AN ENTITY THAT PROVIDES TRANSPORTATION TO AND FROM A SCHOOL USING A VEHICLE OTHER THAN A TYPE I OR TYPE II SCHOOL VEHICLE, IN ACCORDANCE WITH § 7–801 OF THIS ARTICLE.”.

On page 4, after line 29, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before September 1, 2025, each county board of education shall submit a report to the State Department of Education on the provision of student transportation to and from school using Type I or Type II school vehicles or other vehicles in accordance with § 7–801(c) of the Education Article as enacted under Section 1 of this Act for the 5–year period from the 2018–2019 school year through the 2022–2023 school year, including:

(1) the types of vehicles used and the owner of the vehicles;

(2) the number of contractors used to provide transportation in:

(i) Type I or Type II school vehicles; and

(ii) other vehicles authorized under § 7–801(c) of the Education Article;

(3) the number of county transportation employees with benefits employed by the county board each year and whether these types of employees decreased as a result of the authority granted under § 7–801(c) of the Education Article; and

(4) the types of public school students transported in other vehicles under § 7–801(c) of the Education Article.

(b) On or before December 1, 2025, the State Department of Education shall compile the reports required under subsection (a) of this section and submit the report and a copy of the regulations adopted under § 7–801(c) of the Education Article as enacted by Section 1 of this Act to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2–1257 of the State Government Article.”;

in line 30, strike “2.” and substitute “3.”; and in line 31, after “2021.” insert “It shall remain effective for a period of 5 years and, at the end of June 30, 2026, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Luedtke moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 278 – Delegates Feldmark, Palakovich Carr, R. Lewis, Solomon, Terrasa, Hill, and Ebersole

AN ACT concerning

Economic Development – Job Creation Tax Credit – Qualified Position

HB0278/445663/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 278

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Position**” insert “**and Revitalization Area**”; in line 4, after “program;” insert “altering the definition of “revitalization area” to include a certain Tier I county for purposes of the program;”; in line 8, strike “and 6–303(b)(1)” and substitute “6–303(b)(1), and 6–304(b)”; and in line 13, after “6–301(d)(1)” insert “and (e)”.

AMENDMENT NO. 2

On page 1, in line 21, after “means” insert “:

(I) IF THE POSITION IS FILLED BEFORE OCTOBER 1, 2021,;

and after line 21, insert:

[(i)] 1. is full-time and of indefinite duration;

[(ii)] 2. pays at least 120% of the State minimum wage;

[(iii)] 3. is located in the State;

[(iv)] 4. is newly created as a result of the establishment or expansion of a business facility in a single location in the State; and

[(v)] 5. is filled; AND”.

On page 2, strike in their entirety lines 1 and 2 and substitute:

[(II) IF THE POSITION IS FILLED ON OR AFTER OCTOBER 1, 2021,

A POSITION THAT:

1. IS FULL-TIME AND OF INDEFINITE DURATION;

2. PAYS AT LEAST;”;

in lines 3 and 6, strike “1.” and “2.”, respectively, and substitute “A.” and “B.”, respectively; in line 6, after “150%” insert “OF THE STATE MINIMUM WAGE;”; strike beginning with “of” in line 6 down through “State;” in line 8 and substitute:

3. IS LOCATED IN THE STATE;;

in lines 9, 10, 12, 13, 16, 19, and 21, strike “(IV)”, “(V)”, “(VI)”, “(VII)”, “(VIII)”, “(IX)”, and “(X)”, respectively, and substitute “4.”, “5.”, “6.”, “7.”, “8.”, “9.”, and “10.”, respectively; in line 12, strike “FAIR SCHEDULING AND”; in line 20, strike “AFFORDABLE DEDUCTIBLES AND COPAYMENTS” and substitute “MONTHLY PREMIUMS THAT DO NOT EXCEED 8.5% OF THE EMPLOYEE’S NET MONTHLY EARNINGS;”; and strike in their entirety lines 22 through 24, inclusive, and substitute:

11. IS NEWLY CREATED AS A RESULT OF THE ESTABLISHMENT OR EXPANSION OF A BUSINESS FACILITY IN A SINGLE LOCATION IN THE STATE; AND

12. IS FILLED.

(e) “Revitalization area” means:

(1) an enterprise zone designated by the Secretary under § 5–704 of this article;

(2) an enterprise zone designated by the United States government under 42 U.S.C. §§ 11501 through 11505;

(3) an empowerment zone or enterprise community designated by the United States government under 26 U.S.C. §§ 1391 through 1397F; [or]

(4) a sustainable community, as defined in § 6–301 of the Housing and Community Development Article; OR

(5) A TIER I COUNTY.

On page 3, after line 8, insert:

“6–304.

(b) (1) Except as provided in this section, the credit earned under this section:

(i) for qualified employees working in a facility not located in a revitalization area, is \$3,000 multiplied by the number of qualified employees employed by the qualified business entity during the credit year; and

(ii) for qualified employees working in a facility located in a revitalization area, is \$5,000 multiplied by the number of qualified employees employed by the qualified business entity during the credit year.

(2) The credit earned by a qualified business entity under this subtitle may not exceed \$1,000,000 for any credit year.

(3) The total amount of credits certified by the Department for qualified business entities in a taxable year may not exceed \$4,000,000.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 377 – Delegate Bagnall

AN ACT concerning

Commission on Student Behavioral Health and Mental Health Treatment

HB0377/985165/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 377

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “Governor” insert “, the State Board of Education.”.

AMENDMENT NO. 2

On page 2, strike beginning with “who” in line 12 down through “center” in line 13 and substitute “of the Maryland Assembly on School–Based Health Care”; in line 14, strike “and”; in line 16, after “Psychologists” insert “;

(viii) one representative of the Maryland Chapter of the National Association of Social Workers;

(ix) one representative from a community-partnered school behavioral health services program; and

(x) two representatives from different organizations that provide behavioral health services primarily to racial or ethnic minorities”;

after line 25, insert:

“(2) investigate the unique behavioral health needs of students from different racial and ethnic backgrounds dealing with behavioral health and mental health issues, including differences by student racial and ethnic background in the provision of behavioral health services, scope of practice, types of service, and duration of treatment.”;

in lines 26, 28, and 30, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; and in line 27, after “including” insert “actions specific to improvements for students who belong to racial and ethnic minority groups and improvements for service from”.

On page 3, in line 3, strike “December 1, 2021” and substitute “July 1, 2022”; and in line 4, after “Governor” insert “, the State Board of Education,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 461 – Delegate Washington

AN ACT concerning

Public Schools – Student Attendance – Excused Absences for Mental Health Needs

HB0461/845064/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 461

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “at least a certain number of absences in each quarter of each school year” and substitute “an absence”; in line 7, after “needs;” insert “requiring a certain student to obtain permission from a parent or guardian for a certain absence under certain circumstances;”; and in line 8, after “absence;” insert “requiring a student who is absent for a certain reason to meet with a school mental health specialist within a certain period of time to discuss a certain topic; defining a certain term;”.

AMENDMENT NO. 2

On page 1, in line 19, after “(A)” insert “IN THIS SECTION, “SCHOOL MENTAL HEALTH SPECIALIST” MEANS:

- (1) A SCHOOL COUNSELOR;
- (2) A PUPIL PERSONNEL WORKER;
- (3) A PSYCHOMETRIST;
- (4) A SCHOOL PSYCHOLOGIST; OR
- (5) A SCHOOL SOCIAL WORKER.

(B)”;

in line 21, strike “(B)” and substitute “(C)”; in the same line, strike “A” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A”; and strike beginning with “AT” in line 21 down through “YEAR” in line 22 and substitute “AN ABSENCE”.

On page 2, in line 1, after “(2)” insert “A STUDENT WHO IS A MINOR AND ABSENT DUE TO THE STUDENT’S MENTAL HEALTH NEEDS SHALL OBTAIN PERMISSION FROM A PARENT OR GUARDIAN FOR THE ABSENCE.”

(3)”;

and in line 2, strike “PARAGRAPH (1) OF”; and after line 2, insert:

“(D) A STUDENT WHO IS ABSENT IN ACCORDANCE WITH THIS SECTION SHALL MEET WITH A SCHOOL MENTAL HEALTH SPECIALIST WITHIN AN APPROPRIATE PERIOD OF TIME AFTER RETURNING TO SCHOOL, AS DETERMINED BY THE COUNTY BOARD, TO DISCUSS THE STUDENT’S MENTAL HEALTH NEEDS THAT CAUSED THE ABSENCE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 654 – Delegate Qi

AN ACT concerning

Maryland Small Business Innovation Research and Technology Transfer Incentive Program

HB0654/325069/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 654

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “**Program**” insert “– Alterations”; in line 4, strike “establishing” and substitute “altering the definitions of “small business innovation research grant” and “small business technology transfer grant” for purposes of”; in line 5, after “Program;” insert “altering the circumstances under which a certain award or investment recipient may be required to return certain funds; requiring the Program to prioritize providing awards to certain eligible small businesses; expanding the types of small business to which the Program, in coordination with certain programs, is required to conduct certain marketing and outreach; making conforming changes; making a technical

correction;”; strike beginning with “requiring” in line 5 down through “terms;” in line 21; and after line 23, insert:

“BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–473 through 10–475, 10–476(c) through (e) and (j), and 10–477(f)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 8 and 25 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–476(a) and (b) and 10–477(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 8 and 25 of the Acts of the General Assembly of 2021)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 15 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, after line 18, insert:

“10–473.

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

(b) “Fund” means the Maryland Small Business Innovation Research and Technology Transfer Incentive Matching Fund.

(c) “Program” means the Maryland Small Business Innovation Research and Technology Transfer Incentive Program.

(d) “Small business innovation research [grant] AWARD” means [a grant awarded under the Small Business Innovation Research grant program by the National Institutes of Health, or a similar program administered by another] AN AWARD PROVIDED UNDER A SMALL BUSINESS INNOVATION RESEARCH AWARD PROGRAM BY AN agency of the federal government[,] for a business to engage in research and development that has a strong potential for commercialization.

(e) “Small business technology transfer [grant] AWARD” means [a grant awarded under the Small Business Technology Transfer grant program by the National Institutes of Health, or a similar program administered by another] AN AWARD PROVIDED UNDER A SMALL BUSINESS TECHNOLOGY TRANSFER AWARD PROGRAM BY AN agency of the federal government[,] for a business to engage in research and development that has a strong potential for commercialization.

10-474.

(a) There is a Maryland Small Business Innovation Research and Technology Transfer Incentive Program.

(b) The Corporation shall administer the Program.

(c) The purpose of the Program is to foster job creation and economic development in the State by:

(1) promoting the commercialization of research conducted by small businesses in the State;

(2) facilitating the transfer of technology from universities and federal research laboratories to small businesses; and

(3) encouraging small businesses, including economically disadvantaged small businesses, to apply for small business innovation research [grants] AWARDS and small business technology transfer [grants] AWARDS.

10-475.

(a) To qualify for participation in the Program, a small business shall meet the criteria in this section.

(b) The small business shall:

(1) meet the qualifications of a qualified business; and

(2) have received a Phase I or Phase II small business innovation research [grant] AWARD or small business technology transfer [grant, or a similar grant under a similar program administered by an agency of the federal government,] AWARD during the

6 months immediately preceding the submission of its application under [§ 10–499.3] § 10–476 of this part.

(c) An award or investment recipient that fails to fulfill the eligibility and maintenance requirements of the Program may be required to return all or part of the award or investment, as well as any accrued interest or fees, to the Program.

(d) The Program shall require an award or investment recipient to return to the Fund any money from an award or investment under this part, as well as any accrued interest or fees, if the recipient does not remain [in the State] A QUALIFIED BUSINESS for at least 2 years after receiving the award or investment payment.

10–476.

(a) An applicant shall submit an application for a Program award or investment on the form that the Corporation requires.

(b) The Program shall review the application and all supporting materials to evaluate whether the applicant qualifies for an award or investment from the Program.

(c) (1) Subject to the availability of money in the Fund AND PARAGRAPH (2) OF THIS SUBSECTION, the Program may provide to an eligible small business an award or investment to match in part a small business innovation research [grant] AWARD or small business technology transfer [grant] AWARD.

(2) THE PROGRAM SHALL PRIORITIZE PROVIDING AWARDS AND INVESTMENTS TO ELIGIBLE SMALL BUSINESSES THAT ARE ENGAGED IN RESEARCH AND DEVELOPMENT ACTIVITIES THAT ASSIST IN THE PREVENTION OF, PREPAREDNESS FOR, OR RESPONSE TO A PUBLIC HEALTH CRISIS IN THE STATE.

(d) Except as provided in subsection (f) of this section, a small business that receives an award or investment for a Phase I small business innovation research [grant] AWARD or small business technology transfer [grant, or a similar grant under a similar program administered by an agency of the federal government.] AWARD shall receive an award or investment in an amount that is the lesser of:

(1) 25% of the Phase I small business innovation research [grant] AWARD or small business technology transfer [grant, or a similar grant under a similar program administered by an agency of the federal government] AWARD; or

(2) \$25,000.

(e) Except as provided in subsection (f) of this section, a small business that receives an award or investment for a Phase II small business innovation research [grant] AWARD or small business technology transfer [grant, or a similar grant under a similar program administered by an agency of the federal government.] AWARD shall receive an award or investment in an amount that is the lesser of:

(1) 25% of the Phase II small business innovation research [grant] AWARD or small business technology transfer [grant, or a similar grant under a similar program administered by an agency of the federal government] AWARD; or

(2) \$75,000.

(j) The Program shall coordinate with comparable State and county programs to:

(1) conduct marketing and outreach, including conducting joint workshops, online training opportunities, and outreach to economically disadvantaged small businesses, WOMEN-OWNED SMALL BUSINESSES, RURAL SMALL BUSINESSES, and first-time small business innovation research [grant] AWARD or small business technology transfer [grant] AWARD applicants; and

(2) provide assistance to eligible businesses under this part.

10-477.

(a) There is a Maryland Small Business Innovation Research and Technology Transfer Incentive Matching Fund.

(f) The Fund may be used only for:

(1) providing awards or investments to eligible small businesses that have received financial assistance from the federal government under comparable small

business innovation research or small business technology transfer [grant] AWARD programs; and

(2) administrative expenses of the Program, including marketing, outreach, and technical assistance.”.

On pages 2 through 8, strike in their entirety the lines beginning with line 19 on page 2 through line 6 on page 8, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 759 – Delegate Kaiser

AN ACT concerning

Election Law – Postelection Tabulation Audits – Risk-Limiting Audits

HB0759/575563/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 759

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Postelection Tabulation Audits – Risk-Limiting Audits**” and substitute “**Risk-Limiting Audits Workgroup**”; and strike beginning with “requiring” in line 3 down through “method;” in line 24.

On pages 1 and 2, strike beginning with “proposed” in line 29 on page 1 through “audits” in line 2 on page 2 and substitute “a plan to conduct a risk-limiting audit of certain contests after each statewide election and proposed legislation for consideration by the General Assembly that would enact the plan; requiring the plan for conducting risk-limiting audits drafted by the Workgroup to include certain requirements and certain elements; requiring the Workgroup to submit its plan for conducting risk-limiting audits”

and its proposed legislation that would enact the plan to certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to a Risk-Limiting Audits Workgroup".

On page 2, strike in their entirety lines 3 through 7, inclusive.

AMENDMENT NO. 2

On page 2, in line 9, strike "the Laws of Maryland read as follows".

On pages 2 through 5, strike in their entirety the lines beginning with line 10 on page 2 through line 15 on page 5, inclusive.

On page 5, after line 16, insert:

"(2) "Electronic count" means the vote totals produced by the voting system.

(3) "Manual count" means inspection of voter-verifiable paper records by hand and eye to obtain vote totals in a contest.

(4) "Risk limit" means the small, predetermined maximum chance that a risk-limiting audit will not require a full manual count of voter-verifiable paper records in an audited contest if a full manual count of the voter-verifiable paper records would find a different outcome than the outcome determined by the electronic count.";

in lines 17, 19, and 20, strike "(2)", "(3)" and "(4)", respectively, and substitute "(5)", "(6)", and "(7)", respectively; strike beginning with "has" in line 17 down through "Act" in line 18 and substitute "means a postelection audit procedure that employs statistical methods to ensure a large, predetermined minimum chance of requiring a full manual count of voter-verifiable paper records in an audited contest if a full manual count of the voter-verifiable paper records would find a different outcome than the outcome determined by the electronic count"; and after line 20 insert:

"(8) "Voter-verifiable paper record" has the meaning stated in § 9-102 of the Election Law Article."

On page 6, strike beginning with "proposed" in line 5 down through "(ii)" in line 8 and substitute "a plan to conduct a risk-limiting audit of at least one statewide contest and at least one countywide or other local contest in each county after each statewide election;

(ii) draft proposed legislation for consideration by the General Assembly during the 2022 regular session that would enact the plan for conducting risk-limiting audits after each statewide election; and

(iii)”;

strike beginning with “The” in line 10 down through “2022” in line 12 and substitute “The plan for conducting risk-limiting audits drafted by the Workgroup shall:

(1) require manual examination of randomly chosen individual voter-verifiable paper records or batches of voter-verifiable paper records until the maximum chance of a full manual count finding a different outcome than the outcome determined by the electronic count is no larger than the risk limit, or until there has been a full manual count;

(2) require a risk-limiting audit to:

(i) be completed before certification of the election results; and

(ii) be observable by the public to the maximum extent practicable;

(3) require that, if a risk-limiting audit finds that the election outcome determined by the electronic count is incorrect, the official result of the election be altered to match the outcome determined by the risk-limiting audit;

(4) require that a public report concerning the risk-limiting audit process and the results of the risk-limiting audit be released after each statewide election; and

(5) include:

(i) criteria for determining the contests to be audited;

(ii) the risk limit; and

(iii) the audit method.

(d) On or before December 17, 2021, the Risk-Limiting Audits Workgroup shall submit its plan for conducting risk-limiting audits and its proposed legislation that would enact the plan to the Senate Education, Health, and Environmental Affairs Committee and

the Committee on Ways and Means in accordance with § 2-1257 of the State Government Article”;

and in line 13 strike “3.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1068 – Delegate Feldmark

AN ACT concerning

Election Law – Absentee Ballot Canvassing – Multiple Ballots Cast by an Individual

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

House Bill 72 – Delegate Anderton

AN ACT concerning

County Boards of Education – Student Transportation – Vehicles

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0072/845566/1

BY: Delegate Washington

AMENDMENT TO HOUSE BILL 72, AS AMENDED

On page 2 of the Committee on Ways and Means Amendments (HB0072/265066/1), in line 11 of Amendment No. 2, strike “5-year” and substitute “7-year”; and in lines 11 and 12, strike “2022–2023” and substitute “2024–2025”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 19

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 700 – Delegate Ruth

AN ACT concerning

Education – Disruption of School Activities – Repeal of Prohibition

HB0700/975466/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 700

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Disruption of School Activities – Repeal of Prohibition**” and substitute “**Crimes on School Grounds – Exemptions**”; strike beginning with “repealing” in line 3 down through “education;” in line 6 and substitute “specifying that certain provisions of law prohibiting and penalizing certain behavior on the grounds or in the classes of institutions of elementary, secondary, or higher education do not apply to students who commit offenses at the institution they attend, students on exclusionary discipline who commit offenses at the institution they attend, or students who commit offenses while participating in or attending a sporting event or other extracurricular program sponsored by another institution;”; and in line 6, strike “the disruption of activities” and substitute “exemptions from provisions of law that prohibit and penalize disruptive and threatening behavior”.

AMENDMENT NO. 2

On page 1, in lines 17 and 19, in each instance, strike the bracket; in line 20, strike the brackets; and in the same line, strike “(A)”.

On page 1 in lines 17 and 20, and on page 2 in line 5, in each instance, strike “A” and substitute “SUBJECT TO SUBSECTION (F) OF THIS SECTION, A”.

On page 2, in lines 5, 9, and 14, in each instance, strike the brackets; in lines 5, 9, and 14, strike “(B)”, “(C)”, and “(D)”, respectively; in line 14, strike “Any” and substitute “SUBJECT TO SUBSECTION (F) OF THIS SECTION, A”; and after line 16, insert:

“(F) THE PROHIBITIONS AND PENALTIES IN THIS SECTION DO NOT APPLY TO A PERSON WHO IS:

(1) A STUDENT CURRENTLY ATTENDING THE INSTITUTION OF ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHERE THE OFFENSE OCCURS;

(2) A STUDENT CURRENTLY ON EXCLUSIONARY DISCIPLINE FROM THE INSTITUTION OF ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHERE THE OFFENSE OCCURS; OR

(3) A STUDENT CURRENTLY ATTENDING ANOTHER INSTITUTION OF ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHO IS PARTICIPATING IN OR ATTENDING A SPORTING EVENT OR OTHER EXTRACURRICULAR PROGRAM SPONSORED BY THE INSTITUTION WHERE THE OFFENSE OCCURS.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 745 – Delegate Luedtke

AN ACT concerning

Election Law – Early Voting Centers – Number Required

HB0745/505960/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 745

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– **Number Required**”; in line 4, after “establish;” insert “clarifying the process by which one additional early voting center may be established in a county in excess of the number required to be established by law; clarifying the process by which early voting centers are designated in a county; requiring a local board of elections to take into account certain factors when determining the location of an early voting center;”.

AMENDMENT NO. 2

On page 3, strike beginning with “the” in line 2 down through “with” in line 3 and substitute “;

(I) FIRST,;

in line 3, strike the comma; and in line 4, after “center” insert “;AND

(II) THEN, THE STATE BOARD APPROVES THE ESTABLISHMENT OF THE ADDITIONAL EARLY VOTING CENTER”.

in line 5, after “(c)” insert “**(1)**”; strike beginning with “the” in line 5 down through “with” in line 6; in line 6, strike the comma; in the same line, after “shall” insert “, SUBJECT TO THE APPROVAL OF THE STATE BOARD,”; and after line 7, insert:

“(2) A LOCAL BOARD SHALL TAKE INTO ACCOUNT THE FOLLOWING FACTORS WHEN DETERMINING THE LOCATION OF AN EARLY VOTING CENTER:

(I) ACCESSIBILITY OF THE EARLY VOTING CENTER TO HISTORICALLY DISENFRANCHISED COMMUNITIES, INCLUDING CULTURAL GROUPS, ETHNIC GROUPS, AND MINORITY GROUPS;

(II) PROXIMITY OF THE EARLY VOTING CENTER TO DENSE CONCENTRATIONS OF VOTERS;

(III) ACCESSIBILITY OF THE EARLY VOTING CENTER BY PUBLIC TRANSPORTATION;

(IV) ENSURING EQUITABLE DISTRIBUTION OF EARLY VOTING CENTERS THROUGHOUT THE COUNTY; AND

(V) MAXIMIZING VOTER PARTICIPATION, INCLUDING THROUGH THE USE OF COMMUNITY CENTERS AND PUBLIC GATHERING PLACES AS LOCATIONS FOR EARLY VOTING CENTERS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 11

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 646 – Delegate Valentino–Smith

AN ACT concerning

Child Abuse and Neglect – Memorandum of Understanding With Military Family Advocacy Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 701 – Delegate McComas

AN ACT concerning

Child Abuse and Neglect – Training of Health Care Professionals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 1266 – Delegate W. Fisher

AN ACT concerning

Estates and Trusts – Wills – Custodianship

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 17

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 884 – Delegate Buckel

AN ACT concerning

**Task Force on the Economic Future of Western Maryland – Extension of Report
Deadline and Task Force**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 47

House Bill 1002 – Delegate Charkoudian

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Revisions and Required Study

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED
ADOPTED.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 13 CONSENT NO. 37

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably on all of the following bills:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 323	FAV	Del. Arentz	Queen Anne's County – Alcoholic Beverages – Repeal of Place of Worship Prohibition
HB 349	FAV	Del. Arentz	Queen Anne's County – Alcoholic Beverages – Unannounced Visits by Inspectors
HB 430	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Seating Requirements MC 11–21
HB 432	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Draft Beer for Off-Site Consumption in Damascus MC 12–21
HB 632	FAV	Del. Beitzel	Garrett County – Alcoholic Beverages Act of 2021
HB 677	FAV	Del. Bhandari	Baltimore County – Alcoholic Beverages – Board of License Commissioners – Qualifications
HB 868	FAV	Del. Smith	Baltimore City – 45th District – Alcoholic Beverages – Class B–D–7 License
HB 880 (Emerg)	FAV	Allegany County Delegation	Allegany County – Alcoholic Beverages Licenses – Annual Fees

BILL NO.	REPORT	SPONSOR	CONTENT
HB 1018	FAV	Charles County Delegation	Charles County – Alcoholic Beverages – Class 4 Limited Winery License
HB 1059	FAV	Allegheny County Delegation	Allegheny and Garrett Counties – Alcoholic Beverages – Gift Basket Permits
HB 1108 (Emerg)	FAV	Del. Wivell	Washington County – Alcoholic Beverages – Special Event Permits for Wineries
HB 1155	FAV	Howard County Delegation	Howard County – Alcoholic Beverages – Delivery Ho. Co. 01–21
HB 1191	FAV	Howard County Delegation	Howard County – Alcoholic Beverages – Alcoholic Beverages Inspectors Ho. Co. 03–21
HB 1288	FAV	Del. Amprey	Baltimore City – 40th District Alcoholic Beverages

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 20

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 795 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Alcoholic Beverages – Repeal of Food Sales Requirement for Class B (Golf Course) License

HB0795/623195/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 795

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike beginning with “**Repeal**” in line 2 through “**Course**” in line 3; in line 3, after “**License**” insert “**Alterations**”; in line 7, after “County;” insert “authorizing the holder of a Class A beer, wine, and liquor license to sell alcoholic beverages on Sundays;”; and in line 16, after “32–1003” insert “and 32–2004(a)”.

AMENDMENT NO. 2

On page 2, after line 25, insert:

“32–2004.

(a) A holder of a Class A beer, wine, and liquor license may sell beer, wine, and liquor on Monday through [Saturday,] SUNDAY, from 6 a.m. to midnight.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 974 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – License Sanctions and Sunday
Off-Sale Permits**

PG 317–20

HB0974/743398/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 974

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “**317-20**” and substitute “**317-21**”; in line 9, after “privilege;” insert “altering a certain reinvestment requirement for an applicant for a Sunday off–sale permit; repealing the authorization for the Board to waive a certain reinvestment requirement; altering the circumstances under which the Board is required to waive a certain spending requirement for a Class B alcoholic beverages license with an off–sale privilege; requiring the Board to impose a certain fine on a certain permit holder under certain circumstances;”; in line 11, after “requirements;” insert “requiring the Board to adopt certain regulations;”; and in line 18, after “both;” insert “requiring the Board to conduct a certain study and issue a certain report to the Prince George’s County Executive, the General Assembly, and a certain legislative delegation on or before a certain date;”.

AMENDMENT NO. 2

On page 4, in line 9, strike “reinvesting” and substitute “**SPENDING**”; in lines 9 and 10, strike “in the business” and substitute “**TO REHABILITATE AND RENOVATE THE INTERIOR OR EXTERIOR OF THE LICENSED PREMISES**”; strike beginning with “(i)” in line 11 down through “(ii)” in line 12; in line 12, strike “reinvestment” and substitute “**SPENDING**”; in line 14, after “show” insert “**THROUGH RECEIPTS**”; in line 15, strike “reinvested in the business” and substitute “**SPENT TO REHABILITATE AND RENOVATE THE INTERIOR OR EXTERIOR OF THE LICENSED PREMISES**”; in line 17, after “permit” insert “**AND IMPOSE A FINE ON THE PERMIT HOLDER NOT EXCEEDING \$5,000**”; in line 18, strike “reinvestment” and substitute “**SPENDING**”; in line 20, strike “make” and substitute “**SPEND**”; in the same line, after the second “the” insert “**MONEY AS**”; in the same line, strike “reinvestment” and substitute “**, EVIDENCED BY RECEIPTS FOR WORK DONE AND INSPECTIONS OF THE LICENSED PREMISES**”; after line 24, insert:

“(G) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THE SPENDING REQUIREMENTS UNDER SUBSECTION (D) OF THIS SECTION.”;

and in line 25, strike “(g)” and substitute “**(H)**”.

On page 7, after line 27, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before January 1, 2023, the Board of License Commissioners for Prince George’s County shall conduct a study of Sunday off–sale permits to determine:

(1) how many permit holders failed to make the required reinvestment under § 26–1104(d) of the Alcoholic Beverages Article, as enacted by Section 1 of this Act; and

(2) how many times the reinvestment requirement was waived under § 26–1104(d)(2) of the Alcoholic Beverages Article, as enacted by Section 1 of this Act.

(b) On completion of the study under subsection (a) of this section, the Board shall submit a report of its findings to the Prince George’s County Executive and, in accordance with § 2–1257 of the State Government Article, the General Assembly and the Prince George’s County House Delegation of the General Assembly.”;

and in line 28, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

House Bill 979 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – BLX License

PG 318–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

House Bill 1016 – Delegate M. Fisher

AN ACT concerning

Calvert County – Alcoholic Beverages Licenses – Annual Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 44

House Bill 52 – Delegate Wells

AN ACT concerning

Real Property – Alterations in Actions for Repossession and Establishment of Eviction Diversion Program

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR COMMITTEE AMENDMENT

HB0052/122510/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 52, AS AMENDED

On page 2 of the House Judiciary Committee Amendments (HB0052/692910/1), in line 8 of Amendment No. 3, before “**THE**” insert “**NONPROFIT LEGAL SERVICES ORGANIZATIONS THAT MAY PROVIDE LEGAL ADVICE OR REPRESENTATION TO THE TENANT, AS COMPILED BY**”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 49

House Bill 1312 – Delegate Wilkins

EMERGENCY BILL

AN ACT concerning

COVID-19 Eviction and Housing Relief Act of 2021

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB1312/933629/1

BY: Delegate Morgan

AMENDMENT TO HOUSE BILL 1312, AS AMENDED

On page 4 of the House Judiciary Committee Amendments (HB1312/892718/1), in Amendment No. 3, strike in their entirety lines 6 through 10, inclusive.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 86 (See Roll Call No. 396)

FLOOR AMENDMENT

HB1312/183326/1

BY: Delegate Chisholm

AMENDMENTS TO HOUSE BILL 1312, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (HB1312/892718/1), in line 2 of Amendment No. 1, after “**Actions**” insert “**and Income Tax Credit**”; and in line 15, after “circumstances;” insert “allowing a landlord to claim a credit against the State income tax equal to a certain amount during a certain taxable year; making the credit refundable;”.

On page 3 of the bill, after line 1, insert:

“BY adding to

Article – Tax – General

Section 10–751

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 5 of the House Judiciary Committee Amendments, in line 21 of Amendment No. 3, after the period insert:

“Article – Tax – General

10–751.

(A) IN THIS SECTION, “STATE SHARE OF THE FOUNDATION PROGRAM” HAS THE MEANING STATED IN § 5–201 OF THE EDUCATION ARTICLE.

(B) IF A TENANT IN AN EVICTION PROCEEDING RAISES AN AFFIRMATIVE DEFENSE OF A SUBSTANTIAL LOSS OF INCOME DUE TO THE NEED TO MISS WORK TO CARE FOR A HOME–BOUND, SCHOOL–AGE CHILD IN ACCORDANCE WITH § 8–1003 OF THE REAL PROPERTY ARTICLE, THE LANDLORD OF THE TENANT MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX EQUAL TO THE AVERAGE STATE SHARE OF THE FOUNDATION PROGRAM DURING THE TAXABLE YEAR IN WHICH THE TENANT RAISES THE AFFIRMATIVE DEFENSE.

(C) IF THE TAX CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE TOTAL TAX OTHERWISE PAYABLE BY THE LANDLORD FOR THAT TAXABLE YEAR, THE LANDLORD MAY CLAIM A REFUND IN THE AMOUNT OF THE EXCESS.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 51 Negative – 83 (See Roll Call No. 397)

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 14

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 256 – Delegates Rosenberg, Attar, and Bridges

AN ACT concerning

Baltimore City – Alcoholic Beverages Licenses – Hours of Sale

HB0256/133993/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 256

(First Reading File Bill)

On page 2, in line 14, strike “**NORTH**” and substitute “**SOUTH**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 312 – Delegate Reilly

AN ACT concerning

Harford County – Alcoholic Beverages – Assisted Living Program License

HB0312/653199/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 312

(First Reading File Bill)

On page 3, in line 26, strike “**\$5,000**” and substitute “**\$3,500**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 428 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Alcoholic Beverages Licenses – Annual Fees

MC 19–21

HB0428/453490/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 428

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “authorizing” and substitute “requiring”; on page 1, in lines 5 and 6, in each instance, strike “reimburse” and substitute “refund”; strike beginning with “entire” in line 8 down through “annual” in line 9 and substitute “late”; and strike beginning with “and” in line 9 down through “licenses” in line 10.

AMENDMENT NO. 2

On page 1, in line 16, strike “may reimburse” and substitute “shall refund”; in line 19, strike “and”; and after line 22, insert:

“(iii) the entire amount of any late fee for any alcoholic beverages license issued by the county that permits the holder to sell alcoholic beverages for on– or off–premises consumption if the fee has been paid, and shall waive the late fee if it has not been paid; and”.

On page 2, in line 1, strike “entire amount of the annual” and substitute “late”; and in line 5, strike “reduce by one–half the amount imposed for the annual” and substitute “waive the late”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 506 – Delegate T. Branch

EMERGENCY BILL

AN ACT concerning

**Baltimore City – Alcoholic Beverages Districts – Legislative Districting Plan
References**

HB0506/153890/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 506

(First Reading File Bill)

On page 1, in line 16, strike “and (d)”.

On page 2, strike in their entirety lines 4 through 16, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 555 – Delegate Long

AN ACT concerning

**Baltimore County – Alcoholic Beverages – Class D Beer, Wine, and Liquor
Licenses**

HB0555/173092/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 555

(First Reading File Bill)

On page 1, in line 3, strike “**Licenses**” and substitute “**License**”; in line 5, strike “certain alcoholic beverages” and substitute “Class D beer, wine, and liquor”; in the same line, strike “to” and substitute “for use by”; and in the same line, after “drugstore” insert “in Baltimore County”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 572 – Delegate Clippinger

AN ACT concerning

Baltimore City – 46th District – Alcoholic Beverages Licenses

HB0572/403693/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 572

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “license;” insert “authorizing the Board of License Commissioners for Baltimore City to issue a Class B beer, wine, and liquor license in a certain area if a memorandum of understanding has been executed with Brewer’s Hill Neighbors, Inc.;”; in the same line, strike “of License Commissioners for Baltimore City”; in line 7, after “Inc.,” insert “making conforming changes; repealing the termination of certain provisions providing certain exceptions from prohibitions against certain transactions involving a certain distillery and a certain retail dealer;”; in line 12, after “12–102” insert “, 12–404,”; in line 17, after “12–1604” insert “and 12–1605(a)”; after line 19 insert:

“BY repealing and reenacting, with amendments,

Chapter 676 of the Acts of the General Assembly of 2019

Section 4

BY repealing and reenacting, with amendments,
Chapter 677 of the Acts of the General Assembly of 2019
Section 4”;

and after line 24, insert:

“12-404.

(a) Section 2-216(b) and (d) of this article does not apply to a holder of a Class 3 winery license or Class 4 limited winery license who is issued a Class A2 light wine on-sale and off-sale license with respect to the wine manufactured or bottled on the winery premises.

(b) (1) This subsection applies only to a Class 1 distillery and a retail dealer located on contiguous premises in the area commonly known as Port Covington.

(2) The Class 1 distillery:

(i) may lend a thing of value, make a gift, or offer a gratuity to the retail dealer; but

(ii) may not lend money to the retail dealer.

(3) The retail dealer:

(i) may accept, receive, or make use of a gift or an advertisement provided by the Class 1 distillery; but

(ii) may not become indebted to the distillery except for the purchase of alcoholic beverages and allied products purchased for resale.

(4) Section 2-216(d) of this article regarding advertisements does not apply to the Class 1 distillery and the licensed retailer.”.

AMENDMENT NO. 2

On page 4, in line 9, strike “and” and substitute “[and]”; and in line 17, after “restaurant” insert “; **AND**”

(VI) FOR A RESTAURANT IN UNIT G OF 3700 TOONE STREET IN WARD 26, PRECINCT 8, IF THE RESTAURANT HAS:

1. SEATING FOR AT LEAST 75 INDIVIDUALS;

2. A MINIMUM CAPITAL INVESTMENT OF \$700,000;
3. AVERAGE DAILY RECEIPTS FOR THE SALE OF FOOD THAT ARE AT LEAST 65% OF THE TOTAL DAILY RECEIPTS OF THE RESTAURANT; AND
4. HAS EXECUTED A MEMORANDUM OF UNDERSTANDING WITH BREWER’S HILL NEIGHBORS, INC”.

On page 6, after line 28, insert:

“12–1605.

(a) (1) (i) Except as otherwise provided in this subsection, a new license may not be issued for and an existing license may not be moved to a building that is within 300 feet of the nearest point of the building of a place of worship or school.

(ii) In the 45th legislative district, a new Class A license of any type may not be issued for a building that is within 500 feet of the nearest point of the building of a place of worship or school.

(2) Paragraph (1)(i) of this subsection does not apply to:

(i) a Class B beer and wine license outside the 46th legislative district;

(ii) a Class B beer, wine, and liquor license outside the 46th legislative district;

(iii) a Class B–D–7 license in the Old Goucher Revitalization District under § 12–1603(e) of this subtitle;

(iv) a Class C beer and wine license; and

(v) a Class C beer, wine, and liquor license.

(3) A license for use in a building that is within 300 feet of the grounds of a place of worship or school may be renewed or extended for the same building.

(4) (i) This paragraph applies only to an area bounded by:

1. High Street on the west, Pratt Street on the north, Central Avenue on the east, and Eastern Avenue on the south;

2. West Cross Street and Amity Street on the west, Clifford Street on the north, Scott Street on the east, and Carroll Street on the south; OR

3. Holliday Street on the west, Saratoga Street on the north, Gay Street on the east, and Lexington Street on the south]; or

4. subject to subparagraph (iii) of this paragraph, Fagley Street on the west, Gough Street on the north, Grundy Street on the east, and Chestle Place on the south].

(ii) The Board may waive the distance restrictions in paragraph (1)(i) of this subsection for an application for the transfer of a license into an area specified in subparagraph (i) of this paragraph if:

1. the application is approved by:

A. each community association representing the area;

B. each business association in the area; and

C. the ordained leader and the board or council for each place of worship that is within 300 feet of the proposed location of the establishment for which the license transfer is sought; and

2. a memorandum of understanding is executed by the applicant for the license transfer and each community association in the area.

[(iii) The Board may not issue a license in or approve the transfer of a license into the area specified in subparagraph (i)4 of this paragraph if:

1. the proposed location of the establishment is in an area that is zoned “residential”; or

2. the license to be issued or transferred is a Class A license of any type.]

Chapter 676 of the Acts of 2019

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. [Section 3 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2022, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.]

Chapter 677 of the Acts of 2019

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. [Section 3 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2022, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.]”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 679 – Delegate Rogers

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Class MT License

HB0679/423496/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 679

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “consumed;” insert “specifying that a license holder may serve a patron only a single serving of certain alcoholic beverages at a certain time;

establishing a maximum number of servings of certain alcoholic beverages that may be provided to a patron per day; prohibiting a license holder from allowing a patron to remove alcohol purchased at the movie theater from the licensed premises;”; and in line 12, after “fee;” insert “providing that a holder of an alcoholic beverages license for a movie theater may renew the license only as a Class MT (movie theater) beer and wine license;”.

AMENDMENT NO. 2

On page 2, in line 17, after “(E)” insert “(1)”; in the same line, after “LOBBY” insert “OR SCREENING AREA”; and after line 18, insert:

“(2) A LICENSE HOLDER MAY SERVE A PATRON ONLY A SINGLE SERVING OF BEER OR WINE AT A TIME, WITH A MAXIMUM OF TWO SERVINGS OF BEER OR WINE PER PATRON PER DAY.

“(3) THE LICENSE HOLDER MAY NOT ALLOW ALCOHOL PURCHASED AT THE MOVIE THEATER TO BE REMOVED FROM THE LICENSED PREMISES.”.

AMENDMENT NO. 3

On page 2, after line 23, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the holder of an alcoholic beverages license for a movie theater may renew the license only as a Class MT (movie theater) beer and wine license under § 11-1006.2 of the Alcoholic Beverages Article, as enacted by Section 1 of this Act.”;

and in line 24, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 680 – Delegate Rogers

AN ACT concerning

Anne Arundel County – Board of License Commissioners – Chief Inspector

HB0680/203799/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 680

(First Reading File Bill)

On page 2, in line 13, strike “**FULL-TIME**”; in the same line, strike “**WHOSE**” and substitute “AT AN”; and strike beginning with “**SHALL**” in line 14 down through “**15**” in line 15 and substitute “OF \$30,000”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1100 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Gift Basket Permit**HB1100/713493/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1100

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “reports;” insert “providing that a permit holder is subject to certain alcohol awareness training requirements;”.

AMENDMENT NO. 2

On page 2, in line 27, strike “**AND**”.

On page 3, in line 1, after “**BOARD**” insert “; **AND**”.

(3) IS SUBJECT TO THE ALCOHOL AWARENESS TRAINING REQUIREMENTS UNDER § 4-505 OF THIS ARTICLE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1136 – Delegate Chisholm

AN ACT concerning

Anne Arundel County – Alcoholic Beverages Licenses – Annual Fees

HB1136/903499/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1136

(First Reading File Bill)

AMENDMENT NO. 1

In line 5, after “licenses” insert “under certain circumstances”; and in the same line, before “and” insert “requiring the Board, for a certain licensing period, to reimburse a certain percentage of the annual license fee for certain alcoholic beverages licenses under certain circumstances”.

AMENDMENT NO. 2

In line 8, after the second comma insert “for the 2020–2021 licensing period, the Board of License Commissioners for Anne Arundel County shall:

(1) if funding is available from the balance of fees remitted to the county by the Comptroller under § 11–207 of the Alcoholic Beverages Article.”;

strike beginning with “for” in line 8 down through “shall” in line 9; in line 10, after the third comma insert “and”; in line 11, strike “, Class H(M), and Racetrack”; and in the same line, after “license” insert “; or

(2) if the balance of fees remitted to the county by the Comptroller under § 11–207 of the Alcoholic Beverages Article is insufficient to reimburse each license holder in the county the entire amount of the annual license fee under paragraph (1) of this section, reimburse each license holder a percentage of the annual license fee for any Class B, Class C, Class D, and Class H license, in proportion to the total amount of the balance of fees remitted to the county by the Comptroller”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1151 – Howard County Delegation

AN ACT concerning

Howard County – Class A Alcoholic Beverages Licenses – Quota by Election District

Ho. Co. 02–21

HB1151/713895/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1151

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 5 down through “county” in line 7 and substitute “authorizing the Board of License Commissioners for Howard County to issue up to six Class A licenses in each election district in the county; authorizing the Board to issue more than six Class A licenses in each election district in the county under certain circumstances; providing for the application of this Act; making stylistic changes”.

AMENDMENT NO. 2

On page 2, strike beginning with “Except” in line 2 down through “(b)” in line 5; after line 7, insert:

“(B) (1) THE BOARD MAY ISSUE UP TO SIX CLASS A LICENSES IN EACH ELECTION DISTRICT IN THE COUNTY.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD MAY ISSUE MORE THAN SIX CLASS A LICENSES IN AN ELECTION DISTRICT, PROVIDED THAT THE TOTAL NUMBER OF CLASS A LICENSES IN ANY ELECTION DISTRICT DOES NOT EXCEED ONE CLASS A LICENSE OF ANY TYPE FOR EVERY 4,000 RESIDENTS OF THE ELECTION DISTRICT, AS DETERMINED BY THE LATEST FEDERAL CENSUS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to a Class A license issued before the effective date of this Act.”;

and in line 8, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1152 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Class B Beer, Wine, and Liquor License
– Off-Premises Consumption**

Ho. Co. 04–21

HB1152/913196/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1152

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “liquor” insert “in sealed containers”.

AMENDMENT NO. 2

On page 2, in line 17, after “LIQUOR” insert “IN SEALED CONTAINERS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 398)

CALENDAR OF THIRD READING HOUSE BILLS NO. 40**House Bill 50 – Delegate Stewart**

AN ACT concerning

**Landlord and Tenant – Residential Leases – Tenant Rights and Protections
(Tenant Protection Act of 2021)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 38 (See Roll Call No. 399)

The Bill was then sent to the Senate.

House Bill 182 – Delegate Kerr

AN ACT concerning

Health Occupations – Podiatric Physicians

Delegate Pendergrass moved to make the Bill a Special Order for next session.

The motion was adopted.

House Bill 298 – Delegate Charkoudian

AN ACT concerning

Utility Regulation – Consideration of Climate and Labor

Read the third time and passed by yeas and nays as follows:

Affirmative – 94 Negative – 40 (See Roll Call No. 400)

The Bill was then sent to the Senate.

House Bill 667 – Delegate Sample–Hughes

AN ACT concerning

General Provisions – State Song – Repeal

Read the third time and passed by yeas and nays as follows:

Affirmative – 94 Negative – 38 (See Roll Call No. 401)

The Bill was then sent to the Senate.

House Bill 674 – Delegate Valentino–Smith

AN ACT concerning

Nursing Homes – Transfer of Ownership – ~~Site Visits and~~ Surveys

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 402)

The Bill was then sent to the Senate.

House Bill 945 – Delegate Carey

AN ACT concerning

Human Services – Critical Medical Needs Program – Application for Assistance

Read the third time and passed by yeas and nays as follows:

Affirmative – 126 Negative – 7 (See Roll Call No. 403)

The Bill was then sent to the Senate.

House Bill 1034 – Delegate Cullison

AN ACT concerning

Prescription Drug Affordability Board – Plan of Action – Repeal of Date for Submission

Read the third time and passed by yeas and nays as follows:

Affirmative – 120 Negative – 14 (See Roll Call No. 404)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 41**House Bill 540 – Delegate Morgan**

AN ACT concerning

Interstate Occupational Therapy Licensure Compact

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 1 (See Roll Call No. 405)

The Bill was then sent to the Senate.

House Bill 598 – Delegate Kelly

AN ACT concerning

Maryland Medical Assistance Program – Applied Behavior Analysis Services – Reimbursement

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 406)

The Bill was then sent to the Senate.

House Bill 689 – Delegate McComas

AN ACT concerning

Mental Health – Assent to and Certificates for Involuntary Admission – Licensed Certified Social Worker–Clinical and Licensed Clinical Professional Counselor

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 407)

The Bill was then sent to the Senate.

House Bill 736 – The Speaker (By Request – Administration)

EMERGENCY BILL

AN ACT concerning

Interstate Licensed Professional Counselors Compact

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 408)

The Bill was then sent to the Senate.

House Bill 983 – Delegate Lehman

EMERGENCY BILL

AN ACT concerning

**Nursing Homes – COVID–19 and Other Catastrophic Health Emergencies
– Visitation
(The Gloria Daytz Lewis Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 409)

The Bill was then sent to the Senate.

House Bill 1004 – Delegate Crosby

AN ACT concerning

**Financial Institutions – Commissioner of Financial Regulation – Credit Union
Power**

Read the third time and passed by yeas and nays as follows:

Affirmative – 101 Negative – 35 (See Roll Call No. 410)

The Bill was then sent to the Senate.

House Bill 1074 – Delegate R. Watson

AN ACT concerning

**Vehicle Laws – Commercial Motor Carriers – Safety, Inspection, Performance,
and Insurance Information
(James Cohran’s Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 122 Negative – 14 (See Roll Call No. 411)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 42

House Bill 5 – Delegate Krebs

AN ACT concerning

Cemeteries – Perpetual Care – Distribution From Perpetual Care Trust Fund

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 412)

The Bill was then sent to the Senate.

House Bill 28 – Delegates Pena–Melynk and R. Lewis

AN ACT concerning

**Public Health – Implicit Bias Training and the Office of Minority Health and
Health Disparities**

Read the third time and passed by yeas and nays as follows:

Affirmative – 99 Negative – 36 (See Roll Call No. 413)

The Bill was then sent to the Senate.

House Bill 41 – Delegate Smith

AN ACT concerning

Maryland State Bank Task Force – Establishment

Read the third time and passed by yeas and nays as follows:

Affirmative – 98 Negative – 38 (See Roll Call No. 414)

The Bill was then sent to the Senate.

House Bill 221 – Delegate Turner

AN ACT concerning

Motor Vehicle Insurance – Use of Credit History in Rating Policies

Read the third time and passed by yeas and nays as follows:

Affirmative – 102 Negative – 31 (See Roll Call No. 415)

The Bill was then sent to the Senate.

House Bill 519 – Delegate Barve

AN ACT concerning

Vehicle Equipment – Safety Glass – Replacement Standards

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 6 (See Roll Call No. 416)

The Bill was then sent to the Senate.

House Bill 860 – Delegate Gilchrist

AN ACT concerning

State Planning – Preservation of Agricultural Land – Goal

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 8 (See Roll Call No. 417)

The Bill was then sent to the Senate.

House Bill 1315 – Delegate Fraser–Hidalgo

AN ACT concerning

Motor Vehicles – Inspection Certificates – Exception

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 418)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 43**House Bill 78 – Delegates Pena–Melnyk, R. Lewis, Crutchfield, Wilkins, and Williams**

AN ACT concerning

**Public Health – Maryland Commission on Health Equity
(The Shirley Nathan–Pulliam Health Equity Act of 2021)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 39 (See Roll Call No. 419)

The Bill was then sent to the Senate.

House Bill 123 – Delegates Pena–Melnyk, R. Lewis, Stein, and Wilson

AN ACT concerning

Preserve Telehealth Access Act of 2021

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 420)

The Bill was then sent to the Senate.

House Bill 309 – Delegates Pena–Melnyk and R. Lewis

AN ACT concerning

Public Health – Data – Race and Ethnicity Information

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 6 (See Roll Call No. 421)

The Bill was then sent to the Senate.

House Bill 333 – Delegate Clark

AN ACT concerning

**Marine Contractor License – Performance of Services – Licensing Requirements
and Fees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 422)

The Bill was then sent to the Senate.

House Bill 812 – Delegate Cullison

AN ACT concerning

~~Maryland Department of Health~~ **2-1-1 Maryland – Mental Health Services
Phone Call Program
(The Thomas Bloom Raskin Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 423)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 44

House Bill 861 – Delegate Palakovich Carr

AN ACT concerning

Real Property – Landlord and Tenant – Reusable Tenant Screening Reports

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 424)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 425)

ADJOURNMENT

At 12:08 P.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 5, 2021, Calendar Day, Tuesday, March 16, 2021.

Annapolis, Maryland
Legislative Day: March 5, 2021
Calendar Day: Tuesday, March 16, 2021
10:00 A.M. Session

The House met at 10:04 A.M. and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 432)

EXCUSED:

Delegate Anderson – illness
Delegate Cox – medical
Delegate R. Lewis – personal

The Journal of March 4, 2021 was read and approved.

MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 15

Senate Bill 15 – Senator Bailey

AN ACT concerning

Firearms – Handgun Permit – Notice of Expiration and Renewal Instructions

FOR the purpose of requiring the Secretary of State Police to provide a certain notice of the impending expiration of a certain handgun permit and certain renewal instructions to a holder of a certain handgun permit at a certain time in a certain manner; ~~providing for the termination of this Act~~; and generally relating to handgun permits.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–309

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 30 – Senators Elfreth and Guzzone

AN ACT concerning

**State Finance and Procurement – Appropriation Reductions
(Board of Public Works Budget Reduction Clarification Act)**

FOR the purpose of limiting the authorization for the Governor, with the approval of the Board of Public Works, to reduce certain appropriations to not more than a certain percent of the total appropriation for any ~~line item~~ eight-digit program in the State operating budget in any fiscal year; altering the number of ~~business~~ days the Board must wait before approving a proposed reduction of an appropriation after the Secretary of Budget and Management publishes and provides certain notice of the proposed reduction; and generally relating to the State budget and the Department of Budget and Management.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–213
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 45 – Senator Patterson

AN ACT concerning

~~State Lottery and Gaming Control Agency – Gaming Study~~ **Use of Gaming
Proceeds – Studies**

FOR the purpose of requiring ~~the~~ certain units of State government, in coordination with the State Lottery and Gaming Control Agency, to conduct ~~a certain study~~ studies; requiring ~~the Agency~~ certain units of State government to report ~~its~~ their findings to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to ~~a study by the State Lottery and Gaming Control Agency~~ gaming studies by units of State government.

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 60 – Senator Peters

AN ACT concerning

State Debt – Annuity Bond Fund – Use of Bond Premiums

FOR the purpose of altering the authorized use of certain premiums transferred to the Annuity Bond Fund from the sale of State bonds to include paying for capital projects

and, under certain circumstances, any other use authorized by the Internal Revenue Code; making a conforming change; defining a certain term; and generally relating to the use of certain premiums transferred to the Annuity Bond Fund from the sale of State bonds.

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 8–125(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 8–125(e) and 8–132

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 107 – Senator Hayes

AN ACT concerning

Labor and Employment – Secure Maryland Wage Act

FOR the purpose of requiring that certain employees working at a Maryland heightened security interest location be paid a certain wage ~~or combination of certain wages or benefits~~ for certain time periods under certain circumstances; requiring certain employers to pay certain covered employees a certain supplement benefit rate in a certain manner beginning on a certain date; declaring findings of the General Assembly; specifying the purposes of certain provisions of this Act; specifying that certain provisions of this Act do not diminish certain rights of certain covered employees; requiring an employer to pay certain covered employees an overtime wage under certain circumstances; specifying that a certain agreement to work for less than a certain wage is void; prohibiting an employer from including a tip credit as part of the wage of certain covered employees; requiring an employer to allow certain covered employees to receive tips and retain all tips received; requiring and authorizing the Commissioner of Labor and Industry to create and make available certain materials for certain employers; requiring the Commissioner to provide certain materials to certain employers under certain circumstances; requiring an employer to keep posted in each place of employment certain materials in a certain manner; requiring employers to keep certain records for a certain period of time; requiring the Commissioner to take certain enforcement actions; providing for the confidentiality of certain records and statements; authorizing a certain person to file a complaint in circuit court within a certain time period under certain circumstances; requiring that a certain complaint be served on the Commissioner; requiring the court to make a certain determination under certain circumstances; authorizing

certain employees to bring a certain action under certain circumstances; authorizing the Commissioner to take certain actions regarding certain claims under certain circumstances; providing that a certain agreement is not a defense for certain purposes; requiring a court to make certain awards to certain employees under certain circumstances; prohibiting certain employers and employees from taking certain actions; establishing a certain penalty; prohibiting a certain conviction of a certain employer except under certain circumstances; requiring the Commissioner to enforce certain provisions of law; authorizing the Commissioner to conduct a certain investigation under certain circumstances; establishing an exemption under the Wage and Hour Law for a certain covered employee; establishing an exemption under the Living Wage Law for a certain covered employee; requiring the Port of Baltimore to conduct a certain study and report to the Governor and the General Assembly on or before a certain date; requiring the Maryland Aviation Administration to conduct a certain study and report to the Governor and the General Assembly on or before a certain date; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to wages paid at heightened security interest locations.

BY repealing and reenacting, with amendments,
 Article – Labor and Employment
 Section 3–102 ~~and~~ 3–403(13) and (14), and 3–419
 Annotated Code of Maryland
 (2016 Replacement Volume and 2020 Supplement)

BY adding to
 Article – Labor and Employment
 Section 3–103(m) and 3–403(15); and ~~3–1501~~ 3–1601 through ~~3–1511~~ 3–1611 to be
 under the new subtitle “Subtitle ~~15~~ 16. Secure Maryland Wage Act”
 Annotated Code of Maryland
 (2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 18–102
 Annotated Code of Maryland
 (2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 114 – Senator McCray

AN ACT concerning

Criminal Procedure – Expungement of Conviction and Subsequent Offender Penalties – Driving While Privilege Is Canceled, Suspended, Refused, or Revoked

FOR the purpose of authorizing a person to file a certain petition for expungement if the person is convicted of a certain misdemeanor involving driving while the person's license or privilege to drive is canceled, suspended, refused, or revoked; providing that a person is subject to a certain enhanced penalty for a subsequent conviction for driving while the person's license or privilege to drive is canceled, suspended, refused, or revoked only in a certain circumstance; making a technical correction; and generally relating to ~~expungement~~ driving while privilege is canceled, suspended, refused, or revoked.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–110
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–303
Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 119 – Senators Guzzone and Elfreth

AN ACT concerning

Clean Water Commerce Act of 2021

FOR the purpose of establishing the Clean Water Commerce ~~Fund as a special, nonlapsing fund~~ Account within the Bay Restoration Fund; requiring the Department of the Environment to transfer a certain amount from the ~~Bay Restoration~~ Fund to the ~~Clean Water Commerce Fund Account~~ Account for certain purposes in certain fiscal years; altering the authorized uses of the ~~Bay Restoration~~ Fund to include certain transfers to the ~~Clean Water Commerce Fund Account~~ Account; repealing a certain authorization to use funds in the ~~Bay Restoration~~ Fund for costs associated with certain nutrient or sediment load reductions; altering the membership of the Bay Restoration Fund Advisory Committee; specifying the purpose of the ~~Clean Water Commerce Fund Account~~ Account; requiring the Secretary of the Environment to administer the ~~Clean Water Commerce Fund Account~~ Account; ~~requiring the State Treasurer to hold the Clean Water Commerce Fund and the Comptroller to account for the Clean Water Commerce Fund~~; specifying the contents of the ~~Clean Water Commerce Fund Account~~ Account; specifying the purpose for which the ~~Clean Water Commerce Fund Account~~ Account may be used; limiting the use of the Account to the purchase of certain cost-effective environmental outcomes; requiring that a certain percentage of the Account be used for certain purposes in each fiscal year; specifying that a certain project may include certain environmental outcomes; providing for the disposition of certain

unencumbered money in the ~~Clean Water Commerce Fund Account~~; authorizing the Department to establish certain ~~accounts and subaccounts within the Clean Water Commerce Fund Account~~; ~~providing for the investment of money in and expenditures from the Clean Water Commerce Fund~~; ~~requiring interest earnings of the Clean Water Commerce Fund to be credited to the Clean Water Commerce Fund~~; ~~exempting the Clean Water Commerce Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State~~; prohibiting certain environmental outcomes from being resold or transferred to a certain person separately from the property on which the environmental outcome is located; requiring credit for certain reductions to be attributed to certain sectors; requiring the Department to use a certain process to invite certain funding proposals, develop and use a certain scoring system, provide each person that submits a proposal with certain information, and to publicly announce a request for proposals or otherwise initiate a certain process at least once a year; requiring the Department to require certain information to be included in a certain funding proposal; requiring the Department to announce the criteria that will be used to evaluate certain funding proposals when initiating a certain process; requiring the Department to prioritize certain factors when evaluating certain funding proposals; requiring the Department to ~~establish and implement~~ approve a certain verification process and use certain standards and processes for verifying certain environmental outcomes; establishing requirements for environmental outcomes purchased under certain provisions of this Act; authorizing a certain contract to be funded for a certain period of time; establishing requirements for ~~payment under a certain contract entered into by the Department under this Act~~; requiring the Department to ~~establish~~ maintain a certain registry and make the registry available to the public on the Department's website; authorizing a certain project ~~or~~, practice, and environmental outcome to be partially funded under this Act subject to certain conditions; requiring the ~~Department~~ Bay Restoration Fund Advisory Committee to make a certain annual report to ~~the Bay Restoration Fund Advisory Committee and, in accordance with a certain provision of law,~~ certain committees of the General Assembly; making certain conforming changes; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; defining certain terms; and generally relating to the Bay Restoration Fund and the Clean Water Commerce ~~Fund Account~~.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1605.2(a)(1) and (j)(1)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(i)(2) and (3), (j)(2), and (l)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – Environment

Section 9–1605.4

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – State Finance and Procurement~~

~~Section 6–226(a)(2)(i)~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,~~

~~Article – State Finance and Procurement~~

~~Section 6–226(a)(2)(ii) 122. and 123.~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2020 Supplement)~~

~~BY adding to~~

~~Article – State Finance and Procurement~~

~~Section 6–226(a)(2)(ii) 124.~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2020 Supplement)~~

BY repealing

Chapter 366 of the Acts of the General Assembly of 2017

Section 2 through 4

BY repealing and reenacting, with amendments,

Chapter 366 of the Acts of the General Assembly of 2017

Section 5

BY repealing

Chapter 367 of the Acts of the General Assembly of 2017

Section 2 through 4

BY repealing and reenacting, with amendments,

Chapter 367 of the Acts of the General Assembly of 2017

Section 5

Read the first time and referred to the Committee on Environment and Transportation and the Committee on Appropriations.

Senate Bill 140 – Senator Peters

AN ACT concerning

**Vehicle Laws – Commercial Motor Carriers – Safety, Inspection, Performance,
and Insurance Information
(James Cohran’s Law)**

FOR the purpose of requiring certain employers of commercial motor vehicle drivers to provide certain information to a prospective employee driver on a bona fide offer of employment; providing for the application of this Act; and generally relating to requirements for commercial motor carriers.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–803(a) and (e)
Annotated Code of Maryland
(2020 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–806
Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 190 – Senator Hough

AN ACT concerning

Firearms – Right to Purchase, Possess, and Carry – Use of Medical Cannabis

FOR the purpose of providing that a person may not be denied the right to purchase, possess, or carry a firearm solely on the basis that the person is authorized to use medical cannabis; and generally relating to firearms.

BY adding to
Article – Public Safety
Section 5–701 to be under the new subtitle “Subtitle 7. Miscellaneous”
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 263 – Senators West and Waldstreicher

AN ACT concerning

Corporations and Real Estate Investment Trusts – Miscellaneous

FOR the purpose of clarifying that the charter or bylaws of a corporation may require that any internal corporate claim be brought only in certain specified courts; repealing obsolete language on the authority of certain corporations to effect a certain reverse stock split; altering the circumstances under which certain boards of directors may remove certain officers or agents of a corporation; altering the manner in which a corporation may allow stockholders to participate in a certain meeting; authorizing a certain meeting of the stockholders to be held partially or solely by means of remote communication; repealing a requirement that, on a certain request, the board of directors provide a place for a meeting of the stockholders; prohibiting a board of directors from issuing stock authorized by an amendment before the time the amendment is effective; providing that stock issued before the time the amendment with respect to the stock is effective shall cease to be voidable at the time the amendment becomes effective; providing that a right or liability accrued by reason of the issuance of the stock before the time the amendment is effective shall be extinguished at the time the amendment becomes effective under certain circumstances; authorizing the majority of the entire board of directors to approve certain articles of amendment without action by stockholders; providing that shares issued by a real estate investment trust before the time the articles supplementary with respect to the shares are effective shall cease to be voidable at the time the articles supplementary become effective; providing that a right or liability accrued by reason of the issuance of the shares before the time the articles supplementary are effective shall be extinguished at the time the articles supplementary become effective under certain circumstances; prohibiting a board of trustees from issuing certain shares by an amendment before the time the amendment is filed with the State Department of Assessments and Taxation; providing that shares issued before the time the amendment with respect to the shares is effective shall cease to be voidable at the time the amendment becomes effective; providing that a right or liability accrued by reason of the issuance of the shares before the time the amendment is effective shall be extinguished at the time the amendment becomes effective under certain circumstances; providing that certain provisions of law authorizing stockholders to meet by remote communication apply to real estate investment trusts; repealing a duplicative provision of law; altering certain definitions; making a technical correction; making conforming changes; and generally relating to corporations and real estate investment trusts.

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 2–113, 2–309(e), 2–413, 2–502.1, 2–503(b), 2–607(a), 3–701(d) and (e), 3–702(b) and (c), 8–203(c) through (h), 8–501, and 8–601.1

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Corporations and Associations

Section 2–604(b), 3–701(a), 3–702(a), and 8–203(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – Corporations and Associations
Section 2–606.1 and 8–203(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 270 – Senators Waldstreicher and Augustine

AN ACT concerning

Crimes – Indecent Exposure – Definition

FOR the purpose of defining the term “indecent exposure” to establish that the offense of indecent exposure prohibits a person from engaging in a certain act of masturbation in public; and generally relating to the crime of indecent exposure.

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 11–107
Annotated Code of Maryland
(2012 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 293 – ~~Senator~~ Senators Waldstreicher and Carozza

AN ACT concerning

Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties

FOR the purpose of prohibiting an individual from causing the serious physical injury or death of a certain vulnerable individual as a result of the individual operating a vehicle in violation of certain provisions of the Maryland Vehicle Law; establishing certain penalties for a violation of this Act; establishing that an individual charged with a violation of this Act must appear in court and may not prepay the fine; requiring the Motor Vehicle Administration to suspend for a certain amount of time the driver’s license of an individual convicted of a violation of this Act; defining the term “vulnerable individual” for purposes of this Act; and generally relating to penalties for causing the serious physical injury or death of a vulnerable individual.

BY repealing and reenacting, without amendments,

Article – Transportation
Section 11–101 and 11–145
Annotated Code of Maryland

(2020 Replacement Volume)

BY adding to

Article – Transportation
Section 21–901.3
Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 374 – Senator Kagan

AN ACT concerning

~~Campaign Finance~~ **Maryland Public Ethics Law – Special Session of the General Assembly – Contributions Prohibited**

FOR the purpose of prohibiting ~~certain officials~~ legislators and persons acting on behalf of ~~certain officials~~ legislators from receiving, ~~soliciting~~, depositing, or using a certain contribution ~~or~~, conducting a fund-raising event, or selling or soliciting a certain ticket during a special session of the General Assembly except under certain circumstances; prohibiting legislators from intentionally scheduling a fund-raising event that coincides with a special session of the General Assembly once the special session has been announced; and generally relating to ~~campaign finance~~ the Maryland Public Ethics Law and a special session of the General Assembly.

~~BY repealing and reenacting, with amendments,~~

~~Article – Election Law
Section 13–235
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)~~

BY adding to

Article – General Provisions
Section 5–514.2
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 385 – Senator Cassilly

AN ACT concerning

Organized Retail Theft

FOR the purpose of providing that multiple thefts committed by the same person in multiple counties under one scheme or continuing course of conduct may be aggregated and prosecuted in a certain county; applying certain penalties; repealing a certain provision of law prohibiting a court from imposing certain penalties under certain circumstances; altering a certain reference to the maximum value of certain property or services applicable to misdemeanor theft; requiring a court to make a finding as to whether a certain crime is organized retail theft under certain circumstances; providing that the State has a certain burden of proving that a certain crime is organized retail theft; requiring that a certain finding become part of the court record for certain purposes under certain circumstances; making clarifying changes; repealing an improper reference; defining a certain term; and generally relating to organized retail theft.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 7–103(f)
Annotated Code of Maryland
(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–203
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to
Article – Criminal Procedure
Section 6–235
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 407 – Senator Kramer

AN ACT concerning

Electricity – Net Energy Metering – Limit

FOR the purpose of altering the statewide limit on rated generating capacity for net energy metering under a certain contract or tariff available to certain eligible customer–generators; making a conforming change; and generally relating to electricity and net energy metering.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–306(d) and 7–306.2(g)

Annotated Code of Maryland
(2020 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 414 – Senators Pinsky, Augustine, Kelley, Hettleman, Ellis, Smith, Zucker, Kagan, Patterson, Young, Hester, Feldman, Kramer, Lee, Rosapepe, Elfreth, Guzzone, Waldstreicher, Washington, Beidle, and Lam

AN ACT concerning

Climate Solutions Now Act of 2021

FOR the purpose of requiring the State to reduce statewide greenhouse gas emissions by a certain percentage from certain levels by a certain year; requiring the State to achieve net-zero statewide greenhouse gas emissions by a certain year; providing that certain net-zero energy requirements do not apply to certain public school buildings, subject to certain exceptions; requiring certain schools to be constructed to meet certain net-zero energy requirements subject to the availability of certain funding; requiring a certain school system to provide a certain notice to the Interagency Commission on School Construction; requiring certain schools to be solar-ready; requiring the State to make available a certain loan to cover certain costs incurred in constructing a new school to meet certain net-zero energy requirements, subject to the availability of certain funding; requiring the Commission on Environmental Justice and Sustainable Communities to recommend a certain methodology, develop certain recommendations, set certain goals, and make a certain report on or before a certain date; requiring the Commission on Environmental Justice and Sustainable Communities to consider certain factors in evaluating certain methodologies; requiring the Commission on Environmental Justice and Sustainable Communities to hold certain meetings and solicit certain input in carrying out its responsibilities under this Act; authorizing certain meetings to be held using teleconference or Internet-based conferencing technology under certain circumstances; requiring the Department of the Environment to require a certain landfill operator to take certain actions if certain methane emissions data acquired from aircraft observations exceeds certain ground-level emissions data; requiring the Department of the Environment to publicly disclose certain data and discrepancies on the Department of the Environment's website; requiring the Department of the Environment to submit certain plans to the Governor and the General Assembly on or before certain dates; requiring the Department of the Environment to adopt a certain final plan on or before a certain date; requiring the Department of the Environment to review and, as necessary, revise a certain plan on or before a certain date; establishing certain requirements for a certain final plan; requiring the Department of the Environment, in developing and implementing certain plans, to ensure that certain greenhouse gas emissions reduction measures incorporate certain methane emissions data and use certain best available scientific data; specifying that certain economic benefits should be compared with a no-action scenario and requiring a certain economic benefit analysis to include the social cost

of carbon, in accordance with certain requirements; specifying that certain greenhouse gas emissions reduction measures should encourage certain employment opportunities particularly in certain areas of the State; requiring the Maryland Commission on Climate Change to establish a Just Transition and Employment Retraining Working Group; providing for the composition, chair, and staffing of the Working Group; prohibiting a member of the Working Group from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Working Group to study, identify, and advise on certain matters; requiring the Working Group to report its findings to the General Assembly on or before a certain date; requiring certain reports of the Maryland Commission on Climate Change to include a certain analysis in certain years; requiring the Maryland Department of Labor to adopt regulations establishing certain energy conservation requirements for certain buildings on or before a certain date; specifying the energy use reductions that certain regulations must require certain buildings to achieve; establishing certain exceptions to certain energy conservation requirements; requiring the Maryland Department of Labor to adopt regulations requiring certain buildings to be solar-ready on or before a certain date; allowing certain regulations to authorize a local jurisdiction to waive certain solar-ready requirements under certain circumstances; authorizing a local jurisdiction to adopt certain energy conservation and solar energy requirements that are more stringent than certain requirements established by the Maryland Department of Labor; requiring certain buildings to be renovated to achieve certain energy use reductions under certain circumstances; authorizing a local jurisdiction to waive certain renovation requirements under certain circumstances; requiring the Maryland Department of Labor to adopt certain regulations relating to building renovations on or before a certain date; requiring the Maryland Department of Labor to adopt regulations directing local jurisdictions to require certain energy life cycle cost estimates for certain buildings on or before a certain date; establishing a certain exemption from certain life cycle analysis requirements; requiring certain regulations to require certain energy models to evaluate life cycle costs for certain options; requiring the consideration of certain costs when calculating certain life cycle costs; requiring certain life cycle cost estimates to be made available to the Maryland Department of Labor and taken into consideration when the State revises the Maryland Building Performance Standards or the Energy Code; requiring the Public Service Commission to require each electric company to procure or provide certain energy efficiency and conservation programs and services to its electricity customers on a certain savings trajectory for the duration of certain program cycles; altering the definition of “high performance building” for purposes of certain provisions of law; applying certain requirements regarding high performance buildings to capital projects for which at least a certain percentage of the project costs are funded with State funds; repealing a requirement that the Maryland Green Building Council develop certain guidelines for new public school buildings; requiring the Maryland Green Building Council to ensure that certain buildings, schools, and community colleges meet certain high performance building requirements and to develop guidelines for evaluating the energy balance and achieving a certain energy balance in certain buildings; establishing the intent of the General Assembly that a certain percentage of ~~light-duty vehicles~~ passenger cars in the State vehicle fleet be zero-emission vehicles by a certain year; requiring

the State to ensure that a certain minimum percentage of ~~light-duty vehicles~~ passenger cars purchased for the State vehicle fleet in certain fiscal years are zero-emission vehicles, subject to the availability of funding; requiring the Department of General Services to ensure the development of certain charging infrastructure; requiring the Chief Procurement Officer to submit a certain report to the General Assembly on or before a certain date each year; requiring certain units to cooperate with the Chief Procurement Officer in the collection and reporting of certain information; establishing the Net-Zero School Loan Fund as a special, nonlapsing fund; specifying the purpose of the Net-Zero School Loan Fund; requiring the Maryland Energy Administration to administer the Net-Zero School Loan Fund; requiring the State Treasurer to hold the Net-Zero School Loan Fund and the Comptroller to account for the Net-Zero School Loan Fund; specifying the contents of the Net-Zero School Loan Fund; specifying the purpose for which the Net-Zero School Loan Fund may be used; providing for the investment of money in and expenditures from the Net-Zero School Loan Fund; requiring interest earnings of the Net-Zero School Loan Fund to be credited to the Net-Zero School Loan Fund; exempting the Net-Zero School Loan Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; requiring a certain amount of certain proceeds received by the Maryland Strategic Energy Investment Fund to be allocated to the Maryland Healthy Soils Program in certain fiscal years; requiring a certain amount of certain proceeds received by the Maryland Strategic Energy Investment Fund to be credited to a climate solutions account to be used for certain purposes in certain fiscal years, under certain circumstances; limiting the amount of money that may be deposited to the climate solutions account; requiring the Maryland Energy Administration to prioritize the allocation of certain funds in a certain order under certain circumstances; prohibiting the ~~Motor Vehicle~~ Maryland Transit Administration from entering into a contract to purchase buses for the Administration's State transit bus fleet that are not zero-emission buses beginning in a certain fiscal year, subject to a certain exception; requiring the full cost of certain zero-emission and alternative-fuel buses to be paid from the Transportation Trust Fund; requiring the Maryland Transit Administration to ensure the development of certain charging infrastructure; requiring the ~~Motor Vehicle~~ Maryland Transit Administration to make a certain annual report to certain committees of the General Assembly on or before a certain date; specifying the contents of a certain report; exempting certain personal property that is part of a certain community solar energy generating system from county or municipal corporation property tax under certain circumstances; requiring a certain landowner who enrolls in the Conservation Reserve Enhancement Program in certain fiscal years to receive a certain signing bonus; requiring certain signing bonuses to be funded in a certain manner; establishing the policy of the State to support and encourage certain tree-planting efforts, with a goal of planting and helping to maintain in the State a certain number of sustainable trees of species native to the State by the end of a certain year; specifying that this goal is in addition to certain trees projected to be planted under certain programs and includes certain tree plantings accomplished through certain State programs and private efforts; establishing the intent of the General Assembly that a certain minimum number of trees should be planted in certain underserved areas; making the Department of the

Environment responsible for tracking the State's progress toward meeting certain tree-planting goals and requiring the Department of the Environment to serve as the lead agency to receive certain data; establishing a 5 Million Tree Program Coordinator within the Department of the Environment; establishing the responsibilities of the Program Coordinator and requiring the Program Coordinator to consolidate certain data and make a certain report to certain committees of the General Assembly on or before a certain date each year; requiring the Governor to formally pledge the State's commitment to achieving certain tree-planting goals through the U.S. Chapter of the World Economic Forum's One Trillion Trees Initiative; requiring a certain amount from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to be used for certain purposes in certain fiscal years; requiring the BayStat Subcabinet agencies to distribute certain funds through grants to the Green Shores Program; establishing an Urban Trees Program administered by the Chesapeake Bay Trust; providing for the purpose of the Urban Trees Program; requiring the Trust to make grants to qualified organizations for certain purposes; specifying certain eligible Program expenses for the Urban Trees Program; providing for the funding of the Urban Trees Program; requiring the Trust to seek certain funds, grants, and donations for the purpose of the Urban Trees Program; requiring a certain grant agreement to specify the allowed uses of certain funds and include provisions for the verification of certain information; requiring the Trust to report certain information concerning certain grant awards to the Department of Natural Resources and the Department of the Environment on or before a certain date each year; requiring the Department of the Environment to make certain transfers from the Bay Restoration Fund for certain purposes in certain fiscal years, after funding certain eligible costs; establishing certain authorizations and restrictions regarding the distribution and use of certain funds transferred to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; providing that certain funds transferred from the Bay Restoration Fund are supplemental to and may not take the place of certain other funding; establishing the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings; providing for the composition, chair, and staffing of the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings; prohibiting a member of the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings to study and make recommendations regarding certain matters; requiring the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the Governor to appropriate a certain amount per fiscal year from the climate solutions account of the Strategic Energy Investment Fund to the Net-Zero School Loan Fund in certain fiscal years, subject to the availability of funding in the climate solutions account; defining certain terms; altering certain definitions; providing for the application of certain provisions of this Act; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act;

making certain provisions of this Act subject to a certain contingency; and generally relating to climate change and measures to combat climate change.

BY renumbering

Article – Environment

Section 2–1204.2

to be Section 2–1204.3

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–312

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 1–701(a) and (h), 2–1201(4), 2–1204.1, 2–1205, 2–1206, 2–1210, 2–1303(a),
and 2–1304

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 1–701(b) and (c)

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY adding to

Article – Environment

Section 1–702, 2–407, 2–1204.2, 2–1212, and 2–1303.1

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 12–501

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety

Section 12–511 through 12–513

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–211(g)
Annotated Code of Maryland
(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602.1, 4–809(f), and 6–226(a)(2)(ii)122. and 123.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)124. and 14–417
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Government
Section 9–2010
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–20B–05(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–20B–05(g)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY adding to
Article – Transportation
Section 7–406
Annotated Code of Maryland
(2020 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–237
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to
Article – Agriculture
Section 8–706
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 8–2A–02(a), 8–2A–04(a), and 8–1901
Annotated Code of Maryland
(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–2A–02(f) and 8–2A–04(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2020 Supplement)

BY adding to
Article – Natural Resources
Section 8–1911
Annotated Code of Maryland
(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(i)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(i)(2)(xii) and (xiii)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY adding to
Article – Environment
Section 9–1605.2(i)(2)(xiv) and (11)
Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1605.2(i)(1)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(i)(2)(xi) and (xii)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

BY adding to

Article – Environment

Section 9–1605.2(i)(2)(xiii) and (10)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

Read the first time and referred to the Committee on Environment and Transportation and the Committee on Economic Matters.

Senate Bill 433 – Senator King

AN ACT concerning

~~Community Colleges~~ **Institutions of Higher Education – State Funding – Revision**

FOR the purpose of specifying that a certain appropriation calculated under the Senator John A. Cade Funding Formula ~~and~~, a certain appropriation for Baltimore City Community College, and a certain appropriation for certain private nonprofit institutions of higher education include appropriations, regardless of where they are budgeted, designated for the general operation of 4–year public institutions of higher education in the State; and generally relating to State appropriations for ~~community colleges~~ institutions of higher education.

BY repealing and reenacting, without amendments,

Article – Education

Section 16–305(a) and (c)(1)(i)11. through 13. and 16–512(a)(1)(xii) through (xiv)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 16–305(c)(1)(ii) ~~and~~, 16–512(a)(2), and 17–104(d)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 501 – Senator Beidle

AN ACT concerning

**Towing or Removal of Vehicles From Parking Lots – Placement of Signs –
Regional Malls**

FOR the purpose of altering the standards for signage for a regional mall parking lot by requiring that, before being authorized to tow or remove a vehicle, the owner or operator of the parking lot place certain signs at each entrance to the parking lot; defining a certain term; and generally relating to signs regarding the towing and removal of vehicles from regional mall parking lots.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–10A–02
Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 563 – Senator Griffith

AN ACT concerning

Local Health Departments – Funding

FOR the purpose of specifying the amount of funding required to be included in the State budget for local health services for certain fiscal years; altering the purposes for which local health department funding may be used; prohibiting certain State funding to a subdivision for local health services from being less than the subdivision received in a certain fiscal year; repealing obsolete provisions of law; requiring the Maryland Department of Health to conduct a certain evaluation regarding local health departments on or before a certain date; requiring the Department to consult with certain entities when conducting the evaluation; requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date; defining a certain term; and generally relating to local health departments.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 2–301, 2–303, and 2–305
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 2–302 and 2–304
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 612 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bond

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$48,450,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency–related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like paramount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

Read the first time and referred to the Committee on Appropriations.

Senate Bill 642 – ~~Senator Elfreth~~ Senators Elfreth (Chair, Joint Committee on Pensions) and Jackson

AN ACT concerning

**State Retirement and Pension System – COVID–19–Related Death Benefits
– Clarification**

FOR the purpose of clarifying the eligibility of certain members of the State Retirement and Pension System for certain death benefits; requiring the Board of Trustees for the State Retirement and Pension System to accept the death of a member as arising out of or in the course of the actual performance of duty under certain circumstances; requiring the Board to accept certain information as proof of when a member contracted COVID–19; requiring the Board to accept certain information as proof that COVID–19 caused or contributed to the death of a member; authorizing certain individuals who have received certain death benefits prior to this Act taking effect to apply for certain death benefits under this Act; requiring the Board to recover certain death benefit payments under certain circumstances; providing for the method of the recovery of the benefits; prohibiting the recovery of the benefits from reducing a death benefit allowance below a certain amount; requiring the Board, under certain circumstances, to discontinue payment of a certain allowance and begin payment of a certain special death benefit allowance at a certain time; authorizing the Board to refer a claim under this Act to a medical board; clarifying that a special death benefit awarded in accordance with this Act is a benefit in the nature of a worker’s compensation act for certain taxation purposes; requiring the State Retirement Agency to report certain information regarding death benefits administered in accordance with this Act by certain dates; providing for the application of this Act; providing for the termination of this Act; defining certain terms; and generally relating to clarifying the administration of death benefits in the State Retirement and Pension System.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 20–101(a), (j), and (z)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 643 – Senator Hough

AN ACT concerning

**Correctional Services – Division of Parole and Probation – Definition of
Absconding**

FOR the purpose of altering a certain definition of “absconding” to include leaving a certain treatment facility without the permission of a certain administrator; and generally relating to the Division of Parole and Probation.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 6–101(a)
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 6–101(b)
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 656 – Senator Salling

AN ACT concerning

**Maryland Veterans Trust Fund – CAM for Veterans Grant Program –
Established
(David Perez Military Heroes Act (End 22 a Day))**

FOR the purpose of establishing the CAM for Veterans Grant Program; providing for the purpose of the Program; requiring the Maryland Veterans Trust to implement and administer the Program; requiring the Trust to expend money from the Maryland Veterans Trust Fund to provide grants for the Program; requiring the Secretary of Veterans Affairs to adopt certain regulations; and generally relating to the CAM for Veterans Program and the Maryland Veterans Trust Fund.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–913
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–914.2
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Government
Section 9–914.4
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 660 – Senator Guzzone

AN ACT concerning

State Lottery Fund – Maryland Humanities Council – Funding

FOR the purpose of repealing certain provisions of law requiring the Comptroller to pay from the Racing Special Fund a certain grant to a certain entity; requiring the Comptroller to pay a certain amount of money from the State Lottery Fund to a certain entity to be used for certain purposes; making certain technical corrections; and generally relating to the State Lottery Fund and the Maryland Humanities Council.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 11–403(a)(9)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–120(b)(1)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 671 – Senator Waldstreicher

AN ACT concerning

Criminal Procedure – Charging Procedures – Citations

FOR the purpose of altering the circumstances under which a police officer is required to charge by citation; altering the categories of offenses for which a police officer is authorized to charge by citation; altering the circumstances under which a police officer is authorized to charge by citation; adding a citation for an incarcerable crime as a document that may accompany a certain application for requisition; requiring the Maryland Police Training and Standards Commission, in consultation with the Anne Arundel County Police Academy, to develop and maintain a certain training and certification curriculum for a certain purpose; and generally relating to charging procedures.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 4–101(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 4–101(c) and 9–123
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–201(a) and (b)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to
Article – Public Safety
Section 3–207(j)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 680 – Senator Jennings

AN ACT concerning

Teachers' Pension System – Vested Allowance – Break in Service State Retirement and Pension System – Administration of Benefits – Clarification

FOR the purpose of providing that certain vested former members of the Teachers' Pension System of the State Retirement and Pension System who meet certain criteria may commence receipt of a vested allowance while continuing certain employment with certain participating employers; requiring the Board of Trustees for the State Retirement and Pension System to accept certain forms that were timely submitted; requiring certain individuals to submit a certain affidavit regarding the submission of a certain form; providing that certain individuals are entitled to certain benefits on a certain determination by the Board of Trustees; requiring an allowance provided under this Act to be adjusted to a certain actuarial equivalent; requiring the State Retirement Agency to submit a report on ordinary disability retirement applications and allowances on or before a certain date; and generally relating to retirement from

~~the Teachers' Pension System~~ the administration of benefits in the State Retirement and Pension System.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 21–113(a) and 29–303(b)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 720 – Senator Zucker

AN ACT concerning

Education – Maryland School for the Blind – Pay Plan

FOR the purpose of requiring a certain pay plan for teachers and professional personnel at the Maryland School for the Blind; requiring the Secretary of Budget and Management to establish the pay plan that includes certain information after considering recommendations by the Board of Directors of the Maryland School for the Blind; requiring the Board to review certain salaries in determining pay plan recommendations; requiring the Board to submit certain recommendations to the Secretary on or before a certain date; requiring the Secretary to adjust the pay plan under certain circumstances; requiring the Board to review certain salaries and make certain recommendations to the Secretary; requiring the Secretary to review certain recommendations prior to a certain occurrence; requiring the Secretary to incorporate certain adjustments into the budget recommendations for the Governor's review and approval for inclusion in the annual budget request; and generally relating to the Maryland School for the Blind.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–308
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 761 – Senator Elfreth

AN ACT concerning

~~Alcohol and Tobacco Commission – Executive Director – Clarification~~
State Retirement and Pension System – Executive Directors – Membership and Vesting

FOR the purpose of requiring the Executive Director of the Alcohol and Tobacco Commission to be a sworn police officer with certain powers; specifying that the Executive Director is a member of the Law Enforcement Officers' Pension System as a condition of employment; providing that an individual who commences employment as the Executive Director of the State Retirement Agency on or after a certain date shall have immediate vesting rights in the Employees' Pension System; requiring the Board of Trustees for the State Retirement and Pension System to transfer certain service earned under certain circumstances; requiring the Board of Trustees to transfer certain employer and member contributions from the Employees' Pension System to the Law Enforcement Officers' Pension System; requiring the State Retirement Agency to submit a certain report on or before a certain date on immediate vesting for certain positions; and generally relating to ~~the Executive Director of the Alcohol and Tobacco Commission~~ membership and vesting in the State Retirement and Pension System for certain Executive Directors.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 1–302 and 1–313(b)(2)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 1–309(c)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 26–101 and 26–202(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–201(a)(20) and (21) and 29–304
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 26–201(a)(22)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 777 – Senators Elfreth, Augustine, Ferguson, Beidle, Washington, Feldman, Jackson, Guzzone, Griffith, Eckardt, and Waldstreicher

AN ACT concerning

Public Health – Maryland Prenatal and Infant Care Grant Program Fund

FOR the purpose of renaming the Maryland Prenatal and Infant Care Coordination Services Grant Program Fund to be the Maryland Prenatal and Infant Care Grant Program Fund; altering the purpose of the Fund to include making grants to federally qualified health centers, hospitals, and certain providers to increase access to prenatal care; requiring the Governor to include in the annual budget bill certain appropriations for the Fund; altering the types of grants for which the Fund may be used to include grants to federally qualified health centers, hospitals, and certain providers to provide and promote certain care; requiring the Secretary of Health to consult with the Maternal and Child Health Bureau in the Maryland Department of Health to establish certain procedures; altering the proposals from counties or municipalities that are required to receive priority in the awarding of certain grants; requiring that priority for awarding grants under certain provisions of this Act be given to certain proposals; requiring the Secretary, in coordination with the Bureau, to award certain grants to federally qualified health centers, hospitals, and providers of prenatal care that propose a certain program; authorizing a federally qualified health center, hospital, or provider of prenatal care that receives a certain grant to use the funding to promote and market the proposed program; ~~prohibiting the amount of a certain grant from exceeding a certain percentage of a certain cost~~ authorizing the Secretary to require an applicant to provide certain funds or contributions as a condition of receiving a certain grant; requiring the Secretary to distribute at least a certain amount in total grants for certain fiscal years; requiring the Secretary to ensure that certain grants awarded under a certain program are used for certain purposes; requiring the Secretary to submit to the Governor and the General Assembly a certain report on or before a certain date each year; repealing an obsolete provision of law; altering a certain definition; defining certain terms; making conforming and technical changes; and generally relating to the Maryland Prenatal and Infant Care Grant Program Fund.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–301(a) and (f), 24–1503, and 24–1505
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–1501, 24–1502, and 24–1504 to be under the amended subtitle “Subtitle 15. Maryland Prenatal and Infant Care Grant Program Fund”
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – Health – General
Section 24–1506
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)106.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 794 – Wicomico County Senators

AN ACT concerning

Wicomico County – Property Tax Credit – Hotel or Residential Development

FOR the purpose of authorizing the governing body of Wicomico County or the governing body of a municipal corporation in Wicomico County to grant a property tax credit against the county or municipal corporation property tax imposed on real property that is used for certain hotel or residential development projects; authorizing the governing body of Wicomico County or the governing body of a municipal corporation in Wicomico County to provide for certain matters relating to the property tax credit; providing for the application of this Act; and generally relating to a property tax credit for hotel or residential development in Wicomico County.

BY adding to

Article – Tax – Property
Section 9–324(d)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 834 – Senator Smith

AN ACT concerning

Harassment and Sexual Harassment – Definitions – Employment Discrimination and Sexual Harassment Prevention Training

FOR the purpose of altering the definition of “harassment” for purposes of certain provisions relating to discrimination in employment to include certain conduct,

~~whether or not the conduct would be considered sufficiently~~ which need not be severe or pervasive ~~under precedent applied to harassment claims~~; defining “sexual harassment” for purposes of certain provisions relating to discrimination in employment to include certain conduct, ~~whether or not the conduct would be considered sufficiently~~ which need not be severe or pervasive ~~under precedent applied to sexual harassment claims~~; altering the definition of “sexual harassment” for certain provisions relating to State government sexual harassment prevention training; and generally relating to the definitions of harassment and sexual harassment.

BY repealing and reenacting, without amendments,

Article – State Government
Section 20–601(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 20–601(h)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Government
Section 20–601(k)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 2–203.1(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 861 – Senator Bailey

AN ACT concerning

St. Mary’s County – Public Facilities Bond

FOR the purpose of authorizing and empowering the County Commissioners of St. Mary’s County, from time to time, to borrow not more than \$30,000,000 in order to finance the construction, improvement, or development of certain public facilities in St. Mary’s County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like paramount;

empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

Read the first time and referred to the Committee on Appropriations.

Senate Bill 882 – Senator Guzzone

AN ACT concerning

Operating Budget – Education Programs – Mandated Funding

FOR the purpose of requiring the Governor to include in the annual budget bill for a certain fiscal year an appropriation of at least a certain amount for certain education programs, plus a certain additional amount; and generally relating to mandated funding for education programs in the State budget.

Read the first time and referred to the Committee on Appropriations.

QUORUM CALL

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 433)

CALENDAR OF THIRD READING HOUSE BILLS NO. 45

House Bill 34 – Delegate Rosenberg

EMERGENCY BILL

AN ACT concerning

State Department of Education and Maryland Department of Health – Maryland School-Based Health Center Standards – Telehealth

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 0 (See Roll Call No. 434)

The Bill was then sent to the Senate.

House Bill 432 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Draft Beer for Off-Site
Consumption in Damascus**

MC 12–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 0 (See Roll Call No. 435)

The Bill was then sent to the Senate.

House Bill 632 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages Act of 2021

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 0 (See Roll Call No. 436)

The Bill was then sent to the Senate.

House Bill 714 – Delegate Guyton

AN ACT concerning

Special Education – Learning Continuity Plan – Requirement

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 0 (See Roll Call No. 437)

The Bill was then sent to the Senate.

House Bill 780 – Delegate Kerr

AN ACT concerning

Maryland Health Benefit Exchange – State-Based Young Adult Health Insurance Subsidies Pilot Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 93 Negative – 37 (See Roll Call No. 438)

The Bill was then sent to the Senate.

House Bill 1016 – Delegate M. Fisher

AN ACT concerning

Calvert County – Alcoholic Beverages Licenses – Annual Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 0 (See Roll Call No. 439)

The Bill was then sent to the Senate.

House Bill 1210 – The Speaker

AN ACT concerning

Corporate Diversity – Board, Executive Leadership, and Mission

Read the third time and passed by yeas and nays as follows:

Affirmative – 92 Negative – 40 (See Roll Call No. 440)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 46

House Bill 72 – Delegate Anderton

AN ACT concerning

County Boards of Education – Student Transportation – Vehicles and Report

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 441)

The Bill was then sent to the Senate.

House Bill 256 – Delegates Rosenberg, Attar, and Bridges

AN ACT concerning

Baltimore City – Alcoholic Beverages Licenses – Hours of Sale

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 442)

The Bill was then sent to the Senate.

House Bill 430 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Seating Requirements

MC 11–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 129 Negative – 4 (See Roll Call No. 443)

The Bill was then sent to the Senate.

House Bill 461 – Delegate Washington

AN ACT concerning

Public Schools – Student Attendance – Excused Absences for Mental Health Needs

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 1 (See Roll Call No. 444)

The Bill was then sent to the Senate.

House Bill 555 – Delegate Long

AN ACT concerning

**Baltimore County – Alcoholic Beverages – Class D Beer, Wine, and Liquor
Licenses License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 445)

The Bill was then sent to the Senate.

House Bill 646 – Delegate Valentino–Smith

AN ACT concerning

**Child Abuse and Neglect – Memorandum of Understanding With Military
Family Advocacy Program**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 446)

The Bill was then sent to the Senate.

House Bill 880 – Allegany County Delegation

EMERGENCY BILL

AN ACT concerning

Allegany County – Alcoholic Beverages Licenses – Annual Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 0 (See Roll Call No. 447)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 47

**House Bill 278 – Delegates Feldmark, Palakovich Carr, R. Lewis, Solomon,
Terrasa, Hill, and Ebersole**

AN ACT concerning

**Economic Development – Job Creation Tax Credit – Qualified Position and
Revitalization Area**

Read the third time and passed by yeas and nays as follows:

Affirmative – 93 Negative – 39 (See Roll Call No. 448)

The Bill was then sent to the Senate.

House Bill 679 – Delegate Rogers

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Class MT License

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 449)

The Bill was then sent to the Senate.

House Bill 701 – Delegate McComas

AN ACT concerning

Child Abuse and Neglect – Training of Health Care Professionals

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 450)

The Bill was then sent to the Senate.

House Bill 795 – Wicomico County Delegation

AN ACT concerning

**Wicomico County – Alcoholic Beverages – ~~Repeal of Food Sales Requirement for~~
~~Class B (Golf Course) License Alterations~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 451)

The Bill was then sent to the Senate.

House Bill 868 – Delegate Smith

AN ACT concerning

Baltimore City – 45th District – Alcoholic Beverages – Class B–D–7 License

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 452)

The Bill was then sent to the Senate.

House Bill 979 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – BLX License

PG 318–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 453)

The Bill was then sent to the Senate.

House Bill 1191 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Alcoholic Beverages Inspectors

Ho. Co. 03–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 454)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 48**House Bill 506 – Delegate T. Branch**

EMERGENCY BILL

AN ACT concerning

**Baltimore City – Alcoholic Beverages Districts – Legislative Districting Plan
References**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 455)

The Bill was then sent to the Senate.

House Bill 654 – Delegate Qi

AN ACT concerning

**Maryland Small Business Innovation Research and Technology Transfer
Incentive Program – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 456)

The Bill was then sent to the Senate.

House Bill 745 – Delegate Luedtke

AN ACT concerning

Election Law – Early Voting Centers – ~~Number Required~~

Read the third time and passed by yeas and nays as follows:

Affirmative – 100 Negative – 36 (See Roll Call No. 457)

The Bill was then sent to the Senate.

House Bill 759 – Delegate Kaiser

AN ACT concerning

**Election Law – ~~Postelection Tabulation Audits – Risk-Limiting Audits~~
Risk-Limiting Audits Workgroup**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 458)

The Bill was then sent to the Senate.

House Bill 1059 – Allegany County Delegation and Garrett County Delegation

AN ACT concerning

Allegany and Garrett Counties – Alcoholic Beverages – Gift Basket Permits

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 459)

The Bill was then sent to the Senate.

House Bill 1136 – Delegate Chisholm

AN ACT concerning

Anne Arundel County – Alcoholic Beverages Licenses – Annual Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 460)

The Bill was then sent to the Senate.

House Bill 1152 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Class B Beer, Wine, and Liquor License
– Off-Premises Consumption**

Ho. Co. 04–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 461)

The Bill was then sent to the Senate.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 10
CONSENT NO. 42**

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably on all of the following bills:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 604	FAV	Del. Kipke	Funeral Establishments and Crematories – Unclaimed Remains of Veterans – Notification, Disposition, and Reporting
HB 660	FAV	Del. Chisholm	Maryland Veterans Service Animal Program – Definitions
HB 871	FAV	Del. Charles	Consolidation of the Procurement Improvement Council and the Council for the Procurement of Health, Educational, and Social Services
HB 1243	FAV	Del. Sample–Hughes	Behavioral Health Services and Voluntary Placement Agreements – Children and Young Adults – Report Modifications

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 15

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 16 – Delegate Stewart

AN ACT concerning

Correctional Services – Immigration Detention – Prohibition (Dignity Not Detention Act)

HB0016/412715/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 16
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “stating certain findings of the General Assembly;”; and in line 19, strike “and 1–103”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 17 on page 3 through line 8 on page 4, inclusive.

On page 4, in line 9, strike “~~1–103.~~” and substitute “1–102.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for next session.

The motion was adopted.

JUDICIARY COMMITTEE REPORT NO. 16

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 18 – Delegates W. Fisher, Rosenberg, Stewart, and Wilkins

AN ACT concerning

Landlord and Tenant – Eviction Action – Right to Counsel

HB0018/462517/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 18
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Eviction Action**” and substitute “**Residential Tenants**”; in line 4, strike “position of”; in line 5, strike “Coordinator in the Office of the

Attorney General” and substitute “Program”; in line 6, strike beginning with the first comma through “Coordinator” and substitute “of the Program; requiring the Maryland Legal Services Corporation to administer the Program; requiring the Maryland Legal Services Corporation, under the Program, to provide access to legal representation to certain individuals in eviction proceedings under certain circumstances; providing exceptions to the Program”; strike beginning with “requiring” in line 6 down through “individuals;” in line 10; strike beginning with “requiring” in line 12 down through “purpose;” in line 13; strike beginning with the first comma in line 14 down through “report” in line 15; in line 17, after “composition” insert “, staffing,”; in line 20, after “matters;” insert “requiring the Task Force to report to the Governor and the General Assembly on or before a certain date;”; in line 21, after “Evictions” insert “Special”; in lines 22 and 23, strike “Right to Counsel in Evictions Coordinator” and substitute “Maryland Legal Services Corporation”; and in line 26, after “Fund;” insert “requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State;”.

On page 1 in lines 10, 13, and 29 and on page 2 in line 1, in each instance, strike “Coordinator” and substitute “Maryland Legal Services Corporation”.

On page 2, after line 9, insert:

“BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020 and Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)128. and 129.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020 and Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)130.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020 and Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021).

AMENDMENT NO. 2

On page 3, strike in their entirety lines 9 and 10; in line 11, strike “(D)” and substitute “(C)”; in line 16, after “INCOME” insert “, **ADJUSTED FOR HOUSEHOLD SIZE,**”; strike in their entirety lines 19 through 21, inclusive; in line 22, after “EVICTIONS” insert “**SPECIAL**”; in lines 22 and 23, strike “(F)” and “(G)”, respectively, and substitute “(D)” and “(E)”, respectively; and after line 25, insert:

“(F) **“MLSC” MEANS THE MARYLAND LEGAL SERVICES CORPORATION.**

“(G) **“PROGRAM” MEANS THE RIGHT TO COUNSEL IN EVICTIONS PROGRAM.**”.

AMENDMENT NO. 3

On page 4, in lines 3 and 4, strike “COORDINATOR IN THE OFFICE OF THE ATTORNEY GENERAL” and substitute “**PROGRAM ADMINISTERED BY MLSC**”; in line 5, strike “COORDINATOR” and substitute “**PROGRAM**”; and strike in their entirety lines 9 through 14, inclusive; in line 16, strike “THE COORDINATOR” and substitute “**UNDER THE PROGRAM, MLSC**”; in line 19, strike “THE DESIGNATED ORGANIZATION” and substitute “**MLSC**”; in line 21, strike “OR TERMINATE THE TENANCY OR HOUSING SUBSIDY OF”; and in lines 23 and 24, strike “SECTIONS OF THIS SUBTITLE” and substitute “**PROVISIONS OF THIS ARTICLE**”.

AMENDMENT NO. 4

On page 5, in line 4, after “8–216” insert “**OF THIS SUBTITLE**”; in line 7, strike “THE COORDINATOR” and substitute “**UNDER THE PROGRAM, MLSC**”; strike beginning with “A” in line 10 down through “(II)” in line 12; in line 13, strike “(III)” and substitute “(II)”; in the same line, strike “A DESIGNATED ORGANIZATION” and substitute “**MLSC**”; in line 18, strike “A DESIGNATED ORGANIZATION” and substitute “**UNDER THE PROGRAM, MLSC**”; in line 21, strike “THE DESIGNATED ORGANIZATION” and substitute “**MLSC**”; in line 23, strike “THE DESIGNATED ORGANIZATION” and substitute “**MLSC**”; strike in

their entirety lines 25 through 27, inclusive; and in line 29, strike “**THE COORDINATOR**” and substitute “**MLSC**”.

On page 6, in line 16, strike “**THE COORDINATOR**” and substitute “**MLSC**”; in line 21, strike “**(A)**”; and in lines 21 and 22, strike “**THE OFFICE OF THE COORDINATOR**” and substitute “**MLSC**”.

On pages 6 and 7, strike in their entirety the lines beginning with line 29 on page 6 through line 2 on page 7, inclusive.

AMENDMENT NO. 5

On page 7, in line 6, after “**THE**” insert “**OFFICE OF THE**”; in the same line, strike “**MAY**” and substitute “**SHALL**”; in lines 7, 9, 10, and 11, in each instance, strike “**REPRESENTATIVES**” and substitute “**AT LEAST TWO REPRESENTATIVES**”; in line 11, strike “**AND**”; in line 12, after “**CITIZENS**” insert “**; AND**”

(VI) AT LEAST TWO REPRESENTATIVES OF LANDLORDS;

after line 17, insert:

“(D) THE OFFICE OF THE ATTORNEY GENERAL SHALL PROVIDE STAFF FOR THE TASK FORCE.”;

in lines 18 and 23, strike “**(D)**” and “**(E)**”, respectively, and substitute “**(E)**” and “**(F)**”, respectively; and strike beginning with the comma in line 24 down through “**GROUPS**” in line 26.

On page 8, after line 3, insert:

“(G) ON OR BEFORE JANUARY 1, 2022, AND EACH YEAR THEREAFTER, THE TASK FORCE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.”;

in line 4, strike “**(F)**” and substitute “**(H)**”; in line 7, after “**EVICTIONS**” insert “**SPECIAL**”; in line 11, strike “**THE COORDINATOR**” and substitute “**MLSC**”; after line 17, insert:

“(2) INTEREST EARNINGS OF THE FUND;”;

in line 19, strike “(2)” and substitute “(3)”; in lines 22 and 23, strike beginning with “A” in line 22 down through “GROUP” in line 23 and substitute “MLSC”; in lines 23 and 24, strike beginning with “RIGHT” in line 23 down through “PROCEEDINGS” in line 24 and substitute “PROGRAM”; and in line 26, after the semicolon insert “AND”.

On page 9, in line 14, strike “GENERAL FUND OF THE STATE” and substitute “FUND”.

On pages 8 and 9, strike beginning with “IF” in line 27 on page 8 down through “(4)” in line 6 on page 9.

AMENDMENT NO. 6

On page 9, in line 22, strike “THE COORDINATOR” and substitute “MLSC”; and in line 23, strike “AFTER CONSULTATION WITH THE TASK FORCE”.

On page 10, in line 6, strike “THE COORDINATOR” and substitute “MLSC”; and in line 10, strike “THE COORDINATOR” and substitute “MLSC”.

AMENDMENT NO. 7

On page 10, after line 11, insert:

“Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

128. the Michael Erin Busch Sports Fund; [and]

129. the Coordinated Community Supports Partnership Fund;

AND

130. THE RIGHT TO COUNSEL IN EVICTIONS SPECIAL FUND.”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Buckel moved to make the Bill a Special Order for next session.

The motion was adopted.

JUDICIARY COMMITTEE REPORT NO. 14

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1187 – Delegate Clippinger

AN ACT concerning

Juvenile Law – Juvenile Justice Reform

HB1187/802017/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1187

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, after “circumstances;” insert “repealing a provision of law prohibiting the continuation of detention beyond emergency detention for a certain child except under certain circumstances;”; and in line 27, after “circumstances;” insert “repealing provisions of law authorizing a certain child to be committed to the Department of Juvenile Services for out-of-home placement under certain circumstances;”.

On pages 1 and 2, strike beginning with “authorizing” in line 31 on page 1 down through “exception;” in line 2 on page 2.

On page 2, in line 7, after “Assembly;” insert “requiring the Governor to include in the annual budget bill an appropriation for a certain grant;”; in line 13, after “Assembly;” insert “prohibiting the chair of the Council from being employed by or under contract with the Department of Juvenile Services;”; in line 20, strike “altering certain definitions;”; strike in their entirety lines 23 through 27, inclusive; in line 30, strike “3–8A–01(l) and (dd),”; in the same line, after “3–8A–15(b)” insert “, (f) through (k).”; in line 31, strike “(3)(i), and 3–8A–33(a)” and substitute “(3)”; in line 36, strike “3–8A–15(m)” and substitute “3–8A–15(l)”; and after line 38, insert:

“BY repealing

Article – Courts and Judicial Proceedings

Section 3–8A–15(e)

Annotated Code of Maryland

(2020 Replacement Volume)”.

On page 3, in line 3, after “3–523” insert “and 4–1010”; and in line 14, strike “1(g)(2)” and substitute “1(c) and (g)(2)”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 21 on page 3 through line 5 on page 4, inclusive.

On page 14, strike in their entirety lines 8 through 23, inclusive.

AMENDMENT NO. 3

On page 5, in line 3, strike “**§ 3–705**” and substitute “**§ 3–405**”.

On page 10, after line 19, insert:

“(e) Notwithstanding any other provision of this section, detention may not be continued beyond emergency detention for a child under the age of 12 years unless:

(1) The child is alleged to have committed an act that, if committed by an adult, would be a crime of violence as defined under § 14–101 of the Criminal Law Article;
or

(2) The child is likely to leave the jurisdiction of the court.]

[(f)] (E) (1) Detention or community detention may not be continued beyond emergency detention or community detention unless, upon an order of court after a hearing, the court has found that one or more of the circumstances stated in subsection (b) of this section exist.

(2) A court order under this paragraph shall:

(i) Contain a written determination of whether or not the criteria contained in subsection (c)(1) and (2) of this section have been met; and

(ii) Specify which of the circumstances stated in subsection (b) of this section exist.

(3) (i) If the court has not specifically prohibited community detention, the Department of Juvenile Services may release the child from detention into community detention and place the child in:

1. Shelter care; or

2. The custody of the child's parent, guardian, custodian, or other person able to provide supervision and care for the child and to return the child to court when required.

(ii) If a child who has been released by the Department of Juvenile Services or the court into community detention violates the conditions of community detention, and it is necessary to protect the child or others, an intake officer may authorize the detention of the child.

(iii) The Department of Juvenile Services shall promptly notify the court of:

1. The release of a child from detention under subparagraph (i) of this paragraph; or

2. The return to detention of a child under subparagraph (ii) of this paragraph.

(iv) 1. If a child is returned to detention under subparagraph (ii) of this paragraph, the intake officer who authorized detention shall immediately file a petition to authorize continued detention.

2. A hearing on the petition to authorize continued detention shall be held no later than the next court day, unless extended for no more than 5 days by the court on good cause shown.

3. Reasonable notice, oral or written, stating the time, place, and purpose of the hearing, shall be given to the child and, if they can be located, the child's parents, guardian, or custodian.

[(g)] (F) (1) Shelter care may only be continued beyond emergency shelter care if the court has found that:

(i) Continuation of the child in the child's home is contrary to the welfare of the child; and

(ii) 1. Removal of the child from the child's home is necessary due to an alleged emergency situation and in order to provide for the safety of the child; or

2. Reasonable but unsuccessful efforts were made to prevent or eliminate the need for removal of the child from the home.

(2) (i) If the court continues shelter care on the basis of an alleged emergency, the court shall assess whether the absence of efforts to prevent removal was reasonable.

(ii) If the court finds that the absence of efforts to prevent removal was not reasonable, the court shall make a written determination so stating.

(3) The court shall make a determination as to whether reasonable efforts are being made to make it possible to return the child to the child's home or whether the absence of such efforts is reasonable.

[(h)] (G) A child alleged to be delinquent may not be detained in a jail or other facility for the detention of adults.

[(i)] (H) (1) A child alleged to be in need of supervision may not be placed in:

(i) Detention or community detention;

(ii) A State mental health facility; or

(iii) A shelter care facility that is not operating in compliance with applicable State licensing laws.

(2) Subject to paragraph (1)(iii) of this subsection, a child alleged to be in need of supervision may be placed in shelter care facilities maintained or approved by the Social Services Administration or the Department of Juvenile Services or in a private home or shelter care facility approved by the court.

(3) The Secretary of Human Services and the Secretary of Juvenile Services together, when appropriate, with the Secretary of Health shall jointly adopt

regulations to ensure that any child placed in shelter care pursuant to a petition filed under subsection (d) of this section be provided appropriate services, including:

- (i) Health care services;
- (ii) Counseling services;
- (iii) Education services;
- (iv) Social work services; and
- (v) Drug and alcohol abuse assessment or treatment services.

(4) In addition to any other provision, the regulations shall require:

(i) The Department of Juvenile Services to develop a plan within 45 days of placement of a child in a shelter care facility to assess the child's treatment needs; and

(ii) The plan to be submitted to all parties to the petition and their counsel.

[(i)] (I) The intake officer or the official who authorized detention, community detention, or shelter care under this subtitle shall immediately give written notice of the authorization for detention, community detention, or shelter care to the child's parent, guardian, or custodian and to the court. The notice shall be accompanied by a statement of the reasons for taking the child into custody and placing him in detention, community detention, or shelter care. This notice may be combined with the notice required under subsection (d) of this section.

[(k)] (J) (1) If a child is alleged to have committed a delinquent act, the court or a juvenile intake officer shall consider including, as a condition of releasing the child pending an adjudicatory or disposition hearing, reasonable protections for the safety of the alleged victim.

(2) If a victim has requested reasonable protections for safety, the court or juvenile intake officer shall consider including, as a condition of releasing the child pending an adjudicatory or disposition hearing, provisions regarding no contact with the alleged victim or the alleged victim's premises or place of employment."

On page 10, in lines 20 and 30, strike "(l)" and "(M)", respectively, and substitute "(K)" and "(L)", respectively.

On page 11, strike beginning with "Except" in line 9 down through "a" in line 10 and substitute "A".

On page 12, after line 2, insert:

“(ii) A child whose most serious offense is an offense listed in subparagraph (i) of this paragraph may be committed to the Department of Juvenile Services for out-of-home placement if:

1. The child previously has been adjudicated delinquent for three or more offenses arising from separate and independent circumstances;

2. The child waives the prohibition described in subparagraph (i) of this paragraph and the court accepts the waiver as knowing, intelligent, and voluntary; or

3. The court makes a written finding in accordance with subparagraph (iii) of this paragraph.

(iii) A child whose most serious offense is an offense listed in subparagraph (i) of this paragraph may be committed to the Department of Juvenile Services for out-of-home placement if the court makes a written finding, including the specific facts supporting the finding, that an out-of-home placement is necessary for the welfare of the child or in the interest of public safety.]

[(iv)] (II) This paragraph may not be construed to prohibit the court from committing the child to another appropriate agency.”.

AMENDMENT NO. 4

On page 15, in line 2, after “IN” insert “AGRICULTURE AND IN”.

AMENDMENT NO. 5

On page 16, after line 9, insert:

“4-1010.

BEGINNING IN FISCAL YEAR 2023, THE GOVERNOR SHALL APPROPRIATE AT LEAST \$2,000,000 IN THE ANNUAL BUDGET BILL FOR A GRANT TO ROCA BALTIMORE, LLC.”.

AMENDMENT NO. 6

On page 18, after line 5, insert:

“(c) (1) The Governor shall appoint the chair of the Council.

(2) THE CHAIR OF THE COUNCIL MAY NOT BE EMPLOYED BY OR UNDER CONTRACT WITH THE DEPARTMENT OF JUVENILE SERVICES.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Clippinger moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1261 – Delegate W. Fisher

AN ACT concerning

Wills, Powers of Attorney, and Advance Directives – Electronic Execution

HB1261/422515/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1261

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 31, after “Act;” insert “providing that a lack of or defective witness attestation to a power of attorney does not have any effect on the instrument unless a certain challenge is made within a certain period of time;”.

On page 2, after line 28, insert:

“BY repealing and reenacting, with amendments,

Article – Real Property

Section 4–109

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 3, in line 9, strike “**THE RELATIONSHIP OF**”; in line 10, strike “**IN DIFFERENT LOCATIONS**”; in line 11, strike “**OR OTHER ELECTRONIC**”; in line 12, strike “**PHYSICALLY PRESENT IN THE SAME LOCATION**” and substitute “**IN THE PHYSICAL**”.

PRESENCE OF EACH OTHER”; in line 17, strike “, PREPARED, AND CERTIFIED”; in lines 19 and 20, strike “IN THE SAME PHYSICAL LOCATION AS ANOTHER INDIVIDUAL AND”; in line 21, strike “THAT” and substitute “ANOTHER”; in the same line, after “INDIVIDUAL”, insert “WITHOUT USING ELECTRONIC AUDIO–VISUAL MEANS”; and in line 24, strike “PAPER”.

On page 4, strike beginning with “AFFIXING” in line 1 down through the second “RECORD” in line 2 and substitute “, WITH PRESENT INTENT TO AUTHENTICATE OR ADOPT A RECORD, TO:

(1) EXECUTE OR ADOPT A TANGIBLE SYMBOL; OR

(2) ATTACH TO OR LOGICALLY ASSOCIATE WITH THE RECORD AN ELECTRONIC SYMBOL, SOUND, OR PROCESS”;

and in line 27, after the first “testator’s” insert “PHYSICAL”.

On page 6, in line 31, strike “BEFORE” and substitute “IN THE PHYSICAL PRESENCE OR ELECTRONIC PRESENCE OF”.

On page 8, in lines 8 and 9, strike “, PREPARED, AND CERTIFIED”.

On page 9, after line 2, insert:

“(L) “REAL ESTATE TRANSACTION” MEANS ANY ACTIVITY INVOLVING THE TRANSFER OR CREATION OF AN ESTATE, INTEREST, LIEN, OR ENCUMBRANCE IN REAL PROPERTY, INCLUDING RIGHTS OR INTERESTS APPURTENANT TO, AND THE DISPOSITION OF PROCEEDS DERIVED FROM, THE PROPERTY.”;

in lines 3, 4, 10, 11, 18, and 27, strike “(L)”, “(M)”, “(N)”, “(O)”, “(P)”, and “(Q)”, respectively, and substitute “(M)”, “(N)”, “(O)”, “(P)”, “(Q)”, and “(R)”, respectively; in line 6, strike “, BUT NOT THE PHYSICAL PRESENCE,”; in line 7, strike “WHEN THE” and substitute “OR OTHER”; in the same line, after “WITNESS” insert “WHEN THE WITNESS”; strike beginning with the comma in line 7 down through “TITLE” in line 9; and in line 33, after the third “the” insert “PHYSICAL”.

On page 10, in line 1, strike “before” and substitute “IN THE PHYSICAL OR ELECTRONIC PRESENCE OF”; strike beginning with the comma in line 6 down through “SECTION” in line 8 and substitute “OR ANY COMBINATION OF PHYSICAL OR ELECTRONIC PRESENCE”; in lines 10 and 12, in each instance, strike the bracket; in lines 10 and 11, strike “unless the notary public is using” and substitute “AND MAY USE”; strike beginning with “to” in line 11 down through “principal” in line 12 and substitute “FOR THAT PURPOSE”; in line 13, strike “AN” and substitute “EXCEPT FOR AN ELECTRONIC POWER OF ATTORNEY USED IN CONNECTION WITH A REAL ESTATE TRANSACTION, AN”; and in line 15, after “FOLLOWING” insert “ADDITIONAL”.

On page 11, in line 26, strike “AS PROVIDED IN” and substitute “IF REQUIRED UNDER”.

On page 16, after line 32, insert:

“Article – Real Property

4–109.

(a) If an instrument was recorded before January 1, 1973, any failure of the instrument to comply with the formal requisites listed in this section has no effect, unless the defect was challenged in a judicial proceeding commenced by July 1, 1973.

(b) If an instrument is recorded on or after January 1, 1973, whether or not the instrument is executed on or after that date, any failure to comply with the formal requisites listed in this section has no effect unless it is challenged in a judicial proceeding commenced within six months after it is recorded.

(c) For the purposes of this section, the failures in the formal requisites of an instrument are:

(1) A defective acknowledgment;

(2) A failure to attach any clerk’s certificate;

(3) An omission of a notary seal or other seal;

(4) A lack of or improper acknowledgment or affidavit of consideration, agency, or disbursement;

(5) An omission of an attestation; [or]

(6) A failure to name any trustee in a deed of trust; OR

(7) A LACK OF OR DEFECTIVE WITNESS ATTESTATION TO A POWER OF ATTORNEY.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

APPROPRIATIONS COMMITTEE REPORT NO. 6

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 26 – Delegate Lopez

AN ACT concerning

Action to Collect a Private Education Loan – Required Documents

HB0026/714868/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 26

(First Reading File Bill)

On page 2 in lines 20, 21, 24, and 26, on page 3 in line 10, and on page 4 in line 8, in each instance, after “PERSON” insert “, NONDEPOSITORY INSTITUTION, OR TRUST ENTITY”.

On page 4, in line 23, strike “TO” and substitute “:

(1) TO”;

and in line 26, after “COLLECTOR” insert “;AND”

(II) REGARDLESS OF THE LEGAL STATUS OF THE TRUST'S TRUSTEE".

On page 5, in line 10, after "DEFAULT," insert "THE LAST FOUR DIGITS OF"; in line 27, after "LOAN" insert ", REDACTED TO WITHHOLD THE STUDENT LOAN BORROWER'S SOCIAL SECURITY NUMBER, ALL BUT THE LAST FOUR DIGITS OF THE STUDENT LOAN BORROWER'S ACCOUNT NUMBER, AND ANY OTHER PERSONAL IDENTIFYING INFORMATION".

On page 6, in line 3, after "COMMUNICATIONS" insert ", IF APPLICABLE"; in line 7, after "MONTHS" insert ", REDACTED TO WITHHOLD THE STUDENT LOAN BORROWER'S SOCIAL SECURITY NUMBER, ALL BUT THE LAST FOUR DIGITS OF THE STUDENT LOAN BORROWER'S ACCOUNT NUMBER, AND ANY OTHER PERSONAL IDENTIFYING INFORMATION"; in line 28, strike ", STATING" and substitute "THAT:

A. STATES";

and in line 29, after "LOAN" insert "; AND

B. IS REDACTED TO WITHHOLD THE STUDENT LOAN BORROWER'S SOCIAL SECURITY NUMBER, ALL BUT THE LAST FOUR DIGITS OF THE STUDENT LOAN BORROWER'S ACCOUNT NUMBER, AND ANY OTHER PERSONAL IDENTIFYING INFORMATION".

On page 7, in line 1, strike ", INCLUDING" and substitute "THAT:

A. INCLUDES";

in line 2, after "LOAN" insert "; AND

B. IS REDACTED TO WITHHOLD THE STUDENT LOAN BORROWER'S SOCIAL SECURITY NUMBER, ALL BUT THE LAST FOUR DIGITS OF THE STUDENT LOAN BORROWER'S ACCOUNT NUMBER, AND ANY OTHER PERSONAL IDENTIFYING INFORMATION";

and in line 20, after "STATING" insert ":

1. THE DATE ON WHICH THE PRIVATE EDUCATION LENDER OR PRIVATE EDUCATION LOAN COLLECTOR HAS A GOOD FAITH BELIEF THAT THE APPLICABLE STATUTE OF LIMITATIONS WILL EXPIRE; AND

2. THAT”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 114 – Delegates Lierman, Bagnall, Feldmark, Healey, Kerr, R. Lewis, Smith, Solomon, Stein, and Terrasa

AN ACT concerning

**Maryland Transit Administration – Funding
(Transit Safety and Investment Act)**

HB0114/624161/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 114
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “establishing the Purple Line Construction Zone Grant Program; establishing the purpose of the Grant Program; requiring the Department of Commerce to implement and administer the Grant Program; requiring the Department of Commerce, in consultation with the Department of Transportation, to adopt certain regulations; requiring the Department of Commerce and the Maryland Transit Administration to consult qualified small businesses for a certain purpose; requiring the Department of Commerce to make a certain application available as soon as practicable; establishing a maximum amount for a certain grant awarded; authorizing the Department of Commerce to award grants until a certain time; prohibiting the Department of Commerce from awarding more than one grant to the same business in a certain period of time;

requiring that certain funds revert to the Maryland Economic Development Assistance Fund; requiring the Administration to report certain information in the Consolidated Transportation Program;”; in line 5, strike “Maryland Transit”; in line 16, strike “a”; in the same line, strike “term” and substitute “terms”; and after line 17, insert:

“BY adding to

Article – Economic Development

Section 16–101 to be under the new title “Title 16. Purple Line Construction Zone Grant Program”

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

in line 20, after “Section” insert “2–103.1(c)(4)(vi) and (vii).”; in the same line, after “7–205” insert a comma; and after line 22, insert:

“BY adding to

Article – Transportation

Section 2–103.1(c)(4)(vii)

Annotated Code of Maryland

(2020 Replacement Volume)”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“Article – Economic Development

TITLE 16. PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

16–101.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “GRANT PROGRAM” MEANS THE PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

(3) “QUALIFIED SMALL BUSINESS” MEANS A SOLE PROPRIETORSHIP, A PARTNERSHIP, A LIMITED PARTNERSHIP, A LIMITED LIABILITY PARTNERSHIP, A LIMITED LIABILITY COMPANY, OR A CORPORATION THAT:

(I) EMPLOYS 20 OR FEWER EMPLOYEES;

(II) IS INDEPENDENTLY OWNED AND OPERATED;

(III) IS NOT A SUBSIDIARY OF ANOTHER BUSINESS;

(IV) IS NOT DOMINANT IN ITS FIELD OF OPERATION; AND

(V) IS IMPACTED BY THE CONSTRUCTION OF THE PURPLE LINE LIGHT RAIL PROJECT IN MONTGOMERY COUNTY AND PRINCE GEORGE’S COUNTY.

(B) (1) THERE IS A PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

(2) THE PURPOSE OF THE GRANT PROGRAM IS TO PROVIDE FUNDS TO QUALIFIED SMALL BUSINESSES TO ASSIST IN OFFSETTING BUSINESS REVENUE LOST AS A RESULT OF THE CONSTRUCTION OF THE PURPLE LINE LIGHT RAIL PROJECT IN MONTGOMERY COUNTY AND PRINCE GEORGE’S COUNTY.

(3) IN EACH OF FISCAL YEARS 2023 AND 2024, THE MARYLAND TRANSIT ADMINISTRATION SHALL PROVIDE \$1,000,000 IN GENERAL FUNDS TO THE GRANT PROGRAM TO ASSIST QUALIFIED SMALL BUSINESSES.

(C) THE DEPARTMENT OF COMMERCE SHALL IMPLEMENT AND ADMINISTER THE GRANT PROGRAM.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT OF COMMERCE, IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION, INCLUDING REGULATIONS TO ESTABLISH:

(I) ELIGIBILITY AND GRANT APPLICATION REQUIREMENTS;

AND

(II) A PROCESS FOR REVIEWING GRANT APPLICATIONS AND AWARDING GRANTS TO ELIGIBLE QUALIFIED SMALL BUSINESSES.

(2) IN DEVELOPING THE REGULATIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF COMMERCE AND THE MARYLAND TRANSIT ADMINISTRATION SHALL CONSULT QUALIFIED SMALL BUSINESSES TO ENSURE THAT THE ELIGIBILITY AND APPLICATION REQUIREMENTS FOR THE GRANT PROGRAM ARE NOT OVERLY BURDENSOME TO QUALIFIED SMALL BUSINESSES.

(3) THE DEPARTMENT OF COMMERCE SHALL MAKE THE APPLICATION DEVELOPED FOR PURPOSES OF THE GRANT PROGRAM AVAILABLE TO QUALIFIED SMALL BUSINESSES AS SOON AS PRACTICABLE.

(E) (1) (I) SUBJECT TO THE LIMITATIONS OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE SHALL ESTABLISH, BY REGULATION, GUIDELINES TO CALCULATE THE AMOUNT OF A GRANT AWARDED UNDER THIS SECTION.

(II) IN ESTABLISHING GUIDELINES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE MAY USE A 12-MONTH PROJECTION OF THE DIFFERENCE BETWEEN THE BUSINESS REVENUE OF A QUALIFIED SMALL BUSINESS DURING THE 3-MONTH PERIOD IMMEDIATELY PRECEDING THE START OF THE PURPLE LINE CONSTRUCTION COMPARED TO THE 3-MONTH PERIOD IMMEDIATELY FOLLOWING THE START OF THE PURPLE LINE CONSTRUCTION.

(III) A GRANT AWARDED UNDER THE GRANT PROGRAM MAY NOT EXCEED \$50,000.

(2) SUBJECT TO THE ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION, IF A QUALIFIED SMALL BUSINESS IS REQUIRED TO BE REGISTERED WITH THE STATE AND IS REGISTERED, THE QUALIFIED SMALL BUSINESS MAY APPLY FOR A GRANT UNDER THE GRANT PROGRAM REGARDLESS OF OWNERSHIP OR LOCATION.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE MAY AWARD GRANTS UNTIL ALL THE MONEY ALLOTTED FOR THE GRANT PROGRAM HAS BEEN AWARDED OR UNTIL DECEMBER 31, 2024, WHICHEVER OCCURS FIRST.

(II) THE DEPARTMENT OF COMMERCE MAY NOT AWARD MORE THAN ONE GRANT TO THE SAME QUALIFIED SMALL BUSINESS IN A 12-MONTH PERIOD.

(4) ANY MONEY THAT HAS NOT BEEN AWARDED ON OR BEFORE DECEMBER 31, 2024, SHALL REVERT TO THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND.”;

after line 9, insert:

“2-103.1.

(c) (4) Annually, the Consolidated Transportation Program shall include a report that:

(vi) Provides a purpose and need summary statement that includes:

1. A general description and summary that describes why the project is necessary and satisfies State transportation goals, including Climate Action Plan goals required by the Greenhouse Gas Emissions Reduction Act of 2009 under § 2-1205(b) of the Environment Article;

2. The location of the project, including a map of the project limits, project area, or transportation corridor; and

3. A summary of how the project meets the selection criteria for inclusion in the capital program; [and]

(VII) PROVIDES THE MARYLAND TRANSIT ADMINISTRATION STATE OF GOOD REPAIR BUDGET FOR THE CURRENT FISCAL YEAR AND PROJECTIONS FOR THE SUBSEQUENT FISCAL YEAR; AND

[(vii)] (VIII) Includes any other information that the Secretary believes would be useful to the members of the General Assembly, the general public, or other recipients of the Consolidated Transportation Program.”;

and in line 23, strike “**2028**” and substitute “2029”.

On page 4, in line 3, strike “**\$361,880,000**” and substitute “\$402,037,183”; in line 4, strike “**\$414,893,000**” and substitute “\$502,081,501”; in line 5, strike “**\$453,839,000**” and substitute “\$450,000,000”; in line 6, strike “**\$566,573,000**” and substitute “\$450,000,000”; in line 7, strike “**\$566,573,000**” and substitute “\$450,000,000”; in the same line, strike “AND”; and in line 8, strike “**\$531,573,000.**” and substitute “\$450,000,000; AND”.

(VII) FOR FISCAL YEAR 2029, AT LEAST \$318,558,000.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 904 – Delegate Bridges

AN ACT concerning

State Personnel – Collective Bargaining – Exclusive Representative Access to New Employees

HB0904/714469/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 904
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, before “to” insert “and a new employee”; and in line 13, strike “with a new employee”.

AMENDMENT NO. 2

On page 2, in line 27, after “**REPRESENTATIVE**” insert “**AND A NEW EMPLOYEE**”; and in line 28, strike “**WITH A NEW EMPLOYEE**”.

On page 3, in line 11, strike the bracket; in the same line, before “a” insert an opening bracket; in line 12, strike the first “**OF**”; in line 21, strike the first comma and substitute “**AND**”; and strike beginning with the second comma in line 21 down through the second “**NUMBERS**” in line 22.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1053 – Delegate B. Barnes

AN ACT concerning

Operating Budget – Education Programs – Mandated Funding

HB1053/584764/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1053

(First Reading File Bill)

In line 9, strike “(R00A03)” and substitute “– Other Institutions (R00A03.03)”; and in line 10, strike “2021 or” and substitute “2020, 2021, or”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1336 – Delegate Proctor

AN ACT concerning

Alcohol and Tobacco Commission – Executive Director – Clarification

HB1336/164761/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1336

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “**State Retirement and Pension System – Executive Directors – Membership and Vesting**”; in line 6, after “employment;” insert “providing that an individual who commences employment as the Executive Director of the State Retirement Agency on or after a certain date shall have immediate vesting rights in the Employees’ Pension System;”; strike beginning with “the” in line 10 down through “Commission” in line 11 and substitute “membership and vesting in the State Retirement and Pension System for certain Executive Directors”.

On page 2, in line 2, after “(21)” insert “and 29–304”.

AMENDMENT NO. 2

On page 3, after line 31, insert:

“29–304.

(A) An individual who is a secretary of a principal department or a head of a department, office, or other unit of the State government serving at the Governor’s pleasure has immediate vesting rights on taking office in the State system in which the individual is a member.

(B) AN INDIVIDUAL WHO COMMENCES EMPLOYMENT AS THE EXECUTIVE DIRECTOR OF THE STATE RETIREMENT AGENCY ON OR AFTER JANUARY 1, 2021, SHALL HAVE IMMEDIATE VESTING RIGHTS IN THE EMPLOYEES’ PENSION SYSTEM.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

APPROPRIATIONS COMMITTEE REPORT NO. 7

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 850 – Delegate Rosenberg

AN ACT concerning

Higher Education – Maryland Corps Program Fund – COVID–19 Emergency Funding Priorities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 1054 – Delegate B. Barnes

AN ACT concerning

Education – Maryland School for the Blind – Pay Plan

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 1238 – Delegate Forbes

AN ACT concerning

Maryland 529 Program – Board Authority and State Contribution – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 20

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 204 – Delegate Lierman

AN ACT concerning

Environment and Natural Resources – Complaints, Inspections, and Enforcement – Information Maintenance and Reporting

HB0204/450214/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 204

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 7, in each instance, strike “suspected environmental” and substitute “alleged”; in line 5, after “violations” insert “of certain air and water quality requirements”; in the same line, after “manner;” insert “requiring the Department of the Environment to keep an electronic record of certain complaints for a certain number of years;”; in line 7, after “violations” insert “of certain air and water quality requirements; requiring the Department of the Environment to update and publish on its website a certain list that includes certain information”; in line 14, after “Act;” insert “providing for the application of certain provisions of this Act;”; in the same line, strike “a”; and in the same line, strike “term” and substitute “terms”.

AMENDMENT NO. 2

On page 2, in line 5, after “(A)” insert “(1)”; in the same line, strike the comma and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(2);

in the same line, strike the first “SUSPECTED” and substitute “ALLEGED”; in the same line, strike “A SUSPECTED” and substitute “AN ALLEGED”; after line 8, insert:

“(3) “COMPLAINT” MEANS A COMPLAINT REGARDING AN ALLEGED VIOLATION OF ANY AIR OR WATER QUALITY REQUIREMENT IN THIS ARTICLE OR ANY

AIR OR WATER QUALITY REGULATION AUTHORIZED BY A PROVISION OF THIS ARTICLE, INCLUDING FEDERAL REQUIREMENTS AND STANDARDS DELEGATED TO THE STATE.

(B) THIS SECTION APPLIES ONLY TO:

(1) BEGINNING OCTOBER 1, 2021, WATER QUALITY PROGRAMS WITHIN THE DEPARTMENT’S WATER AND SCIENCE ADMINISTRATION THAT ARE TRACKED THROUGH THE DEPARTMENT’S ENVIRONMENTAL TRACKING SYSTEM OR A COMPARABLE DATABASE; AND

(2) BEGINNING JUNE 30, 2022:

(I) WATER QUALITY PROGRAMS WITHIN THE DEPARTMENT’S LAND AND MATERIALS ADMINISTRATION THAT ARE TRACKED THROUGH THE DEPARTMENT’S ENVIRONMENTAL TRACKING SYSTEM OR A COMPARABLE DATABASE; AND

(II) AIR QUALITY PROGRAMS WITHIN THE DEPARTMENT’S AIR AND RADIATION ADMINISTRATION THAT ARE TRACKED THROUGH THE DEPARTMENT’S ENVIRONMENTAL TRACKING SYSTEM OR A COMPARABLE DATABASE.”;

in line 9, strike “(B)” and substitute “(C)”; in line 13, after “SECTION” insert “FOR 10 YEARS”; and in line 28, strike “RECENTLY”.

On page 2 in lines 10, 14, 17, 21, 23, and 26 and on page 3 in lines 14 and 17, in each instance, strike “SUSPECTED” and substitute “ALLEGED”.

AMENDMENT NO. 3

On page 3, in lines 1 and 9, strike “(C)” and “(D)”, respectively, and substitute “(D)” and “(E)”, respectively; in line 1, after “UPDATE” insert “AND PUBLISH ON ITS WEBSITE”; in line 2, strike “NEW”; in the same line, strike “PROPOSED” and substitute “FINALIZED”; in lines 3, 6, and 8, in each instance, strike “SUSPECTED”; in line 4, strike “THE” and substitute “A”; in the same line, strike “PROPOSED” and substitute “FINALIZED”; in line 6, strike “AND”; in line 8, after “VIOLATION” insert “;

(4) THE NAME OF THE SITE OR REGULATED ENTITY AND THE LOCATION OF THE SITE AT ISSUE;

(5) THE AMOUNT OF ANY PENALTY ASSESSED;

(6) A DESCRIPTION OF THE VIOLATION; AND

(7) A LINK TO A DOWNLOADABLE DOCUMENT CONTAINING THE FINAL SETTLEMENT AGREEMENT”;

in line 17, strike “AND”; in line 18, after the semicolon insert “AND”

(V) IF A COMPLAINT HAS BEEN CLOSED, THE DATE ON WHICH THE COMPLAINT WAS CLOSED;”;

in line 22, strike “AMBIENT AIR QUALITY OR WATER QUALITY” and substitute “THE ENVIRONMENT”; in line 26, strike “THE” and substitute “IF APPLICABLE, THE”; in line 28, strike “THE FINDINGS OF THE INSPECTOR ON WHETHER” and substitute “WHETHER”; and in line 29, after “OR” insert “WHETHER”.

AMENDMENT NO. 4

On page 4, strike beginning with “WHETHER” in line 2 down through “MEDIA” in line 3 and substitute “THE MEDIA BASIS FOR THE INSPECTION”; in line 7, strike “A” and substitute “THE ENVIRONMENTAL TRACKING SYSTEM OR A COMPARABLE”; in line 11, strike “AMBIENT AIR QUALITY OR WATER QUALITY” and substitute “THE ENVIRONMENT”; in line 17, after “FURTHER” insert “ENFORCEMENT”; in line 22, strike “THE” and substitute “IF APPLICABLE, THE”; in line 24, strike “AND”; in line 27, strike the first comma and substitute “OR”; strike beginning with “, OR” in line 27 down through “CONCERN” in line 28; and in line 30, strike “AN ELEVATED STATUS OF CONCERN” and substitute ““SIGNIFICANT NONCOMPLIANCE” OR A “HIGH-PRIORITY VIOLATION””.

AMENDMENT NO. 5

On page 5, in line 1, strike “FACILITY” and substitute “SITE OR REGULATED ENTITY”; in line 4, strike “SUSPECTED”; in line 6, after the semicolon insert “AND”; in lines 9, 12, 13, 14, 15, 17, 21, and 23, strike “(VI)”, “1.”, “2.”, “3.”, “4.”, “5.”, “(VII)”, and “(E)”, respectively, and substitute “(6)”, “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(7)”, and “(F)”, respectively; in line 10, strike “ISSUED BY THE DEPARTMENT” and substitute “SUBJECT”.

TO THIS SECTION"; in line 12, strike "FACILITY NAME" and substitute "NAME OF THE PERMITTEE"; in line 16, strike "FACILITY" and substitute "SITE OR REGULATED ENTITY"; and in line 24, strike "SUBSECTION (D)" and substitute "SUBSECTIONS (D) AND (E)".

AMENDMENT NO. 6

On page 6, in line 11, strike ", THE TOTAL NUMBER OF"; in line 12, strike "INSPECTIONS" and substitute "THE TOTAL NUMBER OF INSPECTIONS"; in line 15, strike "CITATIONS" and substitute "THE TOTAL NUMBER OF CITATIONS"; and in line 16, strike "VIOLATIONS" and substitute "BEGINNING WITH THE REPORT DUE ON OR BEFORE SEPTEMBER 30, 2023, THE TOTAL NUMBER OF VIOLATIONS".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Pippy moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 264 – Delegate Charkoudian

AN ACT concerning

Solid Waste Management – Organics Recycling and Waste Diversion – Food Residuals

HB0264/890612/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 264

(First Reading File Bill)

AMENDMENT NO.1

On page 1, strike beginning with "requiring" in line 18 down through "Assembly;" in line 21.

AMENDMENT NO. 2

On page 3, after line 10, insert:

“(A) IN THIS SECTION, “PERSON”:

(1) INCLUDES:

(I) AN INDIVIDUAL FACILITY OWNED OR OPERATED BY A LOCAL SCHOOL SYSTEM;

(II) AN INDIVIDUAL PUBLIC PRIMARY OR SECONDARY SCHOOL;

(III) AN INDIVIDUAL NONPUBLIC SCHOOL;

(IV) A SUPERMARKET, CONVENIENCE STORE, MINI-MART, OR SIMILAR ESTABLISHMENT;

(V) A BUSINESS, SCHOOL, OR INSTITUTIONAL CAFETERIA; AND

(VI) A CAFETERIA OPERATED BY OR ON BEHALF OF THE STATE OR A LOCAL GOVERNMENT; AND

(2) DOES NOT INCLUDE:

(I) THE AGGREGATE OF ALL SCHOOL BUILDINGS AND FACILITIES IN A LOCAL SCHOOL SYSTEM; OR

(II) A RESTAURANT ESTABLISHMENT THAT:

1. ACCOMMODATES THE PUBLIC;

2. IS EQUIPPED WITH A DINING ROOM WITH FACILITIES FOR PREPARING AND SERVING REGULAR MEALS; AND

3. HAS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT EXCEED THE AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES.”;

in lines 11 and 22, strike “(A)” and “(B)”, respectively, and substitute “(B)” and “(C)”, respectively; in line 18, after “PROCESS” insert “ALL OF”; in the same line, after the second

“THE” insert “PERSON’S”; in line 19, strike “AND”; in line 20, after “ACCEPT” insert “ALL OF”; in the same line, after “THE” insert “PERSON’S”; in line 21, after “RECYCLING” insert “; AND”

(III) IS WILLING TO ENTER INTO A CONTRACT TO ACCEPT AND PROCESS THE PERSON’S FOOD RESIDUALS”;

and in line 22, strike “(C)” and substitute “(D)”.

AMENDMENT NO. 3

On page 4, in lines 12, 24, and 29, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 13, strike “(B)” and substitute “(C)”; and in line 19, strike “NOT REASONABLY COMPETITIVE WITH” and substitute “MORE THAN 10% MORE EXPENSIVE THAN THE COST OF”.

AMENDMENT NO. 4

On pages 5 and 6, strike in their entirety the lines beginning with line 27 on page 5 through line 2 on page 6, inclusive.

On page 6, in lines 3 and 7, strike “5.” and “6.”, respectively, and substitute “4.” and “5.”, respectively.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Krebs moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 507 – Delegate Stein

AN ACT concerning

Clean Water Commerce Act of 2021

HB0507/870419/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 507

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike “Fund as a special, nonlapsing fund” and substitute “Account within the Bay Restoration Fund”; in lines 5, 6, and 8, in each instance, strike “Bay Restoration”; in lines 5, 7, 10 and 11, 12, 14, 15, 16 and 17, and 18, in each instance, strike “Clean Water Commerce Fund” and substitute “Account”; strike beginning with “requiring” in line 12 down through the first semicolon in line 14; in line 15, after “used;” insert “limiting the use of the Account to the purchase of certain cost-effective environmental outcomes; requiring that a certain percentage of the Account be used for certain purposes in each fiscal year; specifying that a certain project may include certain environmental outcomes;”; in line 17, strike “accounts and”; strike beginning with “providing” in line 18 down through “State;” in line 23; in line 24, after “person” insert “separately from the property on which the environmental outcome is located”; in line 26, after the first “proposals” insert “, develop and use a certain scoring system, provide each person that submits a proposal with certain information,”; and in the same line, strike “to”.

On page 2, in line 1, strike “establish and implement” and substitute “approve”; in line 5, strike “payment under”; in the same line, strike “certain”; in the same line, after “contract” insert “entered into by the Department under this Act”; in line 6, strike “establish” and substitute “maintain”; in line 7, strike “or” and substitute a comma; in the same line, after “practice” insert “, and environmental outcome”; in line 9, strike “Department” and substitute “Bay Restoration Fund Advisory Committee”; strike beginning with “the” in line 9 down through “law,” in line 10; and in line 14, strike the second “Fund” and substitute “Account”.

On pages 2 and 3, strike in their entirety the lines beginning with line 30 on page 2 through line 3 on page 3, inclusive.

AMENDMENT NO. 2

On page 5, in lines 11 and 19, in each instance, strike “**FUND**” and substitute “ACCOUNT”.

On page 6, in line 8, strike “**AND**”; in line 11, after “**COMMISSION**” insert “;**AND**”

(XI) ONE INDIVIDUAL REPRESENTING COMMUNITIES DISPROPORTIONATELY BURDENED BY ENVIRONMENTAL HARMS AND RISKS AS IDENTIFIED BY THE DEPARTMENT IN CONSULTATION WITH THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES”;

and in line 27, after “(2)” insert ““ACCOUNT” MEANS THE CLEAN WATER COMMERCE ACCOUNT.

(3)”.

On page 7, in line 4, strike “(3)” and substitute “(4) (I) “AGRICULTURAL PRACTICE” MEANS A BEST MANAGEMENT PRACTICE THAT IS:

1. APPROVED BY THE CHESAPEAKE BAY PROGRAM PARTNERSHIP; AND

2. IMPLEMENTED ON LAND OR WATER THAT IS USED FOR THE PRODUCTION OR PROCESSING OF AN AGRICULTURAL CROP.

(II) “AGRICULTURAL PRACTICE” INCLUDES AGRICULTURAL, HORTICULTURAL, SILVICULTURAL, AND AQUACULTURAL OPERATIONS.

(5)”;

in line 5, strike “ADOPTED” and substitute “APPROVED”; in lines 7, 15, and 21, strike “(4)”, “(6)”, and “(7)”, respectively, and substitute “(6)”, “(7) (I)”, and “(8)”, respectively; in lines 7 and 8, strike “ANY OF THE FOLLOWING QUANTITATIVE OUTCOMES” and substitute “NITROGEN LOAD REDUCTIONS”; in lines 8 and 9, strike “AT THE EDGE OF TIDE”; in line 9, strike “WATERSHED MODEL” and substitute “MODELS”; strike beginning with “OR” in line 9 down through “REDUCTION” in line 13; strike line 14 in its entirety; in lines 17, 18, and 19, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; in line 18, strike “15” and substitute “10”; strike beginning with “IS” in line 19 down through “PROVIDE” in line 20 and substitute “PROVIDES”; after line 20, insert:

“(II) “NONAGRICULTURAL LANDSCAPE RESTORATION PROJECT” INCLUDES A PROJECT THAT RETURNS LAND TO NATIVE OR NATURAL LAND COVER, SUCH AS AFFORESTATION OR REFORESTATION PROJECTS.”;

and in line 28, after “DEPARTMENT” insert **“OR THE OWNER OF A PROJECT OR PRACTICE”**.

On pages 7 and 8, strike beginning with the second “THE” in line 28 on page 7 down through “OF” in line 1 on page 8.

On page 8, in lines 4, 5, 8, 13, 14, 19, and 20, in each instance, strike “FUND” and substitute “ACCOUNT”; strike beginning with “(1)” in line 9 down through “(F)” in line 13; in line 14, strike “DISTRIBUTED” and substitute “TRANSFERRED”; in line 15, after “SUBTITLE;” insert “AND”; strike beginning with “MONEY” in line 16 down through “(4)” in line 18; in line 20, strike “(G)” and substitute “(F)”; in line 22, strike “IN SUPPORT OF” and substitute “THAT:

(I) SUPPORT;

in line 23, after “TMDL” insert **“;AND**

(II) HAVE AN EXPECTED LIFE OF AT LEAST 10 YEARS;

in line 24, strike “IN” and substitute **“EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, IN”**; in line 26, strike “PROJECTS ON”; in the same line, strike “LANDS” and substitute **“PRACTICES, WITH PRIORITY GIVEN TO PROJECTS THAT ARE:**

1. A FIXED NATURAL FILTER PRACTICE, AS DEFINED IN § 8-701 OF THE AGRICULTURE ARTICLE; OR

2. AN AGRICULTURAL DITCH MANAGEMENT PRACTICE, AS DEFINED BY THE CHESAPEAKE BAY PROGRAM;

in line 28, after “PROJECTS” insert **“, INCLUDING STORMWATER MANAGEMENT AND GREEN INFRASTRUCTURE PROJECTS,”**; and in the same line, strike “DISADVANTAGED”.

On page 9, in line 1, strike “IMPACTED BY ENVIRONMENTAL JUSTICE CONCERNS,” and substitute “DISPROPORTIONATELY BURDENED BY ENVIRONMENTAL HARMS AND RISKS”; in line 6, after “PROJECTS” insert “THAT TAKE INTO CONSIDERATION THE PROJECT’S ECOLOGICAL SUITABILITY, INCLUDING THE HYDROLOGICAL CONDITIONS AND OTHER PHYSICAL CHARACTERISTICS OF THE LOCATION AT WHICH THE PROJECT WILL BE IMPLEMENTED”; after line 6, insert:

“(3) ANY UNENCUMBERED FUNDS NOT USED TO PURCHASE ENVIRONMENTAL OUTCOMES AS SPECIFIED UNDER PARAGRAPH (2) OF THIS SUBSECTION ARE:

(I) NO LONGER SUBJECT TO THE ALLOCATION REQUIREMENTS SPECIFIED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

(II) AVAILABLE FOR USE CONSISTENT WITH THIS SECTION IN SUBSEQUENT FISCAL YEARS.

(4) A PROJECT MAY INCLUDE ENVIRONMENTAL OUTCOMES FROM ONE OR MORE OF THE PROJECT TYPES SPECIFIED UNDER PARAGRAPH (2) OF THIS SUBSECTION.”;

strike in their entirety lines 7 through 10, inclusive; in lines 11, 16, 18, 20, and 25, strike “(I)”, “(K)”, “(L)”, “(M)”, and “(N)”, respectively, and substitute “(G)”, “(H)”, “(I)”, “(J)”, and “(K)”, respectively; in lines 11 and 17, in each instance, strike “FUND” and substitute “ACCOUNT”; strike in their entirety lines 13 through 15, inclusive; in line 16, strike “ACCOUNTS AND”; in line 19, after “PERSON” insert “SEPARATELY FROM THE PROPERTY ON WHICH THE ENVIRONMENTAL OUTCOME IS LOCATED”; in line 29, after the semicolon insert:

“(II) DEVELOP AND USE A SCORING SYSTEM TO EVALUATE A SUBMITTED FUNDING PROPOSAL;

(III) PROVIDE EACH PERSON THAT SUBMITS A FUNDING PROPOSAL WITH A COPY OF THE SCORING SYSTEM, INCLUDING THE WEIGHT GIVEN TO THE CO-BENEFITS SPECIFIED UNDER PARAGRAPH (3)(II)2 OF THIS SUBSECTION;”;

and in line 30, strike “(II)” and substitute “(IV)”.

On page 10, in line 3, after “(I)” insert “THE LEGAL NAME OF THE PERSON SUBMITTING THE PROPOSAL;”

(II)”;

in line 5, strike “(II)” and substitute “(III)””; in line 7, strike “(III)” and substitute “(IV) THE EXPECTED LIFE OF EACH ENVIRONMENTAL OUTCOME THAT WILL BE ACHIEVED UNDER THE PROJECTS OR PRACTICES;”

(V) TO ENSURE THAT THE APPLICANT HAS THE LEGAL AUTHORITY TO IMPLEMENT THE PROJECTS OR PRACTICES, A DESCRIPTION OF THE OWNERSHIP OF EACH PARCEL OF LAND OR FACILITY THAT WILL BE USED IN THE PROJECTS OR PRACTICES;

(VI)”;

in line 9, strike “(IV)” and substitute “(VII) AN IMPLEMENTATION TIMETABLE FOR THE PROJECTS OR PRACTICES;”

(VIII)”;

in lines 10 and 13, strike “(V)” and “(VI)”, respectively, and substitute “(IX)” and “(XII)”, respectively; in line 11, after the semicolon insert:

“(X) IF THE PROJECTS OR PRACTICES WILL ACHIEVE A CO-BENEFIT SPECIFIED UNDER PARAGRAPH (3)(II)2 OF THIS SUBSECTION, A DESCRIPTION OF THE CO-BENEFIT, INCLUDING AS MUCH INFORMATION AS IS REASONABLY POSSIBLE REGARDING THE NATURE, EXTENT, DURATION, AND MEANS OF VERIFYING THE CO-BENEFIT;

(XI) A STATEMENT ON WHETHER ANY PORTION OF THE PROJECTS OR PRACTICES ARE BEING FUNDED OR WILL BE FUNDED, IN WHOLE OR IN PART, WITH FEDERAL FUNDS, LOCAL FUNDS, OR STATE FUNDS OTHER THAN FUNDS PROVIDED UNDER THIS SECTION, AND A DESCRIPTION OF ANY SUCH FUNDING, INCLUDING;

1. THE NAME OF THE DEPARTMENT OR AGENCY PROVIDING THE FUNDS;

2. THE AMOUNT OF FUNDING RECEIVED OR THAT WILL BE RECEIVED; AND

3. THE PORTION OF THE PROJECTS OR PRACTICES FOR WHICH THE FUNDS ARE BEING OR WILL BE PROVIDED;

in line 25, after “ENHANCING” insert “THE MITIGATION OF AND”; and strike beginning with “ADDRESSING” in line 27 down through “OR” in line 28 and substitute “ALLEVIATING THE ENVIRONMENTAL HARMS AND RISKS BORNE BY COMMUNITIES DISPROPORTIONATELY BURDENED BY ENVIRONMENTAL HARMS AND RISKS AS IDENTIFIED BY THE DEPARTMENT IN CONSULTATION WITH THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES;”.

On page 11, in line 1, after “WATERSHED” insert “; OR”

D. REDUCTIONS IN PHOSPHORUS OR SEDIMENT LOADS THAT ARE DIRECTLY MEASURED OR MODELED BY THE CHESAPEAKE BAY PROGRAM MODELS AND CAN BE COUNTED TOWARD THE STATE’S POLLUTION LOAD REDUCTIONS REQUIRED UNDER THE CHESAPEAKE BAY TMDL;

in lines 2, 11, 22, and 25, strike “(O)”, “(P)”, “(Q)”, and “(R)”, respectively, and substitute “(L)”, “(M)”, “(N)”, and “(O)”, respectively; in line 3, strike “ESTABLISH AND IMPLEMENT” and substitute “APPROVE”; in line 8, strike “AND” and substitute “OR”; in lines 19 and 20, strike “PARTNERSHIP ACCOUNTING PROCEDURES” and substitute “PROGRAM MODELS”; and in line 24, strike “15” and substitute “20”.

On pages 11 and 12, strike beginning with “(1)” in line 25 on page 11 down through “CIRCUMSTANCES.” in line 5 on page 12 and substitute:

“A CONTRACT ENTERED INTO BY THE DEPARTMENT UNDER THIS SECTION SHALL:

(1) REQUIRE THE OWNER OF THE PROJECT OR PRACTICE TO PERIODICALLY SUBMIT STATUS UPDATES IN ACCORDANCE WITH THE QUANTIFICATION PLAN FOR THE ENVIRONMENTAL OUTCOMES OF THE PROJECT OR PRACTICE;

(2) REQUIRE THAT PAYMENT FOR ENVIRONMENTAL OUTCOMES BE CONDITIONED ON THE ACHIEVEMENT AND VERIFICATION OF THE ENVIRONMENTAL OUTCOMES IN ACCORDANCE WITH THE QUANTIFICATION PLAN;

(3) INCLUDE A SCHEDULE OF PAYMENTS THAT WILL BE MADE AS ENVIRONMENTAL OUTCOMES ARE ACHIEVED AND VERIFIED; AND

(4) REQUIRE REPORTING ON THE AMOUNT OF NITROGEN AND, TO THE EXTENT THAT IT CAN BE FEASIBLY DETERMINED WITHOUT SIGNIFICANT EXPENSE, PHOSPHORUS AND SEDIMENT THAT ARE REMOVED ANNUALLY BY THE PROJECT OR PRACTICE.

On page 12, in lines 6, 13, and 19, strike “(S)”, “(T)”, and “(U)”, respectively, and substitute “(P)”, “(Q)”, and “(R)”, respectively; in line 7, strike “ESTABLISH” and substitute “MAINTAIN”; in the same line, after “A” insert “PUBLIC”; in the same line, strike “, INCLUDING” and substitute “FOR THE ENVIRONMENTAL OUTCOMES OF EACH PROJECT OR PRACTICE THAT INCLUDES:

(I) A DESCRIPTION OF THE PROJECT OR PRACTICE AND THE ASSOCIATED”;

strike beginning with “, OF” in line 7 down through “PRACTICE” in line 10 and substitute “; AND

(II) TO ENSURE THAT THE ENVIRONMENTAL OUTCOMES ARE MAINTAINED FOR THE LIFE EXPECTANCY OF THE ENVIRONMENTAL OUTCOME, A SUMMARY OF THE CONTRACT PROVISIONS FOR THE PROJECT OR PRACTICE”;

in line 13, after “(1)” insert “(I)”; in the same line, strike “PARAGRAPH (2)” and substitute “SUBPARAGRAPH (II)”; in the same line, strike “SUBSECTION” and substitute “PARAGRAPH”; in line 16, strike “(2)” and substitute “(II)”; after line 18, insert:

“(2) (I) AN ENVIRONMENTAL OUTCOME THAT IS FUNDED ENTIRELY WITH PUBLIC FUNDS IS NOT ELIGIBLE TO BE PURCHASED WITH FUNDS FROM THE ACCOUNT.

(II) IF AN ENVIRONMENTAL OUTCOME IS PARTIALLY FUNDED WITH PUBLIC FUNDS AND IS VERIFIED UNDER SUBSECTION (L) OF THIS SECTION, FUNDS FROM THE ACCOUNT MAY BE USED TO PURCHASE THE REMAINING PORTION OF THE ENVIRONMENTAL OUTCOME THAT IS NOT FUNDED WITH PUBLIC FUNDS.”;

in line 19, strike “ON” and substitute “IN CONJUNCTION WITH THE REPORT REQUIRED UNDER § 9-1605.2(J)(6) OF THIS SUBTITLE, ON”; in the same line, strike “DEPARTMENT” and substitute “BAY RESTORATION FUND ADVISORY COMMITTEE”; in line 20, strike “TO THE BAY RESTORATION FUND ADVISORY COMMITTEE AND”; in line 21, after “GOVERNMENT” insert “ARTICLE”; and in the same line, after the comma insert “TO”.

On pages 12 and 13, strike beginning with the first comma in line 31 on page 12 down through “SEDIMENT” in line 1 on page 13.

On page 13, in line 7, strike “INFORMATION ON THE” and substitute “THE”; in line 9, strike “, PHOSPHORUS, AND SEDIMENT”; in line 11, strike “RECOMMENDATIONS REGARDING”; in line 13, strike “FUND” and substitute “ACCOUNT”; in line 14, after “FUND” insert “, INCLUDING AN ASSESSMENT AND RECOMMENDATION ON POSSIBLE CHANGES TO THE PERCENTAGES SPECIFIED UNDER SUBSECTION (F) OF THIS SECTION”; in line 15, strike “(V)” and substitute “(S)”; and strike in their entirety lines 17 through 31, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 270 – Delegate K. Young

AN ACT concerning

Criminal Procedure – Victims of Sexually Assaultive Behavior – Required Meeting

HB0270/982212/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 270

(First Reading File Bill)

On page 1, in line 20, strike “AT THE REQUEST OF THE VICTIM,”; in line 22, strike “10” and substitute “20”; in the same line, after “AFTER” insert “RECEIVING A REQUEST FROM THE VICTIM TO MEET REGARDING”; and in the same line, after “DECISION” insert “BY THE OFFICE OF THE STATE’S ATTORNEY”.

On page 2, in line 8, strike “AS REQUESTED BY THE VICTIM” and substitute “MUTUALLY AGREED ON”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 505 – Delegate Dumais

AN ACT concerning

Child Custody – Legal Decision Making and Parenting Time

HB0505/512019/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 505

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “record” insert “or in a written opinion”.

AMENDMENT NO. 2

On page 10, in line 23, after “**RECORD**” insert “**OR IN A WRITTEN OPINION**”.

AMENDMENT NO. 3

On page 10, strike beginning with the colon in line 23 down through “**(1)**” in line 24; and strike beginning with the semicolon in line 25 down through “**OF**” in line 26 and substitute “**AND**”.

On pages 10 and 11, strike beginning with the semicolon in line 27 on page 10 down through “**CONSIDERED**” in line 2 on page 11.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 748 – Delegate Atterbeary

AN ACT concerning

Family Law – Child Custody and Visitation

HB0748/672117/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 748

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 9 down through “Act;” in line 15; in line 20, strike the first comma; in the same line, strike “9–101.1,”; and strike in their entirety lines 23 through 27, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 and 5; in line 10, strike “(b)” and substitute “**(A)**”; in line 11, strike “**(C)**” and substitute “**(B)**”; and in line 22, strike “**(C)**” and substitute “**(B)**”.

On pages 2 and 3, strike in their entirety the lines beginning with line 29 on page 2 through line 11 on page 3, inclusive.

On pages 3 through 7, strike in their entirety the lines beginning with line 27 on page 3 through line 4 on page 7, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 870 – Delegate Hill

AN ACT concerning

**Maryland General and Limited Power of Attorney Act – Assistance With
Governmental Benefits and Programs**

HB0870/422318/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 870

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “programs;” insert “altering a certain provision in a certain statutory form for a limited power of attorney relating to the authority of an agent to make a gift of part or all of a principal’s property or to take certain actions with respect to certain”

trusts under certain circumstances; making certain stylistic changes on a certain statutory form for a limited power of attorney;”.

AMENDMENT NO. 2

On page 6 in lines 22 and 23 and on page 23 in lines 10 and 11, in each instance, strike “ASSIST THE PRINCIPAL IN MEETING THE ELIGIBILITY REQUIREMENTS AND QUALIFYING” and substitute “ENABLE THE PRINCIPAL TO QUALIFY”.

On page 6, in line 23, after “PROGRAM” insert “, INCLUDING OBTAINING PERSONAL AND FINANCIAL RECORDS AND, TO THE EXTENT AUTHORIZED IN THE SPECIAL INSTRUCTIONS BELOW, TO TRANSFER OR GIFT THE PRINCIPAL’S PROPERTY”.

On page 23 in line 12, after “PROGRAM” insert “, INCLUDING OBTAINING PERSONAL AND FINANCIAL RECORDS AND, TO THE EXTENT SPECIFICALLY AUTHORIZED BELOW, TO TRANSFER OR GIFT THE PRINCIPAL’S PROPERTY”.

On page 25, in line 4, strike “(including gifts to” and substitute “AND TRANSFERS – WITH RESPECT TO THIS SUBJECT, I AUTHORIZE MY AGENT TO:

() MAKE A GIFT OR TRANSFER TO A PERSON, OR CREATE AND FUND FOR THE BENEFIT OF A PERSON, INCLUDING THE PRINCIPAL,”;

in line 6, strike “and”; strike beginning with the parentheses in line 7 down through “gift” in line 9 and substitute “, OR A SPECIAL NEEDS TRUST OR ANY TRUST AUTHORIZED UNDER § 1917 OF THE FEDERAL SOCIAL SECURITY ACT,”; in line 33, strike “My agent MAY NOT” and substitute “IN ADDITION, MY AGENT MAY”; and in the same line, strike “UNLESS” and substitute “ONLY IF”.

On page 26, after line 7, insert:

“() TAKE ANY OF THE ACTIONS I HAVE AUTHORIZED IN SECTION N OF THIS POWER OF ATTORNEY WITHOUT RESTRICTION ON THE AMOUNT OF THE GIFT OR TRANSFER

() TAKE ANY OF THE ACTIONS I HAVE AUTHORIZED IN SECTION N IN FAVOR OF MY AGENT”;

in line 8, after “Create” insert “AND FUND”; in line 10, strike “OR A POOLED TRUST ACCOUNT” and substitute “, ANY TRUST AUTHORIZED UNDER § 1917 OF THE FEDERAL SOCIAL SECURITY ACT, OR A THIRD PARTY SPECIAL NEEDS TRUST”; in line 11, after “CODE” insert a comma; and in line 20, strike “AT THE EARLIEST POSSIBLE TIME”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 13

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 848 – The Speaker (By Request – Office of the Attorney General)

AN ACT concerning

Small Claims – Examination in Aid of Enforcement – Prohibition on Arrest or Incarceration for Failure to Appear

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 1121 – Delegate Crutchfield

AN ACT concerning

Juvenile Services – Workgroup to Develop Evidence-Based, Research-Based, and Culturally Competent Practices

Favorable report adopted.

Delegate Crutchfield moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 1186 – Delegate Clippinger

AN ACT concerning

**Office of the Attorney General – Firearm Crime, Injuries, Fatalities, and Crime
Firearms – Study Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 20

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 4 – Delegate Grammer

AN ACT concerning

**Baltimore County – Career Exploration and Development Activities in Public
High Schools – Prohibiting a Ban or Regulation of Sale of Coffee**

HB0004/155967/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 4

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “County” insert “, if the activity is directed at or organized by students with individualized education programs”.

AMENDMENT NO. 2

On page 1, in line 23, after “school” insert “**, IF THE ACTIVITY IS DIRECTED AT OR ORGANIZED BY STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 181 – Delegate Ebersole

AN ACT concerning

Baltimore County – Board of Education – Election of Officers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 468 – Delegate Forbes

AN ACT concerning

**Baltimore County – School Board Nominating Commission – Vacancy
Procedures**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 530 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Gaming – Administration of Bingo Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 571 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Property Tax Abatement

MC 20–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 692 – Cecil County Delegation

AN ACT concerning

Cecil County – Board of Education – Member Terms and Compensation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 981 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Tax Sales – Limited Auction

PG 413–21

HB0981/765669/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 981

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “liens;” insert “altering eligibility requirements for certain individuals to submit bids in a certain limited auction;”.

AMENDMENT NO. 2

On page 2, in line 16, strike “the” and substitute “A”; in the same line, after “government” insert “AGENCY LOCATED IN PRINCE GEORGE’S COUNTY”; and in line 19, after “discharge” insert “AND IS EMPLOYED IN PRINCE GEORGE’S COUNTY”.

AMENDMENT NO. 3

On page 3, in line 21, strike “October” and substitute “July”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1179 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Property Tax Credit – Hotel or Residential Development

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1219 – Delegate Conaway

AN ACT concerning

Baltimore City – Tax Sales – Notice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1222 – Delegate Conaway

AN ACT concerning

Baltimore City – Tax Sales – Notice Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 21

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 158 – Delegates Carr, Bagnall, Belcastro, Cox, Crutchfield, Henson, Hornberger, C. Jackson, Johnson, D. Jones, Kerr, Krimm, R. Lewis, Lierman, McComas, Palakovich Carr, Saab, Solomon, and Terrasa

AN ACT concerning

Property Tax – Homeowners’ Property Tax Credit – Calculation and Refunds

HB0158/205265/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 158

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “a refund of property taxes paid by the homeowner” and substitute “additional homeowners’ property tax credits in the form of a refund”.

AMENDMENT NO. 2

On page 3, in line 1, strike “a refund of property taxes paid by the homeowner” and substitute “additional State homeowners’ property tax credits”.

AMENDMENT NO. 3

On page 3, in line 11, strike “2028” and substitute “2037”; and in line 13, strike “one–sixth” and substitute “one–fifteenth”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 337 – Delegate P. Young

AN ACT concerning

Sales and Use Tax – Vendor Collection Credit – Job Training

HB0337/765362/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 337

(First Reading File Bill)

On page 3, in line 16, strike “\$250,000” and substitute “\$100,000”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 752 – Delegate Ebersole

AN ACT concerning

Income Tax Credit – Food Donation Pilot Program – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1062 – Delegate D. Jones

AN ACT concerning

**Education – Student Data Privacy – Reports and Student Data Privacy Council
Sunset Extension**

HB1062/325167/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1062

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “Council;” insert “requiring the Department to report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means on certain best practices and recommendations for student data governance on or before a certain date;”; and after line 21, insert:

“BY repealing and reenacting, with amendments,

Chapter 381 of the Acts of the General Assembly of 2018
Section 2”.

AMENDMENT NO. 2

On page 3, in line 14, after “(3)” insert “**(I)**”; in the same line, after “who” insert “**ENGAGES WITH INSTITUTIONS UNDER THE SCHOOL OFFICIAL EXCEPTION OF THE FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT AND**”; in line 18, strike “**(I)**” and substitute “**1.**”; in line 19, strike “**(II)**” and substitute “**2.**”; in the same line, strike “**1.**” and substitute “**A.**”; in line 21, strike “**2.**” and substitute “**B.**”; and after line 24, insert:

**“(II) “OPERATOR” INCLUDES A DIVISION OF A PARENT ENTITY IF
THE DIVISION:**

1. SERVES EDUCATION CLIENTS; AND

**2. DOES NOT SHARE COVERED INFORMATION WITH THE
PARENT ENTITY.”.**

AMENDMENT NO. 3

On page 5, after line 23, insert:

“Chapter 381 of the Acts of 2018

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before July 1, 2019, [and] July 1, 2020, AND JULY 1, 2022, the State Department of Education shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article, on the status of the following:

- (1) development and implementation of best practices in the areas of data governance, transparency, and professional development;
- (2) levels of engagement by county boards;
- (3) barriers to engagement, if any, including fiscal, statutory, or workplace obstacles; and
- (4) any recommended statutory changes.”.

On page 6, in line 4, strike “TO PROVIDE TO” and substitute “**FOR**”; and in line 5, after “**STATE**” insert “, **INCLUDING:**”

1. THE ACTIONS THAT SHOULD OCCUR IF AN OPERATOR ENGAGES IN AN ACTIVITY PROHIBITED UNDER § 4–131 OF THE EDUCATION ARTICLE;

2. THE TYPE OF INVESTIGATION THAT SHOULD BE DONE IF AN OPERATOR IS SUSPECTED OF ENGAGING IN AN ACTIVITY PROHIBITED UNDER § 4–131 OF THE EDUCATION ARTICLE;

3. THE BEST REMEDIES AVAILABLE TO STUDENTS AND PARENTS IN CASE OF AN OPERATOR ENGAGING IN AN ACTIVITY PROHIBITED UNDER § 4–131 OF THE EDUCATION ARTICLE; AND

4. ANY STATUTORY OR REGULATORY CHANGES NECESSARY TO BEST EFFECTUATE ITEMS 1 THROUGH 3 OF THIS SUBPARAGRAPH”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate M. Fisher moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1180 – Delegate Hill

AN ACT concerning

Property Tax Credit – Airport Noise Zones – Eligibility

HB1180/655060/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1180

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “clarifying” in line 5 down through “zone;” in line 8 and substitute “authorizing the governing body of a county or municipal corporation to choose to provide the tax credit only within a certain noise contour; authorizing the governing body of a county or municipal corporation to vary the amount of the credit based on where the property is situated within the airport noise zone under certain circumstances;”.

AMENDMENT NO. 2

On page 1, after line 25, insert:

“(B) THE GOVERNING BODY OF A COUNTY OR OF A MUNICIPAL CORPORATION MAY CHOOSE TO PROVIDE THE TAX CREDIT UNDER SUBSECTION (A) OF THIS SECTION ONLY WITHIN A SMALLER NOISE CONTOUR THAN THE 65 LDN NOISE CONTOUR.”

On page 2, in line 1, strike “(b)” and substitute “(C)”; in line 3, after “(1)” insert “SUBJECT TO SUBSECTION (D) OF THIS SECTION,”; strike beginning with “,” in line 4 down through “ZONE” in line 6; and after line 8, insert:

“(D) IF THE GOVERNING BODY OF A COUNTY OR OF A MUNICIPAL CORPORATION PROVIDES THE TAX CREDIT UNDER SUBSECTION (A) OF THIS SECTION TO PROPERTY LOCATED OUTSIDE THE 75 LDN NOISE CONTOUR, THE GOVERNING BODY OF THE COUNTY OR MUNICIPAL CORPORATION MAY VARY THE AMOUNT OF THE CREDIT BASED ON WHERE THE PROPERTY IS SITUATED WITHIN THE AIRPORT NOISE ZONE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Clark moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1279 – Delegate Luedtke

AN ACT concerning

Regional Institution Strategic Enterprise Zone Program – Alterations

HB1279/655461/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1279

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “zone;” insert “prohibiting a business entity from receiving rental assistance under a certain program for more than a certain number of years;”; and in line 22, after “circumstances;” insert “requiring a certain rental assistance program that receives a distribution of certain funds to submit an annual report to the Department on certain matters and to be subject to a certain audit; authorizing the Department, based on the findings of a certain audit, to make a certain assessment to recapture certain funds;”.

AMENDMENT NO. 2

On page 5, in line 31, after “(1)” insert “(I)”.

On page 6, in lines 2 and 4, strike “(I)” and “(II)”, respectively, and substitute “1.” and “3.”, respectively; in line 3, strike “AND” and substitute:

“2. HAS NEXUS WITH A QUALIFIED INSTITUTION LOCATED IN THE RISE ZONE; AND”;

after line 4, insert:

“(II) A BUSINESS ENTITY MAY NOT RECEIVE RENTAL ASSISTANCE UNDER A RENTAL ASSISTANCE PROGRAM ESTABLISHED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH FOR MORE THAN 3 YEARS.”;

and after line 19, insert:

“(III) THE APPLICANT SHALL SUBMIT THE APPLICATION ON OR BEFORE THE DATE THAT THE DEPARTMENT SPECIFIES.”.

On page 7, after line 14, insert:

“(D) (1) ON OR BEFORE SEPTEMBER 15 EACH YEAR, A RENTAL ASSISTANCE PROGRAM THAT HAS RECEIVED A DISTRIBUTION OF FUNDS FROM THE FUND SHALL SUBMIT TO THE DEPARTMENT AN ANNUAL REPORT IN THE FORM AND CONTAINING THE INFORMATION REQUIRED BY THE SECRETARY.

(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL DETAIL THE USE OF FUNDS RECEIVED UNDER THIS SECTION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR AND PROVIDE AN UPDATE ON ANY FUNDS THAT WERE NOT DISBURSED DURING THAT FISCAL YEAR.

(3) THE DEPARTMENT MAY NOT DISTRIBUTE MATCHING FUNDS FROM THE FUND TO A RENTAL ASSISTANCE PROGRAM UNDER THIS SECTION IF THE RENTAL ASSISTANCE PROGRAM HAS FAILED TO SUBMIT THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(E) A RENTAL ASSISTANCE PROGRAM THAT RECEIVES A DISTRIBUTION OF MATCHING FUNDS FROM THE FUND SHALL BE SUBJECT TO AN AUDIT AT LEAST ONCE EVERY 3 YEARS BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT THAT THE APPLICANT AND THE DEPARTMENT SELECT.

(F) BASED ON THE FINDINGS OF AN AUDIT CONDUCTED UNDER SUBSECTION (E) OF THIS SECTION, THE DEPARTMENT MAY MAKE AN ASSESSMENT AGAINST A QUALIFIED INSTITUTION, A COUNTY, A MUNICIPAL CORPORATION, OR AN ECONOMIC DEVELOPMENT AGENCY TO RECAPTURE ANY MISUSED OR UNDISTRIBUTED FUNDS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1322 – Delegate Washington

EMERGENCY BILL

AN ACT concerning

Primary and Secondary Education – School Personnel – Prohibition on Retaliation for Not Returning to In–Person Instruction and Work

HB1322/715267/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1322

(First Reading File Bill)

On page 2, in line 21, strike “or”; and in line 25, after the semicolon insert “or

(iv) is a teacher, educational support professional, or other professional school personnel who is allowed to instruct or work remotely under subsection (c) of this section;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1350 – Delegate Wilkins

AN ACT concerning

Campaign Finance – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1352 – Delegate Smith

AN ACT concerning

Campaign Finance Reports – Business Contributors – Registration Status

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 462)

CALENDAR OF THIRD READING HOUSE BILLS NO. 50

House Bill 52 – Delegate Wells

AN ACT concerning

**Real Property – Eviction Actions – Alterations in Actions for Repossession
~~and Establishment of Eviction Diversion Program~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 91 Negative – 40 (See Roll Call No. 463)

The Bill was then sent to the Senate.

House Bill 572 – Delegate Clippinger

AN ACT concerning

Baltimore City – 46th District – Alcoholic Beverages Licenses

Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 1 (See Roll Call No. 464)

The Bill was then sent to the Senate.

House Bill 680 – Delegate Rogers

AN ACT concerning

Anne Arundel County – Board of License Commissioners – Chief Inspector

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 465)

The Bill was then sent to the Senate.

House Bill 700 – Delegate Ruth

AN ACT concerning

**Education – ~~Disruption of School Activities – Repeal of Prohibition Crimes on~~
School Grounds – Exemptions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 91 Negative – 42 (See Roll Call No. 466)

The Bill was then sent to the Senate.

House Bill 1100 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Gift Basket Permit

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 1 (See Roll Call No. 467)

The Bill was then sent to the Senate.

House Bill 1155 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Delivery**Ho. Co. 01–21**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 1 (See Roll Call No. 468)

The Bill was then sent to the Senate.

House Bill 1266 – Delegate W. Fisher

AN ACT concerning

Estates and Trusts – Wills – Custodianship

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 469)

The Bill was then sent to the Senate.

House Bill 1288 – Delegate Amprey

AN ACT concerning

Baltimore City – 40th District Alcoholic Beverages

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 470)

The Bill was then sent to the Senate.

RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 3

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1375 – Delegate Kelly

AN ACT concerning

Health Information Exchanges – Electronic Health Information – Sharing and Disclosure

The Bill was re-referred to the Committee on Health and Government Operations.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 11

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 183 – Delegate Lierman

AN ACT concerning

**Public Information Act – Revisions
(Equitable Access to Records Act)**

HB0183/276480/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 183

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “information;” in line 10; and in line 28, after “request;” insert “providing that a custodian may not be required to produce a certain record for Board review under certain circumstances; authorizing the Board to request certain information from the custodian;”.”

On page 2, strike beginning with “requiring” in line 15 down through “information;” in line 17; in line 21, after “terminology;” insert “providing for the application of this Act;””;

in line 23, after “date;” insert “providing for a delayed effective date;”; and in line 37, strike “and 4–105”.

AMENDMENT NO. 2

On page 3, in line 26, after “THE” insert “PUBLIC ACCESS OMBUDSMAN OR THE”.

On pages 4 and 5, strike in their entirety the lines beginning with line 13 on page 4 through line 15 on page 5, inclusive.

On page 7, in line 12, strike “FOUR” and substitute “TWO”; in line 23, strike “\$200;” and substitute “\$350; OR”; and strike beginning with “UNREASONABLY” in line 24 down through “(IV)” in line 26.

On page 8, in line 6, after the semicolon insert “OR”; and strike beginning with “IF” in line 7 down through “(IV)” in line 10.

On page 10, in line 7, strike “45” and substitute “30 CALENDAR”; in line 17, after “30” insert “CALENDAR”; and in line 30, after “RECORD;” insert “OR”.

On page 11, strike beginning with “; OR” in line 3 down through “REQUEST” in line 6; after line 6, insert:

“(3) (I) IF THE COMPLAINT ALLEGES THAT THE CUSTODIAN DENIED INSPECTION OF A PUBLIC RECORD UNDER § 4–301(A)(2)(II) OF THIS TITLE, THE CUSTODIAN MAY NOT BE REQUIRED TO PRODUCE THE PUBLIC RECORD FOR BOARD REVIEW.

(II) THE BOARD MAY REQUEST INFORMATION ABOUT THE PUBLIC RECORD FROM THE CUSTODIAN.”;

in lines 7, 10, 13, and 16, strike “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “(4)”, “(5)”, “(6)”, and “(7)”, respectively; in line 13, after “LIABLE” insert “UNDER MARYLAND LAW”; in line 20, after “30” insert “CALENDAR”; and in line 26, after “30” insert “CALENDAR”.

On page 12, in line 9, after “30” insert “CALENDAR”.

On page 14, in line 1, after “90” insert “CALENDAR”.

On pages 14 and 15, strike in their entirety the lines beginning with line 29 on page 14 through line 9 on page 15, inclusive.

AMENDMENT NO. 3

On page 16, after line 8, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be applied or interpreted to have any effect on or application to any exceptions to disclosure requirements in Title 4 of the General Provisions Article.”;

in line 9, strike “3.” and substitute “4.”; and in line 10, strike “October 1, 2021” and substitute “July 1, 2022”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Grammer moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 236 – Delegates Hill, Feldmark, Ebersole, Kerr, Johnson, Terrasa, R. Lewis, and Bagnall

AN ACT concerning

**Department of General Services – Energy–Conserving Standards
(Maryland Sustainable Buildings Act of 2021)**

HB0236/836786/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 236
(First Reading File Bill)

On page 3, after line 20, insert:

“(5) THE DEPARTMENT SHALL CONSIDER THE PHYSICAL HEALTH AND MENTAL HEALTH OF BUILDING OCCUPANTS WHEN DEVELOPING OR UPDATING STANDARDS UNDER PARAGRAPH (1) OF THIS SUBSECTION.”

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 611 – Delegate Hill

AN ACT concerning

Public Health – Prohibition on Testing Cosmetics on Animals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 643 – Delegate Palakovich Carr

AN ACT concerning

Public Health – Cosmetic Products – Ingredient Prohibition

HB0643/606489/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 643

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “from” insert “knowingly”; and in line 6, after “term;” insert “declaring the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, in line 2, after “NOT” insert “KNOWINGLY”.

AMENDMENT NO. 3

On page 3, after line 26, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that this Act be construed in a manner that is consistent with the prohibition on the presence of the same intentionally added ingredients in cosmetics enacted by the European Union under European Parliament and Council Regulation No. 1223/2009 and any subsequent amendments.”;

and in line 27, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 849 – Delegate Rosenberg

AN ACT concerning

Public Health – Medical Records – Fees

HB0849/583628/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 849

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “circumstances;” in line 11 and substitute “repealing the authority of certain entities to charge to certain persons a certain cost for the handling of medical records in addition to a certain other fee;”; in line 11, after “provider” insert “or a representative of the health care provider”; and strike beginning with “to” in line 12 down through “amount” in line 15 and substitute “requested by a certain person and that will be used for a certain purpose; altering the maximum”

amount of a fee that a certain person or entity may charge for subsequent copies of a certain medical record”.

AMENDMENT NO. 2

On page 2, in lines 3, 5, 7, 11, 12, 14, 15, 16, 19, and 26, in each instance, strike the bracket; in line 11, strike “**A FEE AS PROVIDED IN THIS SUBSECTION**”; in line 14, strike “**A**”; in line 15, strike the first comma; in the same line, strike “**, PREPARING, AND HANDLING A MEDICAL RECORD**”; in line 16, strike “**50**”; in lines 16 and 17, strike “**OR A FLAT FEE OF \$5, WHICHEVER IS GREATER**”; in line 24, strike the first bracket; and in the same line, strike “**THE**”.

On page 3, in lines 5, 6, 9, 12, 22, 23, 31, and 36, in each instance, strike the bracket; in line 7, strike “**THE**”; strike beginning with “**IF**” in line 13 down through “**(6)**” in line 17; in line 21, strike “**(7)**” and substitute “**(6)**”; in line 17, after “**PROVIDER**” insert “**OR A REPRESENTATIVE OF THE HEALTH CARE PROVIDER**”; strike beginning with “**TO**” in line 18 down through “**PROGRAM**” in line 20 and substitute “**:**”

(I) REQUESTED BY:

1. THE PATIENT;

2. THE PATIENT’S PERSONAL REPRESENTATIVE; OR

3. AN EMPLOYEE OR OTHER REPRESENTATIVE OF A NONPROFIT LEGAL SERVICES ENTITY OR OTHER VOLUNTEER OR NONPROFIT PROGRAM REPRESENTING THE PATIENT; AND

(II) THAT WILL BE USED FOR THE PURPOSE OF FILING A CLAIM REGARDING OR APPEALING A DENIAL OF SOCIAL SECURITY DISABILITY INCOME OR SOCIAL SECURITY BENEFITS UNDER TITLE II OR TITLE XVI OF THE SOCIAL SECURITY ACT”;

in line 22, strike “**PARAGRAPH**”; and in line 31, strike “**(6)**” and substitute “**(7)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 881 – Delegate Valentino–Smith

AN ACT concerning

Mental Health Facilities – Sexual Abuse and Harassment – Reporting and Prevention

HB0881/886488/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 881

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “entities” insert “within a certain time period; requiring the Office of Health Care Quality and the Behavioral Health Administration to develop and implement a certain reporting system”; in line 8, strike “Behavioral Health”; in line 13, after “plan” insert “under certain circumstances”; and in line 15, strike “of Health Care Quality”.

AMENDMENT NO. 2

On page 3, in line 18, strike “A”; in the same line, after “facility]” insert “**WITHIN 24 HOURS AFTER RECEIVING THE COMPLAINT, A**”; in the same line, after “FACILITY” insert “**THAT IS A LICENSED RESIDENTIAL TREATMENT CENTER, A STATE FACILITY, OR A HOSPITAL WITH A SEPARATELY IDENTIFIED INPATIENT PSYCHIATRIC SERVICE**”; in the same line, strike “complaints” and substitute “**A COMPLAINT**”; in the same line, strike “and” and substitute “**OR**”; in line 19, after “harassment” insert “**OF A PATIENT RECEIVING TREATMENT IN THE RESIDENTIAL TREATMENT CENTER OR RECEIVING INPATIENT PSYCHIATRIC SERVICES**”; and after line 25, insert:

“(4) THE ADMINISTRATION AND THE OFFICE OF HEALTH CARE QUALITY SHALL COLLABORATE TO DEVELOP AND IMPLEMENT A UNIFORM REPORTING SYSTEM TO BE USED BY FACILITIES IN COMPLYING WITH PARAGRAPH (3) OF THIS SUBSECTION.”

On page 4, in line 16, after “FACILITY” insert “THAT IS A LICENSED RESIDENTIAL TREATMENT CENTER, A STATE FACILITY, OR A HOSPITAL WITH A SEPARATELY IDENTIFIED INPATIENT PSYCHIATRIC SERVICE”; and in line 20, after “harassment” insert “OF PATIENTS RECEIVING TREATMENT IN THE RESIDENTIAL TREATMENT CENTER OR RECEIVING INPATIENT PSYCHIATRIC SERVICES”.

On page 5, in line 3, after “FACILITY” insert “THAT IS A LICENSED RESIDENTIAL TREATMENT CENTER, A STATE FACILITY, OR A HOSPITAL WITH A SEPARATELY IDENTIFIED INPATIENT PSYCHIATRIC SERVICE”; in the same line, after “shall” insert “, FOR PATIENTS RECEIVING TREATMENT IN THE RESIDENTIAL TREATMENT CENTER OR RECEIVING INPATIENT PSYCHIATRIC SERVICES”; and in line 8, strike “, AS” and substitute “IF”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 970 – Delegate Johnson

AN ACT concerning

Psychology Interjurisdictional Compact

HB0970/536083/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 970

(First Reading File Bill)

On page 1, at the top of the page, insert “EMERGENCY BILL”.

On page 2, in line 3, after “terms;” insert “making this Act an emergency measure;”.

On page 32, strike in their entirety lines 13 and 14 and substitute:

“SECTION 2. 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.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1022 – Delegate Pendergrass

AN ACT concerning

Public Health – State Designated Exchange – Clinical Information

HB1022/516288/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1022

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “exchange” insert “for a certain purpose”; in line 9, after “circumstances;” insert “providing that certain information submitted by a nursing home may only be used for a certain purpose and may not be used for any other purpose;”; in line 11, after “provider” insert “, health care payor,”; in the same line, strike “of” and substitute “or”; in line 16, strike “providing” and substitute “requiring”; and in the same line, strike “may”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“(2) “ELECTRONIC HEALTH CARE TRANSACTIONS” MEANS HEALTH CARE TRANSACTIONS THAT HAVE BEEN APPROVED BY A NATIONALLY RECOGNIZED HEALTH CARE STANDARDS DEVELOPMENT ORGANIZATION TO SUPPORT HEALTH

CARE INFORMATICS, INFORMATION EXCHANGE, SYSTEMS INTEGRATION, AND OTHER HEALTH CARE APPLICATIONS.”;

in lines 4, 7, 9, and 12, strike “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “(3)”, “(4)”, “(5)”, and “(6)”, respectively; in line 4, strike “INVOLVED” and substitute “:

(I) INVOLVED”;

and in line 6, after “ENTITY” insert “;AND

(II) CERTIFIED BY THE MARYLAND HEALTH CARE COMMISSION”.

On page 3, in line 2, after “EXCHANGE” insert “TO FACILITATE THE OBJECTIVES STATED IN PARAGRAPH (3) OF THIS SUBSECTION”; in line 3, after “LAW” insert “AND TO FACILITATE THE OBJECTIVES STATED IN PARAGRAPH (3) OF THIS SUBSECTION”; in line 12, after “(3)” insert “(I)”; in lines 16, 17, and 18, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; after line 18, insert:

“(II) THE INFORMATION SUBMITTED BY A NURSING HOME UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE USED ONLY TO FACILITATE THE OBJECTIVES STATED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH AND MAY NOT BE USED FOR ANY OTHER PURPOSE, INCLUDING LICENSING AND CERTIFICATION.”;

in line 20, strike “ADMINISTRATIVE” and substitute “ELECTRONIC HEALTH CARE”; in the same line, after “FOR” insert “THE FOLLOWING”; in line 21, after “PURPOSES” insert “:

(I) A STATE HEALTH IMPROVEMENT PROGRAM;

(II) MITIGATION OF A PUBLIC HEALTH EMERGENCY; AND

(III) IMPROVEMENT OF PATIENT SAFETY”;

and in line 23, after “PROVIDER” insert “**, HEALTH CARE PAYOR,**”.

On page 4, in line 20, strike “MAY” and substitute “**SHALL**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1244 – Delegate Sample–Hughes

AN ACT concerning

State Procurement – Concrete – Preference

HB1244/546187/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1244

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “the” in line 3 down through the second “procurement” in line 4 and substitute “**awarding a contract for the procurement of concrete or a certain contract that includes the purchase or use of concrete in the performance of the contract to give a certain percentage price preference to the procurement, or required use under the contract,**”; in line 6, after “specifications;” insert “**providing that a certain percentage price preference shall only apply to a certain portion of a contract;**”; and in line 8, strike “certain terms” and substitute “**a certain term**”.

AMENDMENT NO. 2

On pages 1 and 2, strike the lines beginning with line 19 on page 1 through line 7 on page 2, and substitute:

“(A) IN THIS SECTION, “CONCRETE” MEANS STRUCTURAL AND NONSTRUCTURAL MASONRY AND READY MIX CONCRETE BUILDING PRODUCTS.

(B) EACH UNIT RESPONSIBLE FOR AWARDING A CONTRACT FOR THE PROCUREMENT OF CONCRETE OR A CONTRACT THAT INCLUDES THE PURCHASE OR USE OF CONCRETE IN THE PERFORMANCE OF THE CONTRACT SHALL GIVE A 5% PRICE PREFERENCE TO THE PROCUREMENT, OR REQUIRED USE UNDER THE CONTRACT, OF A CONCRETE MIX DESIGN THAT:”.

On page 2, in line 14, after “(C)” insert “THE PERCENTAGE PRICE PREFERENCE IN SUBSECTION (B) OF THIS SECTION SHALL ONLY APPLY TO THE PORTION OF A CONTRACT THAT IS DIRECTLY ATTRIBUTABLE TO THE COST OF THE CONCRETE.

(D)”;

and in lines 20 and 21, strike “(D)” and “(C)”, respectively, and substitute “(E)” and “(D)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 51

House Bill 182 – Delegate Kerr

AN ACT concerning

Health Occupations – Podiatric Physicians

STATUS OF BILL: BILL ON 3RD READING.

Read the third time and passed by yeas and nays as follows:

Affirmative – 99 Negative – 34 (See Roll Call No. 471)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 472)

ADJOURNMENT

At 11:52 A.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 6, 2021, Calendar Day, Wednesday, March 17, 2021.

Annapolis, Maryland
Legislative Day: March 6, 2021
Calendar Day: Wednesday, March 17, 2021
10:00 A.M. Session

The House met at 10:06 A.M. and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 123 Members present.

(See Roll Call No. 473)

EXCUSED:

Delegate Anderson – illness
Delegate Ciliberti – late – personal
Delegate Cox – medical
Delegate Healey – medical
Delegate Henson – late – personal
Delegate Terrasa – illness

The Journal of March 16, 2021 was read and approved.

MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 16

Senate Bill 61 – Senator Lam

AN ACT concerning

Public Buildings – Changing Facilities – Requirements

FOR the purpose of requiring, except under certain circumstances, that a changing facility suitable for changing the diaper of a child and providing personal care for an adult be installed in certain public restrooms in certain public buildings on or before a certain date; requiring certain entities responsible for the enforcement of this Act to report to 2–1–1 Maryland, Inc., the location of changing facilities when changing facilities are installed; requiring 2–1–1 Maryland, Inc., to maintain on its website a list containing all the locations of certain changing facilities; altering a certain definition; and generally relating to changing facilities in public buildings.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement

Section 2–801 through 2–803 to be under the amended subtitle “Subtitle 8. Changing Facilities”
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 139 – Senators Carozza and Beidle

AN ACT concerning

Interstate Occupational Therapy Licensure Compact

FOR the purpose of entering into the Interstate Occupational Therapy Licensure Compact; stating the purpose of the Compact; requiring a state to meet certain requirements to participate in the Compact; establishing certain duties of member states; authorizing a certain state to charge a certain fee for granting a certain compact privilege; requiring certain occupational therapists or occupational therapy assistants to meet certain eligibility requirements to receive certain licensure and exercise a certain privilege; establishing certain authorizations and requirements regarding the practice of occupational therapists and occupational therapy assistants under a compact privilege; requiring a licensee who is active duty military or the spouse of an individual who is active duty military to designate certain locations as the home state under certain circumstances; establishing certain authority of home states and remote states with regard to certain adverse actions; establishing the Occupational Therapy Compact Commission and its duties; providing for the election of an Executive Board of the Commission and establishing its duties; providing for the financing of the Commission; requiring the Commission to provide for the development, maintenance, and utilization of a coordinated database and reporting system; requiring member states to submit certain information to the data system; authorizing the Commission to adopt certain rules and amendments in a certain manner; providing for certain oversight, dispute resolution, and enforcement of the Compact; establishing certain requirements for withdrawal by member states from the Compact; providing for the dissolution of the Compact under certain circumstances; providing for the application of the Compact; providing for the binding effect of the Compact; establishing procedures for amending the Compact; making the provisions of the Compact severable; making this Act subject to a certain contingency; defining certain terms; and generally relating to the Interstate Occupational Therapy Licensure Compact.

BY adding to

Article – Health Occupations

Section 10–3A–01 to be under the new subtitle “Subtitle 3A. Interstate Occupational Therapy Licensure Compact”

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 365 – Senator McCray

AN ACT concerning

**Neighborhood Business Development Program – Food Desert Projects –
Business Retention**

FOR the purpose of expanding the purposes of the Neighborhood Business Development Program to include retaining certain businesses and enterprises in food deserts and certain areas that serve food deserts; increasing the maximum amount of a certain small loan that may be provided to an approved entity for assistance in providing or maintaining access to healthy food in certain food deserts; authorizing the Department of Housing and Community Development to provide certain loans to an approved entity for certain operating costs; requiring the Department to forgive a certain loan after a certain number of years under certain circumstances; specifying that certain food desert projects may serve urban or rural food deserts; altering a certain definition; and generally relating to the Neighborhood Business Development Program and food desert projects.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 6–301(a) and (d)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–301(i), 6–303, and 6–308.3
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 371 – Senator Peters

AN ACT concerning

**Special Education – Individualized Education Programs – Educational
Evaluations**

FOR the purpose of altering the circumstances under which a parent may request an independent educational evaluation of a child with a disability at public expense to include a parent who submits a certain request to a local school system and the local school system does not respond within a certain period of time or, on approval, the educational evaluation meeting does not occur within a certain period of time under

certain circumstances; making conforming changes; and generally relating to educational evaluations in individualized education programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–405
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 439 – Senators Ready and West

AN ACT concerning

Public Institutions of Higher Education – Student Athletes (Jordan McNair Safe and Fair Play Act)

FOR the purpose of ~~requiring certain public institutions of higher education to provide certain scholarships to student athletes until certain conditions are met; authorizing a public institution of higher education to expand certain scholarships under certain circumstances; requiring an athletic program to renew an athletic scholarship under certain circumstances; providing for the duration of a scholarship if a student athlete takes a leave of absence; requiring an athletic program to provide an equivalent scholarship to a student athlete who has exhausted athletic eligibility under certain circumstances; prohibiting a certain student athlete from receiving certain benefits; providing for a certain student athlete's right to appeal a certain decision in certain circumstances; requiring each athletic program to conduct a financial and life skills workshop for certain student athletes; specifying required and prohibited content for the workshop; requiring a public institution of higher education to grant student athletes the same rights as other students in certain circumstances; specifying required and prohibited actions for an athletic program when a student athlete is in the process of transferring to another institution; requiring an athletic program to pay certain premiums and insurance deductibles for certain student athletes under certain circumstances; requiring an athletic program to make certain payments on a certain student athlete's behalf in certain circumstances; requiring an athletic program to adopt and implement certain guidelines; requiring athletic programs to monitor certain compliance with federal law and periodically report certain evaluations; requiring a public institution of higher education to designate a certain employee for a certain purpose; providing for the suspension protocols of an athletic director who remains in violation of a certain federal law for a certain period of time; providing for the content of a certain required notice regarding the rights of student athletes; requiring the notice to be conspicuously posted; requiring a public institution of higher education to provide certain health information to student athletes; providing that certain provisions may not be construed to limit the authority of a public institution of higher education under certain circumstances; prohibiting a public institution of higher education from taking certain actions~~

~~related to student athletes; declaring certain findings of the General Assembly; requiring certain athletic programs to adopt certain guidelines and protocols; requiring the University System of Maryland Intercollegiate Athletics Workgroup, Morgan State University, and St. Mary's College of Maryland each to submit a report on certain policy changes to the General Assembly on or before a certain date each year; prohibiting a public institution of higher education from taking certain actions related to student athletes; prohibiting certain groups or organizations with authority over intercollegiate athletics from preventing a certain student athlete from participating in intercollegiate athletics under certain circumstances; prohibiting a public institution of higher education and certain groups or organizations with authority over intercollegiate athletics from providing compensation to a student athlete under certain circumstances or preventing a student athlete from obtaining professional representation; requiring professional representation obtained for student athletes to be licensed under certain provisions of State law; requiring certain agents who represent student athletes to comply with certain provisions of federal law while representing student athletes; prohibiting a team prohibiting an athletic program contract at a public institution of higher education from preventing a student athlete from taking certain actions; authorizing an athletic program contract to prohibit a student athlete from engaging in certain advertising; prohibiting a student athlete from entering into certain contracts; requiring a certain student athlete to disclose certain information to a public institution of higher education; requiring a certain public institution of higher education to disclose certain information to certain student athletes or certain legal representation; prohibiting a student athlete from making commercial use of certain property owned or controlled by a public institution of higher education; providing for a delayed effective date for certain provisions of this Act; defining certain terms; and generally relating to student athletes at public institutions of higher education.~~

BY adding to

Article – Education

Section ~~15-126 and 15-127~~ 15-128 and 15-129

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 455 – Senator Sydnor

AN ACT concerning

Employment Discrimination – Time for Filing Complaints

FOR the purpose of extending the time periods within which a person claiming to be aggrieved by certain discriminatory acts is required to file a complaint with the Commission on Civil Rights; providing that a complaint filed with a local human relations commission within certain time periods is deemed to have complied with

certain provisions of this Act; and generally relating to employment discrimination complaints.

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–1004
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 500 – Senators Lam and Hettleman

AN ACT concerning

Psychology Interjurisdictional Compact

FOR the purpose of entering into the Psychology Interjurisdictional Compact; stating the purpose of the Compact; establishing certain criteria and duties for compact states; requiring certain psychologists to hold a certain license from a home state and meet certain eligibility requirements to exercise certain authority to practice interjurisdictional telepsychology; requiring certain psychologists to hold a certain license from a home state and meet certain eligibility requirements to exercise certain temporary authority to practice in-person, face-to-face psychology in certain compact states; establishing certain requirements for certain psychologists practicing into certain receiving states under the authority to practice interjurisdictional telepsychology; establishing certain requirements for certain psychologists practicing into certain distant states under certain temporary authorization to practice; authorizing a psychologist to practice telepsychology in certain receiving states in the performance of certain scope of practice and under certain circumstances; establishing certain authority of home states and distant states with regard to certain adverse action; establishing certain authority for certain compact states' psychology regulatory authority to investigate and take certain action with respect to certain conduct and to issue certain subpoenas and orders under certain circumstances; providing for the development and maintenance of a coordinated licensure information system; requiring that certain data be sent to the coordinated licensure information system; establishing the Psychology Interjurisdictional Compact Commission and its duties and powers; providing for the membership, meetings, and voting of the Commission; providing for the membership and duties of the Executive Board of the Commission; providing for the financing of the Commission; providing qualified immunity, legal defense, and indemnification to certain individuals affiliated with the Commission under certain circumstances; authorizing the Commission to adopt certain rules and amendments in a certain manner; providing for certain oversight, dispute resolution, and enforcement of the Compact; providing for the implementation of the Compact; establishing certain requirements for withdrawal by compact states from the Compact; establishing a certain procedure for amending the Compact; making the Compact severable;

defining certain terms; and generally relating to the Psychology Interjurisdictional Compact.

BY adding to

Article – Health Occupations

Section 18–3A–01 to be under the new subtitle “Subtitle 3A. Psychology Interjurisdictional Compact”

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 509 – Senator Peters

AN ACT concerning

National Capital Strategic Economic Development Program – Eligibility

FOR the purpose of altering the definition of “national capital region” for the purposes of the National Capital Strategic Economic Development Program; requiring certain percentages of the National Capital Strategic Economic Development Fund to be used for community enhancement projects in sustainable communities located in certain areas in certain fiscal years; and generally relating to the National Capital Strategic Economic Development Program.

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

Section 6–701 and 6–710

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 525 – Senator McCray

AN ACT concerning

Baltimore City Department of Public Safety and Correctional Services and State Board of Elections – Centralized Booking Facility – Voting Information and Early Voting Polling Place Ballot Drop Box

FOR the purpose of requiring the Baltimore City centralized booking facility to provide a certain drop box for eligible voters and to monitor the ballot drop box in a certain manner; requiring the Baltimore City centralized booking facility to disseminate certain written information and instructions notifications directly to each eligible voter; requiring the State Board of Elections ~~and the local board of elections for Baltimore City~~ to provide the Baltimore City centralized booking facility with certain

~~written materials, the ballot drop box, and certain advice and guidance; requiring the local board of elections for Baltimore City, in collaboration with the State Board and the Department of Public Safety and Correctional Services, to establish an early voting polling place at the Baltimore City centralized booking facility; requiring that the early voting polling place be open on certain days and for certain hours, be for the use of eligible voters and closed to the public, and be in addition to certain early voting centers; requiring the State to pay for the ballot drop box; requiring the Baltimore City centralized booking facility to cooperate with the State Board in a certain manner for a certain purpose; requiring the State Board to adopt certain regulations and guidelines for the administration of early voting at the early voting polling place in collaboration with the Department of Public Safety and Correctional Services to provide a certain drop box and certain notifications; requiring that the regulations and guidelines provide that certain provisions of law that concern voting on election day apply to early voting at the early voting polling place to the extent appropriate; requiring the State Board to provide the ballot drop box to the Baltimore City centralized booking facility in time to allow eligible voters certain opportunity to submit certain materials before certain deadlines; requiring the local board of elections for Baltimore City to provide staff to collect certain election-related materials on a certain basis and the ballot drop box after a certain deadline; requiring the local board of elections for Baltimore City to distribute certain election-related materials collected from the ballot drop box in a certain manner; requiring the State Board, the local board of elections for Baltimore City, and the Department of Public Safety and Correctional Services jointly to submit a certain plan report to certain committees of the General Assembly on or before a certain date each year; defining certain terms; and generally relating to the dissemination of voting information and an early voting polling place a ballot drop box at the Baltimore City centralized booking facility.~~

BY adding to

Article – Correctional Services

Section 2-501 to be under the new subtitle “Subtitle 5. ~~Dissemination of Voter Information~~ Ballot Drop Box”

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Election Law

Section 1-303.1

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law

Section 3-102

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

~~BY adding to
Article – Election Law
Section 10–301.2
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Judiciary.

Senate Bill 566 – Senator Elfreth (By Request – Anne Arundel County Administration)

AN ACT concerning

Anne Arundel County – Transfer Tax – Housing Trust Special Revenue Fund

FOR the purpose of authorizing the governing body of Anne Arundel County to increase the rate of the transfer tax imposed on certain written instruments conveying title to property or a leasehold interest in real property; requiring any revenue derived from a higher transfer tax rate to be distributed to a certain special fund; establishing a Housing Trust Special Revenue Fund and requiring that certain revenue attributable to certain transfer and recordation tax rates be paid into the fund; providing that the fund is a special, nonlapsing fund; requiring that revenue paid into the fund be dedicated and appropriated to provide housing for certain individuals; repealing certain obsolete language; making stylistic and conforming changes; and generally relating to the transfer tax and the creation of a special fund for certain types of housing in Anne Arundel County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Anne Arundel County
Section 4–3A–102 and 4–11–111
Article 2 – Public Local Laws of Maryland
(2005 Edition and June 2020 Supplement, as amended)

BY adding to
The Public Local Laws of Anne Arundel County
Section 4–11–122
Article 2 – Public Local Laws of Maryland
(2005 Edition and June 2020 Supplement, as amended)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 581 – Senator Hettleman

AN ACT concerning

Action for Change of Name – Waiver of Publication Requirement

FOR the purpose of requiring a court to waive a certain publication requirement in a certain action for change of name under certain circumstances; and generally relating to actions for change of name.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–2201 to be under the new subtitle “Subtitle 22. Change of Name – Waiver of Publication Requirement”

Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 613 – Carroll County Senators

AN ACT concerning

Carroll County – Sheriff – Salary

FOR the purpose of altering the salary of the Sheriff of Carroll County; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff; and generally relating to the salary of the Sheriff of Carroll County.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2–320(b)

Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 632 – Senator Kagan

AN ACT concerning

Election Law – Contested Elections

FOR the purpose of prohibiting certain candidates from petitioning for a recount under certain circumstances; prohibiting a registered voter from filing a petition for a recount based on the certified results of a ballot question under certain circumstances; altering the circumstances under which a certain petitioner for a recount is not liable for the costs of the recount; providing that certain provisions of this Act apply only to persons that accept public campaign financing under certain provisions of law; providing that a person may accept a donation or make a disbursement related to a contested election only if the person establishes a contested election committee and makes certain disclosures; authorizing a person to establish a contested election committee at any time by filing a certain statement of

organization with the State Board of Elections; requiring a contested election committee to deposit all donations in and make all disbursements from a designated bank account; requiring that disbursements of a contested election committee pass through the hands of the treasurer and be in accordance with the purposes of the entity; ~~establishing a certain limit on the aggregate amount of donations a person may make to a contested election committee in an election year; establishing a certain limit on the aggregate amount of transfers a campaign finance entity may make to a contested election committee in an election year; providing that donations or transfers to a contested election committee established to contest a ballot question election are not subject to certain limits; providing that donations from the personal funds of a candidate or the candidate's spouse to a certain contested election committee are not subject to certain limits;~~ prohibiting certain persons from soliciting or accepting donations on behalf of a contested election committee in excess of certain contribution limits; prohibiting a contested election committee from accepting a loan other than a loan from certain sources; providing that certain loans may be of any amount; requiring the treasurer of a contested election committee to maintain certain records; requiring a contested election committee to retain the records for a certain period of time; requiring the treasurer of a contested election committee to file certain reports with the State Board in a certain manner; requiring the State Board to make certain reports publicly available on the Internet; requiring that a report filed by a treasurer of a contested election committee include certain information; requiring the treasurer of a contested election committee to file a report on or before certain dates; requiring the State Board to establish certain reporting periods for certain reports; requiring the State Board, under certain circumstances, to notify the treasurer of a contested election committee of certain deficiencies in a certain manner; requiring the treasurer of a contested election committee to file an amended report under certain circumstances; requiring the State Board to assess certain late filing fees for failure to file certain reports; providing for the amount, payment, use, and certain other matters relating to late filing fees; requiring the State Board to issue a certain notice to the treasurer of a contested election committee that has failed to file a certain report or pay a certain late filing fee; authorizing a certain prosecuting authority to refer certain matters to the Central Collection Unit in the Department of Budget and Management; providing that a treasurer of a contested election committee who commits a certain violation is guilty of a misdemeanor and on conviction is subject to certain penalties; prohibiting a candidate whose contested election committee has failed to file a certain report or pay a certain late fee from being issued a certificate of nomination under certain circumstances; prohibiting a candidate whose contested election committee has failed to file a certain report or pay a certain late fee from being deemed to be elected to a certain office, take the oath or otherwise assume the duties of the office, or receive a certain salary or compensation; prohibiting certain officials from issuing a commission or administering an oath to an individual until the official receives a certain certification from the State Board; authorizing the State Board to impose a civil penalty on a contested election committee for certain violations; providing for the amount, manner of assessment, and payment of certain civil penalties; requiring that certain unspent public contributions be repaid to a certain government entity; providing that certain private contributions are treated as spent before certain public

contributions for the purpose of making a certain calculation; requiring a contested election committee to pay all outstanding obligations and dispose of its remaining assets in a certain manner before filing a final report; repealing a provision of law providing that certain provisions of law do not affect the right of an individual to pay certain legal expenses associated with maintaining or contesting the results of an election; ~~requiring providing~~ that a certain system of public campaign financing established by the governing body of a county ~~allow a publicly financed candidate to establish~~ may include public financing of a contested election committee; authorizing a system of public campaign financing established by the governing body of a county to ~~provide public funds to the contested election committee of a publicly financed candidate and provide for more stringent regulation of campaign finance activity related to a contested election committee of a publicly financed candidate~~ allow a publicly financed candidate to transfer any amount of funds from the candidate's campaign finance entity to the candidate's contested election committee; making a technical correction; altering certain definitions; defining certain terms; and generally relating to contested elections.

BY repealing and reenacting, without amendments,

Article – Election Law

Section 1–101(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101(o) and (aa), 12–101(a), 12–103(a), 12–107, 13–233, and 13–505

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Election Law

Section 12–301 through 12–313 to be under the new subtitle “Subtitle 3. Contested Election Committee”

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 669 – Senator Waldstreicher

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Constitutional Amendment – Civil Jury Trials

FOR the purpose of proposing an amendment to the Maryland Declaration of Rights to alter the amount in controversy in civil proceedings in which the right to a jury trial may be limited by legislation; altering the amount in controversy in civil proceedings in which the right to a jury trial shall be inviolably preserved; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Declaration of Rights
Article 5 and 23

Read the first time and referred to the Committee on Judiciary.

Senate Bill 670 – Senator Waldstreicher

AN ACT concerning

Courts – Civil Jury Trials – Amount in Controversy

FOR the purpose of altering the amount in controversy in a civil action in which a party may not demand a jury trial; providing for the construction and application of this Act; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to jury trials in civil actions.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–402(e)(1)
Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 673 – ~~Senator Gallion~~ Senators Gallion, Ellis, Hester, and Washington

AN ACT concerning

Department of Agriculture – Urban Agriculture Grant Program

FOR the purpose of establishing the Urban Agriculture Grant Program in the Department of Agriculture; establishing an Urban Agriculture Grant Fund; establishing the purpose of the Program and Fund; requiring the Secretary of Agriculture to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; requiring the Fund to be used to provide certain grants under certain circumstances; authorizing the Governor to include in the annual State budget an appropriation to the Fund; establishing certain qualifications for certain nonprofit organizations to receive a certain grant under the Program; requiring certain grant recipients to report certain information to the Department; requiring the Department to adopt

certain regulations to administer the Fund; requiring the Department to seek and prioritize input from certain entities in adopting certain regulations; requiring the establishment of a certain Review Board; requiring the Board to provide grants from money available in the Fund; authorizing the Department to appoint certain members to the Board; requiring the Board to include certain representatives; requiring a certain percentage of certain grant amounts to have certain purposes; requiring certain grants to have a certain measurable impact; ~~authorizing certain abandoned property funds to be distributed in certain fiscal years to the Fund~~; authorizing the Department to adopt certain regulations; defining certain terms; and generally relating to the Urban Agriculture Grant Program in the Department of Agriculture.

BY adding to

Article – Agriculture

Section 2–2001 through 2–2005 to be under the new subtitle “Subtitle 20. Urban Agriculture Grant Program”

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – Commercial Law~~

~~Section 17–317~~

~~Annotated Code of Maryland~~

~~(2013 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 689 – Senator Sydnor

AN ACT concerning

Office of Small, Minority, and Women Business Affairs – Duties of the Special Secretary – Minority Business Enterprises

FOR the purpose of expanding the duties of the Special Secretary for the Office of Small, Minority, and Women Business Affairs to include establishing a certain mentorship program, conducting a certain study, providing certain training and educational opportunities, and establishing a certain annual awards program related to minority business enterprise participation in State procurement; and generally relating to the duties of the Special Secretary of the Office of Small, Minority, and Women Business Affairs.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–301(a), (d), and (e)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–305
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 692 – Senator Young

AN ACT concerning

State Planning – Preservation of Agricultural Land – Goal

FOR the purpose of establishing a State goal of preserving a certain amount of productive agricultural land by a certain year through certain programs; and generally relating to the preservation of agricultural land.

BY adding to
Article – State Finance and Procurement
Section 5–7A–03
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 697 – Senator Eckardt

AN ACT concerning

State Procurement – Minority Business Enterprise Program – Participation by Gender or Race

FOR the purpose of repealing a prohibition on counting a certain minority business enterprise as both a woman–owned business and a business owned by a member of an ethnic or racial group for purposes of the Minority Business Enterprise Program; requiring the Board of Public Works to adopt certain regulations; and generally relating to the Minority Business Enterprise Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–302(a)(1)(i)1. and 14–303(a)(1)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 14–302(a)(5) and 14–303(b)(20) and (21)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Finance and Procurement
Section 14–303(b)(21)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 703 – Senator West

AN ACT concerning

Procurement – Minority Business Enterprises – Qualification and Certification

FOR the purpose of requiring the Board of Public Works to adopt regulations to require the certification of a business as a minority business enterprise in a certain manner if the business has obtained a certain federal certification and remains certified; and generally relating to procurement by minority businesses.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–309
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 721 – Senator Hester

AN ACT concerning

Procurement – Small Business Reserve Program – Administration and Application

FOR the purpose of providing that the Small Business Reserve Program applies to certain universities in the State; specifying certain guidelines that the Governor’s Office of

Small, Minority, and Women Business Affairs is required to establish for the administration of the Program; requiring that certain guidelines for the Program be developed in partnership with certain persons; requiring the Governor's Office of Small, Minority, and Women Business Affairs to take certain actions to assist small businesses with procurement procedures and opportunities; requiring that a unit assess certain procurements up to and including a certain dollar value under the guidelines for the Program and either designate the procurement for the Program or request a certain waiver certified by the Governor's Office of Small, Minority, and Women Business Affairs; requiring the Governor's Office of Small, Minority, and Women Business Affairs to report to the Board of Public Works on or before a certain date each year on certain matters; making the provisions of this Act severable; and generally relating to the Small Business Reserve Program.

BY repealing and reenacting, without amendments,
 Article – State Finance and Procurement
 Section 11–203(e)(1) and (2), 14–501, and 14–502
 Annotated Code of Maryland
 (2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 11–203(e)(5), 14–503, ~~and 14–504~~ 14–504, and 14–505(c)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 785 – Senators Ferguson and Pinsky

EMERGENCY BILL

AN ACT concerning

State Board of Education Membership and Terms – Capability and Capacity Study of Education Agencies

FOR the purpose of requiring the Governor to appoint members of the State Board of Education on or before a certain date in a certain year; requiring members appointed to the State Board to reasonably reflect specified demographic diversity of the State, to the extent practicable; establishing qualifications for members of the State Board; requiring a member's term to begin on a certain day; requiring the Accountability and Implementation Board, in consultation with certain entities, to contract with a consultant to conduct a certain capability and capacity study of certain education agencies; providing for the purpose of the capability and capacity study; requiring certain State agencies and entities to provide certain information to the Accountability and Implementation Board and the Department of Legislative Services in a timely manner; requiring the Governor to include certain funding in

the annual budget bill for the capability and capacity study; requiring the Accountability and Implementation Board to submit certain reports to the Governor and the General Assembly on or before certain dates; requiring the Governor to appoint certain members to the State Board in 2021 that meet certain qualifications; providing for the termination of the term of certain members of the State Board; making this Act an emergency measure; and generally relating to the State Board of Education and a study of education agencies.

BY repealing and reenacting, with amendments,
Article – Education
Section 2–202
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 823 – Senators Gallion and Hershey

AN ACT concerning

Cecil County – Board of Education – Member Terms and Compensation

FOR the purpose of altering the number of terms a voting member of the Cecil County Board of Education may serve; requiring the County Council of Cecil County to set the amount of compensation for members of the county board; altering the minimum amount of compensation the president and other voting members of the county board are entitled to receive; providing that this Act does not apply to the compensation of the president or other voting members of the county board during a certain term of office; making conforming changes; and generally relating to the terms and compensation of the members of the Cecil County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–4A–01 and 3–4A–04
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 886 – Senator Elfreth

AN ACT concerning

Transfer With Success Act

FOR the purpose of requiring the Maryland Higher Education Commission to establish certain procedures that require a public institution of higher education that denies

the transfer of a credit or course to an enrolled student to report the denial to the student and the institution from which the student originates within a certain amount of time and to submit a certain report each year to the Commission; requiring the procedures to direct a certain institution to review, in conjunction with a receiving institution's designee, a denial of the transfer of a credit or course; and generally relating to the denial of the transfer of a credit or course.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–207
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 911 – Senator Smith

AN ACT concerning

Unlawful Employment Practice – Statute of Limitations and Remedies

FOR the purpose of ~~repealing~~ increasing the limitations on the amount of compensatory damages and punitive damages that may be awarded to a complainant in a certain unlawful employment case; increasing the period of time for which a complainant may recover certain back pay in a certain unlawful employment case; increasing the period of time during which a complainant may file a civil action that alleges an unlawful employment practice that does not allege harassment; ~~making conforming changes;~~ and generally relating to unlawful employment practices.

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–1009 and 20–1013
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 123 Members present.

(See Roll Call No. 474)

House Bill 377 – Delegate Bagnall

AN ACT concerning

Commission on Student Behavioral Health and Mental Health Treatment

Read the third time and passed by yeas and nays as follows:

Affirmative – 96 Negative – 34 (See Roll Call No. 475)

The Bill was then sent to the Senate.

House Bill 677 – Delegate Bhandari

AN ACT concerning

**Baltimore County – Alcoholic Beverages – Board of License Commissioners –
Qualifications**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 476)

The Bill was then sent to the Senate.

House Bill 884 – Delegate Buckel

AN ACT concerning

**Task Force on the Economic Future of Western Maryland – Extension of Report
Deadline and Task Force**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 477)

The Bill was then sent to the Senate.

House Bill 974 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – License Sanctions and Sunday
Off-Sale Permits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 1 (See Roll Call No. 478)

The Bill was then sent to the Senate.

House Bill 1018 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – Class 4 Limited Winery License

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 479)

The Bill was then sent to the Senate.

House Bill 1068 – Delegate Feldmark

AN ACT concerning

Election Law – Absentee Ballot Canvassing – Multiple Ballots Cast by an Individual

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 35 (See Roll Call No. 480)

The Bill was then sent to the Senate.

House Bill 1151 – Howard County Delegation

AN ACT concerning

Howard County – Class A Alcoholic Beverages Licenses – Quota by Election District

Ho. Co. 02–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 481)

The Bill was then sent to the Senate.

APPROPRIATIONS COMMITTEE REPORT NO. 8

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 588 – The Speaker and the President (By Request – Administration)

Budget Bill

(Fiscal Year 2022)

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE
TO THE MARYLAND HOUSE OF DELEGATES – 2021 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 588 – THE BUDGET BILL

(See Exhibit G of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 588 – THE BUDGET BILL

(See Exhibit H of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 588 – THE BUDGET BILL AND
HOUSE BILL 589 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit I of Appendix II)

Delegate McIntosh moved to make the Bill and Amendments a Special Order for Thursday.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 589 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2021

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 588 – THE BUDGET BILL AND
HOUSE BILL 589 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit I of Appendix II)

HB0589/323425/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 589

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “altering the source of funding for certain required appropriations;” and substitute “requiring a certain percentage of certain raffle proceeds to be deposited into a certain fund; altering certain requirements for certain raffles to be held in conjunction with a certain football game; providing that the Maryland Stadium Authority is not required to submit certain reports for a certain fiscal year;”; strike beginning with “altering” in line 4 down through “circumstances;” in line 11; strike beginning with “altering” in line 12 down through “budgets;” in line 13; in line 16, after “year;” insert “requiring the Governor or the Insurance Commissioner, under certain circumstances, to transfer certain funds collected from a certain assessment to a certain provider reimbursement program;”; strike beginning with “reducing” in line 16 down through “amounts;” in line 21 and substitute “requiring, for a certain fiscal year, the distribution of certain revenues to a certain fund to be used for a certain purpose; requiring the Governor to include in the budget bill submitted at a certain General Assembly session an appropriation equal to a certain amount to be used for a certain purpose;”; strike beginning with “altering” in line 21 down through “State;” in line 27 and substitute “altering the rate at which the land of certain country clubs and golf courses is valued for property tax assessment purposes; altering the frequency of a certain increase in the valuation rate for certain country clubs and golf courses;”; and strike beginning with “providing” in line 29 down through “years;” in line 30.

On page 2, strike beginning with “authorizing” in line 2 down through “expenditures;” in line 4; strike beginning with “requiring” in line 5 down through “met;” in line 7; strike beginning with “requiring” in line 11 down through “facilities;” in line 13 and substitute “requiring certain appropriations to be reduced and certain funds to be transferred;”; strike in their entirety lines 15 through 19, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 13–1911.1(a) and (f)

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–1911.1(d) and (e)

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–612.2(a) through (c)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–612.2(f)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–625

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 5–206(a) through (c)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 36, 37, and 38 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–206(g)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 36, 37, and 38 of the Acts of the General Assembly of 2021)”;

in line 22, strike “5–219(a) through (c), 18–401, 18–501(a),”; in the same line, strike “, and 24–201”; in line 27, strike “5–219(g), 16–305(c)(1), 17–104(a), 18–407(d), 18–501(c),”; and in lines 27 and 28, strike “, and 24–204(d)”.

On page 3, in line 17, strike “4–608, 6–104(e), 7–311(j)(1), 7–325, 8–132, and 10–501(a)” and substitute “7–329(b–1) and 7–330(g) and (j)(3)”; in line 22, strike “10–501(b)” and substitute “7–329(a) and (b) and 7–330(b), (c), (f), and (j)(1)”; in line 32, strike “2–106 and 13–209(d–1) and (g)(2), (3), and (4)” and substitute “8–213 and 13–209(g)(3) and (4)”; and in line 37, strike “13–209(d)” and substitute “13–209(g)(2)”.

On page 4, strike in their entirety lines 1 through 9, inclusive.

On page 30, in lines 25 and 30, strike “5.” and “6.”, respectively, and substitute “4.” and “5.”, respectively.

On page 31, in lines 20, 30, and 35, strike “8.”, “10.”, and “11.”, respectively, and substitute “6.”, “7.”, and “8.”, respectively.

On page 32, in line 19, strike “13.” and substitute “17.”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 12 through 24, inclusive.

AMENDMENT NO. 3

On page 4, after line 24, insert:

“Article – Criminal Law

13–1911.1.

(a) A raffle may be conducted by a charitable foundation that:

(1) is exempt from taxation under § 501(c)(3) of the Internal Revenue Code;

(2) is affiliated with a professional football team that plays its home games in Prince George’s County; and

(3) has an office and conducts operations in Prince George’s County.

(d) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE proceeds of a raffle shall be used to:

(i) benefit the residents of Prince George’s County;

- (ii) pay for prizes awarded to winners; and
- (iii) pay for reasonable costs for necessary equipment and supplies.

(2) FOR EACH RAFFLE, 10% OF THE PROCEEDS OF THE RAFFLE SHALL BE DEPOSITED INTO THE MICHAEL ERIN BUSCH SPORTS FUND ESTABLISHED UNDER § 10-612.2 OF THE ECONOMIC DEVELOPMENT ARTICLE.

[(2)] (3) Proceeds of a raffle may not be used to help cover costs involved in conducting the raffle, including any compensation to ticket sellers or individuals who operate the raffle.

(e) (1) A raffle shall be held in conjunction with a specific professional football game [played in Prince George's County.

(2) A permit to hold a raffle is valid for not more than 24 hours].

[(3)] (2) All raffle tickets shall be sold and received[:

(i)] on property owned or under the control of the professional football team with which the charitable foundation is affiliated[; and

(ii) may not be sold on the Internet or otherwise to an individual not physically present on the property].

(f) On or before March 30 of each year, the charitable foundation shall send to the designated county agency a report detailing the amount and disposition of the money raised by raffles in the previous calendar year.

Article – Economic Development

10-612.2.

(a) In this section, “Fund” means the Michael Erin Busch Sports Fund.

(b) There is a Michael Erin Busch Sports Fund.

(c) The purpose of the Fund is to provide funding for the Youth and Amateur Sports Grants Program established under § 10-612.1 of this subtitle.

(f) The Fund consists of:

(1) revenue distributed to the Fund under § 9-120(b)(1)(iv) of the State Government Article;

(2) PROCEEDS OF A RAFFLE DEPOSITED IN THE FUND IN ACCORDANCE WITH § 13–1911.1 OF THE CRIMINAL LAW ARTICLE;

[(2)] (3) money appropriated in the State budget to the Fund;

[(3)] (4) interest earnings or other income earned from the investment of any money in the Fund; and

[(4)] (5) any other money from any other source accepted for the benefit of the Fund.”.

AMENDMENT NO. 4

On page 4, after line 24, insert:

“10–625.

(A) [The] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE Authority shall submit:

(1) an annual detailed report of the activities and financial status of the Authority to the Governor, and, in accordance with § 2–1257 of the State Government Article, the General Assembly; and

(2) annual reports on the additional tax revenues generated by each of the following facilities, prepared in cooperation with the Office of the Comptroller and the Department of Budget and Management:

(i) the Baltimore Convention facility;

(ii) the Hippodrome Performing Arts facility;

(iii) the Montgomery County Conference facility; and

(iv) the Ocean City Convention facility.

(B) THE AUTHORITY IS NOT REQUIRED TO SUBMIT THE ANNUAL REPORTS LISTED UNDER SUBSECTION (A)(2) OF THIS SECTION FOR ADDITIONAL TAX REVENUES GENERATED BY THE FACILITIES FOR FISCAL YEAR 2021.”.

AMENDMENT NO. 5

On pages 4 and 5, strike in their entirety the lines beginning with line 26 on page 4 through line 15 on page 5, inclusive, and substitute:

“5–206.

(a) In this section, “Fund” means the Blueprint for Maryland’s Future Fund.

(b) There is the Blueprint for Maryland’s Future Fund.

(c) The purpose of the Fund is to assist in providing adequate funding for early childhood education and primary and secondary education to provide a world–class education to students so they are prepared for college and a career in the global economy of the 21st century, based on the recommendations of the Commission on Innovation and Excellence in Education.

(g) (1) The Fund may be used only to assist in providing adequate funding for:

(i) Early childhood education, primary and secondary education, and other programs, based on the recommendations of the Commission on Innovation and Excellence in Education, including revised education funding formulas; [and]

(ii) Maryland prekindergarten expansion grants;

(III) EARLY CHILDHOOD EDUCATION, PRIMARY AND SECONDARY EDUCATION, AND OTHER PROGRAMS FOR COSTS ASSOCIATED WITH THE CORONAVIRUS DISEASE 2019 (COVID–19), INCLUDING:

1. ONE–TIME PRIMARY AND SECONDARY EDUCATION AID GRANTS PROVIDED IN FISCAL YEAR 2022 TO:

A. ADDRESS ENROLLMENT DECLINES RELATED TO COVID–19 PANDEMIC; AND

B. ENSURE THAT EVERY COUNTY BOARD RECEIVES AN INCREASE IN STATE EDUCATION AID OVER THE AMOUNT OF STATE EDUCATION AID THE COUNTY BOARD RECEIVED IN FISCAL YEAR 2021; AND

2. GRANTS PROVIDED IN FISCAL YEARS 2021 AND 2022 FOR:

A. SUMMER SCHOOL PROGRAMS, TUTORING, AND OTHER SUPPLEMENTAL INSTRUCTION PROGRAMS TO ADDRESS STUDENT LEARNING LOSS;

B. IDENTIFICATION OF AND SUPPORT FOR STUDENTS DEALING WITH TRAUMA OR BEHAVIORAL HEALTH ISSUES; AND

C. SCHOOLS TO SAFELY REOPEN FOR IN-PERSON INSTRUCTION.

(2) The Fund may not be used for school construction under Subtitle 3 of this title.”.

AMENDMENT NO. 6

On pages 5 through 10, strike in their entirety the lines beginning with line 16 on page 5 through line 2 on page 10, inclusive.

AMENDMENT NO. 7

On pages 10 through 12, strike in their entirety the lines beginning with line 3 on page 10 through line 19 on page 12, inclusive.

AMENDMENT NO. 8

On pages 12 and 13, strike in their entirety the lines beginning with line 20 on page 12 through line 12 on page 13, inclusive.

AMENDMENT NO. 9

On pages 13 and 14, strike in their entirety the lines beginning with line 31 on page 13 through line 23 on page 14, inclusive.

AMENDMENT NO. 10

On page 16, in line 17, after “(1)” insert “(I)”; in the same line, strike “THROUGH 2026” and substitute “AND 2022”; in lines 17 and 18, strike “THE GOVERNOR SHALL TRANSFER”; in line 19, after “SECTION” insert “SHALL BE TRANSFERRED IN ACCORDANCE WITH SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH”;

and after line 21, insert:

“(II) IF ALL OR A PORTION OF THE FUNDS REQUIRED TO BE TRANSFERRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH HAVE BEEN

RECEIVED AND ARE HELD IN THE MARYLAND HEALTH BENEFIT EXCHANGE FUND ESTABLISHED UNDER § 31-107 OF THIS ARTICLE, THE GOVERNOR SHALL TRANSFER THE AVAILABLE AMOUNT IN THE FUND.

(III) IF THE AMOUNT OF FUNDS TRANSFERRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IS LESS THAN THE AMOUNT REQUIRED TO BE TRANSFERRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE INSURANCE COMMISSIONER SHALL TRANSFER THE REMAINING AMOUNT FROM THE FUNDS COLLECTED FROM THE ASSESSMENT REQUIRED UNDER THIS SECTION.”.

AMENDMENT NO. 11

On page 18, in line 6, strike “AND EACH YEAR THEREAFTER”; in line 7, strike “\$14,000,000; AND” and substitute “\$11,500,000;”

(4) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, MAY NOT BE LESS THAN \$14,000,000; AND”;

and in line 8, strike “(4)” and substitute “(5)”.

AMENDMENT NO. 12

On pages 18 and 19, strike in their entirety the lines beginning with line 28 on page 18 through line 5 on page 19, inclusive.

AMENDMENT NO. 13

On pages 19 and 20, strike in their entirety the lines beginning with line 6 on page 19 through line 4 on page 20, inclusive.

AMENDMENT NO. 14

On page 20, after line 4, insert:

“7-329.

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

(2) “Fund” means the Fiscal Responsibility Fund established under § 7-330 of this subtitle.

(3) (i) “Nonwithholding income tax revenues” means the State share of income tax quarterly estimated and final payments with returns made by individuals, as defined in § 10-101 of the Tax – General Article.

(ii) “Nonwithholding income tax revenues” does not include:

1. the county share of income tax quarterly estimated and final payments with returns made by individuals;
2. income tax payments made by corporations;
3. income tax refunds paid to individuals or corporations; or
4. income tax withholding.

(b) At the end of fiscal year 2020, and each fiscal year thereafter, if General Fund revenues for the fiscal year are less than the March estimate of the Board of Revenue Estimates, the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article shall be applied to close the gap in revenues for that fiscal year.

(b–1) At the end of fiscal year [2020] 2022 only, if the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article exceeds the amount necessary to close the gap in revenues under subsection (b) of this section, the State Comptroller shall distribute the remainder to the Fiscal Responsibility Fund established under § 7–330 of this subtitle for the purpose of providing, beginning July 1, [2020] 2022, A COST–OF–LIVING ADJUSTMENT OF UP TO 4.5% for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by [one of the following exclusive representatives, a cost–of–living adjustment as follows:

(1) up to 1% for] the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859[; and

(2) any revenues that exceed the amount needed for the cost–of–living adjustment in item (1) of this subsection shall be distributed proportionally to provide up to 2% for the following:

(i) the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859;

(ii) AFT Healthcare–Maryland, AFT, AFL–CIO Local 5197; and

(iii) the Maryland Professional Employees Council/AFT/AFL–CIO Local 6197].

7-330.

(b) There is a Fiscal Responsibility Fund.

(c) The purpose of the Fund is to retain the amount of nonwithholding income tax revenues deposited to the Fund in accordance with § 7-329(d)(2) of this subtitle until the revenues are appropriated in the State budget.

(f) The Fund consists of nonwithholding income tax revenues that exceed the capped estimate determined under § 6-104(e) of this article deposited into the Fund by the State Comptroller under § 7-329(d)(2) of this subtitle.

(g) (1) Except as provided in paragraph (2) of this subsection, the Fund may be used only to provide pay-as-you-go capital funds for:

(i) public school construction and public school capital improvement projects, in accordance with Title 5, Subtitle 3 of the Education Article;

(ii) capital projects at public community colleges; and

(iii) capital projects at four-year public institutions of higher education.

(2) For fiscal year [2021] **2023** only, money in the Fund shall be used to provide, beginning July 1, [2020] **2022**, A COST-OF-LIVING ADJUSTMENT OF UP TO 4.5% for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by [one of the following exclusive representatives, a cost-of-living adjustment as follows:

(i) up to 1% for] the American Federation of State, County and Municipal Employees, AFL-CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL-CIO Local 1859[; and

(ii) any revenues that exceed the amount needed for the cost-of-living adjustment in item (i) of this paragraph shall be distributed proportionally to provide up to 2% for the following:

1. the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859;

2. AFT Healthcare–Maryland, AFT, AFL–CIO Local 5197;

and

3. the Maryland Professional Employees Council/AFT/AFL–CIO Local 6197].

(j) (1) Except as provided in paragraph (3) of this subsection, the Governor shall include in the budget bill for the second following fiscal year an appropriation equal to the amount in the Fund for pay–as–you–go capital projects.

(3) The Governor shall include in the budget bill submitted at the [2021] 2022 Session of the General Assembly an appropriation equal to the amount distributed to the Fund in accordance with § 7–329(b–1) of this subtitle to provide, beginning July 1, [2020] 2022, A COST–OF–LIVING ADJUSTMENT OF UP TO 4.5% for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by [one of the following exclusive representatives, a cost–of–living adjustment as follows:

(i) up to 1% for] the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859]; and

(ii) any revenues that exceed the amount needed for the cost–of–living adjustment in item (i) of this paragraph shall be distributed proportionally to provide up to 2% for the following:

1. the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859;

2. AFT Healthcare–Maryland, AFT, AFL–CIO Local 5197;

and

3. the Maryland Professional Employees Council/AFT/AFL–CIO Local 6197].”.

AMENDMENT NO. 15

On pages 20 and 21, strike in their entirety the lines beginning with line 5 on page 20 through line 5 on page 21, inclusive.

AMENDMENT NO. 16

On page 21, strike in their entirety lines 6 through 36, inclusive.

AMENDMENT NO. 17

On pages 21 and 22, strike in their entirety the lines beginning with line 37 on page 21 through line 20 on page 22, inclusive.

AMENDMENT NO. 18

On pages 22 and 23, strike in their entirety the lines beginning with line 21 on page 22 through line 8 on page 23, inclusive.

AMENDMENT NO. 19

On pages 24 through 26, strike in their entirety the lines beginning with line 11 on page 24 through line 7 on page 26, inclusive.

AMENDMENT NO. 20

On page 26, after line 7, insert:

“8-213.

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

(2) “Agreement” means an agreement made under subsection (b) of this section.

(3) “Assessment rate index” means the percentage, if any, by which the amount of the State assessable base for the taxable year exceeds the average annual amount of the State assessable base in the immediately preceding assessment cycle.

(4) “State assessable base” means the total assessable base, as determined by the Supervisor of Assessments, of all real property in the State subject to taxation.

(b) The Department may make agreements with country clubs and golf courses that specify the manner of assessing the land of a country club or golf course. All agreements shall contain uniform provisions.

(c) (1) (i) Except as provided in paragraph (2) of this subsection and subject to subparagraphs (iii) and (iv) of this paragraph, the land of a country club or golf course that is actively used as a country club or golf course that meets the requirements of § 8–212 of this subtitle shall be valued:

1. at rates equivalent to land assessed under § 8–219 of this subtitle, if the land is subject to an agreement entered into before June 1, 2020, that has not been extended for a term of years beginning on or after June 1, 2020; or

2. at the rates specified under subparagraph (ii) of this paragraph, if the land is subject to an agreement entered into:

A. on or after June 1, 2020; or

B. before June 1, 2020, that is extended for a term of years beginning on or after June 1, 2020.

(ii) The land of a country club or golf course subject to an agreement described under subparagraph [(i)2] (I)2A of this paragraph shall be valued[:

1.], for the [first taxable year after] DATE OF FINALITY NEXT FOLLOWING the DATE OF THE agreement [or extension takes effect], at the lesser of:

[A.] 1. market value per acre; or

[B.] 2. [\$2,000] \$5,000 per acre[:

2. for the second taxable year after the agreement or extension takes effect, at the lesser of:

A. market value per acre; or

B. \$3,500 per acre; or

3. for the third taxable year after the agreement or extension takes effect, at the lesser of:

A. market value per acre; or

B. \$5,000 per acre].

[(iii) The rate of valuation required for the land of a country club or golf course under subparagraph (ii)3A of this paragraph shall be increased annually by an amount equal to the product of multiplying:

1. the greater of:

A. the valuation rate for the last assessment of the land; or

B. market value per acre; and

2. the assessment rate index.]

(III) THE LAND OF A COUNTRY CLUB OR GOLF COURSE SUBJECT TO AN AGREEMENT DESCRIBED UNDER SUBPARAGRAPH (I)2B OF THIS PARAGRAPH SHALL BE VALUED, FOR THE ASSESSMENT CYCLE NEXT FOLLOWING THE DATE OF THE EXTENSION, AT THE LESSER OF:

1. MARKET VALUE PER ACRE; OR

2. \$5,000 PER ACRE.

(iv) The rate of valuation required for the land of a country club or golf course under [subparagraph (ii)3B] SUBPARAGRAPHS (II)2 AND (III)2 of this paragraph shall be increased [annually] TRIENNIALLY by an amount equal to the product of multiplying:

1. the greater of:

A. the valuation rate for the last assessment of the land; or

B. \$5,000 per acre; and

2. the assessment rate index.

(2) If the land of a country club or golf course that meets the requirements of § 8–212 of this subtitle has a greater market value than its value when used as a country club or golf course, the land shall also be assessed on the basis of the greater value.

(3) Except as provided under § 8–216 of this subtitle, the property tax payable by a country club or golf course under this section is based on the assessment of the land under paragraph (1) of this subsection.

(4) If an assessment is made on the greater value under paragraph (2) of this subsection, the assessment records for the country club or golf course shall record the assessment under paragraphs (1) and (2) of this subsection.

(5) Any assessment of the land of a country club or golf course under this section is effective on the date of finality next following the date of an agreement.

(d) (1) An agreement shall be for at least 10 consecutive years or for a longer period as determined by the country club or golf course and the Department.

(2) An agreement may be extended, but only in increments of at least 5 years.”.

AMENDMENT NO. 21

On pages 26 and 27, strike in their entirety the lines beginning with line 9 on page 26 through line 9 on page 27, inclusive.

AMENDMENT NO. 22

On page 27, in lines 14 and 17, in each instance, strike the brackets; in line 14, strike “AND 2024”; and in line 17, strike “2025”.

AMENDMENT NO. 23

On page 27, in line 34, after “(i)” insert “**1.**”.

On page 28, in line 1, strike the second set of brackets; in the same line, strike “2027”; in line 2, strike the brackets; in line 3, strike “2028”; after line 5, insert:

“2. THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FOR FISCAL YEAR 2022 ONLY A GENERAL FUND APPROPRIATION TO THE SPECIAL FUND IN THE AMOUNT OF \$21,930,475 FOR THE CRITICAL MAINTENANCE OF STATE PROJECTS LOCATED ON LANDS MANAGED BY THE DEPARTMENT OF NATURAL RESOURCES FOR PUBLIC PURPOSES.”;

in line 8, strike “44.4%” and substitute “**62.1%**”; in line 14, strike “\$40,000,000” and substitute “**\$55,930,475**”; in line 25, strike “\$152,165,700” and substitute “**\$136,235,225**”; in line 29, strike “[\$25,360,950” and substitute “**\$9,430,475**”; in line 30, strike the bracket; in lines 31 and 32, in each instance, strike the brackets; in line 31, strike “2.”; in line 32, strike “3.”; and in the same line, strike “**\$50,721,900**”.

On page 29, in line 1, strike the brackets; and in the same line, strike “**2032**”.

AMENDMENT NO. 24

On pages 29 and 30, strike in their entirety the lines beginning with line 21 on page 29 through line 11 on page 30, inclusive.

AMENDMENT NO. 25

On page 30, in line 19, strike “December 31, 2020” and substitute “**JANUARY 1, 2021**”.

AMENDMENT NO. 26

On page 30, strike in their entirety lines 20 through 24, inclusive.

AMENDMENT NO. 27

On page 30, in line 32, strike “\$6,000,000” and substitute “**\$3,000,000**”.

AMENDMENT NO. 28

On pages 30 and 31, strike in their entirety the lines beginning with line 35 on page 30 through line 19 on page 31, inclusive.

AMENDMENT NO. 29

On page 31, strike in their entirety lines 25 through 29, inclusive.

AMENDMENT NO. 30

On page 32, strike in their entirety lines 13 through 18, inclusive.

AMENDMENT NO. 31

On page 32, after line 18, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2022, the Governor may transfer to the Behavioral Health Administration within the Maryland Department of Health \$700,000 of the fund balance in the State Board of Examiners for Psychologists Fund established under § 18–207 of the Health Occupations Article.”.

AMENDMENT NO. 32

On page 32, after line 18, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2021, the Governor may transfer to the General Fund \$5,000,000 from the Maryland Health Care Provider Rate Stabilization Fund established under § 19–802 of the Insurance Article.”.

AMENDMENT NO. 33

On page 32, after line 18, insert:

“SECTION 11. AND BE IT FURTHER ENACTED, That, on or before June 30, 2021, the \$235,000 identified in the fiscal year 2020 closeout audit as being improperly encumbered by Headquarters (R00A01) within the Maryland State Department of Education shall revert to the General Fund.”.

AMENDMENT NO. 34

On page 32, after line 18, insert:

“SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2022, the Governor may transfer to the General Fund \$1,000,000 from the Charlotte Hall Veterans Home Fund established under § 9–912.2 of the State Government Article.”.

AMENDMENT NO. 35

On page 32, after line 18, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That the unexpended appropriation for Statewide Expenses (F10A02.08) within the Department of Budget and

Management, that was included in the fiscal year 2021 operating budget (Chapter 19 of the Acts of 2020) is reduced by \$1,784,036 in general funds.”.

AMENDMENT NO. 36

On page 32, after line 18, insert:

“SECTION 14. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Medicaid Behavioral Health Provider Reimbursement Program (M00Q01.10) within the Maryland Department of Health, that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by \$5,000,000 in general funds.”.

AMENDMENT NO. 37

On page 32, after line 18, insert:

“SECTION 15. AND BE IT FURTHER ENACTED, That the unexpended appropriation for Aid to Education, Nonpublic Placements Program (R00A02.07) within the Maryland State Department of Education, that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by \$7,500,000 in general funds.”.

AMENDMENT NO. 38

On page 32, after line 18, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, on or before October 1, 2021, the Maryland–National Capital Park and Planning Commission shall transfer to the General Fund \$5,000,000 from the balance of funds collected in Prince George’s County in accordance with § 18–304(b) of the Land Use Article.

(b) The amount of money transferred under this section:

(1) may not exceed the lesser of \$5,000,000 or the amount remaining from the balance of funds collected after all fiscal year 2022 debt service obligations are satisfied; and

(2) may not result in a projected deficit in the balance of funds collected.”.

Delegate McIntosh moved to make the Bill and Amendments a Special Order for Thursday.

The motion was adopted.

JUDICIARY COMMITTEE REPORT NO. 17

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 31 – Delegate Clippinger

AN ACT concerning

Courts – Surcharges and Payment to Rental Assistance Programs

HB0031/762710/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 31

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Rental Assistance Programs” and substitute “**Special Funds – Prohibited Lease Provisions**”; in line 5, strike “equally”; in line 6, strike “rental assistance programs” and substitute “special funds”; in line 8, after “proceedings” insert “under certain circumstances; prohibiting a landlord from including in a residential lease a provision that provides that a tenant is responsible for, or requires a tenant to agree to be responsible for, payment of a certain surcharge under certain circumstances; prohibiting a landlord from seeking a certain surcharge under certain circumstances in the landlord’s written complaint to repossess residential property filed in the District Court; establishing the Rental Assistance Special Fund as a special, nonlapsing fund; specifying the purpose of the Fund, requiring the Maryland Department of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; defining a certain term”; in the same line, after the first “to” insert “court”; in the same line, strike “rental assistance”; in line 9, strike “programs” and substitute “special funds”; and after line 14, insert:

“BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–208(d)(7) and (8) and 8–401(b)(1)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – Real Property

Section 8–208(d)(9) and 8–217

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 8–401(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020 and Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)128. and 129.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020 and Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)130.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020 and Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021)”.

AMENDMENT NO. 2

On page 2, in line 1, strike “**EQUALLY**”; strike beginning with “**AND**” in line 2 down through “**STATE**” in line 3; in line 9, strike “; and” and substitute “**WHICH SHALL BE DEPOSITED AS FOLLOWS:**”

A. \$30 INTO THE RENTAL ASSISTANCE SPECIAL FUND;

B. \$30 INTO THE RIGHT TO COUNSEL IN EVICTIONS SPECIAL FUND; AND

C. \$8 INTO THE MARYLAND LEGAL SERVICES CORPORATION FUND ESTABLISHED UNDER § 11-401 OF THE HUMAN SERVICES ARTICLE; OR”;

in line 10, strike “\$18” and substitute “**\$28**”; in the same line, strike “; and” and substitute “**WHICH SHALL BE DEPOSITED INTO THE MARYLAND LEGAL SERVICES CORPORATION FUND ESTABLISHED UNDER § 11-402 OF THE HUMAN SERVICES ARTICLE; AND**”

(II) IF ASSESSED UNDER ITEM (I)1 OF THIS PARAGRAPH, SHALL BE ASSESSED AGAINST A LANDLORD AND MAY NOT BE AWARDED OR ASSIGNED BY THE DISTRICT COURT AS A FEE OR COST AGAINST A RESIDENTIAL TENANT FOR THE FIRST THREE SURCHARGES ASSESSED IN A YEAR.”;

and strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 8 through 10, inclusive; in line 11, strike the brackets; in the same line, strike “**(6)**”; and after line 12, insert:

“Article – Real Property

(d) A landlord may not use a lease or form of lease containing any provision that:

(7) Is against public policy and void pursuant to § 8–105 of this title; [or]

(8) Permits a landlord to commence an eviction proceeding or issue a notice to quit solely as retaliation against any tenant for planning, organizing, or joining a tenant organization with the purpose of negotiating collectively with the landlord; OR

(9) PROVIDES THAT A TENANT IS, OR REQUIRES A TENANT TO AGREE TO BE, RESPONSIBLE FOR THE FIRST THREE PAYMENTS OF A FILING SURCHARGE ASSESSED IN A YEAR AGAINST THE LANDLORD BY THE DISTRICT COURT UNDER § 7–301(C)(2)(I)1 OF THE COURTS ARTICLE.

8–217.

(A) IN THIS SECTION, “FUND” MEANS THE RENTAL ASSISTANCE SPECIAL FUND.

(B) THERE IS A RENTAL ASSISTANCE SPECIAL FUND.

(C) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING TO NONPROFIT ORGANIZATIONS THAT WORK IN THE AREA OF RENT ASSISTANCE TO PAY THE BACK RENT FOR INDIVIDUALS FACING A POTENTIAL RESIDENTIAL RENTAL PROPERTY EVICTION.

(D) THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND; AND

(3) INTEREST EARNINGS OF THE FUND.

(G) THE FUND MAY BE USED ONLY FOR RENTAL ASSISTANCE AND PAYING BACK RENT FOR INDIVIDUALS FACING A POTENTIAL RESIDENTIAL RENTAL PROPERTY EVICTION.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND MAY ONLY BE MADE IN ACCORDANCE WITH THE STATE BUDGET.

(J) MONEY EXPENDED FROM THE FUND FOR THE ASSISTANCE DESCRIBED UNDER SUBSECTION (G) OF THIS SECTION IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE ASSISTANCE.

8-401.

(a) Whenever the tenant or tenants fail to pay the rent when due and payable, it shall be lawful for the landlord to have again and repossess the premises.

(b) (1) Whenever any landlord shall desire to repossess any premises to which the landlord is entitled under the provisions of subsection (a) of this section, the landlord or the landlord's duly qualified agent or attorney shall file the landlord's written complaint under oath or affirmation, in the District Court of the county wherein the property is situated:

(i) Describing in general terms the property sought to be repossessed;

(ii) Setting forth the name of each tenant to whom the property is rented or any assignee or subtenant;

(iii) Stating the amount of rent and any late fees due and unpaid, less the amount of any utility bills, fees, or security deposits paid by a tenant under § 7–309 of the Public Utilities Article;

(iv) Requesting to repossess the premises and, if requested by the landlord, a judgment for the amount of rent due, costs, **EXCLUDING THE FIRST THREE SURCHARGES ASSESSED IN A YEAR AGAINST THE LANDLORD UNDER § 7–301(C)(2)(I)1 OF THE COURTS ARTICLE**, and any late fees, less the amount of any utility bills, fees, or security deposits paid by a tenant under § 7–309 of the Public Utilities Article;

(v) If applicable, stating that, to the best of the landlord’s knowledge, the tenant is deceased, intestate, and without next of kin; and

(vi) If the property to be repossessed is an affected property as defined in § 6–801 of the Environment Article, stating that the landlord has registered the affected property as required under § 6–811 of the Environment Article and renewed the registration as required under § 6–812 of the Environment Article and:

1. A. If the current tenant moved into the property on or after February 24, 1996, stating the inspection certificate number for the inspection conducted for the current tenancy as required under § 6–815(c) of the Environment Article; or

B. On or after February 24, 2006, stating the inspection certificate number for the inspection conducted for the current tenancy as required under § 6–815(c), § 6–817(b), or § 6–819(f) of the Environment Article; or

2. Stating that the owner is unable to provide an inspection certificate number because:

A. The owner has requested that the tenant allow the owner access to the property to perform the work required under Title 6, Subtitle 8 of the Environment Article;

B. The owner has offered to relocate the tenant in order to allow the owner to perform work if the work will disturb the paint on the interior surfaces of the property and to pay the reasonable expenses the tenant would incur directly related to the relocation; and

C. The tenant has refused to allow access to the owner or refused to vacate the property in order for the owner to perform the required work.

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

128. the Michael Erin Busch Sports Fund; [and]

129. the Coordinated Community Supports Partnership Fund;

AND

130. THE RENTAL ASSISTANCE SPECIAL FUND.”

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 22

Delegate Kaiser, Chair, for the Committee on Ways and Means recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1372 – The Speaker

EMERGENCY BILL

AN ACT concerning

Blueprint for Maryland’s Future – Revisions

The Bill was re-referred to the Committee on Appropriations.

JUDICIARY COMMITTEE REPORT NO. 19

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 242 – Delegate Atterbeary

AN ACT concerning

Family Law – Emancipation of a Minor and Authorization to Marry

HB0242/892819/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 242

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “findings;” insert “authorizing a court to deny a petition filed under this Act after making a certain finding;”.

AMENDMENT NO. 2

On page 5, in line 24, after “LAWYER” insert “WITH FAMILY LAW EXPERIENCE”.

On page 6, in line 14, strike “AFTER” and substitute “SUBJECT TO SUBSECTION (E) OF THIS SECTION, AFTER”; in line 22, strike “OR” and substitute “AND”; and in line 25, after “(D)” insert “A COURT MAY DENY A PETITION FOR THE EMANCIPATION OF A”.

MINOR AND AUTHORIZATION TO MARRY IF THE COURT MAKES A WRITTEN FINDING THAT EMANCIPATION AND MARRIAGE ARE NOT IN THE BEST INTEREST OF THE PETITIONER.

(E)”.

On page 7, strike in their entirety lines 15 through 17, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 306 – Delegate C. Jackson

AN ACT concerning

Hate Crimes – False Statement to a Law Enforcement Officer

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 1000 – Delegate Pippy

AN ACT concerning

**Estates and Trusts – Guardian of Property of Minor or Disabled Person –
Prohibition on Distribution or Disbursement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 18

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 523 – Delegate Attar

AN ACT concerning

Baltimore City – Repossession for Failure to Pay Rent – Registration and License Information**HB0523/262919/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 523

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Baltimore City**” and substitute “**Landlord and Tenant**”; in line 4, after “landlord” insert “, or a landlord’s duly authorized agent”; in line 5, strike “in Baltimore City” and substitute “to submit certain documents demonstrating a property”; in the same line, strike “to be” and substitute “is”; in line 7, after “laws;” insert “specifying that a certain provisional or temporary license is insufficient to satisfy certain filing requirements;”; in line 10, after “requirements;” insert “prohibiting a court from entering a judgment in favor of a landlord who fails to prove that a property is in compliance with certain local license requirements; requiring a landlord or a landlord’s duly authorized agent, at the time of filing a certain compliant in an action for repossession for failure to pay rent in Baltimore City, to submit certain documents demonstrating a property is in compliance with certain local license requirements and certain lead-based paint abatement laws; specifying that a certain provisional or temporary license is insufficient to satisfy certain filing requirements in Baltimore City; providing that a landlord has the burden of proving, by a certain standard of evidence, that a property is in compliance with certain local license requirements in Baltimore City; authorizing a landlord to provide an electronic copy of a license as proof of compliance with certain local license requirements in Baltimore City;”; in line 12, after “requirements” insert “in Baltimore City; providing for a delayed effective date”; in line 13, strike “in Baltimore City”; and after line 13, insert:

“BY repealing and reenacting, without amendments,

Article – Real Property

Section 8-401(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property
Section 8–401(b) and (c)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 20 insert:

“Article – Real Property

8–401.

(a) Whenever the tenant or tenants fail to pay the rent when due and payable, it shall be lawful for the landlord to have again and repossess the premises.

(b) (1) Whenever any landlord shall desire to repossess any premises to which the landlord is entitled under the provisions of subsection (a) of this section, the landlord or the landlord’s duly qualified agent or attorney shall file the landlord’s written complaint under oath or affirmation, in the District Court of the county wherein the property is situated:

(i) Describing in general terms the property sought to be repossessed;

(ii) Setting forth the name of each tenant to whom the property is rented or any assignee or subtenant;

(iii) Stating the amount of rent and any late fees due and unpaid, less the amount of any utility bills, fees, or security deposits paid by a tenant under § 7–309 of the Public Utilities Article;

(iv) Requesting to repossess the premises and, if requested by the landlord, a judgment for the amount of rent due, costs, and any late fees, less the amount of any utility bills, fees, or security deposits paid by a tenant under § 7–309 of the Public Utilities Article;

(v) If applicable, stating that, to the best of the landlord’s knowledge, the tenant is deceased, intestate, and without next of kin; and

(vi) If the property to be repossessed is an affected property as defined in § 6–801 of the Environment Article, stating that the landlord has registered the affected property as required under § 6–811 of the Environment Article and renewed the registration as required under § 6–812 of the Environment Article and:

1. A. If the current tenant moved into the property on or after February 24, 1996, stating the inspection certificate number for the inspection conducted for the current tenancy as required under § 6–815(c) of the Environment Article; or

B. On or after February 24, 2006, stating the inspection certificate number for the inspection conducted for the current tenancy as required under § 6–815(c), § 6–817(b), or § 6–819(f) of the Environment Article; or

2. Stating that the owner is unable to provide an inspection certificate number because:

A. The owner has requested that the tenant allow the owner access to the property to perform the work required under Title 6, Subtitle 8 of the Environment Article;

B. The owner has offered to relocate the tenant in order to allow the owner to perform work if the work will disturb the paint on the interior surfaces of the property and to pay the reasonable expenses the tenant would incur directly related to the relocation; and

C. The tenant has refused to allow access to the owner or refused to vacate the property in order for the owner to perform the required work.

(2) (i) AT THE TIME OF FILING A WRITTEN COMPLAINT UNDER THIS SUBSECTION, THE LANDLORD OR THE LANDLORD’S DULY AUTHORIZED AGENT SHALL SUBMIT DOCUMENTS TO THE DISTRICT COURT DEMONSTRATING THAT THE RENTAL PROPERTY IS:

1. LICENSED WITH THE COUNTY IN COMPLIANCE WITH ALL APPLICABLE RENTAL PROPERTY LICENSING REQUIREMENTS; AND

2. IN COMPLIANCE WITH ALL REGISTRATION REQUIREMENTS UNDER TITLE 6, SUBTITLE 8, PART III OF THE ENVIRONMENT ARTICLE.

(II) A PROVISIONAL OR TEMPORARY LICENSE IS INSUFFICIENT TO SATISFY THE REQUIREMENTS UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH.

[(2)] (3) For the purpose of the court's determination under subsection (c) of this section the landlord shall also specify the amount of rent due for each rental period under the lease, the day that the rent is due for each rental period, and any late fees for overdue rent payments.

[(3)] (4) The District Court shall issue its summons, directed to any constable or sheriff of the county entitled to serve process, and ordering the constable or sheriff to notify the tenant, assignee, or subtenant by first-class mail:

(i) To appear before the District Court at the trial to be held on the fifth day after the filing of the complaint; and

(ii) To answer the landlord's complaint to show cause why the demand of the landlord should not be granted.

[(4)] (5) (i) The constable or sheriff shall proceed to serve the summons upon the tenant, assignee, or subtenant or their known or authorized agent as follows:

1. If personal service is requested and any of the persons whom the sheriff shall serve is found on the property, the sheriff shall serve any such persons; or

2. If personal service is requested and none of the persons whom the sheriff is directed to serve shall be found on the property and, in all cases where personal service is not requested, the constable or sheriff shall affix an attested copy of the summons conspicuously upon the property.

(ii) The affixing of the summons upon the property after due notification to the tenant, assignee, or subtenant by first-class mail shall conclusively be presumed to be a sufficient service to all persons to support the entry of a default judgment for possession of the premises, together with court costs, in favor of the landlord, but it shall

not be sufficient service to support a default judgment in favor of the landlord for the amount of rent due.

[(5)] (6) Notwithstanding the provisions of paragraphs (1) through [(4)] (5) of this subsection:

(i) In an action to repossess nonresidential property under this section, service of process on a tenant:

1. Shall be directed to the sheriff of the appropriate county or municipality; and

2. On plaintiff's request, may be directed to any person authorized under the Maryland Rules to serve process; and

(ii) In Wicomico County, in an action to repossess any premises under this section, service of process on a tenant may be directed to any person authorized under the Maryland Rules to serve process.

[(6)] (7) (i) Notwithstanding the provisions of paragraphs [(3)] (4) through [(5)] (6) of this subsection, if the landlord certifies to the court in the written complaint required under paragraph (1) of this subsection that, to the best of the landlord's knowledge, the tenant is deceased, intestate, and without next of kin, the District Court shall issue its summons, directed to any constable or sheriff of the county entitled to serve process, and ordering the constable or sheriff to notify the occupant of the premises or the next of kin of the deceased tenant, if known, by personal service:

1. To appear before the District Court at the trial to be held on the fifth day after the filing of the complaint; and

2. To answer the landlord's complaint to show cause why the demand of the landlord should not be granted.

(ii) 1. The constable or sheriff shall proceed to serve the summons upon the occupant of the premises or the next of kin of the deceased tenant, if known, as follows:

A. If any of the persons whom the sheriff is directed to serve are found on the property or at another known address, the sheriff shall serve any such persons; or

B. If none of the persons whom the sheriff is directed to serve are found on the property or at another known address, the constable or sheriff shall affix an attested copy of the summons conspicuously upon the property.

2. The affixing of the summons upon the property shall conclusively be presumed to be a sufficient service to all persons to support the entry of a default judgment for possession of the premises, together with court costs, in favor of the landlord, but it shall not be sufficient service to support a default judgment in favor of the landlord for the amount of rent due.

(c) (1) If, at the trial on the fifth day indicated in subsection (b) of this section, the court is satisfied that the interests of justice will be better served by an adjournment to enable either party to procure their necessary witnesses, the court may adjourn the trial for a period not exceeding 1 day, except with the consent of all parties, the trial may be adjourned for a longer period of time.

(2) (i) [The information required under subsection (b)(1)(vi) of this section may not be an issue of fact in a trial under this section.]

1. DURING TRIAL, THE LANDLORD SHALL HAVE THE BURDEN OF PROVING, BY A PREPONDERANCE OF THE EVIDENCE, THAT THE REQUIREMENTS UNDER SUBSECTION (B)(2)(I)1 OF THIS SECTION HAVE BEEN MET.

2. IF THE LANDLORD FAILS TO PROVIDE PROOF UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE COURT MAY NOT ENTER A JUDGMENT IN FAVOR OF THE LANDLORD.

3. THE LANDLORD MAY PRESENT AN ELECTRONIC COPY OF THE LICENSE TO SATISFY THE BURDEN OF PROOF UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

(ii) If, when the trial occurs, it appears to the satisfaction of the court, that the rent, or any part of the rent and late fees are actually due and unpaid, the court shall determine the amount of rent and late fees due as of the date the complaint was

filed less the amount of any utility bills, fees, or security deposits paid by a tenant under § 7-309 of the Public Utilities Article, if the trial occurs within the time specified by subsection [(b)(3)] (B)(4) of this section.

(iii) 1. If the trial does not occur within the time specified in subsection [(b)(3)(i)] (B)(4)(I) of this section and the tenant has not become current since the filing of the complaint, the court, if the complaint so requests, shall enter a judgment in favor of the landlord for possession of the premises and determine the rent and late fees due as of the trial date.

2. The determination of rent and late fees shall include the following:

A. Rent claimed in the complaint;

B. Rent accruing after the date of the filing of the complaint;

C. Late fees accruing in or prior to the month in which the complaint was filed; and

D. Credit for payments of rent and late fees and other fees, utility bills, or security deposits paid by a tenant under § 7-309 of the Public Utilities Article after the complaint was filed.

(iv) In the case of a residential tenancy, the court may also give judgment in favor of the landlord for the amount of rent and late fees determined to be due together with costs of the suit if the court finds that the residential tenant was personally served with a summons.

(v) In the case of a nonresidential tenancy, if the court finds that there was such service of process or submission to the jurisdiction of the court as would support a judgment in contract or tort, the court may also give judgment in favor of the landlord for:

1. The amount of rent and late fees determined to be due;

2. Costs of the suit; and

3. Reasonable attorney’s fees, if the lease agreement authorizes the landlord to recover attorney’s fees.

(vi) A nonresidential tenant who was not personally served with a summons shall not be subject to personal jurisdiction of the court if that tenant asserts that the appearance is for the purpose of defending an in rem action prior to the time that evidence is taken by the court.

(3) The court, when entering the judgment, shall also order that possession of the premises be given to the landlord, or the landlord’s agent or attorney, within 4 days after the trial.

(4) The court may, upon presentation of a certificate signed by a physician certifying that surrender of the premises within this 4-day period would endanger the health or life of the tenant or any other occupant of the premises, extend the time for surrender of the premises as justice may require but not more than 15 days after the trial.

(5) However, if the tenant, or someone for the tenant, at the trial, or adjournment of the trial, tenders to the landlord the rent and late fees determined by the court to be due and unpaid, together with the costs of the suit, the complaint against the tenant shall be entered as being satisfied.”.

AMENDMENT NO. 3

On page 2, in line 18, strike “MUST BE IN” and substitute “OR THE LESSOR’S DULY AUTHORIZED AGENT SHALL SUBMIT DOCUMENTS TO THE DISTRICT COURT IN BALTIMORE CITY DEMONSTRATING THAT THE RENTAL PROPERTY IS IN”; and in line 20, after the period, insert “A PROVISIONAL OR TEMPORARY LICENSE IS INSUFFICIENT TO SATISFY THE REQUIREMENTS OF ARTICLE 13, § 5-4 OF THE BALTIMORE CITY CODE.”.

On page 3, in line 20, strike “October 1, 2021” and substitute “January 1, 2022”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 23

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 769 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Housing Opportunities Commission – Public Body

MC 07–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1058 – Delegate Stewart

AN ACT concerning

**Public Ethics – Disclosures, Training, and Use of Confidential Information
(Integrity in High Office Act)**

HB1058/920418/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1058

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the first “official” insert “on or after a certain date”; in lines 17 and 23, in each instance, strike “or” and substitute “entity, a”; in line 17, strike “including those involving” and substitute “or”; in line 18, strike the comma; in line 23, after “entity” insert “, or business entity”; in line 25, strike “a” and substitute “certain”; and in the same line, strike the second “statement” and substitute “statements”.

AMENDMENT NO. 2

On page 3, in line 22, strike “**(1)**”; and strike in their entirety lines 25 and 26.

AMENDMENT NO. 3

On page 4, in line 13, before the first “IS” insert “ON OR AFTER JANUARY 19, 2023,”.

AMENDMENT NO. 4

On page 9, in line 24, strike the first comma and substitute “OR”; and in the same line, strike the second comma and substitute “BETWEEN THE ETHICS COMMISSION AND THE STATE OFFICIAL”.

AMENDMENT NO. 5

On page 10, in line 26, after “with” insert “:

1. THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;

2.”;

and in the same line, strike “OR” and substitute “ENTITY OF THE STATE OR A LOCAL GOVERNMENT IN THE STATE; OR

3. A”.

AMENDMENT NO. 6

On page 12, in line 18, after “WITH” insert “:

(I) THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;

(II)”;

in the same line, strike the second “OR” and substitute “ENTITY OF THE STATE OR A LOCAL GOVERNMENT IN THE STATE; OR

(III) A”;

and in line 29, after “FILED” insert “ON OR AFTER JANUARY 1, 2023”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 58

House Bill 507 – Delegate Stein

AN ACT concerning

Clean Water Commerce Act of 2021

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Szeliga moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

SPECIAL ORDER CALENDAR NO. 60

House Bill 1121 – Delegate Crutchfield

AN ACT concerning

**Juvenile Services – Workgroup to Develop Evidence-Based, Research-Based,
and Culturally Competent Practices**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

HB1121/573623/1

BY: Delegate Crutchfield

AMENDMENT TO HOUSE BILL 1121

(First Reading File Bill)

On page 1, in line 17, strike “the Maryland Public Policy Institute” and substitute “a public policy institute in the State”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 55

House Bill 183 – Delegate Lierman

AN ACT concerning

**Public Information Act – Revisions
(Equitable Access to Records Act)**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 56

House Bill 204 – Delegate Lierman

AN ACT concerning

**Environment and Natural Resources – Complaints, Inspections, and
Enforcement – Information Maintenance and Reporting**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0204/793629/1

BY: Delegate Pippy

AMENDMENTS TO HOUSE BILL 204, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 9, strike “complaint,”; and in the same line, strike the second comma.

AMENDMENT NO. 2

In the Environment and Transportation Committee Amendments (HB0204/450214/1), strike Amendment No. 2 in its entirety.

On page 2 of the bill, in line 5, after “(A)” insert “**(1)**”; in the same line, strike the comma and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2)”;

in the same line, strike the first “SUSPECTED” and substitute “**ALLEGED**”; in the same line, strike “A SUSPECTED” and substitute “**AN ALLEGED**”; after line 8, insert:

“(3) “COMPLAINT” MEANS A COMPLAINT REGARDING AN ALLEGED VIOLATION OF ANY AIR OR WATER QUALITY REQUIREMENT IN THIS ARTICLE OR ANY AIR OR WATER QUALITY REGULATION AUTHORIZED BY A PROVISION OF THIS ARTICLE, INCLUDING FEDERAL REQUIREMENTS AND STANDARDS DELEGATED TO THE STATE.

(B) THIS SECTION APPLIES ONLY TO:

(1) BEGINNING OCTOBER 1, 2021, WATER QUALITY PROGRAMS WITHIN THE DEPARTMENT’S WATER AND SCIENCE ADMINISTRATION THAT ARE TRACKED THROUGH THE DEPARTMENT’S ENVIRONMENTAL TRACKING SYSTEM OR A COMPARABLE DATABASE; AND

(2) BEGINNING JUNE 30, 2022:

(i) WATER QUALITY PROGRAMS WITHIN THE DEPARTMENT’S LAND AND MATERIALS ADMINISTRATION THAT ARE TRACKED THROUGH THE DEPARTMENT’S ENVIRONMENTAL TRACKING SYSTEM OR A COMPARABLE DATABASE; AND

(ii) AIR QUALITY PROGRAMS WITHIN THE DEPARTMENT’S AIR AND RADIATION ADMINISTRATION THAT ARE TRACKED THROUGH THE DEPARTMENT’S ENVIRONMENTAL TRACKING SYSTEM OR A COMPARABLE DATABASE.”;

in line 9, strike “(B)” and substitute “(C)”; in lines 10, 14, 17, 21, 23, and 26, in each instance, strike “SUSPECTED” and substitute “ALLEGED”; in line 13, after “SECTION” insert “FOR 10 YEARS”; and in line 28, strike “RECENTLY”.

On page 3 of the bill, strike beginning with “A” in line 11 down through “(2)” in line 19.

On page 3 of the Environment and Transportation Committee Amendments, in Amendment No. 3, strike beginning with “AND” in line 9 down through “CLOSED;” in line 11.

On page 4 of the bill, in lines 4, 6, 8, and 25, strike “(3)”, “(2)”, “(4)”, and “(5)”, respectively, and substitute “(2)”, “(1)”, “(3)”, and “(4)”, respectively.

On page 4 of the Environment and Transportation Committee Amendments, in line 4 of Amendment No. 5, strike “(6)” and substitute “(5)”; and in the same line, strike “(7)” and substitute “(6)”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 40 Negative – 91 (See Roll Call No. 482)

FLOOR AMENDMENT

HB0204/623029/1

BY: Delegate Mautz

AMENDMENTS TO HOUSE BILL 204, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “and”; in the same line, after “enforcement” insert “, and sewage overflow”.

AMENDMENT NO. 2

On page 5, in line 20, strike “AND”; and in line 22, after “ARTICLE” insert “; AND”

(8) A LIST OF EACH SEWAGE OVERFLOW INCIDENT IN THE STATE, INCLUDING INFORMATION ON:

(I) THE LOCATION OF THE SEWAGE OVERFLOW;

(II) THE ENTITY FROM WHICH THE SEWAGE OVERFLOW ORIGINATED; AND

(III) WHETHER THE SEWAGE WAS TREATED OR RAW SEWAGE”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 57

House Bill 264 – Delegate Charkoudian

AN ACT concerning

Solid Waste Management – Organics Recycling and Waste Diversion – Food Residuals

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0264/823120/1

BY: Delegate Krebs

AMENDMENT TO HOUSE BILL 264

(First Reading File Bill)

On page 3, in line 11, after “PERSON” insert “**IN A COUNTY THAT CHOOSES TO PARTICIPATE AND**”; and in line 22, after “PERSON” insert “**IN A COUNTY THAT CHOOSES TO PARTICIPATE OR THAT CHOOSES TO PARTICIPATE INDEPENDENTLY AND**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 90 (See Roll Call No. 483)

FLOOR AMENDMENT

HB0264/953429/1

BY: Delegate Kipke

AMENDMENT TO HOUSE BILL 264, AS AMENDED
(First Reading File Bill)

On page 2 of the Environment and Transportation Committee Amendments (HB0264/890612/1), in line 7 of Amendment No. 2, after “**PUBLIC;**” insert “**AND**”; and strike beginning with the semicolon in line 9 down through “**BEVERAGES**” in line 12.

The preceding amendment was read only.

Delegate Boyce moved to make the Bill and Amendment a Special Order for next session.

The motion was adopted.

SPECIAL ORDER CALENDAR NO. 54

House Bill 114 – Delegates Lierman, Bagnall, Feldmark, Healey, Kerr, R. Lewis, Smith, Solomon, Stein, and Terrasa

AN ACT concerning

Maryland Transit Administration – Funding
(Transit Safety and Investment Act)

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 52

House Bill 16 – Delegate Stewart

AN ACT concerning

Correctional Services – Immigration Detention – Prohibition

(Dignity Not Detention Act)

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0016/593026/1

BY: Delegate Pippy

AMENDMENTS TO HOUSE BILL 16

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through “detainees;” in line 9.

AMENDMENT NO. 2

On page 5, in line 7, strike “(1)”; in line 9, strike “OR RENEW”; and strike in their entirety lines 11 through 15, inclusive.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 45 Negative – 88 (See Roll Call No. 484)

FLOOR AMENDMENT

HB0016/923522/1

BY: Delegate Pippy

AMENDMENTS TO HOUSE BILL 16

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “detainees;” insert “providing that this Act does not apply to a certain county or a unit of local government in the county;”.

AMENDMENT NO. 2

On page 4, in line 10, after “(A)” insert “THIS SECTION DOES NOT APPLY TO FREDERICK COUNTY OR A UNIT OF LOCAL GOVERNMENT IN FREDERICK COUNTY.”

(B)”;

and in line 29, strike “**(B)**” and substitute “**(C)**”.

On page 5, in lines 7, 16, and 18, strike “**(C)**”, “**(D)**”, and “**(E)**”, respectively, and substitute “**(D)**”, “**(E)**”, and “**(F)**”, respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 90 (See Roll Call No. 485)

FLOOR AMENDMENT

HB0016/213227/1

BY: Delegate Hartman

AMENDMENTS TO HOUSE BILL 16

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “detainees,” insert “providing that this Act does not apply to a certain county or a unit of local government in the county;”.

AMENDMENT NO. 2

On page 4, in line 10, after “**(A)**” insert “**THIS SECTION DOES NOT APPLY TO WORCESTER COUNTY OR A UNIT OF LOCAL GOVERNMENT IN WORCESTER COUNTY.**”

(B)”;

and in line 29, strike “**(B)**” and substitute “**(C)**”.

On page 5, in lines 7, 16, and 18, strike “**(C)**”, “**(D)**”, and “**(E)**”, respectively, and substitute “**(D)**”, “**(E)**”, and “**(F)**”, respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 89 (See Roll Call No. 486)

FLOOR AMENDMENT

HB0016/153726/1

BY: Delegate Novotny

AMENDMENTS TO HOUSE BILL 16

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “detainees;” insert “providing that this Act does not apply to a certain county or a unit of local government in the county;”.

AMENDMENT NO. 2

On page 4, in line 10, after “(A)” insert “THIS SECTION DOES NOT APPLY TO HOWARD COUNTY OR A UNIT OF LOCAL GOVERNMENT IN HOWARD COUNTY.”

(B)”;

and in line 29, strike “(B)” and substitute “(C)”.

On page 5, in lines 7, 16, and 18, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 45 Negative – 86 (See Roll Call No. 487)

FLOOR AMENDMENT

HB0016/123523/1

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 16

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “detainees;” insert “providing that this Act does not apply to a certain county or a unit of local government in the county;”.

AMENDMENT NO. 2

On page 4, in line 10, after “(A)” insert “THIS SECTION DOES NOT APPLY TO HARFORD COUNTY OR A UNIT OF LOCAL GOVERNMENT IN HARFORD COUNTY.”

(B)”;

and in line 29, strike “(B)” and substitute “(C)”.

On page 5, in lines 7, 16, and 18, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 88 (See Roll Call No. 488)

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 17**

Senate Bill 379 – Senator Lam

AN ACT concerning

Health Occupations – ~~Registration~~ Licensing of Audiology Assistants

FOR the purpose of requiring an individual, on or after a certain date, to be ~~registered~~ licensed by the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists before assisting in the practice of audiology in the State, except as otherwise provided under certain provisions of law; altering the Board’s powers and duties to include certain powers and duties related to audiology assistants; authorizing the Board to adopt certain regulations governing the ~~registration~~ licensing of audiology assistants and assistance in the practice of audiology; altering certain grounds for discipline to allow the Board to take certain action against certain applicants or licensees for supervising or aiding an unauthorized individual in the assistance of audiology; authorizing the Board to allow an audiology assistant licensed ~~or registered~~ in another state to practice in the State under certain circumstances; establishing certain qualifications an applicant must meet to qualify for ~~registration~~ licensure as an audiology assistant; authorizing the Board to waive certain qualifications in a certain manner; requiring the Board to issue a ~~registration~~ license to certain applicants; prohibiting the Board from adopting certain regulations that are more stringent than certain qualifications; providing that a certain ~~registration~~ license authorizes a certain individual to assist

in the practice of audiology while the ~~registration~~ license is effective; requiring the Board to determine the term of a ~~registration~~ license and certain renewal and reinstatement requirements in a certain manner; requiring a ~~registered~~ licensed audiology assistant to assist in the practice of audiology under certain supervision; authorizing a licensed audiologist to supervise not more than a certain number of audiology assistants at any time; providing that certain applicants and ~~registered~~ licensed audiology assistants are subject to certain provisions of law in a certain manner; prohibiting a person from practicing, attempting to practice, or offering to assist in the practice of audiology except under certain circumstances; ~~prohibiting a person from using or attempting to use a certain registration;~~ prohibiting certain individuals from making certain representations to the public and using certain titles; ~~prohibiting a person from knowingly making certain false statements in certain applications, materially altering certain registrations, or transferring or offering to transfer certain registrations in a certain manner; prohibiting audiology assistants from engaging in certain trade practices and otherwise violating certain provisions of commercial law;~~ altering a certain definition; defining certain terms; and generally relating to the ~~registration~~ licensing of audiology assistants.

BY repealing and reenacting, without amendments,
 Article – Health Occupations
 Section 2–101(a) and 2–403 through 2–405
 Annotated Code of Maryland
 (2014 Replacement Volume and 2020 Supplement)

BY adding to
 Article – Health Occupations
 Section 2–101(b–1), (d–1), ~~(s), and (t)~~ and (k–1) and 2–314(25); 2–3A–01 through 2–3A–07 to be under the new subtitle “Subtitle 3A. Registration Licensing of Audiology Assistants”; and 2–402.4
 Annotated Code of Maryland
 (2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section ~~2–101(s), (t), and (u)~~ 2–101(j), 2–102(a), 2–205, 2–314(23) and (24), 2–401, and ~~2–403~~ through 2–406
 Annotated Code of Maryland
 (2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 523 – Senator Lam (By Request – State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists)

AN ACT concerning

**State Board of Examiners for Audiologists, Hearing Aid Dispensers, and
Speech–Language Pathologists – Duties, Appointment of Members, and
Requirements for Licensees**

FOR the purpose of altering the definition of “board” for purposes of requiring the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists to post a list of certain courses, provide certain information on certain courses at a certain time, and advertise the availability of certain courses; requiring the Board, instead of certain organizations, to submit certain lists to the Secretary of Health and the Governor for the purpose of appointing certain speech–language pathologist and certain audiologist members; requiring the Board to notify licensed speech–language pathologists in the State of a certain vacancy ~~and conduct a certain balloting process for the purpose of filling certain speech–language pathologist member vacancies~~; requiring the Board, rather than certain organizations, to notify licensed audiologists in the State of a certain vacancy ~~and~~; ~~repealing a certain provision of law requiring certain organizations to conduct a certain balloting process for the purpose of filling certain audiologist member vacancies~~; requiring the Secretary, rather than the Department of Disabilities, to submit a certain list to the Governor for purposes of appointing certain consumer members; repealing the requirement that the Department of Disabilities solicit certain nominees for certain consumer members; authorizing certain organizations or family members to submit certain recommendations to the Secretary for certain consumer member vacancies; authorizing the Board and the Secretary to notify certain organizations or family members of a certain vacancy and solicit certain applications; requiring certain licensees to identify and represent themselves to the public using certain information; requiring certain licensees to include a certain license number on certain documentation; ~~repealing a certain requirement that a certain licensee display a certain license in a certain manner in a certain place~~; requiring the Board to maintain a certain list of individuals licensed by the Board and make the list available on its website; authorizing an individual to contact the Board to verify a certain license; altering the changes in information with respect to which a licensee is required to notify the Board within a certain period of time; repealing certain obsolete provisions of law; making technical, stylistic, and conforming changes; and generally relating to audiologists, hearing aid dispensers, and speech–language pathologists.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–801, 2–202(a), 2–302.1(a), 2–302.2, 2–305(a) and (b), 2–307.4, and 2–311

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 1–802

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 661 – Senator Patterson

AN ACT concerning

Environment – Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund – Funding, Reallocation, ~~and~~ Reimbursements, and Study

FOR the purpose of altering the basis for calculating a certain license fee credited to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and the Oil Contaminated Site Environmental Cleanup Fund; authorizing the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund to be used, in certain fiscal years, to reimburse the residential owner of a heating oil tank that applied to the Oil Contaminated Site Environmental Cleanup Fund on or before a certain date; extending the date by which a residential owner of a certain heating oil tank may apply to the Oil Contaminated Site Environmental Cleanup Fund for reimbursement of certain costs; requiring the Department of the Environment to conduct a certain study and report its findings and recommendations to the General Assembly after a certain date but before a certain date; making conforming and stylistic changes; and generally relating to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund.

BY repealing and reenacting, without amendments,

Article – Environment

Section 4-411(a)(1) and (3), and 4-701(a) and (c), ~~and 4-705(b)~~

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 4-411(c), (f), and (g) and 4-705(b)

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 684 – Senator Lam

AN ACT concerning

Maryland Licensure of Certified Midwives Act

FOR the purpose of establishing a licensing and regulatory system for the practice of certified midwifery under the State Board of Nursing; altering the duties of the

Board to require the Board to set standards for the practice of certified midwifery and keep a certain list of certain licensed midwives; altering the circumstances under which the Board is required to require an applicant or licensee to submit to a certain examination under certain circumstances; providing that an applicant or licensee is deemed to have consented to submit to a certain examination and waived a certain claim in return for the privilege to practice certified midwifery; including certain midwives under the jurisdiction of a certain rehabilitation committee; requiring the Board to give certain persons a hearing before taking certain actions; requiring certain employers to report certain names and license numbers under certain circumstances; requiring certain individuals to be licensed before practicing certified midwifery in the State; specifying the qualifications for a license to practice certified midwifery; establishing the application process for a license to practice certified midwifery; requiring the Board to set certain fees in a certain manner for the issuance and renewal of certain licenses and certain other services; requiring the Board to pay certain fees to the Comptroller of the State; requiring the Comptroller to distribute certain fees to the Board of Nursing Fund; requiring that the fees be used to cover certain costs; requiring the Board to issue a license to practice certified midwifery to certain individuals, record certain licenses in a certain manner, and include a certain expiration date on certain licenses; requiring the Board to consider certain factors on receipt of certain criminal history record information in making certain determinations; prohibiting the Board, under certain circumstances, from issuing or renewing a license to practice midwifery; specifying the scope of a license issued under this Act; providing for the expiration, renewal, and reinstatement of a license to practice certified midwifery; requiring the Board to send to a licensee a certain renewal notice and, under certain circumstances, certain ~~documents for initiating a criminal records check at a certain time and in a certain manner~~ information; requiring certain licensees to notify the Board of certain changes of information within a certain period of time; requiring certain licensees to submit to additional criminal history records checks at specified intervals; prohibiting certified midwives from surrendering their licenses except under certain circumstances; authorizing the Board to deny certain licenses, grant certain licenses, reprimand or place on probation certain licensees, or suspend or revoke certain licenses under certain circumstances, subject to certain hearing provisions; authorizing the Board to impose certain penalties; authorizing the Board to reinstate a license under certain circumstances; requiring the Board to take certain actions regarding a certain license under certain circumstances; prohibiting certain individuals from making certain representations or using certain abbreviations or designations unless authorized to practice certified midwifery in the State; prohibiting certain licensees from advertising in a certain manner; requiring certified midwives to report certain actions or conditions of certain licensees or certificate holders to the Board under certain circumstances; authorizing certain persons aggrieved by certain Board decisions to petition for certain judicial review; prohibiting certain Board action from being stayed under certain circumstances; establishing a certain short title; providing for the authority of the Board under this Act; prohibiting a certain individual from practicing as a certified midwife unless licensed by the Board; authorizing the State or the Board to maintain certain action to enjoin certain conduct; providing that a violation of certain provisions of law is a misdemeanor and

subject to certain penalties under certain circumstances; defining certain terms; altering certain definitions; making a conforming change; and generally relating to the licensing and regulation of certified midwives.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8–205(a)(2) and (10)(ix) and (x), ~~8–205.1~~, 8–208(a), (j)(1) and (4), and (m)(3) and (4), 8–317(a), 8–504, 8–701(e–1), (f), and (g), 8–708(a), and 8–710(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – Health Occupations

Section 8–205(a)(10)(x); 8–6D–01 through ~~8–6D–14~~ 8–6D–15 to be under the new subtitle “Subtitle 6D. Licensed Certified Midwives”; and 8–701(g)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 8–208(b)(1)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 701 – Senator West

AN ACT concerning

Bay Restoration Fund – County Authority to Incur Indebtedness

FOR the purpose of authorizing a county to borrow money and incur indebtedness through the issuance and sale of notes in anticipation of the receipt of the county’s allocation of funds from a certain account of the Bay Restoration Fund; authorizing a county to expend the net proceeds of the sale of a certain issue of notes only for certain purposes; authorizing the principal of certain notes and the interest on certain notes to be paid from certain sources; authorizing a county to pledge its full faith and credit and taxing power to the payment of the principal of and interest on certain notes under certain circumstances; providing that the authority to borrow money and issue notes granted to counties by this Act is supplemental to and not in derogation of certain other powers; and generally relating to the Bay Restoration Fund.

BY adding to

Article – Local Government

Section 19–1001 through 19–1004 to be under the new subtitle “Subtitle 10. Public Debt – Grants and Loans for Septic Upgrades”

Annotated Code of Maryland
(2013 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 719 – ~~Senators Zucker and Augustine, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Klausmeier, Kramer, and Ready Ready, and Smith~~

AN ACT concerning

~~Maryland Department of Health~~ – **2-1-1 Maryland – Mental Health Services
Phone Call Program
(The Thomas Bloom Raskin Act)**

FOR the purpose of requiring the Maryland Department of Health, in consultation with 2-1-1 Maryland, to make certain recommendations relating to the establishment of a certain opt-in mental health services phone call program; authorizing the Governor to include in the annual budget bill an appropriation to the Department to carry out certain provisions of this Act; and generally relating to 2-1-1 Maryland and mental health services.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24-1204
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 729 – Senator Feldman

AN ACT concerning

**Maryland Health Benefit Exchange – State-Based Young Adult Health
Insurance Subsidies Pilot Program**

FOR the purpose of altering the purpose of the Maryland Health Benefit Exchange Fund to include the provision of funding for the establishment and operation of the State-Based Young Adult Health Insurance Subsidies Pilot Program; providing that the operation and administration of the Pilot Program may include certain functions delegated to certain third parties; altering the contents of the Fund; altering the purposes for which the Fund may be used; requiring the Board of Trustees of the Maryland Health Benefit Exchange to maintain a separate account within the Fund for the Pilot Program; clarifying that certain funds received from the federal government under a certain waiver may be used only for the purposes of funding the State Reinsurance Program; requiring the Exchange, in consultation with the

Maryland Insurance Commissioner and as approved by the Board, to establish and implement a Pilot Program to provide subsidies to young adults for the purchase of health benefit plans in the individual health insurance market; requiring that the Pilot Program be designed to reduce the amount that young adults pay for certain health benefit plans and target certain young adults; requiring the Exchange, in consultation with the Commissioner and as approved by the Board, to establish subsidy eligibility and payment parameters for the Pilot Program for certain years; requiring the Exchange to consider certain factors in determining certain parameters; ~~requiring the Governor~~ authorizing the Exchange to designate, in certain fiscal years, certain funds to be used for the Pilot Program for a certain purpose; requiring the Exchange to adopt certain regulations on or before a certain date; requiring the Exchange to track certain information on a certain basis, post the information on a certain website, and include the information in a certain report; defining a certain term; providing for the termination of this Act; and generally relating to the Maryland Health Benefit Exchange and the State-Based Young Adult Health Insurance Subsidies Pilot Program.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 31–107
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY adding to
Article – Insurance
Section 31–122
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 744 – Senator Eckardt

AN ACT concerning

State Board of Nursing – Certified Nursing Assistant Advisory Committee – Membership and Meetings

FOR the purpose of increasing the number of alternates that the State Board of Nursing is required to appoint for certain members of the Certified Nursing Assistant Advisory Committee; establishing certain qualifications for members of the advisory committee; providing that, at the end of a term, a member of the advisory committee continues to serve until a successor is appointed and qualified; providing that a certain member of the advisory committee serves only for a certain period and until a successor is appointed and qualifies; prohibiting a member of the advisory committee from serving more than a certain number of terms; requiring the State Board to fill a certain vacancy within a certain period of time, to the extent

practicable; altering the meeting requirements for the advisory committee; establishing a requirement for quorum of the advisory committee; making a stylistic change; and generally relating to the Certified Nursing Assistant Advisory Committee.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–6A–13
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 796 – Senator Eckardt

AN ACT concerning

**Maryland Office of Minority Health and Health Disparities and Maryland
Health Care Commission – Reporting Requirements**

FOR the purpose of altering a certain provision of law requiring the Maryland Office of Minority Health and Health Disparities to collaborate with the Maryland Health Care Commission to publish and provide a certain report card to require the report card to include the racial and ethnic composition of all individuals who hold a certain license or certificate, rather than only physicians; requiring the report card to include a comparison of certain information; requiring the Office, in coordination with the Commission and the Maryland Department of Health, to submit to the General Assembly a certain plan on or before a certain date; and generally relating to public health data and race and ethnicity information.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–1004
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 804 – Senator Edwards

AN ACT concerning

Garrett County – Memorial Hospital – Board Membership and Meetings

FOR the purpose of altering the membership of the Board of Governors of the Garrett County Memorial Hospital; modifying the terms of members of the Board of Governors of the Garrett County Memorial Hospital; reducing the mandatory

number of Board meetings; and generally relating to the Garrett County Memorial Hospital.

BY repealing and reenacting, with amendments,
The Public Local Laws of Garrett County
Section 36.03
Article 12 – Public Local Laws of Maryland
(2005 Edition and September 2018 Supplement, as amended)

Read the first time and referred to the Committee on Health and Government Operations.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 489)

RECESS

At 12:08 P.M. on motion of Delegate Luedtke the House recessed until 4:30 P.M. on Legislative Day, March 6, 2021, Calendar Day, Wednesday, March 17, 2021.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 6, 2021
Calendar Day: Wednesday, March 17, 2021

At 4:36 P.M. the House resumed its session and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 490)

EXCUSED:

Delegate Anderson – illness
Delegate Cox – medical
Delegate Healey – medical
Delegate Kittleman – personal
Delegate Walker – personal

MESSAGE FROM THE CHIEF EXECUTIVE

SUPPLEMENTAL BUDGET NO. 4 – FISCAL YEAR 2022

(See Exhibit K of Appendix II)

Read and Referred to the Committee on Appropriations.

HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO.
21-A04

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably on the attached gubernatorial appointments:

GOVERNOR LAWRENCE J. HOGAN, JR.
2020 RECESS APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit B of Appendix II)

The favorable report of the Committee was adopted by yeas and nays as follows:

Affirmative – 126 Negative – 0 (See Roll Call No. 491)

The preceding appointments were confirmed by the House.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 21

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 501 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Board of Ethics – Financial Disclosure Statements – Late Fees

MC/PG 102-21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 517 – Delegate C. Watson

AN ACT concerning

Clean Energy Loan Program – Remediation and Resiliency

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 789 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Video and Audio Streaming and Archiving Meetings and Financial Assistance

MC/PG 100–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 794 – Carroll County Delegation

AN ACT concerning

Carroll County – Sheriff – Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 1097 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Local Officials – Salaries

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 1160 – Calvert County Delegation

AN ACT concerning

Calvert County – Long–Term Contracts for Cellular Tower Leases

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR NO. 1
HOUSE BILLS AMENDED IN THE SENATE

AMENDED IN THE SENATE

House Bill 1 – The Speaker

EMERGENCY BILL

AN ACT concerning

Historically Black Colleges and Universities – Funding

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0001/373123/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, after “State;” insert “requiring the Cigarette Restitution Fund to include a separate account consisting of payments received by the State as a result of certain litigation; requiring distributions from a certain separate account to supplant a certain general fund appropriation;”; strike beginning with “Commission” in line 10 down through “date” in line 11 and substitute “Department of Legislative Services to contract with a consultant to study the capacity and capability of the Commission to carry out certain policies and practices and report the results in an interim and final report on or before certain dates; requiring the Commission to provide certain information to the Department of Legislative Services or a certain consultant;”; in line 18, after “agreement;” insert “making conforming changes;”; in line 28, after “6–226(a)(2)(i)” insert “and 7–317(a)”; in line 33, after “123.” insert “and 7–317(b), (e), and (h)”; and in line 38, after “6–226(a)(2)(ii)124.” insert “and 7–317(h)”.

AMENDMENT NO. 2

On page 4, in lines 13 and 19, in each instance, strike “**FOR**” and substitute “**SUBJECT TO SUBSECTION (D) OF THIS SECTION, FOR**”.

On page 5, in line 4, strike “**FOR**” and substitute “**SUBJECT TO SUBSECTION (D) OF THIS SECTION, FOR**”.

On page 6, after line 8, insert:

“(D) IF THE SPECIAL ACCOUNT IN THE CIGARETTE RESTITUTION FUND ESTABLISHED UNDER § 7-317 OF THE STATE FINANCE AND PROCUREMENT ARTICLE HAS A BALANCE, THE GOVERNOR SHALL USE THE BALANCE TO SUPPLANT THE GENERAL FUND APPROPRIATION TO THE HISTORICALLY BLACK COLLEGES AND UNIVERSITIES REQUIRED UNDER THIS SECTION.”;

and in line 9, strike “(D)” and substitute “(E)”.

On page 8, after line 14, insert:

“7-317.

(a) There is a Cigarette Restitution Fund.

(b) (1) The Fund is a continuing, nonlapsing fund that is not subject to § 7-302 of this subtitle.

(2) [There] EXCEPT AS PROVIDED IN SUBSECTION (H) OF THIS SECTION, THERE shall be credited to the Fund all revenues consisting of funds received by the State from any source resulting, directly or indirectly, from any judgment against or settlement with tobacco product manufacturers, tobacco research associations, or any other person in the tobacco industry relating to litigation, administrative proceedings, or any other claims made or prosecuted by the State to recover damages for violations of State law.

(3) There shall be credited to the Fund all money collected under § 24-508 of the Health – General Article or § 5-608 of the Labor and Employment Article.

(e) (1) The Fund shall be expended subject to any restrictions on its use or other limitations on its allocation that are:

(i) expressly provided by statute;

(ii) required as a condition of the acceptance of funds; or

(iii) determined to be necessary to avoid recoupment by the federal government of money paid to the Fund.

(2) [Disbursements] EXCEPT AS OTHERWISE PROVIDED UNDER SUBSECTION (H) OF THIS SECTION, DISBURSEMENTS from the Fund to programs funded by the State or with federal funds administered by the State shall be used solely to supplement, and not to supplant, funds otherwise available for the programs under federal or State law as provided in this section.

(H) (1) THE FUND SHALL INCLUDE A SEPARATE ACCOUNT CONSISTING OF PAYMENTS RECEIVED BY THE STATE AS A RESULT OF LITIGATION BY PARTICIPATING MANUFACTURERS RELATED TO THE STATE'S DILIGENT ENFORCEMENT OF TITLE 16, SUBTITLE 4 OF THE BUSINESS REGULATION ARTICLE.

(2) DISTRIBUTIONS FROM THE SEPARATE ACCOUNT MAY BE USED ONLY TO SUPPLANT THE GENERAL FUND APPROPRIATION TO THE HISTORICALLY BLACK COLLEGES AND UNIVERSITIES REQUIRED UNDER § 15-126 OF THE EDUCATION ARTICLE.

[(h)] (I) For each program, project or activity receiving funds appropriated under subsection (g)(3) of this section, the Governor shall:

(1) develop appropriate statements of vision, mission, key goals, key objectives, and key performance indicators and report these statements in a discrete part of the State budget submission, which shall also provide data for key performance indicators; and

(2) report annually, subject to § 2-1257 of the State Government Article, to the General Assembly no later than November 1 on:

(i) total funds expended, by program and subdivision, in the prior fiscal year from the Fund established under this section; and

(ii) the specific outcomes or public benefits resulting from that expenditure.”.

AMENDMENT NO. 3

On page 8, strike beginning with “The” in line 33 down through “Commission’s” in line 35 and substitute “The Department of Legislative Services shall contract with a consultant to study the capacity and capability of the Maryland Higher Education Commission to carry out the”.

On page 9, after line 6, insert:

“(b) The Maryland Higher Education Commission shall provide any information requested by the Department of Legislative Services or the consultant conducting the study under subsection (a) of this section in a timely manner.”;

in line 7, strike “(b)” and substitute “(c) (1)”; in the same line, strike “Commission” and substitute “Department of Legislative Services”; in the same line, strike “a” and substitute “an interim”; in line 9, strike “results” and substitute “progress”; and after line 10, insert:

“(2) On or before September 1, 2022, the Department of Legislative Services shall submit a final report on its findings to the Governor and, in accordance with § 2–1257 of the State Government Article, the President of the Senate and the Speaker of the House that summarizes the results of the study conducted in accordance with subsection (a) of this section.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 120 Negative – 14 (See Roll Call No. 492)

ECONOMIC MATTERS COMMITTEE REPORT NO. 22

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 37 – Delegate Valderrama

AN ACT concerning

Procurement – Prevailing Wage – Applicability

HB0037/723993/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 37

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “repealing” and substitute “altering”; and in line 6, after the semicolon, insert “making conforming changes; providing for the application of this Act:”.

AMENDMENT NO. 2

On page 3, strike beginning with the colon in line 7 down through “2.” in line 11; in line 11, strike “other”; in line 12, strike the brackets; in the same line, strike “50%” and substitute “25%”; in lines 12 and 13, strike “**FUNDED IN WHOLE OR IN PART WITH**”; strike beginning with the bracket in line 25 down through “2.” in line 29; in line 29, strike “other”; in line 30, strike “50%” and substitute “25%”; and in the same line, strike the bracket.

On page 4, in lines 6 and 7, strike beginning “include” in line 6 down through “(i)” in line 7 and substitute “INCLUDE.”; in lines 10 and 11, strike “1.” and “2.”, respectively, and substitute “(I)” and “(II)”, respectively; and strike beginning with the semicolon in line 11 down through “construction” in line 16.

On page 5, after line 16, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only to a public work contract executed on or after October 1, 2021.”;

and in line 17, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 106 – Delegate Wilson

AN ACT concerning

Office of the Attorney General – Website to Report Robocalls and Other Spam Calls

HB0106/273993/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 106
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “**Consumer Protection – Robocalls and Spam Calls – Website to Report and Annual Report**”; in line 6, strike “notify consumers by print, radio, or television advertisements” and substitute “**establish and promote an education campaign that informs consumers**”; and in line 9, after “calls;” insert “**requiring the Office to submit a certain annual report on or before a certain date;**”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with “(I)” in line 22 on page 1 down through “CALL” in line 4 on page 2 and substitute “**“AUTOMATIC TELEPHONE DIALING SYSTEM” HAS THE MEANING STATED IN 47 U.S.C § 227**”.

On page 2, in line 8, strike “AUTOMATIC DIALER” and substitute “**AUTOMATIC TELEPHONE DIALING SYSTEM**”.

AMENDMENT NO. 3

On page 2, strike beginning with “PROVIDE” in line 13 down through “INFORMING” in line 14 and substitute “**ESTABLISH AND PROMOTE AN EDUCATION CAMPAIGN THAT INFORMS**”.

AMENDMENT NO. 4

On page 2, after line 21, insert:

“(D) ON OR BEFORE NOVEMBER 1 EACH YEAR, THE OFFICE SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

(1) THE NUMBER OF REPORTS RECEIVED THROUGH THE WEBSITE PER MONTH;

(2) THE TYPE OF EACH REPORTED CALL;

(3) THE DATE AND TIME OF EACH REPORTED CALL;

(4) THE DEMOGRAPHIC INFORMATION OF EACH CONSUMER WHO MAKES A REPORT;

(5) THE GEOGRAPHIC INFORMATION OF EACH CONSUMER WHO MAKES A REPORT; AND

(6) ANY OTHER INFORMATION THE OFFICE BELIEVES IS RELEVANT TO CONSUMER PROTECTION AND ROBOCALLS AND OTHER SPAM CALLS.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

House Bill 174 – Delegate Brooks

AN ACT concerning

Public Utilities – Investor-Owned Utilities – Prevailing Wage

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 829 – Delegate Lierman

AN ACT concerning

**Economic Development – Small Business Financing – Loan Loss Reserve
(Maryland Capital Access Program)****HB0829/373296/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 829

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “requiring” in line 12 down through “Program;” in line 14; in line 15, strike “declaring the intent of the General Assembly;”; and in line 19, strike “5–1708” and substitute “5–1707”.

AMENDMENT NO. 2

On page 2, in lines 19 and 20, strike “**OF COMMERCE**”.

AMENDMENT NO. 3

On page 3, in lines 17 and 18, strike “**AT LEAST 2% AND UP TO**” and substitute “**BETWEEN 0% AND**”.

AMENDMENT NO. 4

On page 4, strike beginning with “**FOR**” in line 2 down through “**5–1708.**” in line 4; strike in their entirety lines 6 through 11, inclusive; and in line 12, strike “3.” and substitute “2.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 832 – Delegate Fraser–Hidalgo

AN ACT concerning

Public Utilities – Electric School Bus Pilot Program

HB0832/993791/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 832

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “standards;” insert “requiring a participating school system, when deploying electric school buses, to consider criteria that benefit students who are eligible to receive free and reduced-price meals; requiring a participating school system to develop a certain plan for any school system employee affected by the pilot program;”; in line 11, after “company” insert “, in consultation with each participating school system,”; and in line 14, after “circumstances;” insert “requiring the annual report to include an evaluation of the environmental and health benefits of the pilot program and the financial costs and benefits of implementing the pilot program;”.

AMENDMENT NO. 2

On page 2, in line 4, after “POWERED” insert “EXCLUSIVELY”; in line 10, after “(4)” insert ““INCREMENTAL ADMINISTRATIVE AND OPERATING COSTS” MEANS THE AMOUNT BY WHICH THE COST OF ADMINISTERING AND OPERATING AN ELECTRIC SCHOOL BUS PROGRAM EXCEEDS THE COST OF ADMINISTERING AND OPERATING A DIESEL SCHOOL BUS PROGRAM.

(5)”;

in lines 14, 18, 21, and 26, strike “(5)”, “(6)”, “(7)”, and “(8)”, respectively, and substitute “(6)”, “(7)”, “(8)”, and “(9)”, respectively; in line 23, after “THAT” insert “:

(I)”;

and in line 25, after “COMPANY” insert “; AND

(II) OWNS ITS SCHOOL BUSES OR CONTRACTS WITH ANOTHER ENTITY FOR SCHOOL BUS SERVICES”.

On page 3, in line 1, strike “(9)” and substitute “(10)”; in line 6, strike “ASSOCIATED” and substitute “THE INCREMENTAL”; in line 16, after “(1)” insert “COMMENCE”; in the same line, strike “2022” and substitute “2023”; strike beginning with the second comma in line 16 down through “\$50,000,000” in line 18; in line 19, after “(2)” insert “PROVIDE FOR THE DEPLOYMENT OF NOT FEWER THAN 25 ELECTRIC SCHOOL BUSES;

(3)”;

after line 20, insert:

“(4) LIMIT TOTAL REBATES TO \$50,000,000;”;

in line 21, strike “(3)” and substitute “(5)”; in line 23, strike the comma and substitute “:

(I) EXCEPT AS PROVIDED IN ITEM (6) OF THIS SUBSECTION,”;

in line 24, strike the colon and substitute “;AND

(II) AT TIMES WHEN THE PARTICIPATING SCHOOL SYSTEM DETERMINES THAT THE SCHOOL BUSES ARE NOT NEEDED TO TRANSPORT STUDENTS;

(6) ENSURE THAT AN INVESTOR-OWNED UTILITY THAT USES ELECTRICITY THAT A PARTICIPATING SCHOOL SYSTEM PROVIDES TO CHARGE AN ELECTRIC SCHOOL BUS BATTERY REPLACES THAT ELECTRICITY AT NO COST TO THE PARTICIPATING SCHOOL SYSTEM;”;

and strike in their entirety lines 25 through 30, inclusive.

On page 4, in line 1, strike “(4)” and substitute “(7)”; in line 6, strike “AND”; after line 6, insert:

(8) CONSIDER, IN DETERMINING THE APPROPRIATE FACTORS UNDER ITEM (7) OF THIS SUBSECTION, THE HEALTH AND ECONOMIC EFFECTS ON LOW-INCOME AND MINORITY COMMUNITIES;”;

in line 7, strike “(5)” and substitute “(9)”; in line 8, after “STATIONS” insert “AND TRAIN SCHOOL PERSONNEL IN THE PROPER USE OF THE EQUIPMENT AND FACILITIES; AND”

(10) EQUIP EACH ELECTRONIC SCHOOL BUS WITH LAP AND SHOULDER BELTS IN ACCORDANCE WITH RECOMMENDATIONS FROM THE NATIONAL TRANSPORTATION SAFETY BOARD”;

in line 9, after “(D)” insert “A PARTICIPATING SCHOOL SYSTEM SHALL:”

(1) WHEN DEPLOYING ELECTRIC SCHOOL BUSES, CONSIDER CRITERIA THAT BENEFIT STUDENTS WHO ARE ELIGIBLE FOR FREE AND REDUCED-PRICE MEALS; AND

(2) PRIOR TO THE DELIVERY OF ELECTRIC SCHOOL BUSES, DEVELOP A PLAN FOR TRAINING AND RETAINING ANY SCHOOL SYSTEM EMPLOYEE AFFECTED BY THE ELECTRIC SCHOOL BUS PILOT PROGRAM.

(E)”;

in lines 20, 24, and 27, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(F)”, “(G)”, and “(H) (1)”, respectively; in line 28, after the comma insert “IN CONSULTATION WITH EACH PARTICIPATING SCHOOL SYSTEM,”; and after line 33, insert:

“(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) AN EVALUATION OF THE ENVIRONMENTAL AND HEALTH BENEFITS OF THE PILOT PROGRAM; AND

(II) THE FINANCIAL COSTS AND BENEFITS OF IMPLEMENTING THE PILOT PROGRAM TO THE PARTICIPATING SCHOOL SYSTEM AND THE INVESTOR-OWNED UTILITY, INCLUDING:

1. THE DEPLOYMENT, OPERATING, AND MAINTENANCE OF THE ELECTRIC SCHOOL BUSES; AND

2. THE USE OF VEHICLE-TO-GRID TECHNOLOGY.

On page 5, in lines 1 and 3, strike “(H)” and “(I)”, respectively, and substitute “(I)” and “(J)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 875 – Delegate D.E. Davis

AN ACT concerning

Electricity – Renewable Energy Portfolio Standard – Qualifying Biomass

HB0875/613390/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 875

(First Reading File Bill)

On page 2, in lines 6, 7, 8, 9, and 10, in each instance, strike the bracket; in lines 8, 9, and 10, strike “B.”, “C.”, and “D.”, respectively; in line 22 strike the second “or”; and in line 23, after “(ii)” insert “**BLACK LIQUOR, OR ANY PRODUCT DERIVED FROM BLACK LIQUOR; OR**”

(III)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0875/383828/1

BY: Delegate Kipke

AMENDMENT TO HOUSE BILL 875, AS AMENDED

In line 3 of the Economic Matters Committee Amendments (HB0875/613390/1), strike “**BLACK**” and substitute “**BEGINNING IN 2023, BLACK**”; and in line 4, after “**LIQUOR**” insert “, **THAT IS PRODUCED AT AN OUT-OF-STATE FACILITY**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 40 Negative – 93 (See Roll Call No. 493)

FLOOR AMENDMENT

HB0875/413127/1

BY: Delegate Grammer

AMENDMENTS TO HOUSE BILL 875

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Act;” insert “requiring the Public Service Commission, in consultation with the Office of People’s Counsel and, until a certain date, to consider black liquor as a Tier 1 renewable energy source under certain circumstances;”.

AMENDMENT NO. 2

On page 4, after line 9, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That if, on March 30, 2022, the market price for renewable energy credits from Tier 1 renewable energy sources, as defined in § 7–701 of the Public Utilities Article, is 50% or more than the market price for renewable energy credits from Tier 1 renewable energy sources on October 1, 2021, the Public Service Commission shall, in consultation with the Office of People’s Counsel and until March 30, 2023, consider energy from black liquor as a Tier 1 renewable energy source for which renewable energy credits may be received and accumulated.”;

and in line 10, strike “3.” and substitute “4.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 40 Negative – 91 (See Roll Call No. 494)

FLOOR AMENDMENT

HB0875/183428/1

BY: Delegate Grammer

AMENDMENT TO HOUSE BILL 875

(First Reading File Bill)

On page 4, in line 12, strike “2022” and substitute “2023”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 41 Negative – 90 (See Roll Call No. 495)

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 890 – Delegate D.E. Davis

AN ACT concerning

**Natural Gas – Strategic Infrastructure Development and Enhancement –
Surcharge and Plans**

HB0890/983598/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 890

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “Program;” in line 7; in line 8, after “costs” insert “under the Strategic Infrastructure Development and Enhancement Program”; strike in their entirety lines 12 through 16, inclusive; and in line 19, strike “4–210(d)(4) and (g)” and substitute “4–210(g)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 19, inclusive.

The preceding 2 amendments were read only.

Delegate D.E. Davis moved to make the Bill and Amendments a Special Order for Thursday.

The motion was adopted.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1213 – Delegate Queen

AN ACT concerning

Financial Institutions – Determination of Creditworthiness – Alternative Methods

HB1213/223695/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1213

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Creditworthiness –**” insert “**Evaluation Rules and**”; in line 4, after “to” insert “**adhere to certain rules concerning evaluations of applications and, under certain circumstances,**”; and in line 5, strike “determining whether to accept” and substitute “**evaluating**”.

AMENDMENT NO. 2

On page 2, in line 13, strike the second “AND”; after line 13, insert:

“(4) **A COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION; AND**”;

and in line 14, strike “(4)” and substitute “(5)”.

AMENDMENT NO. 3

On page 2, in line 16, strike “**DETERMINING WHETHER TO ACCEPT**” and substitute “**EVALUATING**”; strike beginning with “**CONSIDER**” in line 18 down through “**APPLICANT’S**” in line 20; in line 21, after “**(1)**” insert “**ADHERE TO THE RULES CONCERNING EVALUATIONS OF APPLICATIONS ESTABLISHED UNDER 12 C.F.R. § 1002.6, INCLUDING CONSIDERATION OF THE FOLLOWING VERIFIABLE ALTERNATIVE INDICATIONS OF CREDITWORTHINESS PRESENTED OR MADE AVAILABLE TO THE ENTITY BY THE APPLICANT:**”

(1)”;

in lines 22, 23, and 24, strike “**(2)**”, “**(3)**”, and “**(4)**”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively; and in line 24, after “**ATTENDANCE**” insert “**; AND**”

(2) IF THE APPLICANT REQUESTS, CONSIDER OTHER VERIFIABLE ALTERNATIVE INDICATIONS OF CREDITWORTHINESS PRESENTED OR MADE AVAILABLE TO THE ENTITY BY THE APPLICANT”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 496)

CALENDAR OF THIRD READING HOUSE BILLS NO. 52

House Bill 104 – Delegate Stewart

AN ACT concerning

Landlord–Tenant – Nonrenewal of Lease – Notice Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 92 Negative – 43 (See Roll Call No. 497)

The Bill was then sent to the Senate.

House Bill 313 – Delegate Holmes

AN ACT concerning

**Cooperative Housing Corporations, Condominiums, and Homeowners
Associations – Reserve Studies – Statewide**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95 Negative – 38 (See Roll Call No. 498)

The Bill was then sent to the Senate.

House Bill 1312 – Delegate Wilkins

EMERGENCY BILL

AN ACT concerning

~~**COVID-19 Eviction and Housing Relief Act of 2021**~~
Landlord and Tenant – Eviction Actions – Catastrophic Health Emergencies

Read the third time and passed by yeas and nays as follows:

Affirmative – 92 Negative – 43 (See Roll Call No. 499)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 53

**House Bill 236 – Delegates Hill, Feldmark, Ebersole, Kerr, Johnson, Terrasa, R.
Lewis, and Bagnall**

AN ACT concerning

**Department of General Services – Energy-Conserving Standards
(Maryland Sustainable Buildings Act of 2021)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 98 Negative – 37 (See Roll Call No. 500)

The Bill was then sent to the Senate.

House Bill 643 – Delegate Palakovich Carr

AN ACT concerning

Public Health – Cosmetic Products – Ingredient Prohibition

Read the third time and passed by yeas and nays as follows:

Affirmative – 99 Negative – 35 (See Roll Call No. 501)

The Bill was then sent to the Senate.

House Bill 748 – Delegate Atterbeary

AN ACT concerning

Family Law – Child Custody and Visitation

Read the third time and passed by yeas and nays as follows:

Affirmative – 120 Negative – 13 (See Roll Call No. 502)

The Bill was then sent to the Senate.

House Bill 849 – Delegate Rosenberg

AN ACT concerning

Public Health – Medical Records – Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 503)

The Bill was then sent to the Senate.

House Bill 850 – Delegate Rosenberg

AN ACT concerning

**Higher Education – Maryland Corps Program Fund – COVID-19 Emergency
Funding Priorities**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 1 (See Roll Call No. 504)

The Bill was then sent to the Senate.

House Bill 881 – Delegate Valentino–Smith

AN ACT concerning

Mental Health Facilities – Sexual Abuse and Harassment – Reporting and Prevention

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 505)

The Bill was then sent to the Senate.

House Bill 970 – Delegate Johnson

EMERGENCY BILL

AN ACT concerning

Psychology Interjurisdictional Compact

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 506)

The Bill was then sent to the Senate.

House Bill 1022 – Delegate Pendergrass

AN ACT concerning

Public Health – State Designated Exchange – Clinical Information

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 507)

The Bill was then sent to the Senate.

House Bill 1244 – Delegate Sample–Hughes

AN ACT concerning

State Procurement – Concrete – Preference

Read the third time and passed by yeas and nays as follows:

Affirmative – 115 Negative – 19 (See Roll Call No. 508)

The Bill was then sent to the Senate.

House Bill 1352 – Delegate Smith

AN ACT concerning

Campaign Finance Reports – Business Contributors – Registration Status

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 39 (See Roll Call No. 509)

The Bill was then sent to the Senate.

SPECIAL ORDER CALENDAR NO. 63**House Bill 264 – Delegate Charkoudian**

AN ACT concerning

**Solid Waste Management – Organics Recycling and Waste Diversion – Food
Residuals**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. KIPKE #953429/1 PENDING.

FLOOR AMENDMENT

HB0264/953429/1

BY: Delegate Kipke

AMENDMENT TO HOUSE BILL 264, AS AMENDED

(First Reading File Bill)

On page 2 of the Environment and Transportation Committee Amendments (HB0264/890612/1), in line 7 of Amendment No. 2, after “**PUBLIC;**” insert “AND”; and strike beginning with the semicolon in line 9 down through “BEVERAGES” in line 12.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 64

House Bill 507 – Delegate Stein

AN ACT concerning

Clean Water Commerce Act of 2021

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0507/243928/1

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 507

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “years;” insert “prohibiting the transfer of funds from the Fund to the Account until a certain requirement is met;”.

AMENDMENT NO. 2

On page 5, in line 13, after “(3)” insert “**(I)**”; in line 16, strike “**IN**” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN**”; and after line 20, insert:

“(II) NO FUNDS SHALL BE TRANSFERRED FROM THE BAY RESTORATION FUND TO THE CLEAN WATER COMMERCE ACCOUNT UNTIL ALL WASTEWATER FACILITIES IN THE STATE HAVE BEEN UPGRADED TO ENHANCED NUTRIENT REMOVAL.”

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 41 Negative – 88 (See Roll Call No. 510)

FLOOR AMENDMENT

HB0507/793622/1

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 507, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Environment and Transportation Committee Amendments (HB0507/870419/1), in line 4 of Amendment No. 1, strike “Clean Water Commerce Fund”; and in the same line, strike “Account”.

On page 1 of the bill, in line 4, strike “transfer” and substitute “use no more than”; in line 5, strike “to the”; in lines 5 and 7, in each instance, strike “Clean Water Commerce Fund”; in line 7, strike “transfers to the” and substitute “distributions”; and in lines 10 and 11, 12, 14, 15, 16 and 17, and 18, in each instance, strike “Clean Water Commerce Fund” and substitute “Account”.

AMENDMENT NO. 2

On page 2 of the Environment and Transportation Committee Amendments, in line 1 of Amendment No. 2, strike “**FUND**”; and in line 2, strike “ACCOUNT”.

On page 5 of the bill, in lines 10 and 11, strike “**TRANSFERS TO THE CLEAN WATER COMMERCE FUND**” and substitute “DISTRIBUTIONS MADE”; in line 17, strike “**TRANSFER**” and substitute “USE NO MORE THAN A TOTAL OF”; and strike beginning with the second “**THE**” in line 18 down through “**SUBTITLE**” in line 20 and substitute “DISTRIBUTE \$10 TO EACH PERSON WHO CONTRIBUTED TO THE FUND, TO THE EXTENT PRACTICABLE”.

On page 8 of the bill, in line 14, strike “**REVENUE**” and substitute “ANY REVENUE”; and in lines 14 and 15, strike “**UNDER § 9–1605.2(I)(2)(XIII) OF THIS SUBTITLE**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 40 Negative – 89 (See Roll Call No. 511)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 62

House Bill 1187 – Delegate Clippinger

AN ACT concerning

Juvenile Law – Juvenile Justice Reform

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB1187/233824/1

BY: Delegate Clippinger

AMENDMENT TO HOUSE BILL 1187

(First Reading File Bill)

On page 16, after line 19, insert:

“(1) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

“(2) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;”;

and in lines 20, 21, and 22, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 53

House Bill 18 – Delegates W. Fisher, Rosenberg, Stewart, and Wilkins

AN ACT concerning

Landlord and Tenant – Eviction Action – Right to Counsel

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0018/403922/1

BY: Delegate Chisholm

AMENDMENT TO HOUSE BILL 18, AS AMENDED

(First Reading File Bill)

On page 1 of the House Judiciary Committee Amendments (HB0018/462517/1), in line 1 of Amendment No. 1, strike “**Eviction Action**”; and in lines 1 and 2, strike “Residential Tenants”.

On page 1 of the bill, in line 2, after “**to**” insert “**Free**”.

On page 2 of the bill, in line 2, after the second “to” insert “free”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 35 Negative – 88 (See Roll Call No. 512)

FLOOR AMENDMENT

HB0018/393322/1

BY: Delegate Morgan

AMENDMENT TO HOUSE BILL 18, AS AMENDED

(First Reading File Bill)

On page 5 of the House Judiciary Committee Amendments (HB0018/462517/1), in line 5 of Amendment No. 5, strike “**AND**”.

On page 9 of the bill, in line 10, after “**PROCEEDINGS**” insert “**;AND**”.

(3) ALL LEGAL REPRESENTATION COSTS FOR A LANDLORD IN A PROCEEDING INVOLVING A COVERED INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION, IF THE LANDLORD OFFERS FOUR OR FEWER DWELLING UNITS FOR RENT”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 88 (See Roll Call No. 513)

FLOOR AMENDMENT

HB0018/883227/1

BY: Delegate Buckel

AMENDMENTS TO HOUSE BILL 18, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 14, after “date” insert “; requiring the District Court to report to the Governor and the General Assembly on or before a certain date”; and in line 24, after the second “Fund;” insert “requiring that money appropriated to the Fund be calculated in a certain manner;”.

AMENDMENT NO. 2

On page 3 of the House Judiciary Committee Amendments (HB0018/462517/1), in line 11 of Amendment No. 4, strike “**(A)**”.

On page 6 of the bill, after line 28, insert:

“(B) ON OR BEFORE AUGUST 31 EACH YEAR, THE DISTRICT COURT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE NUMBER OF CASES IN WHICH A COURT FOUND THAT A CASE ON BEHALF OF A COVERED INDIVIDUAL LACKED SUBSTANTIAL JUSTIFICATION, WAS OTHERWISE CATEGORIZED AS UNJUSTIFIED, OR WAS DISMISSED IN FAVOR OF A LANDLORD.”

On page 8 of the bill, in line 16, after “**(E)**” insert “**(1)**”; in line 17, strike “**(1)**” and substitute “**(I)**”; and after line 20, insert:

“(2) (I) BEGINNING WITH THE SECOND FISCAL YEAR IN WHICH MONEY IS APPROPRIATED TO THE FUND, MONEY APPROPRIATED TO THE FUND SHALL BE CALCULATED BASED ON THE AMOUNT TO BE APPROPRIATED LESS THE TOTAL COSTS OF THE CASES IN THE PREVIOUS YEAR IN WHICH COURTS FOUND THAT CASES ON BEHALF OF COVERED INDIVIDUALS LACKED SUBSTANTIAL JUSTIFICATION OR WERE DISMISSED IN FAVOR OF LANDLORDS.

(II) MONEY THAT IS NOT ACTUALLY APPROPRIATED TO THE FUND UNDER THE FORMULA PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL REVERT TO THE GENERAL FUND.”.

On page 5 of the House Judiciary Committee Amendments, in lines 1 and 2 of Amendment No. 5, strike “**(2)**” and “**(3)**”, respectively, and substitute “**(II)**” and “**(III)**”, respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 86 (See Roll Call No. 514)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 59

House Bill 1062 – Delegate D. Jones

AN ACT concerning

**Education – Student Data Privacy – Reports and Student Data Privacy Council
Sunset Extension**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB1062/933527/1

BY: Delegate M. Fisher

AMENDMENTS TO HOUSE BILL 1062

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Reports**” insert “, **Authorization to Opt Out of Data Collection and Maintenance.**”; in line 7, after “year;” insert “**notwithstanding certain provisions of law, authorizing a student to opt out of the collection and maintenance of certain information under certain circumstances;**”; and in line 19, after “4-131(p)” insert “**and (q)**”.

AMENDMENT NO. 2

On page 5, in line 23, after “SUBSECTION” insert “.

(Q) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF THE PARENT OR GUARDIAN OF A STUDENT APPROVES, A STUDENT MAY OPT OUT OF THE COLLECTION AND MAINTENANCE OF THEIR PERSONAL INFORMATION UNDER THIS SECTION”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 39 Negative – 91 (See Roll Call No. 515)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 61**House Bill 1180 – Delegate Hill**

AN ACT concerning

Property Tax Credit – Airport Noise Zones – Eligibility

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB1180/453028/1

BY: Delegate Arikan

AMENDMENTS TO HOUSE BILL 1180, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 5, after “zone;” insert “expanding eligibility for the credit to include certain residential real property located within a certain airport noise zone surrounding Martin State Airport;”.

In the Committee on Ways and Means Amendments (HB1180/655060/1), in line 5 of Amendment No. 1, strike the third “the” and substitute “an”.

AMENDMENT NO. 2

On page 1 of the bill, in line 22, strike the first “the” and substitute “A”; in the same line, strike “the” and substitute “AN”; and in line 23, after “Airport” insert “OR MARTIN STATE AIRPORT”.

In the Committee on Ways and Means Amendments, in line 4 of Amendment No. 2, strike “THE” and substitute “A”; and in line 11, strike the first “THE” and substitute “OF A”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 39 Negative – 92 (See Roll Call No. 516)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 517)

CALENDAR OF THIRD READING HOUSE BILLS NO. 55

House Bill 270 – Delegate K. Young

AN ACT concerning

Criminal Procedure – Victims of Sexually Assaultive Behavior – Required Meeting

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 518)

The Bill was then sent to the Senate.

House Bill 848 – The Speaker (By Request – Office of the Attorney General)

AN ACT concerning

Small Claims – Examination in Aid of Enforcement – Prohibition on Arrest or Incarceration for Failure to Appear

Read the third time and passed by yeas and nays as follows:

Affirmative – 93 Negative – 41 (See Roll Call No. 519)

The Bill was then sent to the Senate.

House Bill 870 – Delegate Hill

AN ACT concerning

Maryland General and Limited Power of Attorney Act – Assistance With Governmental Benefits and Programs

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 0 (See Roll Call No. 520)

The Bill was then sent to the Senate.

House Bill 871 – Delegate Charles

AN ACT concerning

Consolidation of the Procurement Improvement Council and the Council for the Procurement of Health, Educational, and Social Services

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 521)

The Bill was then sent to the Senate.

House Bill 904 – Delegate Bridges

AN ACT concerning

State Personnel – Collective Bargaining – Exclusive Representative Access to New Employees

Read the third time and passed by yeas and nays as follows:

Affirmative – 95 Negative – 38 (See Roll Call No. 522)

The Bill was then sent to the Senate.

House Bill 1186 – Delegate Clippinger

AN ACT concerning

**Office of the Attorney General – Firearm Crime, Injuries, Fatalities, and Crime
Firearms – Study Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95 Negative – 40 (See Roll Call No. 523)

The Bill was then sent to the Senate.

House Bill 1261 – Delegate W. Fisher

AN ACT concerning

Wills, Powers of Attorney, and Advance Directives – Electronic Execution

Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 5 (See Roll Call No. 524)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 56

House Bill 26 – Delegate Lopez

AN ACT concerning

Action to Collect a Private Education Loan – Required Documents

Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 3 (See Roll Call No. 525)

The Bill was then sent to the Senate.

House Bill 158 – Delegates Carr, Bagnall, Belcastro, Cox, Crutchfield, Henson, Hornberger, C. Jackson, Johnson, D. Jones, Kerr, Krimm, R. Lewis, Lierman, McComas, Palakovich Carr, Saab, Solomon, and Terrasa

AN ACT concerning

Property Tax – Homeowners’ Property Tax Credit – Calculation and Refunds

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 526)

The Bill was then sent to the Senate.

House Bill 337 – Delegate P. Young

AN ACT concerning

Sales and Use Tax – Vendor Collection Credit – Job Training

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 527)

The Bill was then sent to the Senate.

House Bill 604 – Delegate Kipke

AN ACT concerning

**Funeral Establishments and Crematories – Unclaimed Cremains of Veterans
– Notification, Disposition, and Reporting**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 528)

The Bill was then sent to the Senate.

House Bill 660 – Delegate Chisholm

AN ACT concerning

Maryland Veterans Service Animal Program – Definitions

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 529)

The Bill was then sent to the Senate.

House Bill 752 – Delegate Ebersole

AN ACT concerning

Income Tax Credit – Food Donation Pilot Program – Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 530)

The Bill was then sent to the Senate.

House Bill 1053 – Delegate B. Barnes

AN ACT concerning

Operating Budget – Education Programs – Mandated Funding

Read the third time and passed by yeas and nays as follows:

Affirmative – 112 Negative – 23 (See Roll Call No. 531)

The Bill was then sent to the Senate.

House Bill 1054 – Delegate B. Barnes

AN ACT concerning

Education – Maryland School for the Blind – Pay Plan

Read the third time and passed by yeas and nays as follows:

Affirmative – 126 Negative – 9 (See Roll Call No. 532)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 54

House Bill 505 – Delegate Dumais

AN ACT concerning

Child Custody – Legal Decision Making and Parenting Time

Read the third time and passed by yeas and nays as follows:

Affirmative – 127 Negative – 6 (See Roll Call No. 533)

The Bill was then sent to the Senate.

House Bill 611 – Delegate Hill

AN ACT concerning

Public Health – Prohibition on Testing Cosmetics on Animals

Read the third time and passed by yeas and nays as follows:

Affirmative – 95 Negative – 39 (See Roll Call No. 534)

The Bill was then sent to the Senate.

House Bill 1238 – Delegate Forbes

AN ACT concerning

Maryland 529 Program – Board Authority and State Contribution – Alterations

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 535)

The Bill was then sent to the Senate.

House Bill 1243 – Delegate Sample–Hughes

AN ACT concerning

**Behavioral Health Services and Voluntary Placement Agreements – Children
and Young Adults – Report Modifications**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 536)

The Bill was then sent to the Senate.

House Bill 1279 – Delegate Luedtke

AN ACT concerning

Regional Institution Strategic Enterprise Zone Program – Alterations

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 4 (See Roll Call No. 537)

The Bill was then sent to the Senate.

House Bill 1322 – Delegate Washington

EMERGENCY BILL

AN ACT concerning

**Primary and Secondary Education – School Personnel – Prohibition on
Retaliation for Not Returning to In-Person Instruction and Work**

Read the third time and passed by yeas and nays as follows:

Affirmative – 96 Negative – 39 (See Roll Call No. 538)

The Bill was then sent to the Senate.

House Bill 1336 – Delegate Proctor

AN ACT concerning

~~**Alcohol and Tobacco Commission – Executive Director – Clarification**~~
**State Retirement and Pension System – Executive Directors – Membership and
Vesting**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 539)

The Bill was then sent to the Senate.

House Bill 1350 – Delegate Wilkins

AN ACT concerning

Campaign Finance – Revisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 100 Negative – 35 (See Roll Call No. 540)

The Bill was then sent to the Senate.

LATE INTRODUCTION BOND INITIATIVES

Delegate McComas moved the Bond Initiative be introduced.

The Speaker put the question: Shall the Bond Initiative be introduced?

The roll call vote resulted as follows:

Affirmative – 133 Negative – 2 (See Roll Call No. 541)

In compliance with the rules, the Bond Initiative was introduced.

Introductory House Bond Initiatives No. 30

March 6, 2021

- | | | | |
|----|--------------|--|-----|
| 1. | Del. McComas | Sexual Assault/Spousal Abuse Resource Center | APP |
|----|--------------|--|-----|

The preceding bond initiatives were read and referred to the Committee on Appropriations.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 542)

ADJOURNMENT

At 7:33 P.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 7, 2021, Calendar Day, Thursday, March 18, 2021.

Annapolis, Maryland
Legislative Day: March 7, 2021
Calendar Day: Thursday, March 18, 2021
10:00 A.M. Session

The House met at 10:13 A.M. and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 543)

EXCUSED:

Delegate Anderson – illness

Delegate Cox – medical

Delegate Walker – personal

The Journal of March 6, 2021 was read and approved.

ECONOMIC MATTERS COMMITTEE REPORT NO. 21 CONSENT NO. 43

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably on all of the following bills:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 529	FAV	St. Mary's County Delegation	St. Mary's County – Alcoholic Beverages – Distillery On-Site Consumption Permit
HB 814 (Emerg)	FAV	Del. Morgan	St. Mary's County – Alcoholic Beverages Licenses – Annual Fees
HB 1240	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Stadium License

BILL NO.	REPORT	SPONSOR	CONTENT
HB 1242	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Consumption Permits
HB 1270	FAV	Frederick County Delegation	Frederick County – Barbershop and Beauty Salon Beer and Wine Licenses – Alterations
HB 1272	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Alcohol by Volume – Wine

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 12
CONSENT NO. 48**

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably on all of the following bills:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 1033	FAV	Del. Cullison	Office of Health Care Quality – Influenza Virus Immunization Education and Information – Assisted Living Facilities
HB 1127	FAV	Del. Beitzel	Garrett County – Memorial Hospital – Board Membership and Meetings
HB 1287	FAV	Del. R. Lewis	Alcohol and Drug Counseling – Alcohol and Drug Trainees – Practice Through Telehealth

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 23 CONSENT NO. 46

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably on all of the following bills:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 1311	FAV	Del. Mangione	Property Tax Exemption – Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Refund
HB 1342	FAV	Chair, Ways and Means Committee	Economic Development – Partnership for Workforce Quality Program – Alterations

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

APPROPRIATIONS COMMITTEE REPORT NO. 9

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 15 – Delegate Pena–Melnik

AN ACT concerning

Governor’s Office of Immigrant Affairs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 894 – Delegate Haynes

AN ACT concerning

Education – Community Colleges – Collective Bargaining

HB0894/853129/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 894

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 26, after “process;” insert “requiring the Governor to include certain amounts in the annual budget bill for a certain purpose;”.

On page 2, in line 17, after “obligations;” insert “requiring the Board to adopt certain regulations;”; and in line 19, after the second “Act;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 5, in line 28, before “**IT**” insert “**(A)**”; and in the same line, strike the third “**THE**” and substitute “**;**”

(1) THE”.

On page 6, in line 6, after “**SYSTEM**” insert “**;** **AND**”

(2) A DELAY IN IMPLEMENTATION OF THIS SUBTITLE SHALL BE TO ENSURE THAT COMMUNITY COLLEGES ARE GRANTED SUFFICIENT TIME TO PLAN FOR POTENTIAL NEGOTIATIONS AND MAY NOT BE USED TO PLAN FOR, OR ENGAGE IN, ACTIVITIES THAT WOULD DISCOURAGE OR OTHERWISE COERCE EMPLOYEES SEEKING TO HOLD AN ELECTION.

(B) THIS SUBTITLE SHALL APPLY:

(1) BEGINNING ON SEPTEMBER 1, 2022, TO:

(I) ANNE ARUNDEL COMMUNITY COLLEGE;

(II) COMMUNITY COLLEGE OF BALTIMORE COUNTY;

(III) FREDERICK COMMUNITY COLLEGE;

(IV) HARFORD COMMUNITY COLLEGE;

(V) HOWARD COMMUNITY COLLEGE;

(VI) MONTGOMERY COLLEGE;

(VII) PRINCE GEORGE’S COMMUNITY COLLEGE; AND

(VIII) COLLEGE OF SOUTHERN MARYLAND;

(2) BEGINNING ON SEPTEMBER 1, 2023, TO:

(I) ALLEGANY COLLEGE OF MARYLAND;

(II) CARROLL COMMUNITY COLLEGE;

(III) CECIL COLLEGE;

(IV) CHESAPEAKE COLLEGE;

(V) GARRETT COLLEGE;

(VI) HAGERSTOWN COMMUNITY COLLEGE; AND

(VII) WOR-WIC COMMUNITY COLLEGE; AND

(3) BEGINNING OCTOBER 1, 2024, BALTIMORE CITY COMMUNITY COLLEGE”;

in line 26, strike “SIX” and substitute “FOUR”; and in line 29, after “FACULTY;” insert “AND”.

On pages 6 and 7, strike beginning with “ONE” in line 30 on page 6 down through “(4)” in line 1 on page 7.

On page 7, strike beginning with “; AND” in line 2 down through “OFFICERS” in line 3; and in line 6, strike “OCTOBER 1, 2021” and substitute “SEPTEMBER 1, 2022”.

On page 9, in line 21, strike “OCTOBER 1, 2021” and substitute “SEPTEMBER 1, 2022”.

On page 11, in line 29, strike “1 DAY” and substitute “2 DAYS”.

On page 12, in line 25, strike “OCTOBER 1, 2021” and substitute “SEPTEMBER 1, 2022”.

On page 15, in line 26, strike “OCTOBER 1, 2021” and substitute “SEPTEMBER 1, 2022”.

On page 23, in lines 22, 24, and 32, in each instance, strike “October 1, 2021” and substitute “September 1, 2022”.

On page 24, in lines 11 and 16, in each instance, strike “October 1, 2021” and substitute “September 1, 2022”; in line 8, strike “for fiscal year 2022,”; in the same line, after “employer” insert “under § 16–702(b)(1) of the Education Article, as enacted by Section 2 of this Act,”; in the same line, strike “choose” and substitute “not be required”; in line 9, after “unit” insert “until July 1, 2023”; in line 12, strike “(b)” and substitute “(c)”; and strike beginning with “Beginning” in line 12 down through “Act” in line 14 and substitute “Notwithstanding § 16–709 of the Education Article, as enacted by Section 2 of this Act, a public employer under § 16–702(b)(2) of the Education Article, as enacted by Section 2 of this Act, may not be required to bargain with the exclusive representative over wages of employees in a bargaining unit until July 1, 2024”.

AMENDMENT NO. 3

On page 16, in line 28, after “(1)” insert “(I)”; and in the same line, strike “A” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A”.

On page 17, in line 1, strike “(2)” and substitute “(II)”; and after line 5, insert:

“(2) FOR BALTIMORE CITY COMMUNITY COLLEGE, IN THE ANNUAL BUDGET BILL SUBMITTED TO THE GENERAL ASSEMBLY, THE GOVERNOR SHALL INCLUDE ANY AMOUNTS IN THE BUDGET OF BALTIMORE CITY COMMUNITY COLLEGE REQUIRED TO ACCOMMODATE ANY ADDITIONAL COST RESULTING FROM THE NEGOTIATIONS, INCLUDING THE ACTUARIAL IMPACT OF ANY LEGISLATIVE CHANGES TO ANY OF THE STATE PENSION OR RETIREMENT SYSTEMS THAT ARE REQUIRED, AS A RESULT OF THE NEGOTIATIONS, FOR THE FISCAL YEAR BEGINNING THE IMMEDIATELY FOLLOWING JULY 1 IF THE LEGISLATIVE CHANGES HAVE BEEN NEGOTIATED TO BECOME EFFECTIVE IN THAT FISCAL YEAR.”

AMENDMENT NO. 4

On page 5, in line 5, after “FOR” insert **“THE PURPOSES OF COLLECTIVE BARGAINING WITH”**.

On page 22, after line 3, insert:

“(C) THE BOARD SHALL ADOPT REGULATIONS IN ACCORDANCE WITH TITLE 3, SUBTITLE 6 OF THE STATE PERSONNEL AND PENSIONS ARTICLE THAT ADDRESS RATIFICATION, DURATION, AND ENFORCEMENT OF AN AGREEMENT UNDER THIS SUBTITLE.”

On page 23, in line 20, after “(a)” insert **“This section does not apply to Baltimore City Community College.**

(b);

in line 26, strike “(b)” and substitute **“(c)”**; in line 27, strike “(a)” and substitute **(b)**; and in line 31, strike “the” and substitute **;**

(a) This section does not apply to Baltimore City Community College.

(b) The.

On page 24, in line 7, after “(a)” insert **“This section does not apply to Baltimore City Community College.**

(b).

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 905 – Delegate Bridges

AN ACT concerning

Education – Workforce Development Sequence Scholarships – Eligibility

HB0905/654968/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 905

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “in” insert “certain”.

AMENDMENT NO. 2

On page 2, in line 5, strike “IS” and substitute “(I) IS A FIRST-YEAR STUDENT WHO IS NOT RECEIVING FEDERAL OR STATE FINANCIAL AID; AND

(II) IS”;

and in line 6, after “PROGRAM” insert “THAT PARTNERS WITH A PUBLIC COMMUNITY COLLEGE IN THE STATE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 922 – Delegate Lierman (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – COVID-19-Related Death Benefits –
Clarification****HB0922/114666/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 922

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “amount;” insert “requiring the Board, under certain circumstances, to discontinue payment of a certain allowance and begin payment of a certain special death benefit allowance at a certain time;”.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“(4) “Member” has the meaning stated in § 20-101 of the State Personnel and Pensions Article.”;

in line 20, strike “(4)” and substitute “(5)”; in the same line, strike “Death” and substitute “Special death”; and strike in their entirety lines 22 and 23.

On page 3, in line 2, after “accept” insert “as proof, subject to a rebuttable presumption, that”; in the same line, strike “as arising” and substitute “arose”; and in line 31, after “(i)”, insert “1”.

On page 4, after line 2, insert:

“2. If an allowance was awarded under § 29-203(a), § 29-204(a), § 29-205, or § 29-206 of the State Personnel and Pensions Article prior to the effective date of this Act, an individual eligible for a special death benefit allowance under § 29-203(b), § 29-204(b), § 29-204.1, or § 29-204.2 of the State Personnel and Pensions Article may apply for a special death benefit allowance.”;

in line 13, strike “(2)” and substitute “(2)(i)1”; after line 24, insert:

“(4) If the Board awards a special death benefit under paragraph (2)(i)2 of this subsection, the allowance paid under § 29–203(a), § 29–204(a), § 29–205, or § 29–206 shall be discontinued as of the effective date of this Act and the Board shall pay the special death benefit from the first day of the month following the effective date of this Act.”;

in line 30, strike “June” and substitute “September”; and in line 32, after “awarded” insert “for deaths occurring”.

On page 5, after line 17, insert:

“(4) (i) The reports required under paragraphs (1) through (3) of this subsection shall include:

1. the unit of State government that employed the deceased member at the time of death; or

2. the participating employer that employed the deceased member at the time of death.

(ii) The information required under subparagraph (i) of this paragraph shall be presented in a manner that protects the privacy of a deceased member.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 22

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 284 – Delegate R. Lewis

AN ACT concerning

Vehicle Laws – Dedicated Bus Lanes – Enforcement

HB0284/670919/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 284
(First Reading File Bill)

AMENDMENT NO. 1

On page 4, in line 6, strike “or” and substitute a comma; and in the same line, after “cameras” insert “, OR BUS LANE MONITORING SYSTEMS”.

AMENDMENT NO. 2

On page 5, in line 32, after “OWNED” insert “, OPERATED, OR CONTRACTED FOR”; and in the same line, after “ADMINISTRATION” insert “OR BY A LOCAL DEPARTMENT OF TRANSPORTATION”.

AMENDMENT NO. 3

On page 6, in line 3, after “A” insert “TRANSIT VEHICLE OWNED, OPERATED, OR CONTRACTED FOR BY THE”; in the same line, strike “BUS” and substitute “OR BY A LOCAL DEPARTMENT OF TRANSPORTATION”; in line 5, strike “AND”; and in line 6, after “VEHICLE” insert “; AND

(5) A VEHICLE MAKING A RIGHT TURN AT THE NEXT IMMEDIATE INTERSECTION”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 564 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Automated Traffic Enforcement – Implementing Agency

MC 4-21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 619 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Speed Monitoring Systems – Residential Districts and School Zones

PG 302-21

HB0619/340515/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 619

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “**and School Zones**”; and strike beginning with “establishing” in line 7 down through “limit;” in line 8.

AMENDMENT NO. 2

On page 2, in line 14, strike “**A.**”; in the same line, strike the brackets; strike beginning with “**EXCEPT**” in line 14 down through “**IN**” in line 15; and strike beginning with “**OR**” in line 15 down through “**LIMIT;**” in line 17.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1117 – Delegate Arentz

AN ACT concerning

Kent Narrows Bridge – State Highway Right-of-Way – Fishing Prohibition

HB1117/180214/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1117

(First Reading File Bill)

AMENDMENT NO. 1

In line 2, strike “**Kent Narrows Bridge – State Highway Right-of-Way**” and substitute “**Pedestrians – Kent Island Drawbridge**”; in line 3, after “catching” insert “or attempting to catch”; in lines 3 and 4, strike “within the State highway right-of-way at the Kent Narrows Bridge” and substitute “on or under the Maryland Route 18 Kent Island Drawbridge over the Kent Narrows”; and in line 5, strike “at the Kent Narrows Bridge” and substitute “on or under the Maryland Route 18 Kent Island Drawbridge over the Kent Narrows”.

AMENDMENT NO. 2

In line 16, after “CATCH” insert “OR ATTEMPT TO CATCH”; and in lines 16 and 17, strike “**WITHIN THE STATE HIGHWAY RIGHT-OF-WAY AT THE KENT NARROWS BRIDGE**” and substitute “ON OR UNDER THE MARYLAND ROUTE 18 KENT ISLAND DRAWBRIDGE OVER THE KENT NARROWS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 24

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 801 – Delegate Clark

AN ACT concerning

Calvert County – Public Safety – Buildings Used for Agritourism

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 802 – Delegate Clark

AN ACT concerning

Calvert County – Sunday Hunting

HB0802/330119/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 802

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 5 down through “County;” in line 6.

AMENDMENT NO. 2

On page 5, in lines 8 and 9, strike “**CALVERT COUNTY; (III)**”; in lines 10, 11, 12, 13, and 15, strike “**(IV)**”, “**(V)**”, “**(VI)**”, “**(VII)**”, and “**(VIII)**”, respectively; and in lines 10, 11, 12, 13, and 15, in each instance, strike the bracket.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 991 – Delegate Gilchrist

AN ACT concerning

Natural Resources – Forest Mitigation Banks – Qualified Preservation**HB0991/570516/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 991

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Preservation**” and substitute “**Conservation**”; in lines 3, 6, 8, and 10, in each instance, strike “preservation” and substitute “conservation”; and in line 8, after “purposes;” insert “requiring the Harry R. Hughes Center for Agro–Ecology, in consultation with the Department of Natural Resources, the Department of the Environment, the Department of Planning, the Department of Agriculture, and the Chesapeake Bay Program, to conduct a technical study to review changes in forest cover and tree canopy in the State; providing for the scope of the technical study; requiring the Harry R. Hughes Center for Agro–Ecology to submit a report of its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; providing for the application of this Act; stating a certain intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2 in lines 24 and 27, on page 4 in line 12, and on page 5 in line 21, in each instance, strike “**PRESERVATION**” and substitute “**CONSERVATION**”.

On page 2, in line 34, strike “**PRESERVE**” and substitute “**CONSERVE**”.

AMENDMENT NO. 3

On page 4, in line 13, after “**BANK**” insert “**, IN WHICH CASE, THE AFFORESTATION OR REFORESTATION CREDIT GRANTED MAY NOT EXCEED 50% OF THE FOREST AREA ENCUMBERED IN PERPETUITY**”.

AMENDMENT NO. 4

On page 5, after line 24, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) (1) The Harry R. Hughes Center for Agro–Ecology, in consultation with the Department of Natural Resources, the Department of the Environment, the Department of

Planning, the Department of Agriculture, and the Chesapeake Bay Program, as appropriate, shall conduct a technical study to review changes in forest cover and tree canopy in the State.

(2) The technical study required under paragraph (1) of this subsection shall, to the extent practicable, include:

(i) a survey and mapping of:

1. existing forest cover and tree canopy in the State; and
2. potential afforestation and reforestation locations in the

State;

(ii) an analysis of the health and quality of forests in the State;

(iii) an analysis of the progress toward the State's commitments to expand urban tree canopy acres and plant riparian forest buffers under the 2014 Chesapeake Bay Agreement;

(iv) an analysis of observed and projected changes in land cover and the amount of forest cover in the State due to development or other causes, using the Chesapeake Bay Phase 6 Model, Chesapeake Assessment Scenario Tool (CAST), and county and municipal forest conservation annual reports and land use plans, including the extent and nature of:

1. mitigation activities involving existing forest conserved, tree planting, reforestation, or afforestation under the Forest Conservation Act;

2. forest clearing, planting, and mitigation activity inside and outside priority funding areas and locally designated growth areas; and

3. the clearing and mitigation of forest considered to be a priority for retention and protection under § 5-1607(c) of the Natural Resources Article and in State-identified targeted ecological areas and greenways, hubs, and corridors and the zoned density and sewer status of those areas;

(v) an analysis of observed and projected changes in the amount of forest cover in the State based on:

1. relevant State or local programs involving tree planting, reforestation, or afforestation; and

2. the amount of forest preserved through federal, State, and local programs, including agricultural preservation, open space, conservation easement, and other land preservation programs;

(vi) a review of forest mitigation banking in the State, including:

1. capacity and location of active banks;
2. regulation of siting and creation of new banks;
3. geographic limitations on the use of mitigation banks;
4. the relationship between fee-in-lieu rates under the Forest Conservation Act and the market for forest mitigation banks; and
5. whether expanding the use of forest mitigation banks could provide water quality improvements and other beneficial results; and

(vii) a programmatic and funding review of federal, State, and local tree and forest planting programs such as:

1. Marylanders Plant Trees;
2. Lawn to Woodland;
3. Backyard Buffers;
4. Conservation Reserve Enhance Program; and
5. other programs used to further TMDL Watershed Implementation Plans and MS4 permit compliance.

(b) On or before December 1, 2023, the Harry R. Hughes Center for Agro-Ecology shall submit a report of the findings of the technical study required under subsection (a) of this section to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any qualified conservation completed, and any resulting afforestation or reforestation credits given, to the extent they were approved in good faith under a State or local program as a forest mitigation bank before the effective date of this Act.

(b) Nothing in this section requires a State or local program to reevaluate or alter any of its final determinations related to the granting or denial of afforestation or reforestation credits for qualified conservation made before the effective date of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly to review the findings in the technical study on changes in forest cover and tree canopy in Maryland required under Section 3 of this Act and, based on the findings, to consider any legislative or other changes necessary to improve the implementation and effectiveness of the Forest Conservation Act, including any changes to the forest mitigation banking program in the State.”;

in line 25, strike “3.” and substitute “6.”; in line 26, strike “October” and substitute “June”; and in the same line, after “2021.” insert “Section 3 of this Act shall remain effective for a period of 3 years and, at the end of May 31, 2024, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 25

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 567 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Cooperative Housing Corporations, Condominiums, and Homeowners Associations – Reserve Studies

MC 3–21

HB0567/450513/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 567

(First Reading File Bill)

On page 6, in line 16, after “(3)” insert “**(1)**”; in the same line, strike “The” and substitute “**IN PRINCE GEORGE’S COUNTY, THE**”; and after line 18, insert:

“(II) IN MONTGOMERY COUNTY, THE GOVERNING BODY SHALL HAVE AN UPDATED RESERVE STUDY COMPLETED WITHIN 5 YEARS AFTER THE DATE OF THE INITIAL RESERVE STUDY CONDUCTED UNDER PARAGRAPH (2) OF THIS SUBSECTION, WHICH SHALL BE UPDATED AT LEAST EVERY 5 YEARS THEREAFTER.”

On page 9, in line 1, after “(3)” insert “**(I)**”; in the same line, strike “The” and substitute “**IN PRINCE GEORGE’S COUNTY, THE**”; and after line 3, insert:

“(II) IN MONTGOMERY COUNTY, THE GOVERNING BODY SHALL HAVE AN UPDATED RESERVE STUDY COMPLETED WITHIN 5 YEARS AFTER THE DATE OF THE INITIAL RESERVE STUDY CONDUCTED UNDER PARAGRAPH (2) OF THIS SUBSECTION, WHICH SHALL BE UPDATED AT LEAST EVERY 5 YEARS THEREAFTER.”

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1023 – Delegate Holmes

AN ACT concerning

Real Property – Condominiums, Homeowners Associations, and Cooperative Housing Corporations – Virtual Meetings

HB1023/580112/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1023

(First Reading File Bill)

AMENDMENT NO. 1

On page 2 in line 6, on page 3 in line 20, and on page 5 in line 2, in each instance, strike “**EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE OR**” and substitute “**NOTWITHSTANDING LANGUAGE CONTAINED**”.

On page 3 in line 10, on page 4 in line 25, and on page 6 in line 8, in each instance, strike “**EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE OR**” and substitute “**NOTWITHSTANDING LANGUAGE CONTAINED IN**”.

AMENDMENT NO. 2

On page 6, in line 17, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 1347 – Delegate Barve

AN ACT concerning

Real Property – Impermissible Restrictions on Use – Portable Basketball Apparatuses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 24

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 418 – Delegate Guyton

AN ACT concerning

County Boards of Education – Symbols of Hate – Policy

HB0418/955767/1

BY: Committee on Ways and Means

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “prohibitions;” insert “requiring a certain policy to provide a student who displays a symbol of hate with an opportunity to remove or cover up the symbol of hate;”.

AMENDMENT NO. 2

On page 1, in line 22, after “ORIGIN” insert “**THAT MAY BE REASONABLY FORECAST TO CAUSE A DISRUPTION**”; and in line 23, strike “INCLUDES” and substitute “**MAY INCLUDE, SUBJECT TO A REASONABLE FORECAST OF DISRUPTION,**”.

On page 2, after line 8, insert:

“(III) THE POLICY SHALL PROVIDE A STUDENT WHO DISPLAYS A SYMBOL OF HATE ON CLOTHING, BOOK BAGS, FOLDERS, AND SIMILAR ITEMS AN OPPORTUNITY TO REMOVE OR COVER UP THE SYMBOL OF HATE.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate M. Fisher moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 852 – Delegate Kaiser

AN ACT concerning

Property Tax – Tax Sales – Homeowner Protection Program

HB0852/685860/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 852

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “Department;” insert “prohibiting county or municipal governments from being required to pay any costs of the Program;”; in line 22, after “applications;” insert “requiring the Ombudsman to cancel the enrollment of a homeowner in the Program under certain circumstances; requiring the Ombudsman to send a certain notice to a homeowner whose enrollment in the Program is cancelled; providing that a homeowner’s enrollment in the Program ends on a certain date;”; in lines 23 and 27, in each instance, after “county” insert “or municipal corporation”; and in line 29, after “Department;” insert “requiring the Department to retain a lien on the dwelling of a homeowner whose enrollment in the Program is cancelled but prohibiting the Department from enforcing the lien until the ownership of the dwelling is transferred;”.

On page 2, in line 22, after “persons;” insert “prohibiting a homeowner or any interested party in a homeowner’s dwelling from raising a certain defense to an in rem foreclosure action by the Department or taking any legal action against the Department on a certain basis; providing that the Department is not liable for any environmental or other violation related to the dwelling of a homeowner enrolled or formerly enrolled in the Program unless the Department purchases the dwelling in a certain manner;”; strike beginning with “altering” in line 23 down through “Fund;” in line 27; in line 31, after “Fund;” insert “requiring the Governor to include in the annual budget bill an appropriation of a certain amount to the Fund for certain fiscal years;”; in the same line, after “used;” insert “prohibiting the Fund from being used for certain expenses of the office of the State Tax Sale Ombudsman;”; strike beginning with “prohibiting” in line 34 down through “Program;” in line 35; in line 39, after “the” insert “delayed”; and strike beginning with the second “providing” in line 39 down through “Act;” in line 40.

On page 3, after line 6, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–812(b)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)”;

in line 14, strike “6–226(a)(2)(ii)122. and 123.” and substitute “6–226(a)(2)(ii)127. and 128.”; in line 19, strike “6–226(a)(2)(ii)124.” and substitute “6–226(a)(2)(ii)129.”; and strike in their entirety lines 22 through 26, inclusive.

On page 3, after line 16, insert:

“(As enacted by Chapter 20 of the Acts of the General Assembly of 2020 and Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021)”.

AMENDMENT NO. 2

On page 5, in line 21, in each instance, strike “WOULD” and substitute “COULD”.

On page 7, in line 23, after “COUNTY” insert “OR MUNICIPAL”; and in line 24, strike “HOMEOWNER PROTECTION”.

On page 8, in lines 11, 14, 23, and 28, in each instance, after “COUNTY” insert “OR MUNICIPAL CORPORATION”.

AMENDMENT NO. 3

On page 8, after line 7, insert:

“(D) THE OMBUDSMAN SHALL CANCEL THE ENROLLMENT OF A HOMEOWNER IN THE PROGRAM IF:

(1) THE HOMEOWNER SUBMITS A REQUEST TO THE OMBUDSMAN TO WITHDRAW FROM THE PROGRAM;

(2) THE HOMEOWNER SUBMITTED FALSE INFORMATION IN THE HOMEOWNER’S APPLICATION FOR ENROLLMENT IN THE PROGRAM; OR

(3) THE OMBUDSMAN DETERMINES THAT THE HOMEOWNER IS NOT ACTING IN GOOD FAITH TO PAY THE TAXES DUE.

(E) IF THE OMBUDSMAN CANCELS THE ENROLLMENT OF A HOMEOWNER IN THE PROGRAM, THE OMBUDSMAN SHALL SEND A NOTICE OF THE CANCELLATION TO THE HOMEOWNER THAT INCLUDES THE REASONS FOR CANCELLATION.

(F) A HOMEOWNER’S ENROLLMENT IN THE PROGRAM ENDS ON THE EARLIEST OF:

(1) THE DATE THE HOMEOWNER PAYS THE FULL AMOUNT OF THE TAXES OWED TO THE DEPARTMENT;

(2) THE DATE THAT IS 3 YEARS AFTER THE DATE THE HOMEOWNER FIRST ENROLLED IN THE PROGRAM; OR

(3) THE DATE THE HOMEOWNER'S ENROLLMENT IN THE PROGRAM IS CANCELED UNDER SUBSECTION (D) OF THIS SECTION.

On page 9, in line 3, strike "OR ENTITY"; after line 3, insert:

"(E) IF A HOMEOWNER'S ENROLLMENT IN THE PROGRAM IS CANCELED UNDER § 14-886(D) OF THIS PART, THE DEPARTMENT SHALL RETAIN A LIEN ON THE HOMEOWNER'S DWELLING FOR THE TAXES OWED TO THE DEPARTMENT BUT MAY NOT INITIATE ANY COLLECTION EFFORTS OR OTHERWISE ACT TO ENFORCE THE LIEN UNTIL OWNERSHIP OF THE DWELLING IS TRANSFERRED."

On page 10, in lines 25 and 28, in each instance, after "HOMEOWNER" insert "**FORMERLY**".

AMENDMENT NO. 4

On page 13, after line 32, insert:

"(S) A HOMEOWNER OR ANY INTERESTED PARTY IN A HOMEOWNER'S DWELLING MAY NOT:

(1) RAISE AS A DEFENSE TO A FORECLOSURE ACTION UNDER THIS SECTION THAT THE DEPARTMENT FAILED TO MAKE SUFFICIENT EFFORTS TO ASSIST THE HOMEOWNER UNDER § 14-888(A) AND (B) OF THIS SUBTITLE OR SUBSECTION (C) OF THIS SECTION; OR

(2) TAKE ANY LEGAL ACTION AGAINST THE DEPARTMENT ON THE BASIS THAT THE DEPARTMENT FAILED TO MAKE SUFFICIENT EFFORTS TO ASSIST THE HOMEOWNER UNDER § 14-888(A) AND (B) OF THIS SUBTITLE OR SUBSECTION (C) OF THIS SECTION.

(T) THE DEPARTMENT IS NOT LIABLE FOR ANY ENVIRONMENTAL OR OTHER VIOLATION RELATED TO THE DWELLING OF A HOMEOWNER ENROLLED OR

FORMERLY ENROLLED IN THE PROGRAM UNLESS THE DEPARTMENT PURCHASES THE DWELLING UNDER SUBSECTION (N)(3) OF THIS SECTION.

AMENDMENT NO. 5

On pages 14 through 16, strike in their entirety the lines beginning with line 1 on page 14 through line 22 on page 16, inclusive.

On page 16, in lines 27 and 28, strike “**HOMEOWNER PROTECTION**”.

On page 17, strike in their entirety lines 4 through 7, inclusive; in lines 8, 9, and 10, strike “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “**(1)**”, “**(2)**”, and “**(3)**”, respectively; after line 11, insert:

“(G) FOR EACH OF FISCAL YEARS 2023, 2024, AND 2025, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$750,000 TO THE FUND.”;

in lines 12, 14, 18, and 20, strike “**(G)**”, “**(H)**”, “**(I)**”, and “**(J)**”, respectively, and substitute “**(H) (1)**”, “**(I)**”, “**(J)**”, and “**(K)**”, respectively; in line 13, strike “**HOMEOWNER PROTECTION**”; after line 13, insert:

“(2) THE FUND MAY NOT BE USED FOR ANY EXPENSES OF THE OFFICE OF THE STATE TAX SALE OMBUDSMAN THAT ARE NOT DIRECTLY RELATED TO THE PROGRAM.”;

in line 21, strike “**HOMEOWNER PROTECTION**”; and after line 21, insert:

“Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

127. the Michael Erin Busch Sports Fund; [and]

128. the Coordinated Community Supports Partnership Fund;

AND

129. THE HOMEOWNER PROTECTION FUND.”.

AMENDMENT NO. 6

On page 17, in line 22, strike “3.” and substitute “2.”; in the same line, strike “2021” and substitute “2022”; in line 24, strike “2022” and substitute “2023”; in line 25, strike “estimated” and substitute “expected”; in line 26, strike “2” and substitute “1”; in line 28, strike “4.” and substitute “3.”; in line 29, strike “January” and substitute “July”; and strike line 30 in its entirety.

On page 18, strike line 1 in its entirety; in line 2, strike “6.” and substitute “4.”; in line 3, strike “Sections 4 and 5” and substitute “Section 3”; and in the same line, strike “2021” and substitute “2022”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 854 – Delegate Kaiser

AN ACT concerning

Maryland Longitudinal Data System Center – Inclusion of Out-of-Home Placement Data

HB0854/205069/1

BY: Committee on Ways and Means

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “**Out-of-Home Placement Data**” and substitute “**Child Welfare Data and Governing Board**”; strike beginning with “placement” in line 4 down through “originations” in line 5 and substitute “child welfare data”; strike beginning with “altering” in line 6 down through “care;” in line 8; in line 11, strike “childhood out-of-home placement” and substitute “child welfare programs”; in the same line, strike “repealing” and substitute “altering”; in line 16, after “placements;” insert “requiring the Center to send a certain data dashboard to the Governor and the General Assembly annually on or before a certain date;”; in line 18, strike “making conforming changes” and substitute “adding the Secretary of Human Services or the Secretary’s designee to the membership of the Center’s Governing Board”; in the same line, after “term;” insert “altering a certain definition;”; in line 19, strike “placement” and substitute “child welfare”; in line 20, after “System” insert “and the Governing Board of the Center”; in line 23, strike “24-702;” in the same line after “24-703.1,” insert “24-704(b);” and in line 28, after “24-703(a)” insert “and 24-704(a)”.

AMENDMENT NO. 2

On page 2, after line 7, insert:

“(C) (1) “CHILD WELFARE DATA” MEANS DATA RELATING TO A CHILD’S EXPERIENCE WITH CHILD PROTECTIVE SERVICES, FAMILY PRESERVATION SERVICES, AND STATE SPONSORED OUT-OF-HOME SERVICES.

(2) “CHILD WELFARE DATA” INCLUDES:

(I) OUT-OF-HOME PLACEMENT DATA, INCLUDING:

- 1. SUPERVISING JURISDICTION;**
- 2. REMOVAL REASON;**
- 3. CHARACTERISTICS AT THE TIME OF REMOVAL;**
- 4. RETURN REASON;**
- 5. PLACEMENT START AND END DATES; AND**
- 6. PLACEMENT TYPE;**

(II) FAMILY PRESERVATION SERVICES DATA, INCLUDING:

- 1. SUPERVISING JURISDICTION;**
- 2. TYPE OF FAMILY PRESERVATION SERVICE; AND**
- 3. SERVICE START AND END DATES; AND**

(III) CHILD PROTECTIVE SERVICES DATA, INCLUDING:

- 1. RESPONSIBLE JURISDICTION;**
- 2. TYPE OF CHILD PROTECTIVE SERVICE RESPONSE;**
- 3. DATE ON WHICH CHILD PROTECTIVE SERVICES RESPONDED;**
- 4. ALLEGED MALTREATMENT TYPE;**
- 5. DISPOSITION OF AN INVESTIGATIVE RESPONSE BY CHILD PROTECTIVE SERVICES; AND**
- 6. DATE ON WHICH CHILD PROTECTIVE SERVICES COMPLETES A RESPONSE.”;**

in line 8, strike “(c)” and substitute “**(D)**”; in line 11, strike “(d)” and substitute “**(E)**”; and strike in their entirety lines 13 through 21, inclusive.

On page 3, in line 12, strike “and”; and in line 13, after “records” insert “**; AND**”

(XI) CHILD WELFARE DATA”.

On pages 3 and 4, strike in their entirety the lines beginning with line 22 on page 3 through line 21 on page 4, inclusive.

On page 4, in line 25, strike “, **PLACEMENT DATA,**”.

On page 5, in line 27, strike “ON” and substitute “CHILD WELFARE PROGRAMS HAVE ON THE”; and in line 28, strike “CHILDHOOD OUT-OF-HOME PLACEMENT” and substitute “STUDENTS”.

On page 6, in line 5, after “(A)” insert “(1)”; in lines 10, 12, and 13, strike “(1)”, “(2)”, and “(1)”, respectively, and substitute “(I)”, “(II)”, and “(I)”, respectively; after line 14, insert:

“(2) ON OR BEFORE DECEMBER 15, 2021, AND EACH DECEMBER 15 THEREAFTER, THE CENTER SHALL SEND TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A COPY OF THE DATA DASHBOARD PUBLISHED UNDER THIS SUBSECTION, AS THE DASHBOARD APPEARED ON THE DATE IT IS SENT.”;

and after line 31, insert:

“(3) ON OR BEFORE DECEMBER 15, 2021, AND EACH DECEMBER 15 THEREAFTER, THE CENTER SHALL SEND TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A COPY OF THE DATA DASHBOARD PUBLISHED UNDER THIS SUBSECTION, AS THE DASHBOARD APPEARED ON THE DATE IT IS SENT.”

24-704.

- (a) There is a Governing Board of the Center.
- (b) The Governing Board shall include the following members:
 - (1) The Secretary of Higher Education, or the Secretary’s designee;
 - (2) The Chancellor of the University System of Maryland, or the Chancellor’s designee;
 - (3) The President of Morgan State University, or the President’s designee;
 - (4) The State Superintendent of Schools, or the Superintendent’s designee;
 - (5) The Secretary of Juvenile Services, or the Secretary’s designee;
 - (6) The Secretary of Labor, or the Secretary’s designee;

(7) THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY'S DESIGNEE;

(8) A representative of local superintendents of schools, appointed by the Governor with the advice and consent of the Senate;

[(8)] (9) The Executive Director of the Maryland Association of Community Colleges, or the Executive Director's designee;

[(9)] (10) The President of the Maryland Independent College and University Association, or the President's designee; and

[(10)] (11) Four members of the public, appointed by the Governor with the advice and consent of the Senate."

On page 7, in line 6, strike the brackets; and in the same line strike “, AND PLACEMENT DATA”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 901 – Delegate Bartlett (By Request – Anne Arundel County Administration)

AN ACT concerning

Anne Arundel County – Hotel Tax Alterations – Distribution of Revenue

HB0901/425360/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 901

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “Commission;” insert “requiring a certain percentage of the hotel tax revenue generated in the City of Annapolis to be distributed to a certain fund to be used only for housing assistance payments;”.

AMENDMENT NO. 2

On page 2, in line 19, strike “and”; and in line 21, after “Bureau” insert “;**AND**”

(IV) 3% TO THE AFFORDABLE HOUSING TRUST FUND ESTABLISHED UNDER § 20.30.070 OF THE CODE OF THE CITY OF ANNAPOLIS TO BE USED ONLY FOR HOUSING ASSISTANCE PAYMENTS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 26

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 226 – Delegate R. Lewis

AN ACT concerning

Baltimore City – Complete Streets Program Funding – Traffic and Vehicle Monitoring Systems

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 464 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Mandatory Referral Review

MC/PG 101-21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 755 – Delegate Thiam

AN ACT concerning

Natural Resources – Complimentary Angler’s License – Disabled Veterans

HB0755/980012/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 755

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Complimentary Angler’s License – Disabled Veterans**” and substitute “**Healing Hunting and Fishing Fund – No Cost Licenses and Stamps**”; strike beginning with “reducing” in line 3 down through “veterans” in line 7 and substitute “authorizing an eligible sponsor organization providing recreational opportunities with grant funding from the Healing Hunting and Fishing Fund to provide at no cost an angler’s license and trout stamps, a Chesapeake Bay and coastal sport fishing license, or a hunting license and any corresponding stamps to certain persons; making conforming changes; and generally relating to the Healing Hunting and Fishing Fund”; after line 7, insert:

“BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 1-405

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

and in line 8, strike “with” and substitute “without”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“1-405.

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

(2) “Eligible sponsor organization” means a nonprofit charitable organization that provides any of the following opportunities for Gold Star recipients, disabled veterans or other veterans who could benefit from one of the opportunities provided, disabled members of the armed forces of the United States or other members of the armed forces of the United States who could benefit from one of the opportunities provided, or permanently disabled persons who require the use of a wheelchair:

(i) Recreational hunting or fishing, INCLUDING PROVIDING AT NO

COST:

1. AN ANGLER’S LICENSE AND TROUT STAMPS;

2. A CHESAPEAKE BAY AND COASTAL SPORT FISHING

LICENSE; OR

3. A HUNTING LICENSE AND ANY CORRESPONDING

STAMPS;

(ii) Recreational water activities;

(iii) Other recreational outdoor activities;

(iv) Therapeutic outdoor activities; or

(v) Workforce training for green jobs, including outdoor agricultural jobs.

(3) “Gold Star recipient” means a recipient of the U.S. Department of Defense Gold Star for surviving spouses, parents, and next of kin of members of the armed forces of the United States who lost their lives in combat.

(b) (1) (i) Subject to subparagraph (ii) of this paragraph, the Chesapeake Bay Trust may use the Healing Hunting and Fishing Fund established under subsection (d) of this section to make grants to eligible sponsor organizations.

(ii) In awarding a grant to an eligible sponsor organization that provides opportunities that the eligible sponsor organization believes benefit veterans or members of the armed forces of the United States, the Chesapeake Bay Trust shall determine whether the opportunities provided by the eligible sponsor organization will, in fact, benefit veterans or members of the armed forces of the United States.

(2) A grant awarded under this subsection may be used only to pay capital, operational, or programming costs incurred by an eligible sponsor organization in providing any of the following opportunities:

(i) Recreational hunting or fishing, INCLUDING PROVIDING AT NO

COST:

1. AN ANGLER’S LICENSE AND TROUT STAMPS;

2. A CHESAPEAKE BAY AND COASTAL SPORT FISHING

LICENSE; OR

3. A HUNTING LICENSE AND ANY CORRESPONDING

STAMPS;

(ii) Recreational water activities;

(iii) Other recreational outdoor activities;

(iv) Therapeutic outdoor activities; or

(v) Workforce training for green jobs, including outdoor agricultural jobs.

(c) The Department shall adopt regulations to implement this section, including regulations establishing eligibility requirements for applicants for grants to eligible sponsor organizations.

(d) (1) In this subsection, “Fund” means the Healing Hunting and Fishing Fund.

(2) There is a Healing Hunting and Fishing Fund.

(3) The purpose of the Fund is to provide any of the following opportunities for Gold Star recipients, disabled veterans or other veterans who could benefit from one of the opportunities, disabled members of the armed forces of the United States or other members of the armed forces of the United States who could benefit from one of the opportunities, and permanently disabled persons who require the use of a wheelchair:

(i) Recreational hunting or fishing, INCLUDING PROVIDING AT NO COST:

1. AN ANGLER’S LICENSE AND TROUT STAMPS;

2. A CHESAPEAKE BAY AND COASTAL SPORT FISHING

LICENSE; OR

3. A HUNTING LICENSE AND ANY CORRESPONDING

STAMPS;

(ii) Recreational water activities;

(iii) Other recreational outdoor activities;

(iv) Therapeutic outdoor activities; or

(v) Workforce training for green jobs, including outdoor agricultural jobs.

(4) The Chesapeake Bay Trust shall administer the Fund.

(5) (i) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(ii) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

- (6) The Fund consists of:
- (i) Donations collected by the Department under § 1–403(d) of this subtitle;
 - (ii) Money appropriated in the State budget to the Fund; and
 - (iii) Any other money from any other source accepted for the benefit of the Fund.
- (7) The Fund may be used only for grants to eligible sponsor organizations in accordance with subsection (b) of this section.
- (8) (i) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.
- (ii) Any interest earnings of the Fund shall be credited to the General Fund of the State.
- (9) Expenditures from the Fund may be made only in accordance with the State budget.
- (10) Money expended from the Fund for grants to eligible sponsor organizations is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for any of the opportunities specified under subsection (b)(2) of this section that are provided to Gold Star recipients, disabled veterans or other veterans who could benefit from one of the opportunities, disabled members of the armed forces of the United States or other members of the armed forces of the United States who could benefit from one of the opportunities, or permanently disabled persons who require the use of a wheelchair.”;

in line 21, strike the brackets; and in line 22, strike “80%”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 13

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 288 – Delegate Charles

AN ACT concerning

Audiology and Speech–Language Pathology Interstate Compact

HB0288/666382/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 288

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 26, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 6, in line 16, strike “ELECTRONIC”; in line 17, after “TELECOMMUNICATION” insert “, AUDIO-VISUAL,”; in the same line, after “OR” insert “OTHER”; in the same line, strike “TECHNOLOGY” and substitute “TECHNOLOGIES”; and in line 27, after “STATE” insert “WHERE THE LICENSEE OBTAINS SUCH A PRIVILEGE”.

On page 8, in line 15, strike “A LICENSING BOARD” and substitute “THE COMMISSION”.

On page 12, in line 31, strike “MAY” and substitute “SHALL”.

On page 13 in line 35 and on page 14 in lines 5 and 6, in each instance, strike “HOME” and substitute “MEMBER”.

On page 14, in line 5, strike “SHALL” and substitute “MAY”; in line 25, after “ACTION” insert “AGAINST A LICENSEE”; and in line 27, after “STATE” insert “, AND ANY REMOTE STATE IN WHICH THE LICENSEE HAS A PRIVILEGE TO PRACTICE”.

On page 16, in line 13, after “STATES” insert “TO THE EXTENT AND MANNER PROVIDED FOR IN THIS COMPACT”.

On page 17, after line 18, insert:

“(D) THE COMMISSION HAS NO AUTHORITY TO CHANGE OR MODIFY THE LAWS OF THE MEMBER STATES WHICH DEFINE THE PRACTICE OF AUDIOLOGY OR SPEECH–LANGUAGE PATHOLOGY IN THE RESPECTIVE STATES.”;

in line 19, strike “(D)” and substitute “(E)”; and in line 20, after “COMMISSION” insert “, WITHIN THE POWERS OF THE COMMISSION,”.

On page 18, in line 3, strike “(E)” and substitute “(F)”.

On page 20, in line 4, after “JURISDICTION.” insert “ALL MINUTES AND DOCUMENTS OF MEETINGS OTHER THAN A CLOSED MEETING SHALL BE MADE AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST AT THE REQUESTING PERSON’S EXPENSE.”; and in line 31, strike “(F)” and substitute “(G)”.

On page 24, in line 15, after “AVAILABLE” insert “TO ANY PERSON”; and in the same line, after “REQUEST” insert “AND AT THE REQUESTING PERSON’S EXPENSE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 368 – Delegate Bagnall

AN ACT concerning

Task Force on Oral Health in Maryland

HB0368/296583/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 368
(First Reading File Bill)

On page 1, in line 15, strike “Health Care Financing” and substitute “Public Health Services”.

On page 2, in line 14, strike “and”; after line 15, insert:

“(xi) the Maryland Rural Health Association; and”;

and in line 27, strike “Health Care Financing” and substitute “Public Health Services”.

On page 3, in line 9, strike “residents affected by poverty, disabilities, or aging” and substitute “socioeconomic status, race, ethnicity, age, and disability of residents as factors impacting access to dental services”; after line 14, insert:

“(i) the impact of implicit bias and the socioeconomic status, race, and ethnicity of residents of the State;”;

and in lines 15, 16, 18, 19, 20, 21, 22, 23, and 24, strike “(i)”, “(ii)”, “(iii)”, “(iv)”, “(v)”, “(vi)”, “(vii)”, “(viii)”, and “(ix)”, respectively, and substitute “(ii)”, “(iii)”, “(iv)”, “(v)”, “(vi)”, “(vii)”, “(viii)”, “(ix)”, and “(x)”, respectively.

On page 5, in lines 5 and 9, in each instance, after the first “Committee” insert “, the Senate Finance Committee,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 463 – Delegate Barron

AN ACT concerning

Maryland Health Equity Resource Act

HB0463/826389/1

BY: Health and Government Operations Committee and
Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 463
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 3, after “of” insert “establishing a Pathways to Health Equity Program in the Community Health Resources Commission; providing for the purpose of the Program; requiring the Program to provide grant funding for a certain purpose; requiring the Commission to issue a certain request for proposals and establish certain criteria; providing for the duration of certain grants; requiring certain staff support for the Commission; requiring the Commission to report the Governor and the General Assembly on or before certain dates; establishing a Pathways to Health Equity Fund in the Commission as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Commission to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for the which the Fund may be used;”; in the same line, after “requiring” insert “, on or before a certain date,”; in line 5, after “authorizing” insert “, beginning on a certain date,”; strike beginning with “requiring” in line 8 down through “Act;” in line 9; in line 10, after the first “Committee” insert “on or before a certain date”; in the same line, strike “duties” and substitute “purposes”; in line 11, strike “cochairs” and substitute “chairs”; in line 14, after “expenses;” insert “requiring the Secretary to convene certain working and advisory groups;”; in the same line, after the second “authorizing” insert “federally qualified health centers,”; in line 19, strike “authorizing” and substitute “requiring”; and strike beginning with “requiring” in line 19 down through “employee;” in line 20.

On pages 1 and 2, strike beginning with “authorizing” in line 26 on page 1 down through “State;” in line 6 on page 2.

On page 2, in line 8, after “education,” insert “federally qualified health centers,”; strike beginning with “authorizing” in line 12 down through “Fund;” in line 24; strike

beginning with “providing” in line 25 down through “Act;” in line 26 and substitute “making this Act an emergency measure; providing for the termination of certain provisions of this Act”; in line 30, after “Section” insert “19–2112; and”; and in the same line, strike “20–1408” and substitute “20–1406”.

On pages 2 and 3, strike in their entirety the lines beginning with line 34 on page 2 through line 15 on page 3, inclusive.

AMENDMENT NO. 2

On page 3, after line 30, insert:

“19–2112.

(A) (1) THE COMMISSION SHALL ESTABLISH A PATHWAYS TO HEALTH EQUITY PROGRAM.

(2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE THE FOUNDATION AND GUIDANCE FOR A PERMANENT HEALTH EQUITY RESOURCE COMMUNITY PROGRAM IN THE DEPARTMENT.

(3) (I) THE PROGRAM SHALL PROVIDE GRANT FUNDING TO REDUCE HEALTH DISPARITIES, IMPROVE HEALTH OUTCOMES, IMPROVE ACCESS TO PRIMARY CARE, PROMOTE PRIMARY AND SECONDARY PREVENTION SERVICES, AND REDUCE HEALTH CARE COSTS AND HOSPITAL ADMISSIONS AND READMISSIONS.

(II) THE COMMISSION SHALL ISSUE A REQUEST FOR PROPOSALS FOR APPLICANTS WITH PROPOSALS FOR PROGRAMS THAT:

1. ADDRESS THE CRITERIA LISTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

2. DEMONSTRATE HOW THE PROPOSED PROGRAM COULD BE SUSTAINABLE AS A HEALTH EQUITY RESOURCE COMMUNITY UNDER TITLE 20, SUBTITLE 14 OF THIS ARTICLE.

(III) THE COMMISSION SHALL ESTABLISH THE CRITERIA TO QUALIFY FOR GRANT FUNDING UNDER THIS SUBSECTION.

(IV) GRANTS AWARDED THROUGH THE PROGRAM SHALL BE FOR 2 YEARS.

(4) ONE ADDITIONAL STAFF SHALL BE ADDED TO THE COMMISSION TO PROVIDE STAFF SUPPORT FOR THE PROGRAM.

(5) (I) ON OR BEFORE JANUARY 1, 2022, THE COMMISSION SHALL ISSUE AN INTERIM REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE GRANTS AWARDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, INCLUDING:

1. A LIST AND SUMMARY OF THE GRANTS AWARDED;
2. AN OVERVIEW OF KEY INTERVENTIONS IN THE GRANTS AWARDED;
3. SPECIFIC HEALTH DISPARITIES THAT WILL BE ADDRESSED BY THE GRANTS; AND
4. KEY MEASURES TO EVALUATE THE IMPACT OF EACH GRANT.

(II) ON OR BEFORE JANUARY 1, 2023, THE COMMISSION SHALL ISSUE A FINAL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

1. THE GRANTS AWARDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, INCLUDING A DESCRIPTION OF THE GRANTEE'S PROGRAM AND ANY DATA RELATED TO COST SAVINGS ACHIEVED UNDER THE PROGRAM;
2. OPTIONS TO DEVELOP, SUSTAIN, AND ESTABLISH A PERMANENT HEALTH EQUITY RESOURCE COMMUNITY PROGRAM IN THE DEPARTMENT;

3. COST-EFFECTIVE WAYS TO MEASURE THE IMPACT OF A HEALTH EQUITY RESOURCE COMMUNITY;

4. WORKFORCE AND RECRUITMENT STRATEGIES TO BE USED BY A HEALTH EQUITY RESOURCE COMMUNITY; AND

5. ANY RECOMMENDATIONS, INCLUDING LEGISLATIVE RECOMMENDATIONS, RELATED TO HEALTH EQUITY RESOURCES COMMUNITIES ESTABLISHED UNDER TITLE 20, SUBTITLE 14 OF THE HEALTH – GENERAL ARTICLE.

(B) (1) THERE IS A PATHWAYS TO HEALTH EQUITY FUND IN THE COMMISSION.

(2) THE PURPOSE OF THE FUND IS TO IMPLEMENT THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION THROUGH GRANT FUNDING AND STAFF SUPPORT.

(3) THE COMMISSION SHALL ADMINISTER THE FUND.

(4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(II) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(5) THE FUND CONSISTS OF:

(I) THE \$14,000,000 AUTHORIZED FOR THE COMMISSION UNDER CHAPTER 39 OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021; AND

(II) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(6) THE FUND SHALL BE SUBJECT TO AN AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED FOR IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

(7) THE FUND MAY BE USED ONLY TO IMPLEMENT THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION AND TO EVALUATE THE IMPACT OF GRANTS AWARDED UNDER THE PROGRAM.

(8) (I) MONEY EXPENDED FROM THE FUND TO IMPLEMENT THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION AND TO EVALUATE THE IMPACT OF GRANTS AWARDED UNDER THE PROGRAM IS NOT INTENDED TO SUPPLANT FUNDING THAT IS APPROPRIATED TO THE COMMISSION IN ACCORDANCE WITH § 14-106(D)(2)(II) OF THE INSURANCE ARTICLE AND DEPOSITED IN THE COMMUNITY HEALTH RESOURCES COMMISSION FUND FOR THE PURPOSES SET FORTH UNDER § 19-2201 OF THIS TITLE.

(II) THE FUND MAY NOT BE COMMINGLED OR COMBINED WITH THE COMMUNITY HEALTH RESOURCES COMMISSION FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

AMENDMENT NO. 3

On page 4, strike in their entirety lines 3 and 4; in line 5, strike “(D)” and substitute “(C)”; strike in their entirety lines 7 through 13, inclusive; and in line 14, strike “(G)” and substitute “(D)”.

On page 5, in lines 5, 16, and 17, strike “(H)”, “(I)”, and “(J)”, respectively, and substitute “(E)”, “(F)”, and “(G)”, respectively.

On page 6, in line 3, strike “THE” and substitute “**BEGINNING JULY 1, 2023, THE**”; strike in their entirety lines 10 and 11; in line 13, strike “DECEMBER” and substitute “**JULY**”; strike in their entirety lines 15 through 23, inclusive, and substitute:

“(2) THE PURPOSES OF THE ADVISORY COMMITTEE ARE TO:

(I) PROVIDE ASSISTANCE TO THE COMMUNITY HEALTH RESOURCES COMMISSION IN DEVELOPING THE REPORTS REQUIRED UNDER § 19-2112 OF THIS ARTICLE;

(II) PROVIDE GUIDANCE TO THE SECRETARY AS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE;

(III) PROVIDE INITIAL AND ONGOING ASSISTANCE AND GUIDANCE REGARDING ELIGIBILITY CRITERIA AND APPLICATION, APPROVAL, AND MONITORING PROCESSES FOR HEALTH EQUITY RESOURCES COMMUNITIES AND HEALTH EQUITY RESOURCE PRACTITIONERS; AND

(IV) IDENTIFY LONG-TERM FUNDING STRATEGIES TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE.”;

after line 24, insert:

“(1) THE CHAIR OF THE MARYLAND COMMUNITY HEALTH RESOURCES COMMISSION;

(2) AN INDIVIDUAL WITH EXPERTISE IN HEALTH EQUITY, APPOINTED BY THE PRESIDENT OF THE SENATE;

(3) AN INDIVIDUAL WITH EXPERTISE IN SOCIAL DETERMINANTS OF HEALTH, APPOINTED BY THE SPEAKER OF THE HOUSE;

(4) ONE REPRESENTATIVE OF A LOCAL HEALTH DEPARTMENT, DESIGNATED BY THE MARYLAND ASSOCIATION OF COUNTY HEALTH OFFICERS; AND”;

in line 25, strike “(1)” and substitute “(5)”; and in line 29, after “IMPROVEMENT;” insert “AND”.

On page 7, in line 2, strike the semicolon and substitute a period.

On pages 7 through 9, strike in their entirety the lines beginning with line 3 on page 7 through line 2 on page 9, inclusive.

On page 9, in line 3, strike “(2)” and substitute “(C)(1)”; strike in their entirety lines 6 and 7 and substitute:

“(2) (I) BEFORE JULY 1, 2023, THE CHAIR OF THE MARYLAND COMMUNITY HEALTH RESOURCES COMMISSION SHALL CHAIR THE ADVISORY COMMITTEE.

(II) ON AND AFTER JULY 1, 2023, THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE ADVISORY COMMITTEE.”;

strike in their entirety lines 10 and 11; in lines 12, 14, and 17, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively; in line 26, strike “JANUARY 1, 2022” and substitute “AUGUST 1, 2021”; and in line 28, strike “6” and substitute “4”.

On page 10, strike lines 1 through 3, inclusive, and substitute:

“(G) THE SECRETARY SHALL CONVENE WORKING OR ADVISORY GROUPS TO FACILITATE THE IMPLEMENTATION OF THIS SUBTITLE THAT SHALL INCLUDE INDIVIDUALS WHO RESIDE IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED AS A HEALTH EQUITY RESOURCE COMMUNITY.”;

in line 6, after “COMMUNITY,” insert “A FEDERALLY QUALIFIED HEALTH CENTER,”; in line 8, strike “APPLY” and substitute “:

(1) APPLY”;

in line 9, after “DESIGNATION” insert “; AND

(2) INCLUDE FEDERALLY QUALIFIED HEALTH CENTERS OR OTHER COMMUNITY-BASED ORGANIZATIONS TO PROVIDE HEALTH OR WRAPAROUND SUPPORT SERVICES WITHIN THE HEALTH EQUITY RESOURCE COMMUNITY”;

in line 10, strike “SUBSECTIONS (C) AND (E)” and substitute “SUBSECTION (C)”; after line 16, insert:

“(I) A DESCRIPTION OF HOW THE PLAN WILL EXPAND FEDERALLY QUALIFIED HEALTH CENTERS’ OR OTHER COMMUNITY-BASED ORGANIZATIONS’ CAPACITY TO PROVIDE HEALTH CARE SERVICES OR WRAPAROUND SERVICES TO ADDRESS SOCIAL DETERMINANTS OF HEALTH; AND”;

in line 17, strike “(I)” and substitute “(II)”; and in the same line, after “FUNDING” insert “THAT MAY BE”.

On page 11, strike beginning with “; AND” in line 4 down through “AREA” in line 7; strike in their entirety lines 8 through 26, inclusive; and in line 28, strike “THE” and substitute “BEGINNING JULY 1, 2023, THE”.

On page 12, strike beginning with “THE” in line 18 down through “AND” in line 19; and in line 28, after “A” insert “FEDERALLY QUALIFIED HEALTH CENTER, A”.

On page 13, in line 11, strike “20-1408(B)” and substitute “20-1406(B)”.

On pages 13 through 16, strike in their entirety the lines beginning with line 18 on page 13 through line 17 on page 16, inclusive.

On page 16, in line 18, strike “20-1408.” and substitute “20-1406.”; in line 19, after “YEAR,” insert “BEGINNING IN 2024.”; in line 21, after “EDUCATION,” insert “FEDERALLY QUALIFIED HEALTH CENTER.”; and in line 31, after “EDUCATION,” insert “FEDERALLY QUALIFIED HEALTH CENTER.”.

On page 17, in line 2, after “YEAR,” insert “BEGINNING IN 2024.”; strike beginning with “EVIDENCE” in line 8 down through “(III)” in line 11; and in line 14, strike “(IV)” and substitute “(III)”.

On pages 17 through 23, strike in their entirety the lines beginning with line 25 on page 17 through line 15 on page 23, inclusive, 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 1 of this Act shall remain effective through June 30, 2023, and, at the end of June 30, 2023, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 67

House Bill 890 – Delegate D.E. Davis

AN ACT concerning

Natural Gas – Strategic Infrastructure Development and Enhancement – Surcharge and Plans

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

HB0890/983598/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 890

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “Program;” in line 7; in line 8, after “costs” insert “under the Strategic Infrastructure Development and Enhancement Program”; strike in their entirety lines 12 through 16, inclusive; and in line 19, strike “4–210(d)(4) and (g)” and substitute “4–210(g)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 19, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 544)

CALENDAR OF THIRD READING HOUSE BILLS NO. 59

House Bill 242 – Delegate Atterbeary

AN ACT concerning

Family Law – Emancipation of a Minor and Authorization to Marry

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 38 (See Roll Call No. 545)

The Bill was then sent to the Senate.

House Bill 306 – Delegate C. Jackson

AN ACT concerning

Hate Crimes – False Statement to a Law Enforcement Officer

Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 6 (See Roll Call No. 546)

The Bill was then sent to the Senate.

House Bill 523 – Delegate Attar

AN ACT concerning

~~Baltimore City~~ Landlord and Tenant – Repossession for Failure to Pay Rent – Registration and License Information

Read the third time and passed by yeas and nays as follows:

Affirmative – 96 Negative – 42 (See Roll Call No. 547)

The Bill was then sent to the Senate.

House Bill 769 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Housing Opportunities Commission – Public Body

MC 07–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 4 (See Roll Call No. 548)

The Bill was then sent to the Senate.

House Bill 1000 – Delegate Pippy

AN ACT concerning

**Estates and Trusts – Guardian of Property of Minor or Disabled Person –
Prohibition on Distribution or Disbursement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 549)

The Bill was then sent to the Senate.

House Bill 1058 – Delegate Stewart

AN ACT concerning

**Public Ethics – Disclosures, Training, and Use of Confidential Information
(Integrity in High Office Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 550)

The Bill was then sent to the Senate.

House Bill 829 – Delegate Lierman

AN ACT concerning

**Economic Development – Small Business Financing – Loan Loss Reserve
(Maryland Capital Access Program)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 111 Negative – 27 (See Roll Call No. 551)

The Bill was then sent to the Senate.

House Bill 832 – Delegate Fraser-Hidalgo

AN ACT concerning

Public Utilities – Electric School Bus Pilot Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 98 Negative – 40 (See Roll Call No. 552)

The Bill was then sent to the Senate.

House Bill 875 – Delegate D.E. Davis

AN ACT concerning

Electricity – Renewable Energy Portfolio Standard – Qualifying Biomass

Read the third time and passed by yeas and nays as follows:

Affirmative – 96 Negative – 42 (See Roll Call No. 553)

The Bill was then sent to the Senate.

House Bill 1062 – Delegate D. Jones

AN ACT concerning

**Education – Student Data Privacy – Reports and Student Data Privacy Council
Sunset Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 113 Negative – 24 (See Roll Call No. 554)

The Bill was then sent to the Senate.

House Bill 1187 – Delegate Clippinger

AN ACT concerning

Juvenile Law – Juvenile Justice Reform

Read the third time and passed by yeas and nays as follows:

Affirmative – 95 Negative – 41 (See Roll Call No. 555)

The Bill was then sent to the Senate.

House Bill 1213 – Delegate Queen

AN ACT concerning

**Financial Institutions – Determination of Creditworthiness – Evaluation Rules
and Alternative Methods**

Read the third time and passed by yeas and nays as follows:

Affirmative – 100 Negative – 37 (See Roll Call No. 556)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 60

House Bill 18 – Delegates W. Fisher, Rosenberg, Stewart, and Wilkins

AN ACT concerning

Landlord and Tenant – ~~Eviction Action~~ Residential Tenants – Right to Counsel

Delegate Lierman moved the previous question.

The motion was adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 95 Negative – 42 (See Roll Call No. 557)

The Bill was then sent to the Senate.

House Bill 37 – Delegate Valderrama

AN ACT concerning

Procurement – Prevailing Wage – Applicability

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 40 (See Roll Call No. 558)

The Bill was then sent to the Senate.

House Bill 106 – Delegate Wilson

AN ACT concerning

~~**Office of the Attorney General – Website to Report Robocalls and Other Spam
Calls**~~

**Consumer Protection – Robocalls and Spam Calls – Website to Report and
Annual Report**

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 8 (See Roll Call No. 559)

The Bill was then sent to the Senate.

House Bill 174 – Delegate Brooks

AN ACT concerning

Public Utilities – Investor-Owned Utilities – Prevailing Wage

Read the third time and passed by yeas and nays as follows:

Affirmative – 96 Negative – 39 (See Roll Call No. 560)

The Bill was then sent to the Senate.

House Bill 264 – Delegate Charkoudian

AN ACT concerning

**Solid Waste Management – Organics Recycling and Waste Diversion – Food
Residuals**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 40 (See Roll Call No. 561)

The Bill was then sent to the Senate.

House Bill 507 – Delegate Stein

AN ACT concerning

Clean Water Commerce Act of 2021

Read the third time and passed by yeas and nays as follows:

Affirmative – 98 Negative – 38 (See Roll Call No. 562)

The Bill was then sent to the Senate.

House Bill 1180 – Delegate Hill

AN ACT concerning

Property Tax Credit – Airport Noise Zones – Eligibility

Read the third time and passed by yeas and nays as follows:

Affirmative – 109 Negative – 28 (See Roll Call No. 563)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 564)

RECESS

At 12:00 P.M. on motion of Delegate Luedtke the House recessed until 5:00 P.M. on Legislative Day, March 7, 2021, Calendar Day, Thursday, March 18, 2021.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 7, 2021
Calendar Day: Thursday, March 18, 2021

At 5:09 P.M. the House resumed its session and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 565)

EXCUSED:

Delegate Anderson – illness
Delegate C. Branch – personal
Delegate Cardin – left early – personal
Delegate Cox – medical
Delegate D.E. Davis – late – personal
Delegate Guyton – late – personal
Delegate Saab – left early – personal

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 14

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 92 – Delegate Luedtke

AN ACT concerning

**Procurement – Invasive and Nonnative Plant Species – Prohibition on Use of
State Funds**

HB0092/366283/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 92

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**and Nonnative**”; in line 4, strike “certain exceptions” and substitute “a certain exception”; in line 5, strike “or nonnative”; strike beginning with “authorizing” in line 6 down through “circumstances;” in line 9; and in lines 10 and 11, strike “and nonnative”.

AMENDMENT NO. 2

On page 1, in line 5, after “species” insert “for an outdoor project”; in line 11, after “species” insert “for an outdoor project”; in line 23, strike “**OR NONNATIVE**”; and in the same line, after “**SPECIES**” insert “**FOR AN OUTDOOR PROJECT**”.

On page 2, strike in their entirety lines 1 through 10, inclusive; in line 11, strike “**(III)**” and substitute “**(B) THE PROHIBITION UNDER SUBSECTION (A) OF THIS SECTION DOES NOT APPLY IF**”; and strike beginning with the semicolon in line 13 down through “**CONTRACTORS**” in line 30.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 272 – Delegate Carr

AN ACT concerning

Public Information Act – Required Denials – Sociological Information and Distribution Lists

HB0272/996580/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 272

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 4 down through “purposes;” in line 5; in line 10, after “list;” insert “requiring a custodian to allow the inspection of a

certain notice or a list of recipients of a certain notice under certain circumstances;”; in line 15, strike “4–103(c)”; and in the same line, in each instance, strike the comma.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 10, inclusive.

On page 3, after line 3, insert:

“(C) A CUSTODIAN SHALL ALLOW THE INSPECTION OF A NOTICE, OR A LIST OF THE RECIPIENTS OF A NOTICE, GIVEN UNDER § 12–111 OF THE REAL PROPERTY ARTICLE ONLY ON RECEIPT OF:

(1) A WRITTEN APPLICATION; AND

(2) A STATEMENT, SIGNED UNDER OATH, THAT THE NOTICE OR LIST IS NOT INTENDED TO BE USED FOR COMMERCIAL SOLICITATION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 317 – Delegate Gilchrist

AN ACT concerning

**Maryland Green Purchasing Committee – Food and Beverage Procurement –
Greenhouse Gas Emissions**

HB0317/816880/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 317

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike the first “and”; and in line 10, after “emissions” insert “, and consider certain greenhouse gas emissions and the nutrition of certain individuals”.

AMENDMENT NO. 2

On page 4, in line 8, strike “**2022**” and substitute “**2023**”; in line 12, strike “**2023**” and substitute “**2024**”; in line 14, strike the second “AND”; in line 19, after “SECTION” insert “; AND”

(4) CONSIDER:

(I) GREENHOUSE GAS EMISSIONS ASSOCIATED WITH THE TRANSPORTATION OR SHIPMENT OF FOOD OR BEVERAGES, PACKAGING OF FOOD OR BEVERAGES, PRODUCTION OF FOOD OR BEVERAGES, PRODUCTION OR HARVEST OF INGREDIENTS IN FOOD OR BEVERAGES, RAISING OF POULTRY OR LIVESTOCK THAT PRODUCE FOOD, SLAUGHTER OF POULTRY OR LIVESTOCK USED FOR FOOD, AND OTHER RELEVANT SOURCES OF GREENHOUSE GAS EMISSIONS WHEN DEVELOPING THE METHODOLOGY UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) THE NUTRITION AND HEALTH OF INDIVIDUALS INCARCERATED IN STATE FACILITIES, PATIENTS IN STATE HEALTH FACILITIES, STUDENTS RESIDING AT STATE INSTITUTIONS OF HIGHER EDUCATION, AND OTHER INDIVIDUALS DEPENDENT ON THE STATE FOR THEIR ENTIRE DIET OR A SUBSTANTIAL PORTION OF THEIR DIET, WHEN DEVELOPING STRATEGIES AND POLICY RECOMMENDATIONS UNDER PARAGRAPH (3) OF THIS SUBSECTION”;

and in lines 25 and 32, in each instance, strike “**2024**” and substitute “**2025**”.

On page 5, in lines 7 and 12, in each instance, strike “2022” and substitute “2023”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate M. Fisher moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 989 – Delegate Krebs

AN ACT concerning

Public Safety – 9–1–1 Emergency Telephone System – Alterations

HB0989/976586/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 989

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike “commercial mobile radio service providers and 9–1–1 service carriers” and substitute “providers of a 9–1–1-accessible service”; in line 6, after “Board” insert “and submit a certain report to the Board; requiring certain providers of a 9–1–1 accessible service to make a certain calculation according to certain federal regulations; requiring the Board and the Center to adopt procedures and implement safeguards to ensure certain information is maintained confidentially”; in line 21, strike “Behavioral Health Administration in the Maryland Department of Health” and substitute “University System of Maryland”; and in line 23, strike “Department” and substitute “University System of Maryland”.

AMENDMENT NO. 2

On page 3, in line 17, strike “**IN**” and substitute “**(A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, IN**”; in the same line, strike “**PARTIAL OR TOTAL SINGLE COUNTY OR MULTICOUNTY**”; in line 18, after “**MINUTES**” insert “**AND AFFECTING MORE THAN 600,000 USER MINUTES**”; in lines 18 and 19, strike “**CMRS PROVIDER OR 9–1–1 SERVICE CARRIER**” and substitute “**PROVIDER OF A 9–1–1-ACCESSIBLE SERVICE, OTHER THAN A RESELLER,**”; in lines 22 and 23 and 26, in each instance, strike “**OR CARRIER’S**”; in line 23, strike “**AND**”; in line 26, after “**NETWORK**” insert “**;** **AND**”

(3) AT THE NEXT SCHEDULED MEETING OF THE BOARD, SUBMIT TO THE BOARD A REPORT DETAILING THE 9–1–1-ACCESSIBLE SERVICE OUTAGE OCCURRING ON THE PROVIDER’S NETWORK.

(B) A PROVIDER OF A 9-1-1-ACCESSIBLE SERVICE SHALL CALCULATE USER MINUTES UNDER THIS SECTION IN ACCORDANCE WITH THE APPLICABLE REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION.

(C) THE BOARD AND THE MARYLAND JOINT OPERATIONS CENTER SHALL ADOPT PROCEDURES AND IMPLEMENT SAFEGUARDS TO ENSURE THAT SENSITIVE INFORMATION SUBMITTED BY A PROVIDER OF A 9-1-1-ACCESSIBLE SERVICE UNDER THIS SECTION IS MAINTAINED CONFIDENTIALLY.

On page 11, in lines 3 and 4, strike “Behavioral Health Administration in the Maryland Department of Health” and substitute “University System of Maryland”; and in line 17, strike “Behavioral Health Administration” and substitute “University System of Maryland”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1040 – Delegate Kelly

EMERGENCY BILL

AN ACT concerning

Health Occupations – Pharmacists – Administration of Vaccinations

HB1040/926281/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1040

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in line 2, strike “Vaccinations” and substitute “Children’s Vaccines – Study and Temporary Authority”; in line 3, after “authorizing” insert “, for a certain period of time,”; in line 4, after “group” insert “if certain requirements are met”; strike beginning with “altering” in line 4 down through “measure;” in line 11 and substitute “requiring the Prevention and Health Promotion Administration within the Maryland Department of Health, in consultation with the State Board of Pharmacy, to report to certain committees of the General Assembly on or before certain dates; establishing certain requirements for the reports; authorizing the Administration to use certain funding to contract with a certain institution to complete a certain report; requiring the Administration to consult certain stakeholders when completing a certain report; providing for the termination of a certain provision of this Act, subject to a certain contingency;”; and in line 12, strike “vaccinations” and substitute “children’s vaccines”.

AMENDMENT NO. 2

On page 1, in line 22, strike “[A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”.

On page 2, in line 1, strike the first bracket; in the same line, strike “(I)”; in the same line, strike “SUBPARAGRAPH (II) OF THIS PARAGRAPH” and substitute “SUBSECTION (C) OF THIS SECTION”; in lines 2, 4, 7, 15, 22, 24, and 27, in each instance, strike the bracket; strike beginning with “TO” in line 2 down through “VACCINE” in line 3; strike beginning with “OR” in line 7 down through “DEPARTMENT” in line 14; in lines 15 and 27, strike “(2)” and “(3)”, respectively; and in line 24, strike “MEETS”.

AMENDMENT NO. 3

On page 3, in lines 2 and 3, in each instance, strike the bracket; strike beginning with “EXCEPT” in line 3 down through “SUBSECTION” in line 4; after line 18, insert:

“(C) FROM JULY 1, 2021, TO JUNE 30, 2023, INCLUSIVE, A PHARMACIST MAY ADMINISTER A VACCINE TO AN INDIVIDUAL WHO IS AT LEAST 3 YEARS OLD BUT UNDER THE AGE OF 18 YEARS IF:

(1) THE VACCINE IS APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION;

(2) THE VACCINATION IS ORDERED AND ADMINISTERED IN ACCORDANCE WITH THE CENTERS FOR DISEASE CONTROL AND PREVENTION’S

ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES IMMUNIZATION SCHEDULES;

(3) THE PHARMACIST HAS COMPLETED A PRACTICAL TRAINING PROGRAM OF AT LEAST 20 HOURS THAT IS APPROVED BY THE ACCREDITATION COUNCIL FOR PHARMACY EDUCATION AND INCLUDES:

(I) HANDS-ON INJECTION TECHNIQUES;

(II) CLINICAL EVALUATION OF INDICATIONS AND CONTRAINDICATIONS OF VACCINES; AND

(III) THE RECOGNITION AND TREATMENT OF EMERGENCY REACTIONS TO VACCINES;

(4) THE PHARMACIST HAS A CURRENT CERTIFICATE IN BASIC CARDIOPULMONARY RESUSCITATION;

(5) THE PHARMACIST HAS COMPLETED A MINIMUM OF 2 HOURS OF CONTINUING PHARMACEUTICAL EDUCATION RELATED TO IMMUNIZATIONS THAT IS APPROVED BY THE ACCREDITATION COUNCIL FOR PHARMACY EDUCATION AS PART OF THE LICENSE RENEWAL REQUIREMENTS UNDER § 12-309 OF THIS TITLE;

(6) THE PHARMACIST COMPLIES WITH THE RECORD-KEEPING AND REPORTING REQUIREMENTS IN SUBSECTION (A)(4) OF THIS SECTION AND THE CORRESPONDING REGULATIONS; AND

(7) THE PHARMACIST INFORMS EACH CHILD VACCINATION PATIENT AND ADULT CAREGIVER WHO IS ACCOMPANYING THE CHILD OF THE IMPORTANCE OF WELL-CHILD VISITS WITH A PEDIATRIC PRIMARY CARE PROVIDER AND REFERS THE PATIENT TO A PEDIATRIC PRIMARY CARE PROVIDER WHEN APPROPRIATE.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before December 1, 2021, the Prevention and Health Promotion Administration within the Maryland Department of Health, in consultation with the State Board of Pharmacy, shall report to the Senate Education, Health, and Environmental

Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, information the Administration determines is important for setting policies for authorizing pharmacists to administer vaccines to children, including:

(1) the number of vaccines administered to children by pharmacists in accordance with the requirements of Section 1 of this Act;

(2) the effectiveness and efficiency of ImmuNet; and

(3) whether the option for children to be administered vaccines by pharmacists has led to changes in well-child visits with pediatric primary care providers.

(b) (1) On or before December 1, 2022, the Prevention and Health Promotion Administration within the Maryland Department of Health, in consultation with the State Board of Pharmacy, shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article:

(i) the capacity of the health care system to administer vaccines to children;

(ii) vaccination rates for children; and

(iii) community access to the administration of vaccines for children.

(2) In completing the report required under paragraph (1) of this subsection, the Administration shall:

(i) evaluate data from Maryland and other states that authorize pharmacists to administer vaccines to children on school-required vaccines and other vaccines administered to children; and

(ii) study the effectiveness and efficiency of ImmuNet, including by obtaining input from all health care providers that administer vaccines to children.

(3) In completing the report required under paragraph (1) of this subsection, the Administration shall consider public health models in which pharmacists,

in both chain and independent pharmacies, can support and facilitate families in obtaining well-child visits from pediatric primary care providers, including partnerships with:

(i) local health departments;

(ii) pediatric primary care providers, including private practices and community health centers; and

(iii) school systems, including school-based health centers.

(4) The report shall address implementation recommendations, including:

(i) tracking multidose vaccines;

(ii) optimal physical space configurations to protect the privacy and safety of patients;

(iii) staffing requirements; and

(iv) processes for responding to adverse reactions.

(5) The Administration shall make recommendations regarding:

(i) whether the temporary authority established under Section 1 of this Act should be made permanent; and

(ii) ways to further integrate the use of ImmuNet in electronic health records to facilitate communication between pharmacists and pediatric primary care providers.

(c) In completing the report required under subsection (b) of this section, the Administration:

(1) may use available funding to contract with a public health research institution to complete the report; and

(2) shall consult with interested stakeholders, including:

(i) pediatric primary care providers;

- (ii) pharmacists;
- (iii) managed care organizations;
- (iv) local health departments; and
- (v) consumers.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) If the Third Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID–19 issued by the Office of the Secretary of the Department of Health and Human Services is repealed or otherwise expires before January 1, 2022, on April 30, 2022, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.

(b) The Prevention and Health Promotion Administration within the Maryland Department of Health shall notify the Department of Legislative Services within 5 days after receiving notice of the repeal or expiration of the amendment described in subsection (a) of this section.”;

and strike in their entirety lines 19 through 23, inclusive, and substitute:

“SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 20

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 234 – Delegate Williams

AN ACT concerning

Criminal Law – Harm to Service Animals

HB0234/822613/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 234

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “intentionally or recklessly”; in line 7, strike “requiring” and substitute “authorizing”; in line 8, after “sentencing;” insert “providing for the application of this Act;”; and after line 9, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10–603

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 22, insert:

“10–603.

Sections 10–601 through 10–608 AND 10–626 of this subtitle do not apply to:

(1) customary and normal veterinary and agricultural husbandry practices including dehorning, castration, tail docking, and limit feeding;

(2) research conducted in accordance with protocols approved by an animal care and use committee, as required under the federal Animal Welfare Act or the federal Health Research Extension Act;

(3) an activity that may cause unavoidable physical pain to an animal, including food processing, pest elimination, animal training, and hunting, if the person performing the activity uses the most humane method reasonably available; or

(4) normal human activities in which the infliction of pain to an animal is purely incidental and unavoidable.”.

AMENDMENT NO. 3

On page 2, in line 3, strike “**INTENTIONALLY OR RECKLESSLY**” and substitute “**WILLFULLY AND MALICIOUSLY**”; strike beginning with “**BY**” in line 12 down through “**HANDLER**” in line 14; in line 15, after “**VIOLATES**” insert “**SUBSECTION (B)(1) OR (2) OF**”; in line 17, strike “**5**” and substitute “**2**”; in the same line, strike “**\$5,000**” and substitute “**\$2,500**”; after line 17, insert:

“(2) A PERSON WHO VIOLATES SUBSECTION (B)(3) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.”;

in line 18, strike “**(2)**” and substitute “**(3)**”; and in the same line, strike “**SHALL**” and substitute “**MAY**”.

The preceding 3 amendments were read only.

Delegate Clippinger moved to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 931 – Delegate Arikan

AN ACT concerning

**Child Care Providers – Notice of Allegations of Child Abuse or Neglect
(Aiden’s Law)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1072 – Charles County Delegation

AN ACT concerning

**Charles County – Community Service and Pretrial Release Programs –
Authorization**

HB1072/192018/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1072
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “authorizing the Board to enact certain local laws and ordinances;”; strike beginning with “establishing” in line 13 down through “program;” in line 14; and strike beginning with the first “the” in line 16 down through “of” in line 17 and substitute “staff of the pretrial release program to immediately report to the court”.

AMENDMENT NO. 2

On page 2, in line 15, strike “**(I)**”; and strike in their entirety lines 18 through 20, inclusive.

On page 3, strike beginning with the colon in line 10 down through “**(I)**” in line 11; and strike beginning with the semicolon in line 12 down through “**SUBSECTION**” in line 14.

On pages 3 and 4, strike beginning with “**A**” in line 20 on page 3 down through “**(5)**” in line 1 on page 4.

On page 4, in lines 14, 16, and 27, strike “**(6)**”, “**(7)**”, and “**(9)**”, respectively, and substitute “**(5)**”, “**(6)**”, and “**(8)**”, respectively; strike beginning with “**BY**” in line 19 down through “**EXPENSE**” in line 20; in line 22, strike “**AND**”; in line 24, after “**PROGRAM**” insert “;**AND**”

**(IV) NOTIFICATION BY THE SHERIFF TO STAFF OF THE
PRETRIAL RELEASE PROGRAM OF ANY VIOLATIONS**”;

strike in their entirety lines 25 and 26; and after line 26, insert:

“(7) STAFF OF THE PRETRIAL RELEASE PROGRAM SHALL IMMEDIATELY REPORT TO THE COURT ANY VIOLATIONS OF A PERSON’S PRETRIAL RELEASE.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

House Bill 234 – Delegate Williams

AN ACT concerning

Criminal Law – Harm to Service Animals

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

HB0234/822613/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 234

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “intentionally or recklessly”; in line 7, strike “requiring” and substitute “authorizing”; in line 8, after “sentencing;” insert “providing for the application of this Act;”; and after line 9, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10–603

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 22, insert:

“10–603.

Sections 10–601 through 10–608 AND 10–626 of this subtitle do not apply to:

(1) customary and normal veterinary and agricultural husbandry practices including dehorning, castration, tail docking, and limit feeding;

(2) research conducted in accordance with protocols approved by an animal care and use committee, as required under the federal Animal Welfare Act or the federal Health Research Extension Act;

(3) an activity that may cause unavoidable physical pain to an animal, including food processing, pest elimination, animal training, and hunting, if the person performing the activity uses the most humane method reasonably available; or

(4) normal human activities in which the infliction of pain to an animal is purely incidental and unavoidable.”.

AMENDMENT NO. 3

On page 2, in line 3, strike “**INTENTIONALLY OR RECKLESSLY**” and substitute “**WILLFULLY AND MALICIOUSLY**”; strike beginning with “**BY**” in line 12 down through “**HANDLER**” in line 14; in line 15, after “**VIOLATES**” insert “**SUBSECTION (B)(1) OR (2) OF**”; in line 17, strike “**5**” and substitute “**2**”; in the same line, strike “**\$5,000**” and substitute “**\$2,500**”; after line 17, insert:

“(2) A PERSON WHO VIOLATES SUBSECTION (B)(3) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.”;

in line 18, strike “**(2)**” and substitute “**(3)**”; and in the same line, strike “**SHALL**” and substitute “**MAY**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 65**House Bill 588 – The Speaker and the President (By Request – Administration)****Budget Bill****(Fiscal Year 2022)**

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE
TO THE MARYLAND HOUSE OF DELEGATES – 2021 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 588 – THE BUDGET BILL

(See Exhibit G of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 588 – THE BUDGET BILL

(See Exhibit H of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 588 – THE BUDGET BILL AND
HOUSE BILL 589 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit I of Appendix II)

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

Committee amendments 1 through 10 were read and adopted.

Committee amendments 11 through 17 were read and adopted.

Committee amendments 18 through 29 were read and adopted.

Committee amendments 30 through 37 were read and adopted.

Committee amendments 38 through 49 were read and adopted.

Committee amendments 50 through 54 were read and adopted.

Committee amendments 55 through 60 were read and adopted.

Committee amendments 61 through 66 were read and adopted.

Committee amendment 67 was read and adopted by a roll call vote as follows:

Affirmative – 95 Negative – 39 (See Roll Call No. 566)

Committee amendment 68 was read and adopted by a roll call vote as follows:

Affirmative – 91 Negative – 41 (See Roll Call No. 567)

Committee amendments 69 through 70 were read and adopted.

Committee amendment 71 was read and adopted by a roll call vote as follows:

Affirmative – 89 Negative – 44 (See Roll Call No. 568)

Committee amendment 72 was read and adopted by a roll call vote as follows:

Affirmative – 87 Negative – 42 (See Roll Call No. 569)

Committee amendments 73 through 81 were read and adopted.

Committee amendments 82 through 90 were read and adopted.

Committee amendments 91 through 100 were read and adopted.

Committee amendments 101 through 111 were read and adopted.

Committee amendments 112 through 121 were read and adopted.

Committee amendment 122 was read and adopted by a roll call vote as follows:

Affirmative – 95 Negative – 38 (See Roll Call No. 570)

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0588/643926/1

BY: Delegate Wivell

AMENDMENT TO HOUSE BILL 588
(First Reading File Bill – Committee Reprint)

On page 93, under:

Heading: Medical Care Programs Administration

Program: M00Q01.01

Entitled: Deputy Secretary for Health Care Financing

In line 13, after “Appropriation” insert “, provided that \$100,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health submits a report to the budget committees that details, for calendar 2021, the following information collected from any physician who performs an abortion, or any hospital, facility, or institution where an abortion is performed: (1) the county and state of residence of the patient; (2) the age, race, and marital status of the patient; (3) the estimated gestational age of the fetus at the time of the abortion; (4) the month during which the abortion was performed; (5) the method of abortion used to terminate the pregnancy; and (6) the primary reason provided by the patient for the abortion. The report shall not include any personally identifiable information that could be used to identify either the patient or the physician performing the abortion. The report shall be submitted by January 15, 2022, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 89 (See Roll Call No. 571)

FLOOR AMENDMENT

HB0588/113027/1

BY: Delegate Szeliga

AMENDMENT TO HOUSE BILL 588

(First Reading File Bill – Committee Reprint)

On page 94, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.03

Entitled: Medical Care Provider Reimbursements

Strike beginning with “; or” in line 25 down through “health” in line 35.

On page 96, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.07

Entitled: Maryland Children’s Health Program

Strike beginning with “; or” in line 28 down through “health” in line 38.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 88 (See Roll Call No. 572)

FLOOR AMENDMENT

HB0588/633626/1

BY: Delegate Hornberger

AMENDMENT TO HOUSE BILL 588

(First Reading File Bill – Committee Reprint)

On page 167, under:

Heading: MARYLAND TECHNOLOGY DEVELOPMENT
CORPORATION

Program: T50T01.03

Entitled: Maryland Stem Cell Research Fund

In line 2, after “Appropriation” insert “, provided that this appropriation may not be expended to provide grants for basic stem cell research. Further provided that this appropriation may be used to provide grants to fund only adult stem cell research.”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 90 (See Roll Call No. 573)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 66

House Bill 589 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2021

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 588 – THE BUDGET BILL AND
HOUSE BILL 589 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit I of Appendix II)

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

HB0589/323425/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 589

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “altering the source of funding for certain required appropriations;” and substitute “requiring a certain percentage of certain raffle proceeds to be deposited into a certain fund; altering certain requirements for certain raffles to be held in conjunction with a certain football game; providing that the Maryland Stadium Authority is not required to submit certain reports for a certain fiscal year;”; strike beginning with “altering” in line 4 down through “circumstances;” in line 11; strike beginning with “altering” in line 12 down through “budgets;” in line 13; in line 16, after “year;” insert “requiring the Governor or the Insurance Commissioner, under certain circumstances, to transfer certain funds collected from a certain assessment to a certain provider reimbursement program;”; strike beginning with “reducing” in line 16 down through “amounts;” in line 21 and substitute “requiring, for a certain fiscal year, the distribution of certain revenues to a certain fund to be used for a certain purpose; requiring the Governor to include in the budget bill submitted at a certain General Assembly session”

an appropriation equal to a certain amount to be used for a certain purpose;”; strike beginning with “altering” in line 21 down through “State;” in line 27 and substitute “altering the rate at which the land of certain country clubs and golf courses is valued for property tax assessment purposes; altering the frequency of a certain increase in the valuation rate for certain country clubs and golf courses;”; and strike beginning with “providing” in line 29 down through “years;” in line 30.

On page 2, strike beginning with “authorizing” in line 2 down through “expenditures;” in line 4; strike beginning with “requiring” in line 5 down through “met;” in line 7; strike beginning with “requiring” in line 11 down through “facilities;” in line 13 and substitute “requiring certain appropriations to be reduced and certain funds to be transferred;”; strike in their entirety lines 15 through 19, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 13–1911.1(a) and (f)

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–1911.1(d) and (e)

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–612.2(a) through (c)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–612.2(f)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–625

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 5–206(a) through (c)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 36, 37, and 38 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–206(g)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 36, 37, and 38 of the Acts of the General Assembly of 2021)”;

in line 22, strike “5–219(a) through (c), 18–401, 18–501(a),”; in the same line, strike “, and 24–201”; in line 27, strike “5–219(g), 16–305(c)(1), 17–104(a), 18–407(d), 18–501(c),”; and in lines 27 and 28, strike “, and 24–204(d)”.

On page 3, in line 17, strike “4–608, 6–104(e), 7–311(j)(1), 7–325, 8–132, and 10–501(a)” and substitute “7–329(b–1) and 7–330(g) and (j)(3)”; in line 22, strike “10–501(b)” and substitute “7–329(a) and (b) and 7–330(b), (c), (f), and (j)(1)”; in line 32, strike “2–106 and 13–209(d–1) and (g)(2), (3), and (4)” and substitute “8–213 and 13–209(g)(3) and (4)”; and in line 37, strike “13–209(d)” and substitute “13–209(g)(2)”.

On page 4, strike in their entirety lines 1 through 9, inclusive.

On page 30, in lines 25 and 30, strike “5.” and “6.”, respectively, and substitute “4.” and “5.”, respectively.

On page 31, in lines 20, 30, and 35, strike “8.”, “10.”, and “11.”, respectively, and substitute “6.”, “7.”, and “8.”, respectively.

On page 32, in line 19, strike “13.” and substitute “17.”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 12 through 24, inclusive.

AMENDMENT NO. 3

On page 4, after line 24, insert:

“Article – Criminal Law

13-1911.1.

(a) A raffle may be conducted by a charitable foundation that:

(1) is exempt from taxation under § 501(c)(3) of the Internal Revenue Code;

(2) is affiliated with a professional football team that plays its home games in Prince George's County; and

(3) has an office and conducts operations in Prince George's County.

(d) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE proceeds of a raffle shall be used to:

(i) benefit the residents of Prince George's County;

(ii) pay for prizes awarded to winners; and

(iii) pay for reasonable costs for necessary equipment and supplies.

(2) FOR EACH RAFFLE, 10% OF THE PROCEEDS OF THE RAFFLE SHALL BE DEPOSITED INTO THE MICHAEL ERIN BUSCH SPORTS FUND ESTABLISHED UNDER § 10-612.2 OF THE ECONOMIC DEVELOPMENT ARTICLE.

[(2)] (3) Proceeds of a raffle may not be used to help cover costs involved in conducting the raffle, including any compensation to ticket sellers or individuals who operate the raffle.

(e) (1) A raffle shall be held in conjunction with a specific professional football game [played in Prince George's County.

(2) A permit to hold a raffle is valid for not more than 24 hours].

[(3)] (2) All raffle tickets shall be sold and received[:

(i)] on property owned or under the control of the professional football team with which the charitable foundation is affiliated[; and

(ii) may not be sold on the Internet or otherwise to an individual not physically present on the property].

(f) On or before March 30 of each year, the charitable foundation shall send to the designated county agency a report detailing the amount and disposition of the money raised by raffles in the previous calendar year.

Article – Economic Development

10–612.2.

(a) In this section, “Fund” means the Michael Erin Busch Sports Fund.

(b) There is a Michael Erin Busch Sports Fund.

(c) The purpose of the Fund is to provide funding for the Youth and Amateur Sports Grants Program established under § 10–612.1 of this subtitle.

(f) The Fund consists of:

(1) revenue distributed to the Fund under § 9–120(b)(1)(iv) of the State Government Article;

(2) PROCEEDS OF A RAFFLE DEPOSITED IN THE FUND IN ACCORDANCE WITH § 13–1911.1 OF THE CRIMINAL LAW ARTICLE;

[(2)] (3) money appropriated in the State budget to the Fund;

[(3)] (4) interest earnings or other income earned from the investment of any money in the Fund; and

[(4)] (5) any other money from any other source accepted for the benefit of the Fund.”.

AMENDMENT NO. 4

On page 4, after line 24, insert:

“10–625.

(A) [The] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE Authority shall submit:

(1) an annual detailed report of the activities and financial status of the Authority to the Governor, and, in accordance with § 2–1257 of the State Government Article, the General Assembly; and

(2) annual reports on the additional tax revenues generated by each of the following facilities, prepared in cooperation with the Office of the Comptroller and the Department of Budget and Management:

(i) the Baltimore Convention facility;

(ii) the Hippodrome Performing Arts facility;

- (iii) the Montgomery County Conference facility; and
- (iv) the Ocean City Convention facility.

(B) THE AUTHORITY IS NOT REQUIRED TO SUBMIT THE ANNUAL REPORTS LISTED UNDER SUBSECTION (A)(2) OF THIS SECTION FOR ADDITIONAL TAX REVENUES GENERATED BY THE FACILITIES FOR FISCAL YEAR 2021.

AMENDMENT NO. 5

On pages 4 and 5, strike in their entirety the lines beginning with line 26 on page 4 through line 15 on page 5, inclusive, and substitute:

“5–206.

(a) In this section, “Fund” means the Blueprint for Maryland’s Future Fund.

(b) There is the Blueprint for Maryland’s Future Fund.

(c) The purpose of the Fund is to assist in providing adequate funding for early childhood education and primary and secondary education to provide a world–class education to students so they are prepared for college and a career in the global economy of the 21st century, based on the recommendations of the Commission on Innovation and Excellence in Education.

(g) (1) The Fund may be used only to assist in providing adequate funding for:

(i) Early childhood education, primary and secondary education, and other programs, based on the recommendations of the Commission on Innovation and Excellence in Education, including revised education funding formulas; [and]

(ii) Maryland prekindergarten expansion grants;

(III) EARLY CHILDHOOD EDUCATION, PRIMARY AND SECONDARY EDUCATION, AND OTHER PROGRAMS FOR COSTS ASSOCIATED WITH THE CORONAVIRUS DISEASE 2019 (COVID–19), INCLUDING:

1. ONE–TIME PRIMARY AND SECONDARY EDUCATION AID GRANTS PROVIDED IN FISCAL YEAR 2022 TO:

A. ADDRESS ENROLLMENT DECLINES RELATED TO COVID-19 PANDEMIC; AND

B. ENSURE THAT EVERY COUNTY BOARD RECEIVES AN INCREASE IN STATE EDUCATION AID OVER THE AMOUNT OF STATE EDUCATION AID THE COUNTY BOARD RECEIVED IN FISCAL YEAR 2021; AND

2. GRANTS PROVIDED IN FISCAL YEARS 2021 AND 2022 FOR:

A. SUMMER SCHOOL PROGRAMS, TUTORING, AND OTHER SUPPLEMENTAL INSTRUCTION PROGRAMS TO ADDRESS STUDENT LEARNING LOSS;

B. IDENTIFICATION OF AND SUPPORT FOR STUDENTS DEALING WITH TRAUMA OR BEHAVIORAL HEALTH ISSUES; AND

C. SCHOOLS TO SAFELY REOPEN FOR IN-PERSON INSTRUCTION.

(2) The Fund may not be used for school construction under Subtitle 3 of this title.”.

AMENDMENT NO. 6

On pages 5 through 10, strike in their entirety the lines beginning with line 16 on page 5 through line 2 on page 10, inclusive.

AMENDMENT NO. 7

On pages 10 through 12, strike in their entirety the lines beginning with line 3 on page 10 through line 19 on page 12, inclusive.

AMENDMENT NO. 8

On pages 12 and 13, strike in their entirety the lines beginning with line 20 on page 12 through line 12 on page 13, inclusive.

AMENDMENT NO. 9

On pages 13 and 14, strike in their entirety the lines beginning with line 31 on page 13 through line 23 on page 14, inclusive.

AMENDMENT NO. 10

On page 16, in line 17, after “(1)” insert “(I)”; in the same line, strike “THROUGH 2026” and substitute “AND 2022”; in lines 17 and 18, strike “THE GOVERNOR SHALL TRANSFER”; in line 19, after “SECTION” insert “SHALL BE TRANSFERRED IN ACCORDANCE WITH SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH”;

and after line 21, insert:

“(II) IF ALL OR A PORTION OF THE FUNDS REQUIRED TO BE TRANSFERRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH HAVE BEEN RECEIVED AND ARE HELD IN THE MARYLAND HEALTH BENEFIT EXCHANGE FUND ESTABLISHED UNDER § 31-107 OF THIS ARTICLE, THE GOVERNOR SHALL TRANSFER THE AVAILABLE AMOUNT IN THE FUND.

“(III) IF THE AMOUNT OF FUNDS TRANSFERRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IS LESS THAN THE AMOUNT REQUIRED TO BE TRANSFERRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE INSURANCE COMMISSIONER SHALL TRANSFER THE REMAINING AMOUNT FROM THE FUNDS COLLECTED FROM THE ASSESSMENT REQUIRED UNDER THIS SECTION.”.

AMENDMENT NO. 11

On page 18, in line 6, strike “AND EACH YEAR THEREAFTER”; in line 7, strike “\$14,000,000; AND” and substitute “\$11,500,000;”

(4) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, MAY NOT BE LESS THAN \$14,000,000; AND”;

and in line 8, strike “(4)” and substitute “(5)”.

AMENDMENT NO. 12

On pages 18 and 19, strike in their entirety the lines beginning with line 28 on page 18 through line 5 on page 19, inclusive.

AMENDMENT NO. 13

On pages 19 and 20, strike in their entirety the lines beginning with line 6 on page 19 through line 4 on page 20, inclusive.

AMENDMENT NO. 14

On page 20, after line 4, insert:

“7-329.

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

(2) “Fund” means the Fiscal Responsibility Fund established under § 7–330 of this subtitle.

(3) (i) “Nonwithholding income tax revenues” means the State share of income tax quarterly estimated and final payments with returns made by individuals, as defined in § 10–101 of the Tax – General Article.

(ii) “Nonwithholding income tax revenues” does not include:

1. the county share of income tax quarterly estimated and final payments with returns made by individuals;
2. income tax payments made by corporations;
3. income tax refunds paid to individuals or corporations; or
4. income tax withholding.

(b) At the end of fiscal year 2020, and each fiscal year thereafter, if General Fund revenues for the fiscal year are less than the March estimate of the Board of Revenue Estimates, the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article shall be applied to close the gap in revenues for that fiscal year.

(b–1) At the end of fiscal year [2020] 2022 only, if the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article exceeds the amount necessary to close the gap in revenues under subsection (b) of this section, the State Comptroller shall distribute the remainder to the Fiscal Responsibility Fund established under § 7–330 of this subtitle for the purpose of providing, beginning July 1, [2020] 2022, A COST-OF-LIVING ADJUSTMENT OF UP TO 4.5% for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by [one of the following exclusive representatives, a cost-of-living adjustment as follows:

(1) up to 1% for] the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859[; and

(2) any revenues that exceed the amount needed for the cost-of-living adjustment in item (1) of this subsection shall be distributed proportionally to provide up to 2% for the following:

(i) the American Federation of State, County and Municipal Employees, AFL-CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL-CIO Local 1859;

(ii) AFT Healthcare-Maryland, AFT, AFL-CIO Local 5197; and

(iii) the Maryland Professional Employees Council/AFT/AFL-CIO Local 6197].

7-330.

(b) There is a Fiscal Responsibility Fund.

(c) The purpose of the Fund is to retain the amount of nonwithholding income tax revenues deposited to the Fund in accordance with § 7-329(d)(2) of this subtitle until the revenues are appropriated in the State budget.

(f) The Fund consists of nonwithholding income tax revenues that exceed the capped estimate determined under § 6-104(e) of this article deposited into the Fund by the State Comptroller under § 7-329(d)(2) of this subtitle.

(g) (1) Except as provided in paragraph (2) of this subsection, the Fund may be used only to provide pay-as-you-go capital funds for:

(i) public school construction and public school capital improvement projects, in accordance with Title 5, Subtitle 3 of the Education Article;

(ii) capital projects at public community colleges; and

(iii) capital projects at four-year public institutions of higher education.

(2) For fiscal year [2021] **2023** only, money in the Fund shall be used to provide, beginning July 1, [2020] **2022**, A COST-OF-LIVING ADJUSTMENT OF UP TO **4.5%** for permanent employees in the Executive Branch of State government who are in a

bargaining unit that is represented by [one of the following exclusive representatives, a cost-of-living adjustment as follows:

(i) up to 1% for] the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859[; and

(ii) any revenues that exceed the amount needed for the cost-of-living adjustment in item (i) of this paragraph shall be distributed proportionally to provide up to 2% for the following:

1. the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859;

2. AFT Healthcare–Maryland, AFT, AFL–CIO Local 5197;
and

3. the Maryland Professional Employees Council/AFT/AFL–CIO Local 6197].

(j) (1) Except as provided in paragraph (3) of this subsection, the Governor shall include in the budget bill for the second following fiscal year an appropriation equal to the amount in the Fund for pay-as-you-go capital projects.

(3) The Governor shall include in the budget bill submitted at the [2021] 2022 Session of the General Assembly an appropriation equal to the amount distributed to the Fund in accordance with § 7–329(b–1) of this subtitle to provide, beginning July 1, [2020] 2022, A COST-OF-LIVING ADJUSTMENT OF UP TO 4.5% for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by [one of the following exclusive representatives, a cost-of-living adjustment as follows:

(i) up to 1% for] the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859[; and

(ii) any revenues that exceed the amount needed for the cost-of-living adjustment in item (i) of this paragraph shall be distributed proportionally to provide up to 2% for the following:

1. the American Federation of State, County and Municipal Employees, AFL-CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL-CIO Local 1859;

2. AFT Healthcare-Maryland, AFT, AFL-CIO Local 5197;

and

3. the Maryland Professional Employees Council/AFT/AFL-CIO Local 6197].”.

AMENDMENT NO. 15

On pages 20 and 21, strike in their entirety the lines beginning with line 5 on page 20 through line 5 on page 21, inclusive.

AMENDMENT NO. 16

On page 21, strike in their entirety lines 6 through 36, inclusive.

AMENDMENT NO. 17

On pages 21 and 22, strike in their entirety the lines beginning with line 37 on page 21 through line 20 on page 22, inclusive.

AMENDMENT NO. 18

On pages 22 and 23, strike in their entirety the lines beginning with line 21 on page 22 through line 8 on page 23, inclusive.

AMENDMENT NO. 19

On pages 24 through 26, strike in their entirety the lines beginning with line 11 on page 24 through line 7 on page 26, inclusive.

AMENDMENT NO. 20

On page 26, after line 7, insert:

“8-213.

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

(2) “Agreement” means an agreement made under subsection (b) of this section.

(3) “Assessment rate index” means the percentage, if any, by which the amount of the State assessable base for the taxable year exceeds the average annual amount of the State assessable base in the immediately preceding assessment cycle.

(4) “State assessable base” means the total assessable base, as determined by the Supervisor of Assessments, of all real property in the State subject to taxation.

(b) The Department may make agreements with country clubs and golf courses that specify the manner of assessing the land of a country club or golf course. All agreements shall contain uniform provisions.

(c) (1) (i) Except as provided in paragraph (2) of this subsection and subject to subparagraphs (iii) and (iv) of this paragraph, the land of a country club or golf course that is actively used as a country club or golf course that meets the requirements of § 8–212 of this subtitle shall be valued:

1. at rates equivalent to land assessed under § 8–219 of this subtitle, if the land is subject to an agreement entered into before June 1, 2020, that has not been extended for a term of years beginning on or after June 1, 2020; or

2. at the rates specified under subparagraph (ii) of this paragraph, if the land is subject to an agreement entered into:

A. on or after June 1, 2020; or

B. before June 1, 2020, that is extended for a term of years beginning on or after June 1, 2020.

(ii) The land of a country club or golf course subject to an agreement described under subparagraph [(i)2] (I)2A of this paragraph shall be valued[:

1.], for the [first taxable year after] DATE OF FINALITY NEXT FOLLOWING the DATE OF THE agreement [or extension takes effect], at the lesser of:

[A.] 1. market value per acre; or

[B.] 2. ~~[\$2,000]~~ **\$5,000** per acre[;

2. for the second taxable year after the agreement or extension takes effect, at the lesser of:

A. market value per acre; or

B. \$3,500 per acre; or

3. for the third taxable year after the agreement or extension takes effect, at the lesser of:

A. market value per acre; or

B. \$5,000 per acre].

[(iii) The rate of valuation required for the land of a country club or golf course under subparagraph (i)3A of this paragraph shall be increased annually by an amount equal to the product of multiplying:

1. the greater of:

A. the valuation rate for the last assessment of the land; or

B. market value per acre; and

2. the assessment rate index.]

(III) THE LAND OF A COUNTRY CLUB OR GOLF COURSE SUBJECT TO AN AGREEMENT DESCRIBED UNDER SUBPARAGRAPH (I)2B OF THIS PARAGRAPH SHALL BE VALUED, FOR THE ASSESSMENT CYCLE NEXT FOLLOWING THE DATE OF THE EXTENSION, AT THE LESSER OF:

1. MARKET VALUE PER ACRE; OR

2. \$5,000 PER ACRE.

(iv) The rate of valuation required for the land of a country club or golf course under [subparagraph (ii)3B] SUBPARAGRAPHS (II)2 AND (III)2 of this paragraph shall be increased [annually] TRIENNIALLY by an amount equal to the product of multiplying:

1. the greater of:
 - A. the valuation rate for the last assessment of the land; or
 - B. \$5,000 per acre; and
2. the assessment rate index.

(2) If the land of a country club or golf course that meets the requirements of § 8–212 of this subtitle has a greater market value than its value when used as a country club or golf course, the land shall also be assessed on the basis of the greater value.

(3) Except as provided under § 8–216 of this subtitle, the property tax payable by a country club or golf course under this section is based on the assessment of the land under paragraph (1) of this subsection.

(4) If an assessment is made on the greater value under paragraph (2) of this subsection, the assessment records for the country club or golf course shall record the assessment under paragraphs (1) and (2) of this subsection.

(5) Any assessment of the land of a country club or golf course under this section is effective on the date of finality next following the date of an agreement.

(d) (1) An agreement shall be for at least 10 consecutive years or for a longer period as determined by the country club or golf course and the Department.

(2) An agreement may be extended, but only in increments of at least 5 years.”.

AMENDMENT NO. 21

On pages 26 and 27, strike in their entirety the lines beginning with line 9 on page 26 through line 9 on page 27, inclusive.

AMENDMENT NO. 22

On page 27, in lines 14 and 17, in each instance, strike the brackets; in line 14, strike “AND 2024”; and in line 17, strike “2025”.

AMENDMENT NO. 23

On page 27, in line 34, after “(i)” insert “1.”.

On page 28, in line 1, strike the second set of brackets; in the same line, strike “2027”; in line 2, strike the brackets; in line 3, strike “2028”; after line 5, insert:

“2. THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FOR FISCAL YEAR 2022 ONLY A GENERAL FUND APPROPRIATION TO THE SPECIAL FUND IN THE AMOUNT OF \$21,930,475 FOR THE CRITICAL MAINTENANCE OF STATE PROJECTS LOCATED ON LANDS MANAGED BY THE DEPARTMENT OF NATURAL RESOURCES FOR PUBLIC PURPOSES.”;

in line 8, strike “44.4%” and substitute “62.1%”; in line 14, strike “\$40,000,000” and substitute “\$55,930,475”; in line 25, strike “\$152,165,700” and substitute “\$136,235,225”; in line 29, strike “[25,360,950” and substitute “\$9,430,475”; in line 30, strike the bracket; in lines 31 and 32, in each instance, strike the brackets; in line 31, strike “2.”; in line 32, strike “3.”; and in the same line, strike “\$50,721,900”.

On page 29, in line 1, strike the brackets; and in the same line, strike “2032”.

AMENDMENT NO. 24

On pages 29 and 30, strike in their entirety the lines beginning with line 21 on page 29 through line 11 on page 30, inclusive.

AMENDMENT NO. 25

On page 30, in line 19, strike “December 31, 2020” and substitute “JANUARY 1, 2021”.

AMENDMENT NO. 26

On page 30, strike in their entirety lines 20 through 24, inclusive.

AMENDMENT NO. 27

On page 30, in line 32, strike “\$6,000,000” and substitute “\$3,000,000”.

AMENDMENT NO. 28

On pages 30 and 31, strike in their entirety the lines beginning with line 35 on page 30 through line 19 on page 31, inclusive.

AMENDMENT NO. 29

On page 31, strike in their entirety lines 25 through 29, inclusive.

AMENDMENT NO. 30

On page 32, strike in their entirety lines 13 through 18, inclusive.

AMENDMENT NO. 31

On page 32, after line 18, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2022, the Governor may transfer to the Behavioral Health Administration within the Maryland Department of Health \$700,000 of the fund balance in the State Board of Examiners for Psychologists Fund established under § 18–207 of the Health Occupations Article.”.

AMENDMENT NO. 32

On page 32, after line 18, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2021, the Governor may transfer to the General Fund \$5,000,000 from the Maryland Health Care Provider Rate Stabilization Fund established under § 19–802 of the Insurance Article.”.

AMENDMENT NO. 33

On page 32, after line 18, insert:

“SECTION 11. AND BE IT FURTHER ENACTED, That, on or before June 30, 2021, the \$235,000 identified in the fiscal year 2020 closeout audit as being improperly encumbered by Headquarters (R00A01) within the Maryland State Department of Education shall revert to the General Fund.”.

AMENDMENT NO. 34

On page 32, after line 18, insert:

“SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2022, the Governor may transfer to the General Fund

\$1,000,000 from the Charlotte Hall Veterans Home Fund established under § 9–912.2 of the State Government Article.”.

AMENDMENT NO. 35

On page 32, after line 18, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That the unexpended appropriation for Statewide Expenses (F10A02.08) within the Department of Budget and Management, that was included in the fiscal year 2021 operating budget (Chapter 19 of the Acts of 2020) is reduced by \$1,784,036 in general funds.”.

AMENDMENT NO. 36

On page 32, after line 18, insert:

“SECTION 14. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Medicaid Behavioral Health Provider Reimbursement Program (M00Q01.10) within the Maryland Department of Health, that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by \$5,000,000 in general funds.”.

AMENDMENT NO. 37

On page 32, after line 18, insert:

“SECTION 15. AND BE IT FURTHER ENACTED, That the unexpended appropriation for Aid to Education, Nonpublic Placements Program (R00A02.07) within the Maryland State Department of Education, that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by \$7,500,000 in general funds.”.

AMENDMENT NO. 38

On page 32, after line 18, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, on or before October 1, 2021, the Maryland–National Capital Park and Planning Commission shall transfer to the General Fund \$5,000,000 from the balance of funds collected in Prince George’s County in accordance with § 18–304(b) of the Land Use Article.

(b) The amount of money transferred under this section:

(1) may not exceed the lesser of \$5,000,000 or the amount remaining from the balance of funds collected after all fiscal year 2022 debt service obligations are satisfied; and

(2) may not result in a projected deficit in the balance of funds collected.”.

Committee amendments 1 through 9 were read and adopted.

Committee amendments 10 through 15 were read and adopted.

Committee amendments 16 through 23 were read and adopted.

Committee amendments 24 through 30 were read and adopted.

Committee amendments 31 through 33 were read and adopted.

Committee amendment 34 was read and adopted by a roll call vote as follows:

Affirmative – 82 Negative – 51 (See Roll Call No. 574)

Committee amendments 35 through 38 were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 575)

CALENDAR OF THIRD READING HOUSE BILLS NO. 58

House Bill 16 – Delegate Stewart

AN ACT concerning

**Correctional Services – Immigration Detention – Prohibition
(Dignity Not Detention Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 86 Negative – 44 (See Roll Call No. 576)

The Bill was then sent to the Senate.

House Bill 31 – Delegate Clippinger

AN ACT concerning

**Courts – Surcharges and Payment to ~~Rental Assistance Programs~~ Special Funds
– Prohibited Lease Provisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 80 Negative – 48 (See Roll Call No. 577)

The Bill was then sent to the Senate.

**House Bill 114 – Delegates Lierman, Bagnall, Feldmark, Healey, Kerr, R. Lewis,
Smith, Solomon, Stein, and Terrasa**

AN ACT concerning

**Maryland Transit Administration – Funding
(Transit Safety and Investment Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 101 Negative – 35 (See Roll Call No. 578)

The Bill was then sent to the Senate.

House Bill 183 – Delegate Lierman

AN ACT concerning

**Public Information Act – Revisions
(Equitable Access to Records Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 579)

The Bill was then sent to the Senate.

House Bill 204 – Delegate Lierman

AN ACT concerning

Environment and Natural Resources – Complaints, Inspections, and Enforcement – Information Maintenance and Reporting

Read the third time and passed by yeas and nays as follows:

Affirmative – 96 Negative – 40 (See Roll Call No. 580)

The Bill was then sent to the Senate.

House Bill 1121 – Delegate Crutchfield

AN ACT concerning

Juvenile Services – Workgroup to Develop Evidence-Based, Research-Based, and Culturally Competent Practices

Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 6 (See Roll Call No. 581)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 61

House Bill 501 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Board of Ethics – Financial Disclosure Statements – Late Fees

MC/PG 102–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 582)

The Bill was then sent to the Senate.

House Bill 517 – Delegate C. Watson

AN ACT concerning

Clean Energy Loan Program – Remediation and Resiliency

Read the third time and passed by yeas and nays as follows:

Affirmative – 114 Negative – 21 (See Roll Call No. 583)

The Bill was then sent to the Senate.

House Bill 789 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Video and Audio Streaming and Archiving Meetings and Financial Assistance

MC/PG 100–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 584)

The Bill was then sent to the Senate.

House Bill 794 – Carroll County Delegation

AN ACT concerning

Carroll County – Sheriff – Salary

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 585)

The Bill was then sent to the Senate.

House Bill 1097 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Local Officials – Salaries

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 586)

The Bill was then sent to the Senate.

House Bill 1160 – Calvert County Delegation

AN ACT concerning

Calvert County – Long-Term Contracts for Cellular Tower Leases

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 587)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 49

House Bill 12 – Delegates C. Watson, C. Jackson, and Kerr

AN ACT concerning

Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 4 (See Roll Call No. 588)

The Bill was then sent to the Senate.

House Bill 312 – Delegate Reilly

AN ACT concerning

Harford County – Alcoholic Beverages – Assisted Living Program License

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 589)

The Bill was then sent to the Senate.

House Bill 323 – Delegate Arentz

AN ACT concerning

Queen Anne’s County – Alcoholic Beverages – Repeal of Place of Worship Prohibition

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 590)

The Bill was then sent to the Senate.

House Bill 349 – Delegate Arentz

AN ACT concerning

Queen Anne’s County – Alcoholic Beverages – Unannounced Visits by Inspectors

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 1 (See Roll Call No. 591)

The Bill was then sent to the Senate.

House Bill 428 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Alcoholic Beverages Licenses – Annual Fees

MC 19–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 592)

The Bill was then sent to the Senate.

House Bill 1002 – Delegate Charkoudian

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Insurance Revisions and Required Study and
Special Enrollment Period for Health Benefits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95 Negative – 40 (See Roll Call No. 593)

The Bill was then sent to the Senate.

House Bill 1108 – Delegate Wivell

EMERGENCY BILL

AN ACT concerning

Washington County – Alcoholic Beverages – Special Event Permits for Wineries

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 594)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 57

House Bill 4 – Delegate Grammer

AN ACT concerning

Baltimore County – Career Exploration and Development Activities in Public High Schools – Prohibiting a Ban or Regulation of Sale of Coffee

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 595)

The Bill was then sent to the Senate.

House Bill 181 – Delegate Ebersole

AN ACT concerning

Baltimore County – Board of Education – Election of Officers

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 596)

The Bill was then sent to the Senate.

House Bill 468 – Delegate Forbes

AN ACT concerning

Baltimore County – School Board Nominating Commission – Vacancy Procedures

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 597)

The Bill was then sent to the Senate.

House Bill 530 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Gaming – Administration of Bingo Licenses

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 598)

The Bill was then sent to the Senate.

House Bill 571 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Property Tax Abatement

MC 20–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 599)

The Bill was then sent to the Senate.

House Bill 692 – Cecil County Delegation

AN ACT concerning

Cecil County – Board of Education – Member Terms and Compensation

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 600)

The Bill was then sent to the Senate.

House Bill 981 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Tax Sales – Limited Auction

PG 413–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 601)

The Bill was then sent to the Senate.

House Bill 1179 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Property Tax Credit – Hotel or Residential Development

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 602)

The Bill was then sent to the Senate.

House Bill 1219 – Delegate Conaway

AN ACT concerning

Baltimore City – Tax Sales – Notice

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 603)

The Bill was then sent to the Senate.

House Bill 1222 – Delegate Conaway

AN ACT concerning

Baltimore City – Tax Sales – Notice Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 604)

The Bill was then sent to the Senate.

SPECIAL ORDER CALENDAR NO. 68

House Bill 418 – Delegate Guyton

AN ACT concerning

County Boards of Education – Symbols of Hate – Policy

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 605)

ADJOURNMENT

At 8:59 P.M. on motion of Delegate Luedtke the House adjourned until 12:00 P.M. on Legislative Day March 8, 2021, Calendar Day, Friday, March 19, 2021.

Annapolis, Maryland
Legislative Day: March 8, 2021
Calendar Day: Friday, March 19, 2021
12:00 P.M. Session

The House met at 12:11 P.M. and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 606)

EXCUSED:

Delegate Anderson – illness
Delegate Barron – personal
Delegate Cox – medical
Delegate Lehman – personal
Delegate Love – left early – personal

The Journal of March 7, 2021 was read and approved.

MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 18

Senate Bill 9 – Senator Kramer

AN ACT concerning

**State Employees – Collective Bargaining – Applicability, Bargaining Processes,
and Memorandums of Understanding**

FOR the purpose of requiring the Chancellor of the University System of Maryland to act on behalf of the University System of Maryland and certain system institutions for the purpose of collective bargaining; altering the application of certain collective bargaining requirements to certain employees by requiring the State Labor Relations Board and the State Higher Education Labor Relations Board to make certain determinations based on certain definitions used by a certain national board; repealing a provision of law authorizing certain presidents of certain system institutions to cooperate for the purpose of collective bargaining; specifying that certain good faith negotiations between certain parties include facilitating the meaningful use of a certain fact finder under certain provisions of law; repealing a provision of law regarding the termination of a certain cooperating agreement;

providing for the negotiation of a certain consolidated memorandum of understanding between a certain exclusive representative and the Chancellor under certain circumstances; specifying certain effective dates of a certain consolidated memorandum of understanding; specifying the application of certain standards and guidelines to certain employees by the University System of Maryland and the Board of Regents under certain circumstances; providing for the application of this Act; making conforming changes; defining a certain term; and generally relating to collective bargaining for State employees.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 3–101, 3–102(b)(11) through (13), 3–2A–09(a), 3–306(c), 3–403(d), 3–501(a),
(b), (d), and (f), and 3–601

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing

Article – State Personnel and Pensions

Section 3–602

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 3–602

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 12–110

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 38 – Senator West

AN ACT concerning

Baltimore County – Alcoholic Beverages – Board of License Commissioners – Qualifications

FOR the purpose of requiring that each member of the Board of License Commissioners for Baltimore County be a resident and voter of Baltimore County; and generally relating to the Board of License Commissioners for Baltimore County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 13–101(a) and (b) and 13–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 13–202
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 66 – Senators Elfreth, Beidle, Eckardt, Griffith, Guzzone, Hester, Kelley, Patterson, Rosapepe, West, Carozza, Gallion, Kagan, Lam, Pinsky, Reilly, Simonaire, Washington, and Zucker

EMERGENCY BILL

AN ACT concerning

**Department of Housing and Community Development – Office of Digital
Inclusion – Established
(Digital Connectivity Act of 2021)**

FOR the purpose of establishing the Office of Digital Inclusion in the Department of Housing and Community Development; establishing the purpose of the Office; requiring the Governor to appoint the Director of the Office; providing that the Director serves at the pleasure of the Governor and reports to certain individuals; requiring the Director to work closely with certain officials for certain purposes; establishing the duties of the Office; requiring the Office to offer funding and technical assistance through certain partnerships to help local governments and certain entities qualify for federal funding opportunities; requiring the Office to work with a certain unit to initiate a broadband funding structure under a certain provision of law; requiring the Office to prepare and submit a certain plan to the Governor and the General Assembly, on or before a certain date; requiring the Office to solicit input from certain stakeholders in preparing the plan; requiring the Office to collaborate with certain units of State and local government in carrying out certain provisions of this Act; requiring the Office to make a certain annual report on or before a certain date; ~~repealing provisions of law concerning the Rural Broadband Assistance Fund and the Rural Broadband Coordination Board; establishing the Digital Inclusion Fund and the Digital Connectivity Fund as special, nonlapsing funds; establishing the purposes of the funds; requiring the Office to administer the funds; requiring the State Treasurer to hold the funds and the Comptroller to account for the funds; specifying the contents of the funds; specifying the purposes for which the funds may be used; providing for the investment of money in and~~

expenditures from the funds; requiring interest earnings of the Digital Inclusion Fund, the Digital Connectivity Fund, and the Rural Broadband Assistance Fund to be credited to the funds; exempting the Digital Inclusion Fund, the Digital Connectivity Fund, and the Rural Broadband Assistance Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; transferring the Rural Broadband Assistance Fund to the Department; requiring the Rural Broadband Assistance Fund to be administered by the Department; repealing a requirement regarding the distribution of funds from the Rural Broadband Assistance Fund; establishing the intent of the General Assembly that a certain individual serve as the first Director of the Office; establishing that the Office of Digital Inclusion is the successor of the Office of Rural Broadband within the Department; providing for the meaning of the names and titles of certain agencies and officials in certain laws, executives orders, rules, regulations, policies, and documents; providing that nothing in this Act affects the terms of office of certain members of certain units; providing that a certain individual shall remain for the balance of a certain term except under certain circumstances; providing for the validity, termination, completion, consummation, and enforcement of certain transactions, employment statuses, rights, duties, and interests; requiring that a certain successor unit be considered in all respects as having the powers and obligations granted the former unit, under certain circumstances; requiring the continuity of certain units to be retained; requiring certain properties, appropriations, credits, assets, liabilities, and obligations to be continued in a certain manner; for certain fiscal years, requiring the Governor to include a certain appropriation in the annual budget bill for a certain purpose; defining certain terms; providing for the construction of this Act; making this Act an emergency measure; and generally relating to broadband Internet service and the creation of the Office of Digital Inclusion.

BY repealing

Article – Economic Development

~~Section 5–1101 and 5–1102 and the subtitle “Subtitle 11. Rural Broadband Assistance Fund”; and Section 13–501 through 13–506 and the subtitle “Subtitle 5. Rural Broadband Coordination Board”~~

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments, and transferring

Article – Economic Development

Section 5–1102

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

to be

Article – Housing and Community Development

Section 6.6–107

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – Housing and Community Development
Section 6.5–101 through ~~6.5–104~~ 6.5–107 to be under the new title “Title 6.5. Office
of Digital Inclusion”
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)128. and 129.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)130., 131., and 132.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 240 – Chair, Budget and Taxation Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

**Maryland Information Technology Development Project Fund – Sources of
Revenue**

FOR the purpose of repealing the requirement that certain revenues received and collected by the Maryland Department of Transportation be distributed to the Maryland Information Technology Development Project Fund; altering the sources of revenue for the Fund; and generally relating to sources of revenue for the Maryland Information Technology Development Project Fund.

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 3A–309(a), (b), (e), and (i)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–309(f)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 3–216(a)
Annotated Code of Maryland
(2020 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 3–216(b)
Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 275 – Senators Hester ~~and Hayes~~, Hayes, and Ready

AN ACT concerning

Maryland Department of Health – Residential Service Agencies – Training Requirements

FOR the purpose of requiring each residential service agency, beginning on a certain date, to ensure that certain individuals receive certain training relating to dementia, subject to certain exceptions; providing that certain training may be provided by a certain supervisory staff member; ~~prohibiting providing that~~ a residential service agency ~~from requiring~~ is not required to provide certain individuals ~~to complete~~ certain training under certain circumstances; requiring ~~an individual~~ a person who provides certain training to issue a certification of completion to each individual who completes the training; requiring each residential service agency to maintain certain records; requiring certain individuals who have not received certain training to complete certain training on or before a certain date; defining a certain term; providing for the application of this Act; and generally relating to residential service agencies.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–4A–01(a) and (e)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – Health – General
 Section 19–4A–03.1
 Annotated Code of Maryland
 (2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 362 – Senator McCray

AN ACT concerning

Transportation – Highway User Revenues – ~~Revenue and~~ Distribution

FOR the purpose of altering, beginning in a certain fiscal year, the amounts of certain capital grants calculated based on highway user revenues that are required to be appropriated to Baltimore City, counties, and municipalities ~~in certain fiscal years~~; making a stylistic change; repealing certain obsolete provisions of law; making certain conforming changes; and generally relating to ~~revenue for and~~ distributions of highway user revenues.

BY repealing and reenacting, with amendments,

Article – Transportation
 Section 8–402 and 8–403
 Annotated Code of Maryland
 (2020 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 376 – Senator Kagan

AN ACT concerning

**Maryland Nonprofit Development Center Program – Nonprofit, Interest-Free,
 Micro Bridge Loan (NIMBL) Account – Funding**

FOR the purpose of ~~altering, beginning in a certain fiscal year, the percentage to be paid by the Comptroller from the Small, Minority, and Women Owned Businesses Account to~~ requiring the Governor to include in the annual budget bill a certain appropriation for a certain fiscal year for the Maryland Nonprofit Development Center Program Fund to be used for certain loans under the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account ~~within the Maryland Nonprofit Development Center Program Fund~~; and generally relating to the Maryland Nonprofit Development Center Program.

~~BY repealing and reenacting, without amendments,~~

~~Article – Economic Development
 Section 5–1204(a)(1)~~

~~Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–27(a)(6)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Appropriations.

Senate Bill 386 – Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Assisted Living Program License

FOR the purpose of establishing an assisted living program beer, wine, and liquor license in Harford County; authorizing the Board of License Commissioners for Harford County to issue the license to a manager of a certain assisted living program; limiting the number of licenses the Board may issue to a person; authorizing the license holder to provide beer and wine for on-premises consumption by a resident or guest of a resident; authorizing the license holder to store liquor, prepare mixed drinks, and serve liquor or mixed drinks under certain circumstances; specifying the hours the license holder may provide or serve alcoholic beverages; requiring the license holder to require certain individuals to have completed certain alcohol awareness training; authorizing an employee of the assisted living program who is at least a certain age to serve alcoholic beverages or assist in preparing mixed drinks; specifying the license fee; requiring the license to be applied for by and issued to the manager of an assisted living program; exempting an applicant for the license from certain pecuniary interest requirements; providing that certain distance requirements do not apply to the issuance of the license; defining a certain term; and generally relating to alcoholic beverages licenses in Harford County.

BY renumbering
Article – Alcoholic Beverages
Section 22–1001
to be Section 22–1001.1
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 22–102 and 22–1602(b), (c), and (d)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 22–1001 and 22–1405(c)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 22–1405(a) and 22–1602(a)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General
Section 19–1801
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 390 – Senator Gallion

AN ACT concerning

Harford County – Alcoholic Beverages – Gift Basket Permit

FOR the purpose of establishing, in Harford County, a gift basket permit; authorizing the Board of License Commissioners for Harford County to issue the permit to certain persons; prohibiting the Board from issuing the permit for certain uses; providing that the permit authorizes a permit holder to sell and deliver gift baskets containing beer, wine, or liquor to certain individuals under certain circumstances; requiring a permit holder to maintain certain records and submit certain reports; providing that a permit holder is subject to certain alcohol awareness training requirements; requiring a permit holder or certain employee to deliver a certain gift basket and require the person receiving a delivery of a certain gift basket to display proof of a certain age; requiring an individual who delivers a certain gift basket to be at least a certain age; limiting the total annual sales from alcoholic beverages to a certain percentage of the annual gross sales of the permit holder; requiring the alcoholic beverages contained in a gift basket to be purchased from a retail license holder; requiring the Board to adopt certain regulations; establishing a fee for the permit; providing that certain distance requirements do not apply to the issuance of the permit; and generally relating to alcoholic beverages in Harford County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 22–102
Annotated Code of Maryland

(2016 Volume and 2020 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 22–1002.1
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 22–1602
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 396 – Senator Carter

AN ACT concerning

Baltimore City – Alcoholic Beverages Licenses – Hours of Sale

FOR the purpose of establishing certain hours of sale for a holder of a Class B–D–7 beer, wine, and liquor license in a certain area of Baltimore City; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 12–102 and 12–905(a) and (d)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 12–2004(c)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 424 – Senator Salling

AN ACT concerning

Baltimore County – Alcoholic Beverages – Class D Beer, Wine, and Liquor License

FOR the purpose of repealing a prohibition on the Board of License Commissioners for Baltimore County from issuing a Class D beer, wine, and liquor license for use by a drugstore in Baltimore County; and generally relating to alcoholic beverages in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 13–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 13–904
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 426 – Senator Ferguson

AN ACT concerning

Baltimore City – 46th District – Alcoholic Beverages Licenses

FOR the purpose of authorizing the holder of certain alcoholic beverages licenses in the 46th alcoholic beverages district in Baltimore City to apply for an alteration to a certain license; authorizing the Board of License Commissioners for Baltimore City to issue a Class B beer, wine, and liquor license in a certain area if a memorandum of understanding has been executed with Brewer’s Hill Neighbors, Inc.; ~~authorizing the Board of License Commissioners for Baltimore City to issue a Class D beer and light wine license in a certain area if a memorandum of understanding has been executed with Brewer’s Hill Neighbors, Inc.~~; making conforming changes; repealing the termination of certain provisions providing certain exceptions from prohibitions against certain transactions involving a certain distillery and a certain retail dealer; and generally relating to alcoholic beverages licenses in the 46th alcoholic beverages district in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 12–102, ~~12–404~~, and 12–1406
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–1604 and 12–1605(a)

Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Chapter 676 of the Acts of the General Assembly of 2019
Section 4

BY repealing and reenacting, with amendments,
Chapter 677 of the Acts of the General Assembly of 2019
Section 4

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 444 – Senator West

AN ACT concerning

**Transforming Manufacturing in a Digital Economy Workgroup
(Making It in Maryland)**

FOR the purpose of establishing the Workgroup to Study the Transformation of Manufacturing in Maryland’s Emerging Digital Economy; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters relating to the State’s current and future workforce and emerging digital economy; requiring the Workgroup to submit an interim report and a final report to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Workgroup to Study the Transformation of Manufacturing in Maryland’s Emerging Digital Economy.

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 451 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages Act of 2021

FOR the purpose of repealing certain requirements that the Board of License Commissioners for Garrett County charge a one–time issuing fee for certain licenses; altering the types of alcoholic beverages that a license holder may purchase from a wholesaler or a retailer in Garrett County; making a conforming change; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 4–1204, 21–102, 21–904(b), and 21–1001(a)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 21–904(g), 21–1001(g), 21–1301, and 21–1312
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 485 – Senator Augustine

AN ACT concerning

Maryland Medical Assistance Program – Dental Prophylaxis Care and Oral Health Exams

FOR the purpose of prohibiting, beginning on a certain date, the Maryland Medical Assistance Program from including a certain limitation on the frequency of dental prophylaxis care and oral health exams; and generally relating to dental prophylaxis care and oral health exam services provided under the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(1)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)(2)(xv) and (xvi)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to
Article – Health – General
Section 15–103(a)(2)(xvii)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 489 – Senators Beidle and Elfreth

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Class MT License

FOR the purpose of establishing a Class MT (movie theater) beer and wine license in Anne Arundel County; authorizing the Board of License Commissioners for Anne Arundel County to issue the license to the owner of a movie theater who holds a certain certification; authorizing a license holder to sell beer and wine to certain patrons at retail at the place described in the license for on–premises consumption; specifying the hours during which the license holder may sell beer and wine; specifying where and how on the licensed premises beer and wine may be sold; specifying where on the licensed premises beer and wine may be consumed; specifying that a license holder may serve a patron only a single serving of certain alcoholic beverages at a certain time; establishing a maximum number of servings of certain alcoholic beverages that may be provided to a patron per day; prohibiting a license holder from allowing a patron to remove alcohol purchased at the movie theater from the licensed premises; stating that a license holder need not obtain a certain Sunday license; specifying that the license holder is subject to certain alcohol awareness requirements; establishing an annual license fee; providing that a holder of an alcoholic beverages license for a movie theater may renew the license only as a Class MT (movie theater) beer and wine license; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 11–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 11–1006.2
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 490 – Senators Beidle, Elfreth, and Simonaire

AN ACT concerning

Anne Arundel County – Board of License Commissioners – Chief Inspector

FOR the purpose of requiring the Board of License Commissioners for Anne Arundel County to employ a chief inspector; providing for the salary of the chief inspector;

making a conforming change; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 11–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 11–204 and 11–206(a)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 494 – Senators West, ~~Sydnor, and Carter~~ Carter, Hettleman, Jackson, Smith, Sydnor, and Waldstreicher

AN ACT concerning

**Juveniles Convicted as Adults – Sentencing – Limitations and Reduction
(Juvenile Restoration Act)**

FOR the purpose of authorizing a court, when sentencing a minor convicted as an adult, to impose a sentence less than the minimum term required by law; prohibiting a court from imposing a sentence of life without the possibility of parole or release for a minor; authorizing a certain individual to file a motion to reduce the duration of the individual's sentence; requiring the court to conduct a hearing on a motion to reduce the duration of a sentence; requiring that an individual be present at a hearing on a motion to reduce the duration of a sentence unless the individual waives the right to be present; specifying that the requirement that an individual be present at a certain hearing is satisfied if the hearing is conducted by video conference; requiring a State's Attorney to provide certain notice to a victim and a victim's representative of a hearing; providing that a victim and a victim's representative have a certain right to attend a hearing; authorizing a court to reduce the duration of a sentence for a certain individual under certain circumstances; requiring a court to consider certain factors when determining whether to reduce the duration of a sentence for a certain individual; requiring a court to issue a decision to grant or deny a motion to reduce the duration of a sentence in writing; requiring a certain decision to address certain factors; providing that a subsequent motion to reduce the duration of a sentence may be filed only after a certain period of time; authorizing a court to impose certain preconditions to granting a motion to reduce the duration of a sentence for a certain individual; limiting the number of times that an individual may file a motion to reduce the duration of a sentence; and generally relating to the sentencing of minors.

BY adding to

Article – Criminal Procedure
Section 6–235 and 8–110
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 508 – Senator Peters

AN ACT concerning

Public Utilities – Net Energy Metering

FOR the purpose of ~~increasing the maximum generation capacity of an electric generating system that may be used by an eligible customer generator for net metering;~~ prohibiting the Public Service Commission from prohibiting the construction or operation of multiple net metered solar generating facilities located on certain contiguous lots solely because the capacity of the combined net metering systems exceeds a certain limit under certain circumstances; and generally relating to the net metering of electric generating systems.

BY repealing and reenacting, without amendments,

Article – Public Utilities
Section 7–306(a)(1), (4), (7), and (8) and (b) through (f)
Annotated Code of Maryland
(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities
Section 7–306(g)
Annotated Code of Maryland
(2020 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 516 – Senator Klausmeier

AN ACT concerning

State Board of Environmental Health Specialists – Fees – General Fund

FOR the purpose of repealing provisions of law creating the State Board of Environmental Health Specialists Fund; requiring the State Board of Environmental Health Specialists to pay certain money into the General Fund of the State; and generally relating to the State Board of Environmental Health Specialists.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 21–101(a) and (b)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 21–206
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 517 – Senator Klausmeier

AN ACT concerning

**State Board of Physical Therapy Examiners – Temporary Licenses to Practice
Physical Therapy and Limited Physical Therapy**

FOR the purpose of authorizing the State Board of Physical Therapy Examiners to issue a temporary license to practice physical therapy and limited physical therapy to certain applicants who meet certain requirements; providing that a temporary license authorizes certain individuals to practice limited physical therapy or physical therapy under direct supervision and is valid until a certain event occurs; altering the grounds on which the Board may take certain disciplinary action; defining certain terms; altering a certain definition; making a stylistic change; and generally relating to the State Board of Physical Therapy Examiners and temporary licenses to practice physical therapy and limited physical therapy.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 13–101(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY adding to
Article – Health Occupations
Section 13–101(b–1) and (k), 13–313, and 13–316(27)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 13–101(c), 13–315(a), and 13–316(4), (25), and (26)
Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 537 – Senator Hershey

AN ACT concerning

Pharmacists – Required Notification and Authorized Substitution – Lower-Cost Drug or Device Product

FOR the purpose of requiring a pharmacist, or the pharmacist's designee who is under certain supervision, to inform a certain consumer of the availability of certain therapeutically equivalent drugs and the cost difference between the therapeutically equivalent drug and a certain prescribed drug; altering the cost difference of which a pharmacist, or the pharmacist's designee, is required to inform a retail consumer under certain circumstances; applying a certain provision of law governing the provision of certain information to a retail consumer regarding the availability of certain drugs and products and certain cost differences to a prescription that is written for a generic drug or an interchangeable biological product; authorizing a pharmacist to substitute certain drugs and device products for any originally prescribed drug or device product, rather than only for originally prescribed brand name drug or device products; authorizing a pharmacist to substitute a therapeutically equivalent brand name drug or device product for a certain prescribed drug or device product under certain circumstances; requiring a pharmacist to provide certain notice or maintain a certain record of certain notice to a patient and make and keep a certain record if a certain therapeutically equivalent brand name drug or device is substituted for a certain drug or device product; altering a certain provision of law to allow a pharmacist to maintain a record that a patient has been notified in a certain manner of a certain substitution; requiring that a certain determination be based on a consumer's prescription benefit and formulary under certain circumstances; making stylistic and conforming changes; and generally relating to pharmacists and drugs and device products.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–504
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 547 – Senator McCray

AN ACT concerning

Baltimore City – 45th District – Alcoholic Beverages – Class B–D–7 License

FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to issue a Class B–D–7 license in a certain area of the 45th alcoholic beverages district if the applicant meets certain requirements; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,
 Article – Alcoholic Beverages
 Section 12–102 and 12–1603(a) and (b)
 Annotated Code of Maryland
 (2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – Alcoholic Beverages
 Section 12–1603(c)
 Annotated Code of Maryland
 (2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 556 – Senator Young

AN ACT concerning

Collective Bargaining – ~~Teachers at the~~ Maryland School for the Deaf – Application and Separate Bargaining Unit

FOR the purpose of applying certain provisions of law that relate to collective bargaining for State employees to certain employees of the Maryland School for the Deaf; establishing a separate bargaining unit for certain ~~teachers~~ faculty at the Maryland School for the Deaf; altering a certain definition; defining a certain term; making conforming changes; and generally relating to collective bargaining for employees of the Maryland School for the Deaf.

BY repealing and reenacting, with amendments,
 Article – State Personnel and Pensions
 Section 3–101, ~~3–102, 3–205(a)~~, and 3–403(f)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
 Article – State Personnel and Pensions
 Section 3–403(a) through (c)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 565 – Senators Griffith, Elfreth, Augustine, Lam, and Ellis

AN ACT concerning

Public Health – Data – Race and Ethnicity Information

FOR the purpose of altering a certain provision of law requiring the Maryland Office of Minority Health and Health Disparities to collaborate with the Maryland Health Care Commission to publish and provide a certain report card to require the Office to also collaborate with certain health occupations boards; requiring the report card to include the racial and ethnic composition of all individuals who hold a certain license or certificate, rather than only physicians; requiring the Office to respond to certain requests within a certain period of time to the extent authorized under certain laws; requiring the Director of the Office to meet with certain representatives at least annually to examine the collection of certain data and identify certain changes; requiring certain health occupations boards to include a certain option on a certain form and to encourage an applicant to provide certain information; requiring the Office, in coordination with the Maryland Health Care Commission and the Maryland Department of Health, to establish, submit to the General Assembly, and implement a certain plan on or before a certain date; and generally relating to public health data and race and ethnicity information.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–1004 and 20–1005
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to
Article – Health Occupations
Section 1–225
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 571 – The President (By Request – Administration)

EMERGENCY BILL

AN ACT concerning

Interstate Licensed Professional Counselors Compact

FOR the purpose of entering the Interstate Licensed Professional Counselors Compact; stating the purpose of the Compact; requiring that a state meet certain requirements to participate in the Compact; establishing duties of member states; authorizing a certain state to charge a certain fee for granting a certain privilege; requiring certain professional counselors to meet certain eligibility requirements to receive certain licensure and exercise a certain privilege; establishing certain authorizations and requirements regarding the practice of professional counselors under a certain Compact privilege; requiring a licensee who is active duty military or a certain spouse to designate a certain location as a home state under certain circumstances; providing for the authority of certain licensees to practice telehealth as a Compact privilege; establishing certain authority of home states and remote states with regard to certain adverse actions for licensees; establishing the Counseling Compact Commission and its duties; providing for the election of the Executive Board of the Commission and establishing its duties; providing for the financing of the Commission; requiring the Commission to provide for the development, maintenance, and utilization of a coordinated data system and reporting system; requiring member states to submit certain information to the data system; authorizing the Commission to promulgate certain rules and amendments in a certain manner; providing for certain oversight, dispute resolution, and enforcement of the Compact; establishing certain requirements for the withdrawal by member states from the Compact; providing for the dissolution of the Compact under certain circumstances; providing for the application of the Compact; providing for the binding effect of the Compact; establishing procedures for amending the Compact; making the provisions of the Compact severable; making this Act subject to a certain contingency; defining certain terms; making this Act an emergency measure; and generally relating to the Interstate Licensed Professional Counselors Compact.

BY adding to

Article – Health Occupations

Section 17–6B–01 to be under the new subtitle “Subtitle 6B. Interstate Licensed Professional Counselors Compact”

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 616 – Senator McCray

AN ACT concerning

Baltimore City – Soil Conservation District – Authority to Establish

FOR the purpose of authorizing a Baltimore City Soil Conservation District to be established and continued with certain boundaries; and generally relating to the authority to establish a Baltimore City Soil Conservation District.

BY repealing and reenacting, with amendments,

Article – Agriculture
Section 8–301
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 646 – Senators Carozza and Kagan

AN ACT concerning

Alcohol and Drug Counseling – Alcohol and Drug Trainees – Practice Through Telehealth

FOR the purpose of authorizing certain individuals to practice clinical alcohol and drug counseling without a license and alcohol and drug counseling without a certification through telehealth under certain circumstances; and generally relating to alcohol and drug counseling and telehealth.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 1–1001(a) and (e)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–406
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 679 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Allegany County – Alcoholic Beverages Licenses – Annual Fees

FOR the purpose of authorizing the Board of License Commissioners for Allegany County, for a certain licensing period, to reimburse holders of certain alcoholic beverages licenses the entire amount of the annual license fee and to reimburse holders of certain other alcoholic beverages licenses a certain amount of the annual license fee; requiring the Board, for a certain licensing period, to waive the entire amount of the annual fee for certain alcoholic beverages licenses and to impose a reduced amount

of the annual fee for certain other alcoholic beverages licenses; making this Act an emergency measure; providing for the termination of this Act; and generally relating to alcoholic beverages licenses in Allegany County.

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 693 – Senator Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Stadium License

FOR the purpose of altering the authorization of the holder of a stadium license in Frederick County to sell beer and wine in styrofoam containers on the licensed premises; and generally relating to stadium licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 20–1013
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 694 – Senator Young

AN ACT concerning

**Frederick County – Barbershop and Beauty Salon Beer and Wine Licenses –
Alterations**

FOR the purpose of altering a certain limitation on the amount of beer that a holder of a barbershop or beauty salon beer and wine license in Frederick County may provide to a certain customer for on–premises consumption; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 20–1001.3 and 20–1002
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 715 – Senators Carozza and Eckardt

AN ACT concerning

Wicomico County – Alcoholic Beverages – ~~Repeal of Food Sales Requirement for Class B (Golf Course)~~ License Alterations

FOR the purpose of repealing a requirement that a certain golf course have average daily receipts from the sale of food that exceed the average daily receipts from the sale of alcoholic beverages to be issued a certain Class B beer, wine, and liquor license by the Board of License Commissioners for Wicomico County; authorizing the holder of a Class A beer, wine, and liquor license to sell alcoholic beverages on Sundays; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 32–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 32–1003 and 32–2004(a)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 731 – Senator Edwards

AN ACT concerning

Allegany and Garrett Counties – Alcoholic Beverages – Gift Basket Permits

FOR the purpose of establishing, in Allegany and Garrett counties, gift basket permits; authorizing the Board of License Commissioners for Allegany County to issue a gift basket permit to certain persons; authorizing the Board of License Commissioners for Garrett County to issue a gift basket permit to certain persons; prohibiting each

of the Boards from issuing the permit for certain uses; providing that the permit authorizes a permit holder to sell and deliver gift baskets containing beer, wine, or liquor to certain individuals under certain circumstances; requiring a permit holder to maintain certain records and submit certain reports; requiring a permit holder or certain employee to deliver a certain gift basket and require the person receiving a delivery of a certain gift basket to display proof of a certain age; requiring an individual who delivers a certain gift basket to be at least a certain age; limiting the total annual sales from alcoholic beverages to a certain percentage of the annual gross sales of the permit holder; requiring the alcoholic beverages contained in a gift basket to be purchased from a retail license holder; requiring each of the Boards to adopt certain regulations; establishing fees in each county for the permit; and generally relating to alcoholic beverages in Allegany and Garrett counties.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 9–102 and 21–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 9–1001.2 and 21–1001.2
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 739 – Senator Rosapepe

AN ACT concerning

Prince George’s County – Alcoholic Beverages – BLX License

FOR the purpose of providing that the requirement to obtain a certain entertainment permit does not apply to the holder of a certain license under certain circumstances; authorizing a certain license holder to offer entertainment when persons under the age of 21 years are on the licensed premises under certain circumstances; requiring a certain agreement and a certain lease to contain certain provisions; requiring the license holder to meet with certain persons at certain times for certain purposes; requiring the license holder to indemnify a certain entity for any recommendations the license holder makes to the Board of License Commissioners for Prince George’s County; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 26–102

Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 26–1103(a) and 26–1616
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 755 – Senator Hayes

AN ACT concerning

Baltimore City – 40th District Alcoholic Beverages

FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to issue a certain license in a certain area of the 40th alcoholic beverages district in Baltimore City under certain circumstances; prohibiting certain license holders in certain areas of the 40th alcoholic beverages district in Baltimore City from selling alcoholic beverages at certain times of day, with certain exceptions; making technical correction; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 12–102 and 12–2004(b) and (c)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–1603 and 12–2005
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 780 – Senator Pinsky

AN ACT concerning

**States of Emergency – Emergency Procurement and Budget Amendments –
Notice and Authorization**

FOR the purpose of requiring the Governor or the head of a certain unit to provide certain notice to the Legislative Policy Committee within a certain time frame when

authorizing a certain emergency procurement during a state of emergency under certain circumstances; ~~requiring the Office of Legislative Audits to perform a certain audit within a certain time frame under certain circumstances;~~ requiring the Governor or the head of a certain unit to provide a copy of a certain procurement contract to the Legislative Policy Committee under certain circumstances; authorizing the Legislative Policy Committee to request that the Office of Legislative Audits perform a certain audit under certain circumstances; requiring the Governor to provide certain notice to certain persons within a certain time frame after suspending the effect of a certain statute or rule or regulation under certain circumstances; authorizing a certain appropriation to be increased by budget amendment if the Board of Public Works makes a certain declaration; prohibiting the Governor from suspending the effects of certain provisions under certain circumstances; and generally relating to emergency procurements and the Governor's authority to suspend the effect of a statute, rule, or regulation during a state of emergency.

BY adding to

Article – Public Safety

Section 14–117

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Finance and Procurement

Section 7–214

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Health and Government Operations.

Senate Bill 789 – Senator McCray (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Visit Baltimore – Appropriation Calculation

FOR the purpose of altering the method by which a certain annual appropriation in the Baltimore City budget to Visit Baltimore is calculated for certain fiscal years; altering the termination date of the Visit Baltimore appropriation; and generally relating to hotel room taxes and convention center marketing and tourism promotion in Baltimore City.

BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (40)(e)

(2007 Replacement Volume, as amended)

(As enacted by Chapter 151 of the Acts of the General Assembly of 2007, as amended by Chapter 197 of the Acts of the General Assembly of 2012 and Chapter 597 of the Acts of the General Assembly of 2017)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 792 – Senator Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Alcohol by Volume – Wine

FOR the purpose of altering the percentage of alcohol by volume that establishments holding certain alcoholic beverages licenses may serve in Frederick County; and generally relating to alcoholic beverages in Frederick County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 20–102, 20–801, and 20–904(a)

Annotated Code of Maryland

(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 20–701 and 20–904(d)

Annotated Code of Maryland

(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 793 – Senator Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Consumption Permits

FOR the purpose of establishing a beer and wine consumption permit and a beer, wine, and liquor consumption permit in Frederick County; authorizing the Board of License Commissioners for Frederick County to issue the permits to certain holders of Class A alcoholic beverages licenses; authorizing the holders to allow certain on–premises consumption of alcohol; requiring an applicant for certain permits to submit a certain application to the Board; authorizing the Board to issue certain permits under certain circumstances; providing for the renewal of certain permits; providing for the amount of a certain alcoholic beverage an individual may consume under certain circumstances; establishing the scope of the permits; prohibiting a permit holder from allowing an individual to carry an open container from the licensed premises;

prohibiting a permit holder from serving a certain alcoholic beverage from a drive-through window; establishing fees for the permits; and generally relating to alcoholic beverages in Frederick County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 20–102 and 20–207
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 20–1102.1 and 20–1102.2
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 833 – Charles County Senators

AN ACT concerning

Charles County – Alcoholic Beverages – Class 4 Limited Winery License

FOR the purpose of exempting a holder of a Class 4 limited winery license from certain restrictions on interactions with retailers in Charles County; authorizing a holder of a Class 4 limited winery license to have a financial interest in a certain other license; and generally relating to alcoholic beverages in Charles County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 2–216(a)(1) and (3), (b), and (e) and 18–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 18–401
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 18–403
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 854 – Senator Hershey

AN ACT concerning

Queen Anne’s County – Alcoholic Beverages – Unannounced Visits by Inspectors

FOR the purpose of decreasing the frequency with which an alcoholic beverages inspector is required to make an unannounced visit to every licensed premises in Queen Anne’s County; and generally relating to alcoholic beverages in Queen Anne’s County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 27–102 and 27–205(a) and (b)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 27–205(c)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 855 – Senator Hershey

AN ACT concerning

Queen Anne’s County – Alcoholic Beverages – Repeal of Place of Worship Prohibition

FOR the purpose of repealing a prohibition on the Board of License Commissioners for Queen Anne’s County from issuing a license to an establishment located within a certain distance of a place of worship; and generally relating to alcoholic beverages licenses in Queen Anne’s County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 27–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 27–1601

Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 883 – Senator Guzzone

AN ACT concerning

Tobacco Tax – Out-of-State Sales of Premium Cigars and Pipe Tobacco

FOR the purpose of requiring a person located outside the State to have an appropriate license whenever the person sells premium cigars or pipe tobacco to a consumer in the State; authorizing the Executive Director of the Alcohol and Tobacco Commission to delegate certain duties; authorizing the holder of a remote tobacco seller license to sell premium cigars and pipe tobacco to consumers in the State; establishing the requirements for an applicant for a remote tobacco seller license; providing for license application procedures and fees; prohibiting a person from applying for a license within a certain period of time after the person's license was revoked; requiring the Executive Director to issue remote tobacco seller licenses under certain circumstances; providing for the renewal of a license; prohibiting the assignment of a remote tobacco seller license; authorizing the Executive Director to deny an application for a license for certain reasons; requiring the Executive Director to give certain notice of certain final actions; providing for a certain hearing process regarding a final decision; authorizing the Executive Director to revoke a license for certain reasons; requiring the Executive Director to give certain notice of a revocation; authorizing a licensee to make a certain offer of compromise in lieu of revocation of a license; authorizing the Executive Director to accept certain offers of compromise; providing for judicial review of a final decision of the Executive Director; prohibiting a person from acting, or attempting to act, as a licensed remote tobacco seller without a license; requiring the Executive Director to remit certain license fees to the General Fund of the State; stating the intent of the General Assembly; requiring the Executive Director to adopt certain regulations; providing for certain penalties; specifying that certain premium cigars and pipe tobacco are contraband; altering the price used to calculate the tobacco tax for certain premium cigars and pipe tobacco sold by an out-of-state seller; requiring an out-of-state seller to pay the tobacco tax in a certain manner; requiring an out-of-state seller to file certain tax returns and provide certain information; requiring an out-of-state seller to maintain certain records; requiring the Comptroller to adopt certain regulations; authorizing the Comptroller to require a certain bond from an out-of-state seller; authorizing the Comptroller to waive the requirement for the bond under certain circumstances; defining certain terms; altering a certain definition; providing for a delayed effective date; and generally relating to out-of-state sales of premium cigars and pipe tobacco.

BY adding to
Article – Business Regulation

Section 16.9–101 through 16.9–214 to be under the new title “Title 16.9.
Out-of-State Sales of Premium Cigars and Pipe Tobacco”
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 12–101(f), 12–103, ~~12–105(b)~~, 12–201, 12–302(e), and 13–825(h)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 12–101(g) and (h)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 12–105(b)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)
(As enacted by Chapter 37 of the Acts of the General Assembly of 2021)

BY adding to
Article – Tax – General
Section 12–105(c) and 12–204
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee
on Economic Matters.

Senate Bill 927 – Senator Pinsky

AN ACT concerning

Institutions of Higher Education – Prohibition Against Incentive Payments – Foreign Student Exemption

FOR the purpose of altering the application of certain provisions of law prohibiting an institution of higher education from paying certain financial or other incentives based on certain success to exempt the recruitment of certain foreign students; and generally relating to the prohibition against incentive payments paid by institutions of higher education.

BY repealing and reenacting, with amendments,

Article – Education
Section 11–402.1
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 944 – Senator Simonaire

EMERGENCY BILL

AN ACT concerning

Anne Arundel County – Alcoholic Beverages Licenses – Annual Fees

FOR the purpose of requiring the Board of License Commissioners for Anne Arundel County, for a certain licensing period, to reimburse the entire amount of the annual fee for certain alcoholic beverages licenses under certain circumstances; requiring the Board, for a certain licensing period, to reimburse a certain percentage of the annual license fee for certain alcoholic beverages licenses under certain circumstances and reimburse a certain amount of the annual license fees the next fiscal year under certain circumstances; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Anne Arundel County.

Read the first time and referred to the Committee on Economic Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 607)

CALENDAR OF THIRD READING HOUSE BILLS NO. 69

House Bill 588 – The Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2022)

Read the third time and passed by yeas and nays as follows:

Affirmative – 126 Negative – 10 (See Roll Call No. 608)

The Bill was then sent to the Senate.

House Bill 589 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2021

Read the third time and passed by yeas and nays as follows:

Affirmative – 118 Negative – 19 (See Roll Call No. 609)

The Bill was then sent to the Senate.

ECONOMIC MATTERS COMMITTEE REPORT NO. 23

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 561 – Delegate D.E. Davis

AN ACT concerning

**Renewable Energy Portfolio Standard – Wastewater, Thermal, and Other
Renewable Sources**

HB0561/663790/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 561

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “, **Thermal**” in line 2 down through “**Sources**” in line 3 and substitute “**Heating or Cooling System**”; strike beginning with “altering” in line 5 down through “sources;” in line 6; and in line 13, strike “, thermal energy,”.

AMENDMENT NO. 2

On page 3, strike beginning with “USED” in line 3 down through the second “ENERGY” in line 4; and in line 29, after “(ii)” insert “**ENERGY FROM A TIER 1 RENEWABLE SOURCE UNDER § 7-701(S)(13) OF THIS SUBTITLE IS ELIGIBLE FOR**”

INCLUSION IN MEETING THE RENEWABLE ENERGY PORTFOLIO STANDARD ONLY IF THE SOURCE:

1. IS CONNECTED WITH THE ELECTRIC DISTRIBUTION GRID SERVING MARYLAND; OR

2. PROCESSES WASTEWATER FROM MARYLAND RESIDENTS.

(III)".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 27

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 579 – Delegate Hornberger

AN ACT concerning

Snare Traps – Prohibition Against Sale or Possession – Alterations

HB0579/510214/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 579

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Snare**” insert “**Cecil County**–”; in the same line, strike beginning with “**Prohibition**” through “**Alterations**” and substitute “**Repeal of Prohibitions**”; and strike beginning with “repealing” in line 3 down through “counties;” in line 4.

AMENDMENT NO. 2

On page 2, in line 6, strike the brackets.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 807 – Delegate Love

AN ACT concerning

Task Force to Review and Update the Maryland Recycling Act

HB0807/990713/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 807

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**to Review and Update the Maryland Recycling Act**” and substitute “**on Recycling Policy and Recycling and Waste Systems in Maryland**”; strike beginning with “to” in line 3 down through “Act” in line 4 and substitute “on Recycling Policy and Recycling and Waste Systems in Maryland”; strike beginning with the second “to” in line 10 down through “Act” in line 11 and substitute “on Recycling Policy and Recycling and Waste Systems in Maryland”; and in line 14, strike “to Review and Update the Maryland Recycling Act” and substitute “on Recycling Policy and Recycling and Waste Systems in Maryland”.

AMENDMENT NO. 2

On page 2, strike beginning with “two” in line 1 down through “diverse” in line 2 and substitute “one representative of each of the four largest counties, including Baltimore City”; in line 3, strike “two” and substitute “four”; in line 14, strike “and”; in line 16, after “Association” insert “;

- (xii) one representative of Trash Free Maryland;
- (xiii) one representative of Environment Maryland; and
- (xiv) one representative of the Maryland Chapter of the Sierra Club”;

in line 24, strike “and”; in line 25, after “(2)” insert “study the recycling and waste systems in Maryland; and

(3)”;

in the same line, after “on” insert “:

(i)”;

in the same line, after “Act” insert “; and

(ii) the feasibility of implementing regional recycling and waste disposal facilities, including:

1. the locations of possible facility sites, including the potential for reuse of abandoned facilities within the State;

2. cost-sharing opportunities;

3. developing service networks; and

4. advancing principles of zero waste”;

and in line 26, strike “December 1, 2021” and substitute “June 30, 2022”.

On page 3, in line 2, after “year” insert “and 6 months”; and in the same line, strike “June 30, 2022” and substitute “December 31, 2022”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 933 – Delegate Bartlett

AN ACT concerning

Anne Arundel County – Transfer Tax – Housing Trust Special Revenue Fund

Delegate Holmes moved the Bill be recommitted.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 980 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Public Ethics – Definition of Application

PG 416–21

HB0980/540810/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 980

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “purpose;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 3, in line 5, after “2021.” insert “It shall remain effective for a period of 1 year and 6 months and, at the end of December 31, 2022, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 69

House Bill 317 – Delegate Gilchrist

AN ACT concerning

Maryland Green Purchasing Committee – Food and Beverage Procurement – Greenhouse Gas Emissions

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Hornberger moved to make the Bill a Special Order for next session.

The motion was rejected by a roll call vote as follows:

Affirmative – 40 Negative – 85 (See Roll Call No. 610)

Read the second time and ordered prepared for Third Reading.

APPROPRIATIONS COMMITTEE REPORT NO. 10

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 436 – Delegate Smith

AN ACT concerning

Enoch Pratt Free Library – Operating Hours and Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 456 – Delegate Jacobs

AN ACT concerning

Correctional Officers' Retirement System – Kent County

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 514 – Delegate B. Barnes

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 937 – Delegate McIntosh

AN ACT concerning

State Lottery Fund – Maryland Humanities Council – Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 1268 – Delegate Henson

AN ACT concerning

Legal Education Success Collaborative – Established

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 45 – Delegate Forbes

AN ACT concerning

Education – Baltimore County Public Library – Collective Bargaining

HB0045/854462/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 45

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “bargaining;” insert “providing that a certain employee may be deemed supervisory under certain circumstances for certain purposes; establishing that the exercise of a certain function may not necessarily require a certain conclusion; prohibiting a class title alone from being the basis for a certain determination;”; and in line 10, after “manner;” insert “authorizing a certain employee organization to file a certain petition; establishing certain requirements for a certain petition; establishing the petition process; establishing a certain election process; prohibiting a certain election from being conducted within a certain period of time; establishing a certain decertification procedure;”.

On page 2, in line 4, after “bargaining;” insert “authorizing a certain employee to discuss certain matters with the employer; providing that a certain provision of this Act does not waive a certain right of the employee organization; establishing certain rights of the employer; prohibiting employees or an employee organization from striking; authorizing a certain court to enjoin a strike on request of the employer; prohibiting an employee from receiving compensation from the employer while the employee is engaged in a strike;”; and in line 11, strike “23–709” and substitute “23–712”.

AMENDMENT NO. 2

On page 2, after line 26, insert:

“(D) “CONFIDENTIAL EMPLOYEE” MEANS AN EMPLOYEE WHO HAS ACCESS TO CONFIDENTIAL INFORMATION, INCLUDING BUDGETARY AND FISCAL DATA, SUBJECT TO USE BY THE EMPLOYER IN COLLECTIVE BARGAINING OR IN THE ADJUSTMENT OF GRIEVANCES.”;

and in lines 27, 28, 29, and 31, strike “(D)”, “(E)”, “(F)”, and “(G)”, respectively, and substitute “(E)”, “(F)”, “(G)”, and “(H)”, respectively.

AMENDMENT NO. 3

On page 3, strike beginning with “AN” in line 1 down through “GRIEVANCES” in line 13 and substitute “A CONFIDENTIAL EMPLOYEE, MANAGEMENT EMPLOYEE, OR SUPERVISORY EMPLOYEE”; in lines 14 and 17, strike “(H)” and “(I)”, respectively, and substitute “(I)” and “(J)”, respectively; after line 17, insert:

“(K) “MANAGEMENT EMPLOYEE” MEANS AN EMPLOYEE WHO GENERALLY HAS AUTHORITY AND WHO:

(1) FORMULATES POLICY THAT IS APPLICABLE THROUGHOUT A REPRESENTATION UNIT;

(2) HAS A SIGNIFICANT ROLE IN PERSONNEL ADMINISTRATION, EMPLOYEE RELATIONS, OR THE PREPARATION AND ADMINISTRATION OF BUDGETS FOR THE EMPLOYER; OR

(3) MAY REASONABLY BE REQUIRED TO:

(I) ASSIST DIRECTLY IN THE PREPARATION FOR AND CONDUCT OF COLLECTIVE BARGAINING NEGOTIATIONS ON BEHALF OF THE EMPLOYER; OR

(II) HAVE A MAJOR ROLE IN THE ADMINISTRATION OF RESULTING COLLECTIVE BARGAINING AGREEMENTS.

(L) “SUPERVISORY EMPLOYEE” MEANS AN EMPLOYEE WHO IS AUTHORIZED TO:

(1) HIRE, TRANSFER, SUSPEND, LAY OFF, RECALL, PROMOTE, DISCHARGE, ASSIGN, REWARD, OR DISCIPLINE EMPLOYEES;

(2) RESPONSIBLY DIRECT EMPLOYEES FOR MORE THAN 50% OF THE EMPLOYEE’S WORKING HOURS; OR

(3) ADDRESS AND RESOLVE THE GRIEVANCES OF EMPLOYEES.

23-702.

(A) AN EMPLOYEE WHO MAY EFFECTIVELY RECOMMEND AN ACTION LISTED IN § 23-701(L) OF THIS SUBTITLE MAY BE DEEMED A SUPERVISORY EMPLOYEE IF THE EMPLOYEE’S EXERCISE OF THE AUTHORITY REQUIRES THE EXERCISE OF INDEPENDENT JUDGMENT AND IS NOT MERELY OF A ROUTINE OR CLERICAL NATURE.

(B) THE EXERCISE OF ANY SINGLE FUNCTION LISTED IN § 23-701(L) OF THIS SUBTITLE MAY NOT NECESSARILY REQUIRE THE CONCLUSION THAT THE INDIVIDUAL EXERCISING THAT FUNCTION IS IN FACT A SUPERVISORY EMPLOYEE WITHIN THE MEANING OF THE DEFINITION.

(C) IN DIFFERENTIATING A SUPERVISORY EMPLOYEE FROM A NONSUPERVISORY EMPLOYEE, A CLASS TITLE ALONE MAY NOT BE THE BASIS FOR DETERMINATION.”;

in line 18, strike “**23-702.**” and substitute “**23-703.**”; and in line 27, strike “**23-703.**” and substitute “**23-704.**”.

AMENDMENT NO. 4

On page 4, in line 10, strike “**23-704.**” and substitute “**23-705.**”; in line 19, strike “**23-705.**”; after line 19, insert:

“23-706.

(A) (1) AN EMPLOYEE ORGANIZATION SEEKING CERTIFICATION AS THE EXCLUSIVE REPRESENTATIVE FOR THE BARGAINING UNIT OF EMPLOYEES MAY FILE A PETITION WITH THE DIRECTOR INDICATING THIS INTENT.

(2) THE PETITION MAY BE FILED DURING ANY TIME OF THE YEAR.

(3) THE PETITION SHALL CONTAIN:

(I) A REQUEST THAT THE BOARD RECOGNIZE THE EMPLOYEE ORGANIZATION AS THE EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES IN THE BARGAINING UNIT;

(II) A STATEMENT THAT THE EMPLOYEE ORGANIZATION IS ONE IN WHICH EMPLOYEES PARTICIPATE AND THAT HAS ONE OF ITS PURPOSES THE REPRESENTATION OF PUBLIC EMPLOYEES IN MATTERS OF WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT;

(III) A STATEMENT THAT THE EMPLOYEE ORGANIZATION HAS NO TERMS OR CONDITIONS OF MEMBERSHIP THAT DISCRIMINATE WITH REGARD TO RACE, COLOR, CREED, GENDER, AGE, POLITICAL AFFILIATION, NATIONAL ORIGIN, RELIGION, MARITAL STATUS, OR DISABILITY; AND

(IV) A STATEMENT THAT THE EMPLOYEE ORGANIZATION HAS IN ITS POSSESSION WRITTEN PROOF DATED NOT MORE THAN 1 YEAR BEFORE THE DAY ON WHICH THE PETITION IS FILED ESTABLISHING THAT AT LEAST 30% OF THE EMPLOYEES IN THE BARGAINING UNIT HAVE DESIGNATED THE EMPLOYEE ORGANIZATION TO REPRESENT THEM IN THEIR EMPLOYMENT RELATIONS WITH THE BOARD OF TRUSTEES.

(4) BEFORE A PETITION MAY BE PROCESSED, THE PROOF OF INTEREST SUBMITTED SHALL BE VERIFIED AS PROVIDED IN THIS SECTION.

(5) THE EMPLOYEE ORGANIZATION AND THE LIBRARY SYSTEM SHALL EQUALLY BEAR ANY COSTS ASSOCIATED WITH THE VERIFICATION.

(B) (1) WHEN AN EMPLOYEE ORGANIZATION OR EMPLOYEES IN A BARGAINING UNIT FILE A PETITION WITH THE DIRECTOR, THE EMPLOYEE ORGANIZATION OR EMPLOYEES SHALL SUBMIT TO A NEUTRAL DECISION MAKER FROM THE FEDERAL MEDIATION AND CONCILIATION SERVICE THE AUTHORIZATION CARDS SIGNED AND DATED BY AT LEAST 30% OF THE EMPLOYEES IN THE BARGAINING UNIT NOT MORE THAN 1 YEAR BEFORE THE DAY THE PETITION WAS FILED INDICATING, AS APPROPRIATE, THAT THE EMPLOYEES HAVE DESIGNATED THE EMPLOYEE ORGANIZATION TO REPRESENT THEM IN THEIR EMPLOYMENT RELATIONS WITH THE LIBRARY SYSTEM ADMINISTRATION.

(2) THE EMPLOYEE ORGANIZATION SHALL COPY THE DIRECTOR ON THE REQUEST FOR A NEUTRAL DECISION MAKER IN ORDER FOR THE LIBRARY SYSTEM TO RECEIVE NOTICE OF THE SELECTION OF THE NEUTRAL DECISION MAKER FOR THE CERTIFICATION PROCESS.

(C) (1) NOT MORE THAN 7 CALENDAR DAYS AFTER THE DAY ON WHICH THE DIRECTOR RECEIVES NOTICE OF THE ASSIGNMENT OF A NEUTRAL DECISION MAKER BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE, THE DIRECTOR SHALL SUBMIT TO THE NEUTRAL DECISION MAKER A LIST OF EMPLOYEES IN THE BARGAINING UNIT.

(2) IF THE DIRECTOR FAILS TO SUBMIT THE LIST OF EMPLOYEES TO THE NEUTRAL DECISION MAKER WITHIN THE REQUIRED TIME, IT SHALL BE CONCLUSIVELY DEEMED THAT AT LEAST 30% OF THE EMPLOYEES IN THE BARGAINING UNIT HAVE INDICATED A DESIRE TO BE REPRESENTED BY THE EMPLOYEE ORGANIZATION.

(D) (1) THE NEUTRAL DECISION MAKER SHALL CHECK THE WRITTEN AUTHORIZATION CARDS SUBMITTED BY THE EMPLOYEE ORGANIZATION OR THE EMPLOYEES AGAINST THE LIST OF EMPLOYEES SUBMITTED BY THE DIRECTOR.

(2) IF THE NEUTRAL DECISION MAKER DETERMINES THAT AT LEAST 30% OF THE EMPLOYEES ON THE LIST HAVE INDICATED A DESIRE TO BE REPRESENTED BY THE EMPLOYEE ORGANIZATION OR TO DECERTIFY AN EXCLUSIVE REPRESENTATIVE, THE NEUTRAL DECISION MAKER SHALL NOTIFY THE DIRECTOR OF THE DETERMINATION.

(E) (1) IF THE DIRECTOR DISAGREES WITH THE PETITIONING EMPLOYEE ORGANIZATION OR THE PETITIONING EMPLOYEES AS TO THE INCLUSION OR EXCLUSION OF SPECIFIC EMPLOYEES IN THE BARGAINING UNIT, THE PARTIES SHALL REFER THE ISSUE IMMEDIATELY TO A NEUTRAL DECISION MAKER FROM THE FEDERAL MEDIATION AND CONCILIATION SERVICE TO RESOLVE THE ISSUE.

(2) THE NEUTRAL DECISION MAKER SHALL HOLD A HEARING ON THE ISSUE REFERRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITH THE

INTERESTED PARTIES PRESENTING EVIDENCE WITH RESPECT TO THEIR POSITIONS ON THE ISSUE OF THE INCLUSION OR EXCLUSION OF THE EMPLOYEES IN QUESTION.

(3) THE NEUTRAL DECISION MAKER'S FINDINGS SHALL BE FINAL AND BINDING ON BOTH PARTIES.

(F) AN ELECTION MAY NOT BE CONDUCTED IN A BARGAINING UNIT UNLESS AT LEAST 1 YEAR HAS PASSED SINCE THE LAST ELECTION HELD IN THE BARGAINING UNIT.

(G) (1) AFTER A DECISION ON DISPUTED EMPLOYEE INCLUSION OR EXCLUSION, IF REQUIRED, THE DIRECTOR SHALL NOTIFY ALL EMPLOYEES WITHIN THE BARGAINING UNIT THAT AN ELECTION WILL BE HELD AND REQUEST A NEUTRAL DECISION MAKER FROM THE FEDERAL MEDIATION AND CONCILIATION SERVICE TO OVERSEE AND CONDUCT AN ELECTION BY SECRET BALLOT.

(2) THE BALLOT FOR AN ELECTION SHALL INCLUDE THE FOLLOWING CHOICES:

(I) IN ACCORDANCE WITH THE ISSUES PRESENTED BY THE PETITION OR PETITIONS, EXCLUSIVE REPRESENTATION BY ANY EMPLOYEE ORGANIZATION SEEKING TO OBTAIN OR CONTINUE REPRESENTATION RIGHTS; AND

(II) NO EXCLUSIVE REPRESENTATION.

(H) AN EMPLOYEE ORGANIZATION MAY INTERVENE IN THE ELECTION AND HAVE ITS NAME PLACED ON THE BALLOT IF:

(1) THE EMPLOYEE ORGANIZATION FILES A PETITION NOT MORE THAN 15 CALENDAR DAYS AFTER THE DATE ON WHICH THE ORIGINAL PETITION IS FILED;

(2) THE EMPLOYEE ORGANIZATION CERTIFIES THAT AT LEAST 30% OF THE EMPLOYEES OF THE UNIT HAVE DESIGNATED THE EMPLOYEE ORGANIZATION TO REPRESENT THEM IN THEIR EMPLOYMENT RELATIONS WITH THE LIBRARY SYSTEM ADMINISTRATION; AND

(3) THE SHOWING OF INTEREST IS VERIFIED AS PROVIDED IN THIS SECTION.

(1) (1) THE ELECTION SHALL BE CONDUCTED ACCORDING TO THE PROCEDURES ESTABLISHED BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE NEUTRAL DECISION MAKER CONDUCTING THE ELECTION.

(2) AN EMPLOYEE ORGANIZATION SHALL BE CERTIFIED AS EXCLUSIVE REPRESENTATIVE FOLLOWING AN ELECTION IF THE EMPLOYEE ORGANIZATION HAS RECEIVED THE VOTE OF A MAJORITY OF THE VALID VOTES CAST IN THE BARGAINING UNIT IN WHICH THE ELECTION IS HELD.

(3) (1) IF AN ELECTION INCLUDES THREE OR MORE CHOICES AND NO CHOICE RECEIVES A MAJORITY OF THE VALID VOTES CAST, THE NEUTRAL DECISION MAKER SHALL CONDUCT A RUNOFF ELECTION BETWEEN THE TWO CHOICES THAT RECEIVED THE LARGEST NUMBER OF VALID VOTES CAST.

(II) THE CHOICE RECEIVING THE MAJORITY OF THE VALID VOTES CAST IN THE RUNOFF ELECTION SHALL BE CERTIFIED.

(4) THE NEUTRAL DECISION MAKER CONDUCTING THE ELECTION SHALL ISSUE TO ALL THE PARTICIPANTS IN AN ELECTION A CERTIFICATION OF REPRESENTATION, IF AN EMPLOYEE ORGANIZATION IS CERTIFIED, OR THE RESULTS OF THE ELECTION, IF NO REPRESENTATIVE IS CHOSEN.

(J) (1) IF EMPLOYEES ARE REPRESENTED BY AN EMPLOYEE ORGANIZATION, EMPLOYEES MAY FILE A PETITION WITH THE DIRECTOR THAT CONTAINS THE FOLLOWING:

(I) AN ASSERTION THAT THE MAJORITY OF THE EMPLOYEES NO LONGER WISH TO BE REPRESENTED BY THE EMPLOYEE ORGANIZATION;

(II) A STATEMENT THAT THE EMPLOYEES HAVE IN THEIR POSSESSION SUBSTANTIVE DOCUMENTARY PROOF, DATED NOT MORE THAN 6 MONTHS BEFORE THE DAY ON WHICH THE PETITION IS FILED, THAT AT LEAST 30%

OF THE EMPLOYEES WITHIN THE BARGAINING UNIT APPROVE OF THE DECERTIFICATION OF THE EMPLOYEE ORGANIZATION; AND

(III) A STATEMENT EXPLAINING THAT THE EMPLOYEES ARE SEEKING DECERTIFICATION OF THE EMPLOYEE ORGANIZATION AS THE EXCLUSIVE REPRESENTATIVE FOR THE BARGAINING UNIT.

(2) (I) THE PETITION SHALL BE PROCESSED AS DESCRIBED IN THIS SECTION, INCLUDING VERIFICATION OF PROOF OF INTEREST AND AN ELECTION.

(II) AN EMPLOYEE ORGANIZATION SHALL BE DECERTIFIED AS EXCLUSIVE REPRESENTATIVE FOLLOWING AN ELECTION IF THE MAJORITY OF THE VALID VOTES CAST IN THE UNIT IN WHICH THE ELECTION IS HELD ARE FOR NO REPRESENTATION.

23-707.”;

and strike beginning with “**IF**” in line 20 down through “**REPRESENTATIVE**” in line 22 and substitute “**IF AN EMPLOYEE ORGANIZATION IS CERTIFIED AS DESCRIBED IN THIS SUBTITLE, THE EMPLOYER AND THE EMPLOYEE ORGANIZATION**”.

AMENDMENT NO. 5

On page 5, in line 16, strike “**OR**”; in line 18, after “**REPRESENTATIVE**”, insert “**;** **OR**”

(IV) THE EXCLUSIVE REPRESENTATIVE RESIGNS FROM MEMBERSHIP IN THE EMPLOYEE ORGANIZATION”;

and in line 31, strike “**23-706.**” and substitute “**23-708.**”.

AMENDMENT NO. 6

On page 7, in line 15, strike “**23-707.**” and substitute “**23-709.**”; in line 17, strike “**§ 23-705**” and substitute “**§ 23-707**”; and in line 31, strike “**§ 23-706(A)(2)**” and substitute “**§ 23-708(A)(2)**”.

On page 8, in line 17, strike “**§ 23-706**” and substitute “**§ 23-708**”.

AMENDMENT NO. 7

On page 9, in line 12, strike “**23-708.**” and substitute “**23-710.**”; in line 29, strike “**OR**”; and after line 29, insert:

“(3) DISCIPLINE OR FINE A MEMBER OF THE EMPLOYEE ORGANIZATION AS PUNISHMENT OR REPRISAL;

(4) DISCIPLINE OR FINE A MEMBER OF THE EMPLOYEE ORGANIZATION FOR THE PURPOSE OF IMPEDING THE MEMBER’S WORK PERFORMANCE; OR”.

AMENDMENT NO. 8

On page 10, in line 1, strike “**(3)**” and substitute “**(5)**”; after line 2, insert:

“(C) (1) AN EMPLOYEE WHO IS A MEMBER OF A BARGAINING UNIT WITH AN EXCLUSIVE REPRESENTATIVE MAY, WITHOUT THE INTERVENTION OF AN EMPLOYEE ORGANIZATION, DISCUSS ANY MATTER WITH THE EMPLOYER.

(2) THIS SUBSECTION DOES NOT WAIVE THE RIGHT OF THE EMPLOYEE ORGANIZATION TO BE THE EXCLUSIVE BARGAINING REPRESENTATIVE FOR ISSUES RELATED TO WAGES, HOURS, AND WORKING CONDITIONS AND IS NOT INTENDED TO CREATE AN ALTERNATE PATH TO ALTER TERMS AND CONDITIONS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PARTIES.”;

in line 3, strike “**23-709.**” and substitute “**23-711.**”; after line 3, insert:

“(A) IT IS THE EXCLUSIVE RIGHT OF THE EMPLOYER TO:

(1) DETERMINE THE PURPOSES AND OBJECTIVES OF EACH OF ITS CONSTITUENT OFFICES AND DEPARTMENTS;

(2) SET STANDARDS OF SERVICES TO BE OFFERED TO THE PUBLIC;

(3) EXERCISE CONTROL AND DISCRETION OVER ITS ORGANIZATION AND OPERATIONS; AND

(4) DETERMINE THE METHODS, MEANS, PERSONNEL, AND OTHER RESOURCES BY WHICH THE EMPLOYER'S OPERATIONS ARE TO BE CONDUCTED.

(B) SUBJECT TO APPLICABLE PROVISIONS OF A COLLECTIVE BARGAINING AGREEMENT OR MEMORANDUM OF UNDERSTANDING, OR IN ACCORDANCE WITH OTHER APPLICABLE LAWS, THE EMPLOYER MAY:

(1) DIRECT ITS EMPLOYEES;

(2) HIRE, PROMOTE, TRANSFER, ASSIGN, OR RETAIN EMPLOYEES;

(3) ESTABLISH REASONABLE WORK RULES; AND

(4) DEMOTE, SUSPEND, DISCHARGE, OR TAKE OTHER DISCIPLINARY ACTION AGAINST ITS EMPLOYEES FOR JUST CAUSE.

(C)”;

and after line 7, insert:

“23-712.

(A) IN THIS SECTION, “STRIKE” HAS THE MEANING STATED IN § 3-303 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.

(B) AN EMPLOYEE OR AN EMPLOYEE ORGANIZATION MAY NOT ENGAGE IN, INDUCE, INITIATE, DIRECT, SUPPORT, OR RATIFY A STRIKE.

(C) IF A STRIKE OCCURS, ON REQUEST OF THE EMPLOYER, A COURT OF COMPETENT JURISDICTION MAY ENJOIN THE STRIKE.

(D) AN EMPLOYEE MAY NOT RECEIVE COMPENSATION FROM THE EMPLOYER WHILE THE EMPLOYEE IS ENGAGED IN A STRIKE.”.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 867 – Delegate Smith

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program Fund

HB0867/774166/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 867

(First Reading File Bill)

On page 2, in line 19, strike “years” and substitute “YEAR”; in the same line, strike “through”; and in the same line, strike “**2026**” and substitute “AND EACH FISCAL YEAR THEREAFTER”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 891 – Delegate D.M. Davis

AN ACT concerning

Higher Education – Hunger-Free Campus Grant Program – Established

HB0891/944866/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 891

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 12, in each instance, after “education” insert “or regional higher education centers”; and in line 13, after “education” insert “or regional higher education center”.

AMENDMENT NO. 2

On page 2, in line 9, after “EDUCATION” insert “OR REGIONAL HIGHER EDUCATION CENTER”.

On page 3, in line 1, after “EDUCATION” insert “OR REGIONAL HIGHER EDUCATION CENTER”; and in line 30, after “PANTRY” insert “, IF APPLICABLE”.

On page 4, in line 8, after “EDUCATION” insert “OR REGIONAL HIGHER EDUCATION CENTERS”; in line 22, after “PANTRY” insert “, IF APPLICABLE”; and in line 29, after “EDUCATION” insert “OR REGIONAL HIGHER EDUCATION CENTER”.

On page 5, in line 24, after “EDUCATION” insert “AND REGIONAL HIGHER EDUCATION CENTERS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1253 – Delegate Washington

AN ACT concerning

National Capital Strategic Economic Development Program – Eligibility

HB1253/524566/1

BY: Appropriations Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Eligibility**” insert “**and Funding**”; and in line 3, after the first “of” insert “extending certain funding to each fiscal year:”.

AMENDMENT NO. 2

On page 3, in lines 15 and 17, in each instance, strike “through 2025” and substitute “AND EACH FISCAL YEAR THEREAFTER”; in line 22, strike the first comma and substitute “:

(1) IN PRINCE GEORGE’S COUNTY,;

and in line 23, after “**COLUMBIA**” insert “**;OR**

(2) IN MONTGOMERY COUNTY, WITHIN AN ENTERPRISE ZONE OR THE BOUNDARY CREATED BY:

(I) PRINCE GEORGE’S COUNTY;

(II) MARYLAND ROUTE 200;

(III) INTERSTATE 270;

(IV) INTERSTATE 495 TO THE MARYLAND STATE LINE; AND

(V) THE DISTRICT OF COLUMBIA”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1277 – Delegate Henson

AN ACT concerning

**State Personnel Management System – Office of the Public Defender –
Placement**

HB1277/984761/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1277

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “law;” insert “repealing a provision of law that excludes attorneys in the Office from certain grievance procedures in the State Personnel Management System;”; and after line 27, insert:

“BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 12–102
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 4, after line 1, insert:

“Article – State Personnel and Pensions

12–102.

(a) Except as otherwise provided by law, this title applies to all employees in the State Personnel Management System within the Executive Branch and independent personnel systems.

(b) This title does not apply to:

(1) an employee who is appointed by the Governor whose appointment requires the Governor’s approval;

(2) an employee in the executive service of the State Personnel Management System;

(3) a temporary employee;

(4) an attorney in the Office of the Attorney General [or the Office of the Public Defender];

(5) a State Police officer;

(6) an employee under § 7–601 of the Transportation Article who is subject to a collective bargaining agreement that contains another grievance procedure;

(7) an employee, including a member of a faculty, who is subject to a contract or regulation governing teacher tenure;

(8) a member of the faculty, an officer, or an administrative employee of Baltimore City Community College;

(9) a student employee;

(10) an individual who, as an inmate or patient in an institution, is employed by the State; or

(11) an administrative law judge in the Office of Administrative Hearings.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 15

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 190 – Delegate Lierman

AN ACT concerning

Procurement – Specialized Printing Services Contracts – Board of Public Works Approval

HB0190/266280/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 190

(First Reading File Bill)

On page 3, in line 19, after the second “SERVICES” insert “VALUED AT \$100,000 OR MORE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 299 – Delegate Carr

AN ACT concerning

State Board of Physicians – Genetic Counselors – Licensing

HB0299/206788/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 299

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “years;” insert “providing for a quorum of the Committee;”; strike beginning with “authorizing” in line 17 down through “circumstances;” in line 18; and in line 25, after “circumstances;” insert “requiring the Board, on and after a certain date, to issue a supervised genetic counselor license to certain applicants except under certain circumstances; requiring a supervised genetic counselor to work under the supervision of a qualified supervisor as a condition of licensure; requiring the supervised genetic counselor and the qualified supervisor to enter into a certain contract; prohibiting a supervised genetic counselor from making a certain representation; establishing the term of a supervised genetic counselor license; prohibiting a certain supervised genetic counselor from continuing to practice under the license; providing that a supervised genetic counselor is subject to certain discipline;”.

On page 2, in line 24, after “terms;” insert “providing for a delayed effective date;”; and in line 29, strike “14-5G-28” and substitute “14-5G-29”.

AMENDMENT NO. 2

On page 5, in line 20, strike “**FOUR**” and substitute “**THREE**”.

AMENDMENT NO. 3

On page 7, after line 5, insert:

“(G) **A QUORUM OF THE COMMITTEE CONSISTS OF FIVE MEMBERS.**”.

AMENDMENT NO. 4

On page 8, strike lines 11 through 13, inclusive, and substitute:

“(2) **AN INDIVIDUAL WHO RESIDES IN AND HOLDS AN ACTIVE LICENSE IN ANOTHER STATE IF THE INDIVIDUAL IS ENGAGED IN CONSULTATION WITH A PHYSICIAN OR GENETIC COUNSELOR LICENSED IN THE STATE ABOUT A PARTICULAR PATIENT AND THE INDIVIDUAL:**

(I) DOES NOT ORDER OR COORDINATE GENETIC LABORATORY TESTS OR OTHER DIAGNOSTIC STUDIES; AND

(II) DOES NOT PROVIDE CONSULTATION IN THE STATE FOR MORE THAN A TOTAL OF 10 PATIENTS WITHIN A CALENDAR YEAR; OR”;

and strike beginning with “; OR” in line 19 down through “ORGANIZATION” in line 24.

On page 9, in line 3, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, THE**”; after line 5, insert:

“(F) **IF AN APPLICANT DOES NOT MEET THE REQUIREMENT UNDER SUBSECTION (E) OF THIS SECTION, THE APPLICANT MAY QUALIFY FOR LICENSURE IF THE APPLICANT:**

(1) HAS WORKED AS A GENETIC COUNSELOR FOR:

(I) AT LEAST 10 YEARS BEFORE JANUARY 1, 2024; AND

(II) AT LEAST 5 CONSECUTIVE YEARS IMMEDIATELY PRECEDING THE DATE ON WHICH THE APPLICANT SUBMITS THE APPLICATION FOR LICENSURE;

(2) HAS GRADUATED FROM AN EDUCATION PROGRAM APPROVED BY THE BOARD;

(3) SUBMITS TO THE BOARD THREE LETTERS OF RECOMMENDATION FROM LICENSED PHYSICIANS WHO HAVE BEEN LICENSED FOR AT LEAST 5 YEARS OR CERTIFIED GENETIC COUNSELORS ELIGIBLE FOR LICENSURE AND WHO:

(I) HAVE WORKED WITH THE APPLICANT IN AN EMPLOYMENT OR PROFESSIONAL SETTING FOR 3 YEARS BEFORE THE APPLICANT SUBMITS THE APPLICATION FOR LICENSURE; AND

(II) CAN ATTEST TO THE APPLICANT'S COMPETENCY IN PROVIDING GENETIC COUNSELING SERVICES; AND

(4) APPLIES FOR INITIAL LICENSURE ON OR BEFORE DECEMBER 31, 2024.”;

in lines 6 and 8, strike “(F)” and “(G)”, respectively, and substitute “(G)” and “(H)”, respectively; and strike in their entirety lines 10 through 27, inclusive.

AMENDMENT NO. 5

On page 15, after line 18, insert:

“(17) GROSSLY OVERUTILIZES HEALTH CARE SERVICES;”;

and in lines 19, 21, 27, 29, and 31, strike “(17)”, “(18)”, “(19)”, “(20)”, and “(21)”, respectively, and substitute “(18)”, “(19)”, “(20)”, “(21)”, and “(22)”, respectively.

On page 16, in line 8, strike “(22)” and substitute “(23)”; strike in their entirety lines 10 and 11; in line 23, strike the second “OR”; and in line 25, after “TITLE” insert “; OR”

(29) VIOLATES ANY PROVISION OF THIS TITLE OR ANY RULE OR REGULATION PERTAINING TO GENETIC COUNSELING THAT IS ADOPTED BY THE BOARD, THE STATE, OR THE FEDERAL GOVERNMENT".

AMENDMENT NO. 6

On page 12, in lines 2 and 3, strike "**§ 14-5G-17**" and substitute "**§ 14-5G-18**".

On page 13, after line 14, insert:

"14-5G-14.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "QUALIFIED SUPERVISOR" MEANS:

(I) AN INDIVIDUAL WHO:

1. IS LICENSED TO PRACTICE AS A GENETIC COUNSELOR UNDER THIS SUBTITLE; AND

2. HAS PRACTICED FOR A MINIMUM OF 3 YEARS AFTER PASSING THE NATIONAL CERTIFYING EXAMINATION; OR

(II) A PHYSICIAN WHO HAS BEEN LICENSED IN THE STATE FOR A MINIMUM OF 5 YEARS.

(3) "SUPERVISION" MEANS THE ONGOING, DIRECT, CLINICAL REVIEW FOR THE PURPOSES OF TRAINING OR TEACHING BY A QUALIFIED SUPERVISOR WHO MONITORS THE PERFORMANCE OF A SUPERVISED GENETIC COUNSELOR'S SUPERVISED INTERACTION WITH A PATIENT AND PROVIDES REGULAR DOCUMENTED FACE-TO-FACE MEETINGS AND CONSULTATION, CHART REVIEWS, GUIDANCE, AND INSTRUCTIONS WITH RESPECT TO THE CLINICAL SKILLS AND COMPETENCIES OF THE SUPERVISED GENETIC COUNSELOR.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, ON OR AFTER JANUARY 1, 2024, THE BOARD SHALL ISSUE A SUPERVISED GENETIC COUNSELOR LICENSE TO AN APPLICANT WHO:

(1) HAS GRADUATED FROM A GENETIC COUNSELING PROGRAM ACCREDITED BY THE ACCREDITATION COUNCIL FOR GENETIC COUNSELORS;

(2) HAS MET ALL QUALIFICATIONS FOR LICENSURE EXCEPT FOR CERTIFICATION FROM THE AMERICAN BOARD OF GENETIC COUNSELORS; AND

(3) HAS APPLIED FOR THE FIRST AVAILABLE NATIONAL CERTIFYING EXAMINATION.

(C) THE BOARD MAY NOT ISSUE A LICENSE UNDER SUBSECTION (B) OF THIS SECTION IF THE APPLICANT HAS FAILED THE AMERICAN BOARD OF GENETIC COUNSELING CERTIFICATION EXAMINATION TWO OR MORE TIMES.

(D) (1) AS A CONDITION OF LICENSURE, THE SUPERVISED GENETIC COUNSELOR SHALL WORK UNDER THE SUPERVISION OF A QUALIFIED SUPERVISOR.

(2) THE SUPERVISED GENETIC COUNSELOR AND THE QUALIFIED SUPERVISOR SHALL ENTER INTO A SUPERVISION CONTRACT THAT:

(I) SPECIFIES THE MANNER OF SUPERVISION AS REQUIRED BY THE BOARD;

(II) IS SIGNED BY THE SUPERVISED GENETIC COUNSELOR AND THE QUALIFIED SUPERVISOR; AND

(III) IS MAINTAINED BY BOTH THE SUPERVISED GENETIC COUNSELOR AND THE QUALIFIED SUPERVISOR AND MADE AVAILABLE TO THE BOARD.

(E) THE SUPERVISED GENETIC COUNSELOR MAY NOT REPRESENT TO THE PUBLIC, BY DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR

OTHERWISE, THAT THE SUPERVISED GENETIC COUNSELOR IS A LICENSED GENETIC COUNSELOR.

(F) (1) A SUPERVISED GENETIC COUNSELOR LICENSE MAY NOT BE VALID FOR MORE THAN 1 YEAR AFTER THE DATE OF ISSUANCE.

(2) A SUPERVISED GENETIC COUNSELOR LICENSE EXPIRES ON THE EARLIEST OF:

(I) THE ISSUANCE OF A GENETIC COUNSELOR LICENSE TO THE SUPERVISED GENETIC COUNSELOR;

(II) THE EXPIRATION DATE PRINTED ON THE SUPERVISED GENETIC COUNSELOR LICENSE; OR

(III) ON NOTICE OF THE SECOND FAILURE OF THE SUPERVISED GENETIC COUNSELOR TO PASS THE CERTIFICATION EXAMINATION.

(G) A SUPERVISED GENETIC COUNSELOR WHO HAS NOT PASSED THE EXAMINATION WITHIN TWO EXAMINATION CYCLES MAY NOT CONTINUE PRACTICING UNDER THE SUPERVISED GENETIC COUNSELOR LICENSE.

(H) A SUPERVISED GENETIC COUNSELOR IS SUBJECT TO DISCIPLINE UNDER § 14-5G-19 OF THIS SUBTITLE TO THE SAME EXTENT AS A GENETIC COUNSELOR.”;

and in lines 15, 20, and 25, strike “14-5G-14.”, “14-5G-15.”, and “14-5G-16.”, respectively, and substitute “14-5G-15.”, “14-5G-16.”, and “14-5G-17.”, respectively.

On page 14, in line 3, strike “14-5G-17.” and substitute “14-5G-18.”.

On page 17, in lines 24 and 34, strike “14-5G-18.” and “14-5G-19.”, respectively, and substitute “14-5G-19.” and “14-5G-20.”, respectively.

On page 18 in line 7, and on page 20 in line 8, in each instance, strike “§ 14-5G-17” and substitute “§ 14-5G-18”.

On page 19, in line 34, strike “14-5G-20.” and substitute “14-5G-21.”.

On page 20, in lines 18 and 19, strike “§ 14-5G-17(C)” and substitute “§ 14-5G-18(C)”.

On page 21, in lines 9, 20, and 25, strike “14-5G-21.”, “14-5G-22.”, and “14-5G-23.”, respectively, and substitute “14-5G-22.”, “14-5G-23.”, and “14-5G-24.”, respectively.

On page 22, in lines 4, 9, 20, and 30, strike “14-5G-24.”, “14-5G-25.”, “14-5G-26.”, and “14-5G-27.”, respectively, and substitute “14-5G-25.”, “14-5G-26.”, “14-5G-27.”, and “14-5G-28.”, respectively; and in lines 21 and 22 and 25 and 26, in each instance, strike “§§ 14-5G-22 THROUGH 14-5G-25” and substitute “§§ 14-5G-23 THROUGH 14-5G-26”.

On page 23, in line 3, strike “14-5G-28.” and substitute “14-5G-29.”.

AMENDMENT NO. 7

On page 5, in line 22, strike “SEPTEMBER 30, 2023” and substitute “DECEMBER 31, 2023”; and in line 24, strike “OCTOBER 1, 2023” and substitute “JANUARY 1, 2024”.

On page 6, in line 23, strike “OCTOBER 1, 2021” and substitute “JANUARY 1, 2022”.

On page 8, in line 5, strike “OCTOBER 1, 2023” and substitute “JANUARY 1, 2024”.

On page 23, in line 12, strike “2023” and substitute “2024”; in line 14, strike “2024” and substitute “2025”; in line 16, strike “2025” and substitute “2026”; and in line 18, strike “October 1, 2021” and substitute “January 1, 2022”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 416 – Delegate Belcastro

AN ACT concerning

**Health Care Facilities – Assisted Living Programs – Memory Care and
Alzheimer’s Disease Unit Regulations**

HB0416/246186/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 416

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “**Memory Care and Alzheimer’s Disease Unit**” and substitute “**Requirements for Alzheimer’s Special Care Units and**”; strike beginning with “adopt” in line 4 down through “and” in line 5 and substitute “establish certain training and staffing requirements for”; in line 6, strike “disease” and substitute “special care”; strike beginning with “, including” in line 6 down through “terms” in line 10 and substitute “; requiring the Department to convene certain stakeholders to make revisions to certain regulations and adopt certain regulations on or before a certain date”; after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–1805(a)(8) and (9)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)”;

and in line 13, strike “19–1805(c)” and substitute “19–1805(a)(10)”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“(a) The Department shall:

(8) Establish a “resident bill of rights” for residents of assisted living program facilities; [and]

(9) Define which, if any, assisted living programs may be exempt from the requirements of § 19–311 of this title; AND

(10) FOR ALZHEIMER’S SPECIAL CARE UNITS:

(I) ESTABLISH THE NUMBER OF DEMENTIA-SPECIFIC TRAINING HOURS TO BE COMPLETED FOR THOSE STAFF WORKING IN ALZHEIMER'S SPECIAL CARE UNITS;

(II) DETERMINE THE TOPIC CONTENT FOR DEMENTIA-SPECIFIC TRAINING REQUIRED FOR THOSE STAFF WORKING IN ALZHEIMER'S SPECIAL CARE UNITS; AND

(III) REQUIRE STAFF SUFFICIENT TO MEET THE NEEDS OF RESIDENTS IN ALZHEIMER'S SPECIAL CARE UNITS.”.

On pages 1 through 3, strike in their entirety the lines beginning with line 20 on page 1 through line 5 on page 3, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2022, the Maryland Department of Health shall:

(1) convene interested stakeholders to make revisions to the regulations for Assisted Living Programs (COMAR 10.07.14) using the draft dated September 30, 2016, as the starting point for discussion; and

(2) adopt revised regulations for assisted living programs that incorporate the requirements for Alzheimer's special care units as enacted under Section 1 of this Act.”.

On page 3, in line 6, strike “2.” and substitute “3.”; and in line 7, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 600 – Delegate Belcastro

AN ACT concerning

**State Board of Examiners for Audiologists, Hearing Aid Dispensers, and
Speech-Language Pathologists – Duties, Appointment of Members, and
Requirements for Licensees**

HB0600/656484/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 600

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “and” in line 13 down through “vacancies” in line 14; in line 16, strike “and” and substitute “; repealing a certain provision of law requiring certain organizations to”; strike beginning with “repealing” in line 26 down through “place;” in line 28; and in line 29, strike “and make the list available on its website”.

AMENDMENT NO. 2

On page 5, strike beginning with the colon in line 8 down through “**NOTIFY**” in line 9 and substitute “**NOTIFY**”; strike beginning with “; **AND**” in line 11 down through “**GOVERNOR**” in line 15; strike beginning with the colon in line 23 down through “Notify” in line 24 and substitute “**NOTIFY**”; and strike beginning with “; and” in line 25 down through “Governor” in line 28.

On page 8, in lines 27 and 28, in each instance, strike the bracket.

On page 8 in line 29 and on page 9 in lines 5 and 7, strike “**(A)**”, “(b)”, and “(c)”, respectively, and substitute “**(B)**”, “**(C)**”, and “**(D)**”, respectively.

On page 9, strike line 2 in its entirety; and in line 3, strike “**(3)**” and substitute “**(2)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 758 – Delegate Bagnall

AN ACT concerning

Maryland Licensure of Certified Midwives Act

HB0758/676284/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 758

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “midwives;” insert “altering the circumstances under which the Board is required to require an applicant or licensee to submit to a certain examination under certain circumstances; providing that an applicant or licensee is deemed to have consented to submit to a certain examination and waived a certain claim in return for the privilege to practice certified midwifery;”; in line 13, after “fees” insert “in a certain manner”; in line 16, after the first “Board” insert “of Nursing Fund”; and strike beginning with “documents” in line 25 down through “manner” in line 26 and substitute “information”.

On page 2, in line 2, after “penalties;” insert “authorizing the Board to reinstate a license under certain circumstances; requiring the Board to take certain actions regarding a certain license under certain circumstances;”; in line 10, after “title;” insert “providing for the authority of the Board under this Act;”; in line 14, after “definitions;” insert “making a conforming change;”; in line 18, after “(x),” insert “8-205.1”; and in line 24, strike “8-6D-14” and substitute “8-6D-15”.

AMENDMENT NO. 2

On page 3, after line 10, insert:

“8-205.1.

(a) If the Board, while reviewing an application for licensure or investigating an allegation brought against a licensee under this title, has reason to believe and objective evidence that the applicant or licensee may cause harm to individuals affected by the applicant’s or licensee’s practice of nursing OR CERTIFIED MIDWIFERY, the Board shall require the applicant or licensee to submit to an appropriate examination by a health care provider designated by the Board.

(b) In return for the privilege to practice nursing OR CERTIFIED MIDWIFERY in the State, the applicant or licensee is deemed to have:

(1) Consented to submit to an examination under this section, if requested by the Board in writing; and

(2) Waived any claim of privilege as to the testimony or examination reports of the examining health care professional.

(c) The failure or refusal of the applicant or licensee to submit to an examination required under subsection (b) of this section is prima facie evidence of the applicant's or licensee's inability to practice nursing OR CERTIFIED MIDWIFERY competently, unless the Board finds that the failure or refusal was beyond the control of the licensee.

(d) The Board shall pay the cost of any examination made under this section."

On page 7, in line 18, strike "AN" and substitute "THE AMCB"; and in the same line, strike "APPROVED BY AMCB".

On page 8, in line 6, after "(A)" insert "(1)"; strike beginning with "THAT" in line 8 down through "NURSE-MIDWIFE" in line 12; after line 12, insert:

"(2) THE FEES CHARGED SHALL BE SET TO PRODUCE FUNDS TO APPROXIMATE THE COST OF MAINTAINING THE LICENSING PROGRAM AND THE OTHER SERVICES TO LICENSED CERTIFIED MIDWIVES."

in line 16, after "BOARD" insert "OF NURSING FUND"; and in line 17, after "USED" insert "EXCLUSIVELY".

On page 10, strike beginning with the second "THE" in line 11 down through "NOTICE" in line 12 and substitute "INFORMATION REGARDING HOW THE LICENSEE MAY COMPLETE THE REQUIRED CRIMINAL HISTORY RECORDS CHECK".

On page 14, strike beginning with "PRACTICES" in line 27 down through "LONGER" in line 28 and substitute "ENGAGES IN UNPROFESSIONAL OR IMMORAL CONDUCT".

On page 15, after line 17, insert:

"(D) (1) IF A LICENSE ISSUED UNDER THIS SUBTITLE WAS SUSPENDED OR REVOKED FOR A PERIOD OF MORE THAN 1 YEAR, OR IF A PERIOD OF MORE THAN 1 YEAR HAS PASSED SINCE A LICENSE WAS SURRENDERED, THE BOARD MAY REINSTATE THE LICENSE IF THE LICENSEE:

(I) APPLIES TO THE BOARD FOR REINSTATEMENT;

(II) MEETS THE REQUIREMENTS FOR RENEWAL UNDER § 8-6D-08 OF THIS SUBTITLE;

(III) MEETS ANY OTHER REQUIREMENTS FOR REINSTATEMENT AS ESTABLISHED BY THE BOARD IN REGULATIONS; AND

(IV) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 8-303 OF THIS SUBTITLE.

(2) IF A LICENSEE MEETS THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL:

(I) REINSTATE THE LICENSE;

(II) REINSTATE THE LICENSE SUBJECT TO TERMS AND CONDITIONS THAT THE BOARD CONSIDERS NECESSARY, INCLUDING A PERIOD OF PROBATION; OR

(III) DENY REINSTATEMENT OF THE LICENSE.”.

On page 17, after line 11, insert:

“8-6D-14.

THE AUTHORITY OF THE BOARD ESTABLISHED UNDER THIS SUBTITLE:

(1) VESTS WITH THE BOARD AT THE TIME AN INDIVIDUAL APPLIES FOR CERTIFICATION;

(2) CONTINUES DURING PERIODS OF LICENSURE; AND

(3) INCLUDES AUTHORITY OVER AN INDIVIDUAL HOLDING AN EXPIRED LICENSE, A LAPSED LICENSE, OR A TEMPORARY LICENSE THAT HAS EXPIRED UNDER § 8-6D-08 OF THIS SUBTITLE.”;

and in line 12, strike “~~8-6D-14.~~” and substitute “8-6D-15.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 915 – Delegate Amprey

AN ACT concerning

Workgroup on Black, Latino, and Other Underrepresented Mental Health Professionals

HB0915/156487/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 915

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Latino,**” insert “**Asian American Pacific Islander,**”; in the same line, strike “**Mental**” and substitute “**Behavioral**”; in lines 4 and 13, in each instance, after “**Latino,**” insert “**Asian American Pacific Islander,**”; in lines 5 and 14, in each instance, strike “**Mental**” and substitute “**Behavioral**”; in line 6, after the second “**Workgroup**” insert “**or a certain subgroup**”; in lines 9 and 10, in each instance, strike “**mental**” and substitute “**behavioral**”; and in line 10, after “**profession;**” insert “**authorizing the Workgroup to establish a subgroup for a certain purpose; authorizing a subgroup to include an individual who is not a member of the Workgroup;**”.

AMENDMENT NO. 2

On page 1, in line 17, strike “**Mental**” and substitute “**Behavioral**”; in the same line, after “**Latino,**” insert “**Asian American Pacific Islander,**”.

On page 2, in lines 4, 15, 16, 21, 22, 23, and 24, in each instance, strike “mental” and substitute “behavioral”; in line 3, strike “or Latino” and substitute “, Latino, or Asian American Pacific Islander”; in line 5, strike “and”; in line 6, after “State” insert “; and

(iv) at least two but no more than four representatives of organizations, networks, or associations of behavioral health professionals that:

1. are composed of a majority of Black, Latino, Asian American Pacific Islander, or other underrepresented behavioral health professionals; and

2. primarily work to represent and support Black, Latino, Asian American Pacific Islander or other underrepresented behavioral health professionals”;

in line 10, after “Workgroup” insert “or any subgroup established under subsection (g) of this section”; in line 11, after “Workgroup” insert “or subgroup”; in lines 16, 20, and 23, in each instance, after “Latino,” insert “Asian American Pacific Islander,”; after line 25, insert:

“(g) (1) The Workgroup may establish a subgroup within the Workgroup to assist the Workgroup in carrying out its duties, including by conducting research and producing reports.

(2) A subgroup established under paragraph (1) of this subsection may include an individual who is not a member of the Workgroup, including a representative of an insurance carrier or any other relevant expert.”;

and in line 26, strike “(g)” and substitute “(h)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 919 – Delegate Bagnall

EMERGENCY BILL

AN ACT concerning

**Maryland Insurance Commissioner – Specialty Mental Health Services and
Payment of Claims – Enforcement**

HB0919/526382/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 919

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “organization;” insert “prohibiting a certain administrative services organization from using certain funds or otherwise passing certain expenses onto the State; requiring a certain administrative services organization to pay certain interest to certain persons under certain circumstances; establishing that a certain administrative services organization is subject to certain penalties for a violation of certain provisions of this Act; establishing that a certain administrative services organization is subject to certain provisions of law in connection with certain investigations or examinations; prohibiting the Commissioner from requiring the payment of certain interest or imposing certain fines if a certain determination is made; requiring the Commissioner to turn over certain findings to the Maryland Department of Health; requiring the Commissioner to submit certain reports to certain committees of the General Assembly; providing for the termination of this Act;”; in line 16, after “2–108” insert “, 2–208, and 15–1005(g) and (h)”; and after line 18, insert:

“BY adding to

Article – Insurance

Section 15–1005(j)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 17, insert:

“2–208.

(A) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE expense incurred in an examination made under § 2–205 of this subtitle, § 2–206 of this subtitle for surplus lines brokers and insurance holding corporations, § 23–207 of this article for premium finance companies, § 15–10B–19 of this article for private review agents, §

15–10B–20 of this article, or § 14–610 of this article for discount medical plan organizations and discount drug plan organizations shall be paid by the person examined in the following manner:

(1) the person examined shall pay to the Commissioner the travel expenses, a living expense allowance, and a per diem as compensation for examiners, actuaries, and typists:

(i) to the extent incurred for the examination; and

(ii) at reasonable rates set by the Commissioner;

(2) the Commissioner may present a detailed account of expenses incurred to the person examined periodically during the examination or at the end of the examination, as the Commissioner considers proper; and

(3) a person may not pay and an examiner may not accept any compensation for an examination in addition to the compensation under paragraph (1) of this section.

(B) IF THE COMMISSIONER CONDUCTS AN EXAMINATION OF AN ADMINISTRATIVE SERVICES ORGANIZATION THAT ADMINISTERS THE DELIVERY SYSTEM FOR SPECIALTY MENTAL HEALTH SERVICES ESTABLISHED UNDER § 15–103(B)(21) OF THE HEALTH – GENERAL ARTICLE, THE ADMINISTRATIVE SERVICES ORGANIZATION MAY NOT USE STATE FUNDS OR OTHERWISE PASS ONTO THE STATE THE EXPENSES DESCRIBED IN SUBSECTION (A) OF THIS SECTION.

15–1005.

(g) (1) If an insurer, nonprofit health service plan, [or] health maintenance organization, OR ADMINISTRATIVE SERVICES ORGANIZATION THAT ADMINISTERS THE DELIVERY SYSTEM FOR SPECIALTY MENTAL HEALTH SERVICES ESTABLISHED UNDER § 15–103(B)(21) OF THE HEALTH – GENERAL ARTICLE fails to pay a clean claim for reimbursement or otherwise violates any provision of this section, the insurer, nonprofit health service plan, [or] health maintenance organization, OR ADMINISTRATIVE SERVICES ORGANIZATION shall pay interest on the amount of the claim that remains unpaid 30 days after receipt of the initial clean claim for reimbursement at the monthly rate of:

(i) 1.5% from the 31st day through the 60th day;

(ii) 2% from the 61st day through the 120th day; and

(iii) 2.5% after the 120th day.

(2) The interest paid under this subsection shall be included in any late reimbursement without the necessity for the person that filed the original claim to make an additional claim for that interest.

(h) An insurer, nonprofit health service plan, [or] health maintenance organization, OR ADMINISTRATIVE SERVICES ORGANIZATION THAT ADMINISTERS THE DELIVERY SYSTEM FOR SPECIALTY MENTAL HEALTH SERVICES ESTABLISHED UNDER § 15–103(B)(21) OF THE HEALTH – GENERAL ARTICLE that violates a provision of this section is subject to:

(1) a fine not exceeding \$500 for each violation that is arbitrary and capricious, based on all available information; and

(2) the penalties prescribed under § 4–113(d) of this article for violations committed with a frequency that indicates a general business practice.

(J) AN ADMINISTRATIVE SERVICES ORGANIZATION THAT ADMINISTERS THE DELIVERY SYSTEM FOR SPECIALTY MENTAL HEALTH SERVICES ESTABLISHED UNDER § 15–103(B)(21) OF THE HEALTH – GENERAL ARTICLE IS SUBJECT TO THE PROVISIONS OF TITLE 2, SUBTITLE 2 OF THIS ARTICLE IN CONNECTION WITH ANY INVESTIGATION OR EXAMINATION OF POTENTIAL VIOLATIONS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) When determining whether or not to require the payment of interest or impose a fine or other monetary penalty on an administrative services organization that administers the delivery system for specialty mental health services established under § 15–103(b)(21) of the Health – General Article in accordance with the authorization provided in § 15–1005(j) of the Insurance Article, as enacted by Section 1 of this Act, the Maryland Insurance Commissioner:

(1) shall consider whether the administrative services organization will use State funds or otherwise pass on the cost of the penalty to the State; and

(2) may not require the payment of interest or impose a fine or other monetary penalty if the Commissioner determines that the administrative services organization will use State funds or otherwise pass on the cost of the interest or penalty to the State.

(b) If the Maryland Insurance Commissioner investigates a complaint that an administrative services organization that administers the delivery system for specialty

mental health services established under § 15–103(b)(21) of the Health – General Article violated § 15–103(b)(21)(vi) of the Health – General Article, the Commissioner shall turn over any findings of the investigation to the Maryland Department of Health.

(c) If the Maryland Insurance Commissioner conducts an examination of an administrative services organization that administers the delivery system for specialty mental health services established under § 15–103(b)(21) of the Health – General Article in accordance with the authorization provided under § 15–1005(j) of the Insurance Article, as enacted by Section 1 of this Act, the Commissioner shall submit the examination report to the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health and Government Operations Committee, and the House Appropriations Committee, in accordance with § 2–1257 of the State Government Article.”;

in line 18, strike “2.” and substitute “3.”; and in line 22, after “enacted.” insert “It shall remain effective for a period of 2 years from the date it is enacted and, at the end of the 2–year period, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1013 – Delegate Crosby

AN ACT concerning

General Provisions – Standard Time – Year–Round Daylight Saving Time

HB1013/396580/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1013

(First Reading File Bill)

On page 2, strike in their entirety lines 6 through 8, inclusive; and strike beginning with “all” in line 10 down through “zone” in line 11 and substitute “Delaware, the District of Columbia, Pennsylvania, Virginia, and West Virginia”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1039 – Delegate Kelly

AN ACT concerning

Health Occupations – State Board of Massage Therapy Examiners – Revisions

HB1039/846784/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1039

(First Reading File Bill)

On page 3, in line 2, strike “OR”; and in lines 4 and 8, in each instance, strike the bracket.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 1148 – Delegate Cullison

AN ACT concerning

Secretary of Health – School-Based Health Centers – Guidelines and Administration of Grants

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 1193 – Delegate Adams

AN ACT concerning

Certified Nursing Assistants – Certificate Renewal – Training Program Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1212 – Delegate Washington

AN ACT concerning

Procurement – Socially and Economically Disadvantaged Workers’ Protection Preference

HB1212/586980/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1212
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute:

“Workgroup to Study Enhanced Opportunities for Socially and Economically Disadvantaged Individuals in the State”;

strike beginning with “requiring” in line 4 down through “preferences” in line 13 and substitute “establishing the Workgroup to Study Enhanced Opportunities for Socially and Economically Disadvantaged Individuals in the State; providing for the composition, chair,

and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study certain procurement preference programs, enhanced job opportunities for certain individuals, certain existing methods for enhancing opportunities for certain individuals in other states and governmental entities, certain existing research, the effect of certain additional or enhanced programs on existing State law, and certain other matters; requiring the Workgroup to report its findings and recommendations to certain persons by a certain date; providing for the termination of this Act; and generally relating to the Workgroup to Study Enhanced Opportunities for Socially and Economically Disadvantaged Individuals in the State”; and strike in their entirety lines 14 through 24, inclusive.

AMENDMENT NO. 2

On pages 1 through 4, strike in their entirety the lines beginning with line 25 on page 1 through line 18 on page 4, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Workgroup to Study Enhanced Opportunities for Socially and Economically Disadvantaged Individuals in the State.

(b) The Workgroup consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of General Services, or the Secretary’s designee;

(4) the Secretary of Labor, or the Secretary’s designee;

(5) the Secretary of Transportation, or the Secretary’s designee; and

(6) the following appointed members, each of whom shall have experience with business or State contracting, and, to the extent practicable, reflect the racial, gender, and geographic diversity of the State, including:

- (i) two members appointed by the President of the Senate;
 - (ii) two members appointed by the Speaker of the House; and
 - (iii) two members appointed by the Governor.
- (c) The Governor shall designate the chair of the Workgroup.
- (d) The Department of Legislative Services shall provide staff for the Workgroup.
- (e) A member of the Workgroup:
 - (1) may not receive compensation as a member of the Workgroup; but
 - (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.
- (f) The Workgroup shall study:
 - (1) the expansion of the Minority Business Enterprise program for prime contractors and subcontractors;
 - (2) the establishment of a program that provides a procurement preference to entities that hire employees from economically depressed areas in the State;
 - (3) enhancing job opportunities for socially and economically disadvantaged individuals;
 - (4) what other states and governmental entities have done to enhance opportunities for socially and economically disadvantaged individuals;
 - (5) existing research on ways to enhance opportunities for socially and economically disadvantaged individuals;
 - (6) the effect that additional State programs or the enhancement of existing programs would have on existing State law;

(7) the use of the definition of “economically disadvantaged individual” in State law and its effect on State programs, including whether a new definition should be enacted; and

(8) anything else the Workgroup considers relevant.

(g) On or before December 31, 2021, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2021. It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2022, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1280 – Delegate Pena–Melnyk

AN ACT concerning

Health – Maryland Community Health and Public Safety Center of Excellence – Establishment

HB1280/473727/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1280

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Community**” and substitute “**Behavioral**”; in lines 4 and 24, in each instance, strike “Community” and substitute “Behavioral”; in line 6, after “Center;” insert “requiring the Center to monitor and analyze its models, plans, policies,

strategies, programs, technical assistance, and training in a certain manner and for certain purposes; requiring the Office to appoint certain individuals to jointly oversee the Center; providing that certain individuals may be associated with a certain entity; authorizing the Center to designate certain points of contact for a certain purpose; authorizing the Center to coordinate with the Justice Reinvestment Oversight Board and other State entities.”; in line 7, after “purposes;” insert “providing that the operation of the Center is subject to the limitations of the State budget;”; in line 8, strike “and”; in line 9, after “coordination” insert “, and facilitation”; in line 10, after “purposes;” insert “requiring the Center to develop certain models, recommendations, and procedures;”; in lines 10 and 11, strike “at certain intervals” and substitute “each year”; in line 11, after “purposes;” insert “stating the intent of the General Assembly;”; in line 14, after “plan;” insert “requiring the Center to consider certain factors when developing the plan;”; in line 16, strike “authorizing” and substitute “encouraging”; and strike beginning with “requiring” in line 18 down through “purposes;” in line 19.

AMENDMENT NO. 2

On page 2, in lines 2, 7, and 22, in each instance, strike “COMMUNITY” and substitute “BEHAVIORAL”; in line 16, strike “(D)” and substitute “(F)”; after line 15, insert:

“(D) “RACIAL IMPACT ANALYSIS” MEANS A SYSTEMATIC EXAMINATION OF HOW RACIAL MINORITIES ARE OR WILL BE IMPACTED BY EXISTING OR PROPOSED MODELS, PLANS, POLICIES, STRATEGIES, PROGRAMS, PROCESSES, OR RECOMMENDATIONS.

(E) “RACIAL MINORITY” MEANS:

(1) BLACK OR AFRICAN AMERICAN;

(2) HISPANIC OR LATINO;

(3) INDIGENOUS, AMERICAN INDIAN, OR ALASKA NATIVE;

(4) ASIAN; OR

(5) NATIVE HAWAIIAN OR PACIFIC ISLANDER.”;

in line 16, strike “INTERCEPT MODEL” and substitute “INTERCEPT MODEL”; strike beginning with “, MENTAL” in line 17 down through “SERVICES” in line 20 and substitute

“AND BEHAVIORAL HEALTH STAKEHOLDERS TO PREVENT ENTRANCE INTO THE CRIMINAL JUSTICE SYSTEM, MINIMIZE PENETRATION INTO THE CRIMINAL JUSTICE SYSTEM, AND ENGAGE INDIVIDUALS WITH BEHAVIORAL HEALTH SERVICES AND RECOVERY SUPPORTS AS THEY TRANSITION INTO THE COMMUNITY FROM THE CRIMINAL JUSTICE SYSTEM”; after line 25, insert:

“(1) ACT AS THE STATEWIDE INFORMATION REPOSITORY FOR BEHAVIORAL HEALTH TREATMENT AND DIVERSION PROGRAMS RELATED TO THE CRIMINAL JUSTICE SYSTEM;”;

and strike beginning with “ENHANCE” in line 26 down through “SAFETY” in line 27 and substitute “INCREASE TREATMENT AND REDUCE THE DETENTION OF INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS INVOLVED IN THE CRIMINAL JUSTICE SYSTEM”.

On page 2 in lines 26 and 28, and on page 3 in lines 3, 5, and 9, strike “(1)”, “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively.

On page 3, strike beginning with “AND” in line 1 down through “CARE” in line 2 and substitute “SYSTEMS OF CARE THAT PREVENT AND MINIMIZE INVOLVEMENT WITH THE CRIMINAL JUSTICE SYSTEM FOR INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS”; strike beginning with “THE” in line 3 down through “MODELS” in line 4 and substitute “LOCAL OR REGIONAL PLANNING WORKSHOPS USING THE SEQUENTIAL INTERCEPT MODEL”; in line 7, strike “AND COMMUNITY HEALTH”; in line 8, after “STATE” insert “RELATING TO INDIVIDUALS INVOLVED IN THE CRIMINAL JUSTICE SYSTEM”; in line 9, strike “SEEK AND DISBURSE” and substitute “IDENTIFY AND INFORM ANY RELEVANT STAKEHOLDERS OF”; in line 13, strike “COMMUNITY HEALTH AND” and substitute “BEHAVIORAL HEALTH,”; in the same line, after “SAFETY” insert “, AND CRIMINAL JUSTICE”; after line 13, insert:

“(C) IN CARRYING OUT ITS DUTIES, THE CENTER SHALL CONTINUOUSLY MONITOR AND ANALYZE ITS MODELS, PLANS, POLICIES, STRATEGIES, PROGRAMS, TECHNICAL ASSISTANCE, AND TRAINING FOR THEIR VALIDITY AND FOR OPPORTUNITIES TO REDUCE AND ELIMINATE DISPARITIES IN THE CRIMINALIZATION OF RACIAL MINORITIES WITH BEHAVIORAL HEALTH DISORDERS AND INCREASE ACCESS TO CULTURALLY COMPETENT CARE.

(D) (1) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES SHALL APPOINT THE FOLLOWING INDIVIDUALS TO JOINTLY OVERSEE THE CENTER:

(I) A CRISIS INTERVENTION LAW ENFORCEMENT COORDINATOR;

(II) A MENTAL HEALTH COORDINATOR; AND

(III) ANY OTHER INDIVIDUALS DETERMINED NECESSARY BY THE OFFICE.

(2) THE INDIVIDUALS APPOINTED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE ASSOCIATED WITH THE CRISIS INTERVENTION TEAM CENTER OF EXCELLENCE WITHIN THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.

(E) THE CENTER MAY DESIGNATE POINTS OF CONTACT THROUGHOUT THE STATE WHO SPECIALIZE IN BEHAVIORAL HEALTH TREATMENT WITHIN THE CRIMINAL JUSTICE SYSTEM TO BRIEF THE CENTER ON THE PROGRESS OF STATEWIDE IMPLEMENTATION OF DIVERSION PROGRAMS.

(F) THE CENTER MAY COORDINATE WITH THE JUSTICE REINVESTMENT OVERSIGHT BOARD AND OTHER STATE ENTITIES WORKING TO REDUCE STATE AND LOCAL DETENTION FACILITY POPULATIONS AND RECIDIVISM.”;

in line 14, strike “(C)” and substitute “(G)”; in line 15, after “SYSTEM” insert “, MARYLAND HBCUS,”; after line 16, insert:

“(H) THE OPERATION OF THE CENTER IS SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET.”;

in line 20, strike “AND”; in line 21, after “COORDINATION” insert “; AND”

(4) FACILITATING THE PROVISION OF TRAIN-THE-TRAINER COURSES FOR THE SEQUENTIAL INTERCEPT MODEL FOR COMPLETION IN 2021 IN PARTNERSHIP WITH THE FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, WITH THE GOAL OF TRAINING 50 INDIVIDUALS IN THE STATE AS FACILITATORS”;

in line 26, after “HEALTH” insert “, **PUBLIC SAFETY, OR CRIMINAL**”; in the same line, strike “AND”; and strike beginning with “PROGRAMS” in line 28 down through “SYSTEM;” in line 29 and substitute “**BEHAVIORAL HEALTH, PUBLIC SAFETY, OR CRIMINAL JUSTICE; AND**”.

On page 4, strike in their entirety lines 1 through 5, inclusive; in line 6, strike “(5)” and substitute “(4)”; in the same line, strike “SUBSEQUENT”; in lines 6 and 7, strike “SEQUENTIAL INTERCEPT MODEL SUMMITS” and substitute “**SEQUENTIAL INTERCEPT MODEL SUMMITS**”; after line 7, insert:

“(C) THE CENTER SHALL DEVELOP THE FOLLOWING:

(1) A STATEWIDE MODEL FOR LAW ENFORCEMENT-ASSISTED DIVERSION;

(2) RECOMMENDATIONS FOR PRETRIAL SERVICES;

(3) PROCEDURES FOR SHARING DEFLECTION AND DIVERSION STATISTICS BETWEEN RELEVANT STATE AGENCIES;

(4) RECOMMENDATIONS FOR STATEWIDE IMPLEMENTATION OF LAW ENFORCEMENT-ASSISTED DIVERSION PROGRAMS; AND

(5) A STATEWIDE MODEL FOR COMMUNITY CRISIS INTERVENTION SERVICES OTHER THAN LAW ENFORCEMENT.”;

in lines 8, 12, and 15, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 8, before “THE” insert “(1)”; in lines 8 and 9, strike “SEQUENTIAL INTERCEPT MODEL SUMMIT EVERY 2 YEARS” and substitute “**SEQUENTIAL INTERCEPT MODEL SUMMIT EACH YEAR**”; after line 11, insert:

“(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE CENTER APPLY TO THE FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION FOR GRANT FUNDING TO HOLD SUBSEQUENT STATE SEQUENTIAL INTERCEPT MODEL SUMMITS ANNUALLY.”;

in lines 12 and 13, strike “**SEQUENTIAL INTERCEPT MODEL**” and substitute “**SEQUENTIAL INTERCEPT MODEL**”; in line 23, strike “**COMMUNITY HEALTH AND PUBLIC SAFETY**” and substitute “**BEHAVIORAL HEALTH, PUBLIC SAFETY, AND CRIMINAL JUSTICE**”; in line 25, strike “**2021**” and substitute “**2022**”; strike beginning with “**NOVEMBER**” in line 27 down through “**JUSTICE**” in line 28 and substitute “**ANNUAL STATE SEQUENTIAL INTERCEPT MODEL SUMMIT**”; and strike in their entirety lines 30 and 31.

On page 5, in line 1, strike “**(2)**” and substitute “**(1)**”; in the same line, after “**FORMAL**” insert “**, CONSISTENT, APPROPRIATE,**”; in the same line, after “**PROCESSES**” insert “**THAT ARE PROPERLY APPLIED**”; in the same line, after “**COORDINATED**” insert “**BEHAVIORAL HEALTH**”; in line 2, after “**BOOKING**” insert “**, INCLUDING EXPANDED BEHAVIORAL HEALTH SCREENING FOR VETERANS**”; after line 2, insert:

“(2) RECOMMENDATIONS FOR THE COORDINATION OF BEHAVIORAL HEALTH AND CRIMINAL JUSTICE INITIATIVES WITH RELATED STATE HEALTH INITIATIVES;”;

strike in their entirety lines 6 through 8, inclusive, and substitute:

“(II) CRISIS RESPONSE SERVICES;

(III) HARM REDUCTION STRATEGIES; AND

(IV) OTHER PREVENTIVE SERVICES FOR INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS;”;

in line 9, after “**TECHNOLOGY**” insert “**AND DATA ANALYSIS**”; strike beginning with “**ALL**” in line 9 down through “**SYSTEM.**” in line 10 and substitute “**THE BEHAVIORAL HEALTH, PUBLIC SAFETY, AND CRIMINAL JUSTICE SYSTEMS IN ACCORDANCE WITH THE PURPOSES OF THE CENTER;**”; after line 10, insert:

“(5) A PLAN FOR EXPANDING THE USE OF PEER SUPPORT SERVICES ACROSS INTERCEPTS; AND

(6) A RACIAL IMPACT ANALYSIS.

(C) IN DEVELOPING THE STRATEGIC PLAN, THE CENTER SHALL CONSIDER:

(1) OPPORTUNITIES FOR THE PROVISION OF PRE-CRISIS-TO-RECOVERY SERVICES TO INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS WHO ARE INVOLVED IN THE CRIMINAL JUSTICE SYSTEM;

(2) THE AVAILABILITY OF HOUSING OPTIONS FOR INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS WHO ARE INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM; AND

(3) THE AVAILABILITY OF TRANSPORTATION FOR INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS WHO ARE INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM.”;

in line 18, strike “AND”; after line 18, insert:

“(5) THE LOCAL HEALTH IMPROVEMENT COUNCIL;

(6) COMMUNITY-BASED BEHAVIORAL HEALTH PROVIDERS;

(7) A REPRESENTATIVE OF THE NAACP;

(8) A REPRESENTATIVE OF PUBLIC DEFENDERS; AND”;

in line 19, strike “(5)” and substitute “(9)”; strike in their entirety lines 21 and 22 and substitute:

“(1) AN ASSESSMENT OF THE CAPACITY OF THE LOCAL BEHAVIORAL SYSTEM;

(2) RECOMMENDATIONS FOR THE ENHANCEMENT OF THE LOCAL CRISIS RESPONSE SYSTEM;

(3) RECOMMENDATIONS FOR THE ENHANCEMENT OF THE LOCAL BEHAVIORAL HEALTH CARE SYSTEM, INCLUDING CULTURALLY COMPETENT CARE;;

in line 23, strike “(3)” and substitute “(4)”; in line 24, after “JURISDICTION” insert “; AND”

(5) A RACIAL IMPACT ANALYSIS;

and in line 25, strike “MAY” and substitute “IS ENCOURAGED TO”.

On page 6, strike in their entirety lines 3 and 4 and substitute:

“IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE CENTER, TO THE EXTENT PRACTICABLE, IDENTIFY OPPORTUNITIES TO FUND:”;

in line 8, strike “AND”; in line 10, after “STUDY” insert “BEHAVIORAL HEALTH-, PUBLIC SAFETY-, OR”; in the same line, after “ISSUES” insert “; AND”

(6) BEHAVIORAL HEALTH INITIATIVES IN RURAL COMMUNITIES;

and in line 11, strike “June” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 25

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 495 – Delegate Palakovich Carr

AN ACT concerning

**Income Tax – Internal Revenue Code Amendments and the Federal CARES Act –
Decoupling**

HB0495/115667/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 495

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**and the Federal CARES Act**”; strike beginning with “providing” in line 6 down through “deductions;” in line 9; in lines 9 and 10, strike “a certain provision of”; in line 13, strike “and 10–306(b)”; and strike in their entirety lines 16 through 25, inclusive.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 27 on page 2 through line 18 on page 4, inclusive.

On page 4, in line 19, strike “4.” and substitute “2.”; and in line 20, after “2021” insert “, and shall be applicable to all taxable years beginning after December 31, 2020”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 804 – Delegate Palakovich Carr

AN ACT concerning

**Taxes – Whistleblower Reward Program and Statute of Limitations for Tax
Collections**

HB0804/715565/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 804
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “circumstances;” insert “providing for the determination and allocation of the amount of an award if two or more whistleblowers are eligible for the award;”.

AMENDMENT NO. 2

On page 2, in lines 23 and 26, in each instance, after the first “**THE**” insert “**STATE AND COUNTY**”; in line 26, after “**BUSINESS**” insert “**, INCLUDING THOSE PERSONS WHO ARE JOINTLY AND SEVERALLY LIABLE FOR THE STATE TAX LIABILITY OF A BUSINESS UNDER THIS ARTICLE,**”; in line 27, after “**RECEIPTS**” insert “**OR SALES**”; and in line 28, strike “**, PENALTIES, AND INTEREST**”.

On page 3, in line 25, strike “**WAS THE BASIS FOR A SUCCESSFUL**” and substitute “**, BECAUSE OF THE ORIGINAL INFORMATION, RESULTS IN A FINAL ASSESSMENT IN A**”; in the same line, after “**OR**” insert “**A SUCCESSFUL OUTCOME AGAINST A TAXPAYER IN**”; and in line 28, after “**ACTION**” insert “**OR RELATED ACTION**”.

On page 4, after line 2, insert:

“(C) IF TWO OR MORE WHISTLEBLOWERS ARE ELIGIBLE FOR AN AWARD UNDER SUBSECTION (A) OF THIS SECTION ARISING OUT OF THE SAME COVERED ENFORCEMENT ACTION OR RELATED ACTION:

(1) THE TOTAL AWARD MAY NOT EXCEED 30% OF THE TAXES, PENALTIES, AND INTEREST COLLECTED THROUGH THE ENFORCEMENT ACTION OR RELATED ACTION; AND

(2) THE COMPTROLLER SHALL DETERMINE THE ALLOCATION OF THE AWARD AMONG THE ELIGIBLE WHISTLEBLOWERS.”;

in line 16, after “**ACTION**” insert “**OR RELATED ACTION**”; and strike in their entirety lines 22 through 25, inclusive.

On page 5, in line 2, after “ACTION” insert “OR RELATED ACTION”; in line 3, strike “OR”; after line 3, insert:

“(3) COULD HAVE BEEN CONVICTED OF A CRIMINAL VIOLATION OR HELD PERSONALLY LIABLE FOR THE TAX LIABILITY RELATED TO THE COVERED ENFORCEMENT ACTION OR RELATED ACTION FOR WHICH THE WHISTLEBLOWER OTHERWISE COULD RECEIVE AN AWARD UNDER THIS SECTION HAD THE WHISTLEBLOWER PROVIDED THE ORIGINAL INFORMATION BEFORE THE EXPIRATION OF ANY APPLICABLE STATUTE OF LIMITATIONS FOR PROSECUTION OR ASSESSMENT OF THE WHISTLEBLOWER; OR”;

in line 4, strike “(3)” and substitute “(4)”; in line 9, after “(C)” insert “(1)”; after line 12, insert:

“(2) IN BRINGING A CHALLENGE IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE WHISTLEBLOWER MAY NOT CHALLENGE:

(I) THE DECISION TO CONDUCT OR THE METHOD OF CONDUCTING AN INVESTIGATION ARISING FROM THE ORIGINAL INFORMATION PROVIDED BY THE WHISTLEBLOWER;

(II) THE AMOUNT OF ANY UNPAID TAXES, PENALTIES, OR INTEREST DUE TO THE STATE ARISING FROM THE ORIGINAL INFORMATION PROVIDED BY THE WHISTLEBLOWER;

(III) THE RESULT OF A COVERED ENFORCEMENT ACTION OR RELATED ACTION ARISING FROM THE ORIGINAL INFORMATION PROVIDED BY THE WHISTLEBLOWER; OR

(IV) ANY SETTLEMENT BETWEEN THE STATE AND A PERSON HAVING A TAX LIABILITY THAT ARISES FROM THE ORIGINAL INFORMATION PROVIDED BY THE WHISTLEBLOWER.”;

after line 27, insert:

“(3) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO IMPLY OR INFER THAT A WHISTLEBLOWER IS ENTITLED TO COMPENSATION FOR ANY COSTS OR ATTORNEY’S FEES INCURRED TO CLAIM AN AWARD UNDER THIS SUBTITLE.”;

in line 28, strike “(1)”; and in line 32, strike “(I)” and substitute “(1)”.

On page 6, in line 1, strike “(II)” and substitute “(2)”; strike in their entirety lines 4 through 16, inclusive; and strike beginning with the first “OR” in line 25 down through “AUTHORITY,” in line 26.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Adams moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 892 – Delegate Buckel

AN ACT concerning

Economic Development – Maryland Technology Infrastructure Pilot Program – Establishment

HB0892/445966/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 892

(First Reading File Bill)

On page 1, in line 16, after “State;” insert “providing that the Fund is subject to a certain audit.”

On page 3, in line 4, strike “MARLAND” and substitute “MARYLAND”; in line 30, strike “TWO” and substitute “THREE”; and in the same line, strike “WHO” and substitute “:

(I) TWO OF WHOM.

On page 4, in line 1, after “**MARYLAND;**” insert “**AND**”

(II) ONE OF WHOM HAS EXPERIENCE IN VENTURE CAPITAL OR ECONOMIC DEVELOPMENT;.

On page 5, in line 25, strike “**OFFICE OF LEGISLATIVE AUDITS SHALL AUDIT THE**”; and in line 26, after “**FUND**” insert “**ARE SUBJECT TO AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 944 – Delegate Solomon

AN ACT concerning

Growing Family Child Care Opportunities Pilot Program – Established

HB0944/305969/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 944

(First Reading File Bill)

On page 2, in line 29, after “**AWARD**” insert “**AT LEAST THREE GRANTS, EACH OF WHICH DOES NOT EXCEED**”; and in line 30 strike “**GRANTS TO LOCAL JURISDICTIONS OR CHILD CARE LICENSING REGIONS**” and substitute “**, IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION**”.

On page 3, strike beginning with “**GRANTS**” in line 1 down through “**AREA**” in line 6 and substitute:

“(I) TO BE ELIGIBLE FOR A GRANT UNDER THIS SECTION, A COUNTY GOVERNING BODY OR MULTIPLE COUNTY GOVERNING BODIES SHALL SIGN A MEMORANDUM OF UNDERSTANDING WITH A CHILD CARE RESOURCE CENTER THAT SERVES THE CHILD CARE LICENSING REGION THAT CONTAINS ONE OF THE COUNTIES.

“(II) THE COUNTY OR COUNTIES AND THE CHILD CARE RESOURCE CENTER JOINTLY SHALL APPLY FOR THE GRANT AND ADMINISTER THE LOCAL PILOT PROGRAM”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1047 – Delegate Wilkins

AN ACT concerning

Mail-In Voting Enhancement Act

HB1047/885163/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1047

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “requiring the State Board of Elections to complete a certain report after each statewide election; requiring the report to be posted on the State Board’s website and submitted to the General Assembly;”; in the same line, after the second “for” insert “the return of absentee ballots using ballot drop boxes and”; in line 4, after “ballot,” insert “requiring that certain instructions accompanying an absentee ballot include a provision informing the voter that an absentee ballot placed in a mailbox after a certain pick up on election day will not be postmarked on election day;”; in line 5, strike “of

Elections”; in line 12, strike “, size,”; in line 13, strike “, subject to the approval of the State Board,”; strike beginning with “ensure” in line 14 down through “accessibility” in line 15 and substitute “take into account certain factors”; in line 16, strike “make certain efforts to”; in line 19, after “open,” insert “requiring the State Board to establish chain of custody procedures governing removal of election–related materials from ballot drop boxes and the return of the materials to the local board;”; strike beginning with “requiring” in line 19 down through “term;” in line 30 and substitute “prohibiting a person from canvassing, electioneering, or posting campaign material in a certain manner or placing certain material on a ballot drop box;”.

On page 2, in lines 1 and 2, in each instance, after “ballot” insert “application and absentee ballot”; strike beginning with “authorizing” in line 2 down through “application;” in line 4; strike beginning with “in” in line 5 down through “manner” in line 6 and substitute “within a certain period of time”; strike beginning with “requiring” in line 6 down through “information;” in line 7; in line 14, after “ballot;” insert “prohibiting a person from removing, defacing, damaging, destroying, or preventing the correct operation of a ballot drop box; prohibiting a person from unlocking a ballot drop box except under certain circumstances; providing that a person who violates certain prohibitions is guilty of a felony and on conviction is subject to certain penalties; requiring the State Board to contract with a usability consultant on or before a certain date to review all the public informational materials and forms related to mail–in voting produced by the State Board; requiring the consultant to make certain recommendations to the State Board on or before a certain date; requiring the consultant to make specific recommendations concerning certain matters; requiring the State Board to submit a certain report to certain committees of the General Assembly on or before a certain date; defining a certain term;”; in line 14, strike “absentee voting” and substitute “elections”; strike in their entirety lines 15 through 19, inclusive; in line 22, after “Section” insert “1–101(d–1), 1–306;”; in the same line, strike “and” and substitute a comma; in the same line, after “9–311.1” insert “, and 16–805”; and after line 24, insert:

“BY repealing and reenacting, with amendments,

Article – Election Law

Section 9–303, 9–309, and 11–302

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 27, insert:

“1-101.

(D-1) “BALLOT DROP BOX” MEANS A SECURE, DURABLE, WEATHERPROOF CONTAINER THAT IS OFFICIALLY DESIGNATED BY A LOCAL BOARD FOR VOTERS TO DEPOSIT COMPLETED ABSENTEE BALLOTS IN PERSON.

1-306.

(A) AFTER EACH STATEWIDE ELECTION, THE STATE BOARD SHALL COMPLETE A COMPREHENSIVE REPORT ANALYZING THE ELECTION, INCLUDING:

(1) VOTER TURNOUT;

(2) ADMINISTRATIVE POLICIES AND PRACTICES THAT WERE DIFFERENT FROM THE PREVIOUS ELECTION;

(3) ADMINISTRATIVE POLICIES AND PRACTICES THAT WERE EFFECTIVE AND THOSE THAT WERE NOT EFFECTIVE; AND

(4) HOW THE STATE BOARD PLANS TO IMPROVE THE ELECTION PROCESS FOR FUTURE ELECTIONS.

(B) THE STATE BOARD SHALL:

(1) POST THE REPORT REQUIRED UNDER THIS SECTION ON ITS WEBSITE; AND

(2) SUBMIT THE REPORT TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.”.

AMENDMENT NO. 3

On page 2, after line 33, insert:

“(3) THE RETURN OF ABSENTEE BALLOTS USING BALLOT DROP BOXES;”;

and in lines 34 and 35, strike “(3)” and “(4)”, respectively, and substitute “(4)” and “(5)”, respectively.

On page 3, in lines 1, 2, 4, 5, 7, 8, and 10, strike “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, and “(11)”, respectively, and substitute “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, “(11)”, and “(12)”, respectively; after line 15, insert:

“9–309.

(A) An absentee ballot shall be accompanied by instructions, prescribed by the State Board, for marking and returning the ballot.

(B) THE INSTRUCTIONS SHALL INCLUDE A PROVISION INFORMING THE VOTER THAT AN ABSENTEE BALLOT PLACED IN A MAILBOX AFTER THE LAST PICK UP ON ELECTION DAY WILL NOT BE POSTMARKED ON ELECTION DAY.”;

AMENDMENT NO. 4

On page 3, strike in their entirety lines 17 through 20, inclusive; and in lines 21 and 24, strike “(B)” and “(C)”, respectively, and substitute “(A)” and “(B)”, respectively.

On page 4, in lines 1, 4, 6, 11, and 21, strike “(D)”, “(E)”, “(F)”, “(G)”, and “(H)”, respectively, and substitute “(C)”, “(D)”, “(E)”, “(F)”, and “(G)”, respectively; in line 9, strike “, SIZE,”; in line 11, strike “SUBJECT TO THE APPROVAL OF THE STATE BOARD, EACH” and substitute “EACH”; strike in their entirety lines 13 through 20, inclusive, and substitute:

“(2) A LOCAL BOARD SHALL TAKE INTO ACCOUNT THE FOLLOWING FACTORS WHEN DETERMINING THE LOCATION OF A BALLOT DROP BOX:

(I) ENSURING ACCESSIBILITY OF THE BALLOT DROP BOX TO HISTORICALLY DISENFRANCHISED COMMUNITIES, INCLUDING VOTERS WITH DISABILITIES, CULTURAL GROUPS, ETHNIC GROUPS, AND MINORITY GROUPS;

(II) PROXIMITY OF THE BALLOT DROP BOX TO DENSE CONCENTRATIONS OF VOTERS;

(III) ACCESSIBILITY OF THE BALLOT DROP BOX BY PUBLIC TRANSPORTATION;

(IV) ENSURING EQUITABLE DISTRIBUTION OF BALLOT DROP BOXES THROUGHOUT THE COUNTY; AND

(V) MAXIMIZING VOTER PARTICIPATION, INCLUDING THROUGH PLACEMENT OF BALLOT DROP BOXES AT COMMUNITY CENTERS AND PUBLIC GATHERING PLACES.”.

AMENDMENT NO. 5

On page 4, in line 21, strike “MAKE EVERY POSSIBLE EFFORT TO”; in line 23, strike “WHEN FEASIBLE”; and in line 24, after “CAMERAS” insert “AT ALL TIMES”.

On page 5, in lines 1 and 3, strike “(I)” and “(J)”, respectively, and substitute “(H)(1)” and “(I)”, respectively; and after line 2, insert:

“(2) THE STATE BOARD SHALL ESTABLISH CHAIN OF CUSTODY PROCEDURES GOVERNING REMOVAL OF ELECTION-RELATED MATERIALS FROM BALLOT DROP BOXES AND THE RETURN OF THE MATERIALS TO THE LOCAL BOARD.”.

AMENDMENT NO. 6

On page 5, strike beginning with “(1)” in line 3 down through “BOX” in line 18 and substitute “A PERSON MAY NOT:

(1) CANVASS, ELECTIONEER, OR POST ANY CAMPAIGN MATERIAL IN A MANNER THAT OBSTRUCTS ACCESS TO A BALLOT DROP BOX; OR

(2) PLACE ANY CAMPAIGN MATERIAL OR ANY OTHER UNAUTHORIZED MATERIAL ON A BALLOT DROP BOX.”;

and strike in their entirety lines 19 through 30, inclusive.

AMENDMENT NO. 7

On page 6, in line 2, after “BALLOT” insert “APPLICATION AND ABSENTEE BALLOT”; strike in their entirety lines 3 through 22, inclusive, and substitute:

“(1) WHEN THE VOTER’S ABSENTEE BALLOT APPLICATION IS RECEIVED BY THE LOCAL BOARD;

(2) WHEN THE VOTER’S ABSENTEE BALLOT IS SENT TO THE VOTER;

(3) WHEN THE VOTER’S COMPLETED ABSENTEE BALLOT IS RECEIVED BY THE LOCAL BOARD; AND

(4) WHEN THE VOTER’S ABSENTEE BALLOT IS COUNTED.”;

in line 24, after “BALLOT” insert “**APPLICATION AND ABSENTEE BALLOT**”; in line 25, strike “OR”; strike beginning with “IF” in line 26 down through “BOARD” in line 27 and substitute “**BY CALLING THE TOLL-FREE TELEPHONE NUMBER OF THE STATE BOARD; OR**

(3) IF THE VOTER PROVIDES THE VOTER’S E-MAIL ADDRESS WHEN APPLYING FOR AN ABSENTEE BALLOT ONLINE, BY RECEIVING AN E-MAIL MESSAGE FROM THE STATE BOARD”.

On page 7, strike in their entirety lines 1 through 3, inclusive; in line 5, strike “IN A TIMELY MANNER” and substitute “**WITHIN 72 HOURS**”; and strike in their entirety lines 6 and 7.

On page 8, in line 16, after “AN” insert “**ACCESSIBLE**”.

AMENDMENT NO. 8

On page 9, after line 1, insert:

“16-805.

(A) A PERSON MAY NOT:

(1) REMOVE, DEFACE, DAMAGE, DESTROY, OR PREVENT THE CORRECT OPERATION OF A BALLOT DROP BOX; OR

(2) EXCEPT FOR SERVICING BY AN AUTHORIZED PERSON, UNLOCK ANY LOCKED COMPARTMENT OF A BALLOT DROP BOX UNLESS INSTRUCTED TO DO SO BY THE ELECTION DIRECTOR OF THE LOCAL BOARD FOR THE COUNTY IN WHICH THE BALLOT DROP BOX IS LOCATED.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 3 YEARS OR BOTH.”.

AMENDMENT NO. 9

On page 9, before line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before August 1, 2021, the State Board of Elections shall contract with a usability consultant to review all the public informational materials and forms related to mail-in voting produced by the State Board.

(b) (1) On or before December 1, 2021, the consultant shall make recommendations to the State Board regarding ways the State Board’s public informational materials and forms related to mail-in voting could be made more usable, especially by socioeconomically diverse communities.

(2) The consultant shall make specific usability recommendations concerning:

(i) the information related to mail-in voting that appears on the State Board’s website;

(ii) all materials mailed to voters who choose to vote by mail, including envelopes, forms, and instructions; and

(iii) the system allowing a voter to access information concerning the voter’s mail-in ballot established under § 9-311.1 of the Election Law Article, as enacted by Section 1 of this Act.

(c) On or before February 1, 2022, the State Board shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2-1257 of the State Government Article, that includes:

(1) the recommendations submitted by the consultant under subsection (b) of this section; and

(2) the actions the State Board has taken or plans to take to implement the recommendations.”;

in line 2, strike “2.” and substitute “3.”; and in line 3, strike “October” and substitute “June”.

The preceding 9 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1166 – Delegate Ebersole

AN ACT concerning

Education – Physical Restraint and Seclusion – Requirements, Reporting, and Training

HB1166/245163/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1166

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Requirements, Reporting,**” and substitute “**Reporting**”; strike beginning with “prohibiting” in line 4 down through “circumstances;” in line 11; and in line 28, after “to” insert “reporting and training on”.

On pages 1 and 2, strike in their entirety the lines beginning with line 30 on page 1 through line 5 on page 2, inclusive.

On page 2, in line 8, after “7-1101” insert “, 7-1102, and 7-1104”; strike in their entirety lines 11 through 21, inclusive; and strike beginning with “That” in line 23 down through the comma in line 26.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 19 on page 3 through line 7 on page 5, inclusive.

On page 5, in line 8, strike “7-1103” and substitute “7-1102”.

On page 7, in line 1, strike “7-1105” and substitute “7-1104”; and in line 28, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1182 – Delegate Kipke

AN ACT concerning

Tax – Property – Tax Sales

HB1182/435166/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1182

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 3 down through “exceptions;” in line 4 and substitute “the collector of property taxes of a county to sell certain property at a tax sale under certain circumstances; requiring the collector of property taxes to sell certain property on receipt of a certain petition at the county’s next regularly scheduled tax sale; providing for the termination of this Act;”; and strike in their entirety lines 6 through 15, inclusive.

AMENDMENT NO. 2

On page 1, in line 17, strike “the Laws of Maryland read as follows”.

On pages 1 through 3, strike in their entirety the lines beginning with line 18 on page 1 through line 17 on page 3, inclusive, and substitute:

“(a) Notwithstanding any other law, the collector of property taxes of a county shall sell a property at a tax sale in accordance with Title 14, Subtitle 8, Part III of the Tax-Property Article if:

- (1) the property is a vacant lot;
 - (2) the tax on the property is in arrears for at least 8 years;
 - (3) the property consists of a narrow strip of land that is no more than 6 feet wide and is surrounded on two sides by adjoining property owned by the same property owner;
 - (4) the property prevents the owner of the adjoining property from connecting improvements that the adjoining property owner wishes to make to the adjoining property owner's property; and
 - (5) the adjoining property owner petitions the collector of property taxes to sell the property.
- (b) On receipt of a petition described under subsection (a)(5) of this section, the collector of property taxes shall sell the property that is the subject of the petition at the county's next regularly scheduled tax sale."

AMENDMENT NO. 3

On page 3, in line 19, after "2021." insert "It shall remain effective for a period of 2 years and, at the end of June 30, 2023, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect."

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1209 – Delegate Luedtke

AN ACT concerning

Sales and Use Tax – Peer-to-Peer Car Sharing – Alterations

HB1209/625064/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1209

(First Reading File Bill)

On pages 3 and 4, strike the lines beginning with line 34 on page 3 through line 8 on page 4, inclusive, and substitute:

“(1) EXCEPT AS PROVIDED IN ITEM (2) OF THIS SUBSECTION, 8% OF THE TAXABLE PRICE; AND”.

On page 4, in line 9, strike “(II)” and substitute “(2)”; in the same line, after “VEHICLE” insert “IS A PASSENGER CAR, A MULTIPURPOSE PASSENGER VEHICLE, OR A MOTORCYCLE THAT”; in line 10, strike “AT LEAST FIVE” and substitute “MORE THAN 10”; and strike beginning with “USED” in line 11 down through “ARTICLE” in line 15.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1255 – Delegate Ivey

AN ACT concerning

Homestead and Homeowners’ Property Tax Credits – Access and Eligibility

HB1255/635065/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1255

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “to” in line 3 down through “addendum” in line 5 and substitute “to include certain information”; in line 9, strike “for inclusion in certain

contracts for sale of residential property” and substitute “that must be presented to the buyer of residential property at the settlement for the property by the person conducting the settlement”; strike beginning with “altering” in line 11 down through “years;” in line 17; strike beginning with “providing” in line 24 down through “Act;” in line 25 and substitute “requiring the Department and the Comptroller to collaborate with the Committee on Ways and Means during a certain time period on a study of certain matters concerning the homeowners’ property tax credit.”

On page 2, strike in their entirety lines 2 through 6, inclusive; in line 9, strike “9–104(a)(8) and (u),”; and in the same line, strike “, and 14–812(b)(6)”.

AMENDMENT NO. 2

On page 2, strike beginning with “TO” in line 16 down through “ARTICLE” in line 21 and substitute “SHALL INCLUDE:

(1) THE STATEMENT “IF YOU PLAN TO LIVE IN THIS HOME AS YOUR PRINCIPAL RESIDENCE, YOU MAY QUALIFY FOR THE HOMESTEAD PROPERTY TAX CREDIT. THE HOMESTEAD PROPERTY TAX CREDIT MAY SIGNIFICANTLY REDUCE THE AMOUNT OF PROPERTY TAXES YOU OWE.”; AND

(2) THE WEBSITE ADDRESS OF THE DOCUMENT REQUIRED UNDER § 9–105(F)(5) OF THE TAX – PROPERTY ARTICLE”.

AMENDMENT NO. 3

On page 3, strike beginning with “THE” in line 16 down through “ARTICLE” in line 20 and substitute “THE DEPARTMENT SHALL DESIGN A DOCUMENT CONCERNING THE CREDIT UNDER THIS SECTION THAT SHALL BE PRESENTED TO THE BUYER OF RESIDENTIAL PROPERTY AT THE SETTLEMENT FOR THE PROPERTY BY THE PERSON CONDUCTING THE SETTLEMENT”.

On pages 3 and 4, strike beginning with “REAL” in line 33 on page 3 down through “PROPERTY” in line 1 on page 4 and substitute “PERSONS CONDUCTING SETTLEMENTS FOR RESIDENTIAL PROPERTY”.

AMENDMENT NO. 4

On pages 4 through 6, strike in their entirety the lines beginning with line 4 on page 4 through line 28 on page 6, inclusive.

AMENDMENT NO. 5

On page 6, in line 29, strike “3.” and substitute “2.”.

On page 7, in line 16, strike “2021” and substitute “2022”; after line 22, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, during the 2021 legislative interim, the State Department of Assessments and Taxation and the Comptroller shall collaborate with the Committee on Ways and Means on a study of:

(1) how to simplify the definition of “gross income” for purposes of the homeowners’ property tax credit, such as by using Maryland Adjusted Gross Income as calculated under the Tax – General Article, without increasing State expenditures by changing how the amount of the credit is calculated under § 9–104(g) of the Tax – Property Article; and

(2) ways that the homeowners’ property tax credit could be made automatically renewable for recipients of the credit.”;

and strike beginning with “Section” in line 24 down through “2021.” in line 25.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1351 – Delegate Wilkins

AN ACT concerning

**Campaign Finance – Contribution Through Third-Party Payment Processor
– Transfer to Campaign Account**

HB1351/345960/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1351
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 3 in its entirety and substitute “**and Payment of Expenses**”; in line 8, after “processor;” insert “repealing the authority of a campaign finance entity to pay an expense of the campaign finance entity from funds other than a campaign account under certain circumstances; authorizing the State Board of Elections to impose a certain civil penalty for a certain violation of this Act; requiring the State Board to notify the responsible officers of each campaign finance entity on or before a certain date that the campaign finance entity must initiate the transfer of certain contributions to the designated campaign account of the campaign finance entity within a certain period of time; providing for the effective dates of this Act;”; in line 13, after “13–220(a)” insert “and (b) and 13–604.1(b)”; strike beginning with “contributions” in line 9 down through “processors” in line 10 and substitute “campaign finance”; and strike in their entirety lines 16 through 20, inclusive.

AMENDMENT NO. 2

On page 2, in line 22, strike “A campaign finance entity, or a” and substitute “A”; in the same line, strike “the” and substitute “A”; in line 23, strike the comma; after line 29, insert:

“13–604.1.

(b) The State Board may impose a civil penalty in accordance with this section for the following violations:

(1) making a disbursement in a manner not authorized in § 13–218(b)(2), (c), and (d) of this title;

(2) failure to maintain a campaign bank account as required in § 13–220(a) of this title;

(3) making a disbursement by a method not authorized in § 13–220(d) of this title;

(4) failure to maintain detailed and accurate account books and records as required in § 13–221 of this title;

(5) fund–raising during the General Assembly session in a manner not authorized in § 13–235 of this title;

(6) failure to report all contributions received and expenditures made as required in § 13–304(b) of this title;

(7) failure to include an authority line on campaign material as required in § 13–401 of this title;

(8) failure to retain a copy of campaign material as required in § 13–403 of this title; [or]

(9) failure to include a disclosure on online campaign material as required in § 13–401.1(b) of this title; OR

(10) FAILURE TO TRANSFER A CONTRIBUTION FROM THE ACCOUNT OF A THIRD–PARTY PAYMENT PROCESSOR IN ACCORDANCE WITH § 13–220(A)(4) OF THIS TITLE.

AMENDMENT NO. 3

On page 2, after line 29, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 15, 2021, the State Board of Elections shall notify the responsible officers of each campaign finance entity by e–mail that, within 7 days after the effective date of Section 1 of this Act, the campaign finance entity must initiate the transfer of any contributions to the entity that are held in the account of a third–party payment processor on the effective date of Section 1 of this Act to the designated campaign account of the campaign finance entity.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2021.”;

in line 30, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, except as provided in Section 3 of this Act.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Kittleman moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

WAYS AND MEANS COMMITTEE REPORT NO. 26

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1060 – Delegate Patterson

AN ACT concerning

Charles County – Board of Education – Membership Alterations

HB1060/605067/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1060

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “school board” and substitute “county commissioner”; strike beginning with “requiring” in line 5 down through “manner;” in line 6; strike beginning with “altering” in line 9 down through “begins;” in line 10; strike beginning with “requiring” in line 12 down through “circumstances;” in line 13; strike beginning with “requiring” in line 14 down through “occur;” in line 18; in line 20, after “member;” insert “authorizing the student member of the county board to vote on all matters before the county board, with the exception of certain specified matters; prohibiting the student member of the county board from attending a certain executive session that relates to certain matters except under certain circumstances; authorizing the county board to determine, in a certain manner, whether a certain matter is a matter on which the student member may not vote; authorizing the State Board of Education to remove a student member from the county board in a certain manner;”; strike beginning with “requiring” in line 20 down through “manner;” in line 22; in line 23, strike “defining a certain term;” in line 27, strike “and 3–502”; and after line 29, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 3–502

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 and 6; in line 7, strike the brackets; in the same line, strike “(B)” ; in line 11, strike “SIX MEMBERS” and substitute “ONE MEMBER”; after line 11, insert:

“1. BE ELECTED FROM EACH OF THE FOUR COUNTY COMMISSIONER DISTRICTS;”;

in line 12, strike “1.” and substitute “2.”; in the same line, strike “SCHOOL BOARD” and substitute “COUNTY COMMISSIONER”; in line 14, strike “2.” and substitute “3.”; in lines 14 and 15, strike “SCHOOL BOARD” and substitute “COUNTY COMMISSIONER”; in line 16, strike “ONE MEMBER” and substitute “THREE MEMBERS”; strike in their entirety lines 18 through 26, inclusive; in line 27, strike “(D)” and substitute “(B)” ; and in lines 27 and 29, in each instance, strike “SCHOOL BOARD” and substitute “COUNTY COMMISSIONER”.

On page 3, in lines 3 and 13, in each instance, strike “SCHOOL BOARD” and substitute “COUNTY COMMISSIONER”; in lines 5, 21, and 26, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively; in line 21, strike “ELECTED”; in the same line, after “members” insert “, EXCEPT THE STUDENT MEMBER,”; in line 23, strike “(G)” and substitute “(E)” ; in line 28, strike the first set of brackets; in the same line, strike “FIRST”; in line 30, strike the brackets; and in the same line, strike “FIRST”.

On page 4, in line 1, strike the brackets; in the same line, strike “FIRST”; in lines 9 and 30, strike “(H)” and “(I)”, respectively, and substitute “(F)” and “(G)”, respectively; in line 9, strike the second set of brackets; in the same line, strike “voting” and substitute “ELECTED”; strike beginning with “IN” in line 9 down through “COMMISSIONERS” in line 11; strike beginning with the second “A” in line 13 down through “DISTRICT” in line 14 and substitute “AN ELECTED MEMBER”; in line 15, strike “SCHOOL BOARD” and substitute “COUNTY COMMISSIONER”; in line 17, strike the brackets; in the same line, strike “COUNTY COMMISSIONERS”; in lines 18 and 27, in each instance, strike the second set of brackets; in line 18, strike “COUNTY COMMISSIONERS”; and in line 27, strike “COUNTY COMMISSIONERS ARE”.

On page 5, in line 17, strike “(J)” and substitute “(H)” ; in line 23, after “(4)” insert “(I)” ; after line 24, insert:

“(II) THE STUDENT MEMBER MAY VOTE ON ALL MATTERS BEFORE THE BOARD EXCEPT THOSE RELATING TO:

- 1. HEARINGS ON APPEALS OF SPECIAL EDUCATION PLACEMENTS;**
- 2. HEARINGS HELD UNDER §§ 4-205 AND 7-305 OF THIS ARTICLE;**
- 3. PERSONNEL MATTERS, INCLUDING THOSE UNDER §§ 6-201 AND 6-202 OF THIS ARTICLE;**
- 4. APPOINTMENT, SALARY, AND EVALUATION OF THE COUNTY SUPERINTENDENT;**
- 5. COLLECTIVE BARGAINING DECISIONS;**
- 6. CAPITAL AND OPERATING BUDGETS; AND**
- 7. SCHOOL CLOSINGS, OPENINGS, AND BOUNDARIES.”;**

in lines 25 and 28, strike the brackets; strike beginning with “special” in line 27 down through “article” in line 28 and substitute **“ANY MATTER FOR WHICH THE STUDENT MEMBER MAY NOT VOTE”**; after line 28, insert:

“(6) ON A MAJORITY VOTE OF THE ELECTED MEMBERS, THE COUNTY BOARD MAY DETERMINE, ON A CASE-BY-CASE BASIS, WHETHER A MATTER UNDER CONSIDERATION IS COVERED BY THE EXCLUSIONARY PROVISIONS LISTED IN PARAGRAPH (4) OF THIS SUBSECTION.

(7) THE STATE BOARD MAY REMOVE THE STUDENT MEMBER FROM THE COUNTY BOARD IN THE SAME MANNER AS AN ELECTED MEMBER.”;

and strike in their entirety lines 30 and 31.

On page 6, in line 1, strike the brackets; in the same line, strike “(B)”; in line 2, strike “REMAINING ELECTED”; in line 4, strike the brackets; in the same line, strike “(C)”; in line 8, strike “school board” and substitute “the county commissioner”; strike beginning with “1” in line 8 down through “at-large” in line 9; and in line 11, strike “school board districts 2, 4, and 6” and substitute “the county at-large”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1142 – Howard County Delegation

AN ACT concerning

Howard County – School Redistricting – Public Testimony

Ho. Co. 07–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1190 – Howard County Delegation

AN ACT concerning

Howard County – Board of Education – Redetermination of Geographic Attendance Area

Ho. Co. 05–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1343 – Delegate Kipke

AN ACT concerning

Anne Arundel County – Party Central Committees – Republican Requirements

HB1343/695760/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1343

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “districts from” and substitute “manner in”; and strike beginning with “to” in line 4 down through “districts” in line 5.

AMENDMENT NO. 2

On page 2, in line 2, strike the comma and substitute “:

(I)”;

and in line 3, after “COUNTY” insert “;AND

(II) ONE MEMBER SHALL BE ELECTED FROM ANNE ARUNDEL COUNTY AT LARGE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 21

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 89 – Delegate Wilkins

AN ACT concerning

Correctional Services – Diminution Credits – Education

HB0089/262510/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 89
(First Reading File Bill)

On page 2, in line 3, strike “IN ADVANCE”; in line 13, strike “AN” and substitute “NOT MORE THAN ONE”; in line 14, strike “A” and substitute “NOT MORE THAN ONE”; in line 15, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE”; in line 16, strike “90” and substitute “60”; after line 16, insert:

“(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, FOR AN INMATE WHO IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE, AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, THE DEDUCTION ALLOWED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE 40 DAYS PER PROGRAM COMPLETED.

(3) AN INMATE WHO IS SERVING A SENTENCE FOR A SEXUAL OFFENSE FOR WHICH REGISTRATION UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE IS REQUIRED IS NOT ENTITLED TO A DIMINUTION OF THE INMATE’S TERM OF CONFINEMENT AS PROVIDED UNDER THIS SECTION.”;

and in line 17, strike “(2)” and substitute “(4)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Wilson moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

JUDICIARY COMMITTEE REPORT NO. 22

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 240 – Delegate Shetty

AN ACT concerning

Criminal Procedure – Forensic Genetic Genealogical DNA Analysis, Searching, Regulation, and Oversight**HB0240/812617/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 240

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “authorization;” insert “requiring a court to authorize the initiation of a certain forensic genetic genealogical DNA analysis and search if certain information is certified before the court;”; in line 14, after “training” insert “within a certain period of time”; in line 20, after “investigation” insert “, certain criminal sentencing;”; in the same line, after “order;” insert “requiring a certain genetic genealogist to turn over certain records to the investigator in a certain case; prohibiting a certain genetic genealogist from maintaining certain records; requiring the prosecutor in a certain case to maintain and disclose certain records and materials under certain circumstances;”; and in line 25, after “action;” insert “authorizing a prosecutor in a certain case to file a certain appeal under certain circumstances;”.

On page 2, in line 4, strike “criteria to satisfy certain requirements;” and substitute “licensing programs; requiring the Office of Health Care Quality to develop a certain training program and identify and approve one or more genetic counselors to administer certain training; requiring the Maryland Forensic Laboratory Advisory Committee to establish certain best practices and recommend certain regulations; prohibiting any restrictions from being placed on a certain laboratory or genetic genealogist prior to the establishment of a certain licensing program; requiring that certain laboratories and genetic genealogists apply for a certain license within a certain time;”; in lines 4 and 5, strike “Department of Public Safety and Correctional Services” and substitute “Governor’s Office of Crime Prevention, Youth, and Victim Services”; and in line 6, after “report” insert “and make policy recommendations”.

AMENDMENT NO. 2

On page 2, in line 25, strike “CONSUMERS” and substitute “MEMBERS OF THE PUBLIC AND LAW ENFORCEMENT AGENCIES”; in line 29, strike the second “A” and substitute “AN”; in line 31, after “MEANS” insert “:

(1)”;

strike beginning with “OF” in line 31 down through “SAMPLE” in line 32; in line 33, strike the first “A” and substitute “AN”; in the same line, strike the comma and substitute “;

(2)”;

and in line 35, strike the comma.

On page 3, in line 2, strike the first “AND” and substitute “;AND

(3)”;

strike beginning with “THE” in line 3 down through “UNDER” in line 4; in line 7, strike the comma and substitute “OR”; in line 9, strike “THE” and substitute “BIOLOGICAL MATERIAL FROM”; in line 10, strike “OF A SUSPECTED HOMICIDE VICTIM”; in line 19, after “INVESTIGATORS” insert “TO HAVE COMMITTED THE CRIME UNDER INVESTIGATION AND”; in line 20, strike “DURING, OR INCIDENT TO,” and substitute “DURING OR INCIDENT TO”; in line 28, after “(K)” insert “(1)”; in line 30, strike “IS ALTERED AND” and substitute “VARIES.”; and in the same line, strike “THESE VARIATIONS” and substitute:

“(2) “SINGLE-NUCLEOTIDE POLYMORPHISMS” INCLUDES VARIATIONS THAT”.

On page 4, in line 4, after “(A)” insert “(1)”; in line 6, strike “PROVIDED FOR UNDER” and substitute “SET FORTH IN”; after line 6, insert:

“(2) IF AN FGGS IS CERTIFIED BEFORE A COURT IN ACCORDANCE WITH THIS SECTION, THE COURT SHALL AUTHORIZE THE INITIATION OF THE FGGS.”;

in line 9, strike “THE FOLLOWING” and substitute “THAT”; strike beginning with “A” in line 10 down through “PRESENT” in line 13 and substitute “THE COMMISSION OF, OR THE ATTEMPT TO COMMIT, MURDER, RAPE, A FELONY SEXUAL OFFENSE, KIDNAPPING, HUMAN TRAFFICKING, OR A CRIMINAL ACT INVOLVING CIRCUMSTANCES PRESENTING”; in line 18, after “FROM” insert “:

(I);

in the same line, strike the first comma and substitute “;

(II);

in the same line, after “ITEM,” insert “OR”; in line 19, strike “, OR” and substitute a “;OR

(III);

in line 25, after “(4)” insert “UNLESS THE CRIME BEING INVESTIGATED PRESENTS AN ONGOING THREAT TO PUBLIC SAFETY OR NATIONAL SECURITY CONCERNS,”; in the same line, strike “TRIED” and substitute “PURSUED”; in line 26, after “FAILED” insert “TO IDENTIFY THE PERPETRATOR”; in line 27, strike “EITHER” and substitute “WHETHER”; and in line 32, after “THAT” insert “:

(1).

On page 5, in line 1, strike “UNIDENTIFIED”; in the same line, after “REMAINS” insert “;AND

(2) SEEKS ACKNOWLEDGEMENT AND CONSENT FROM ITS SERVICE USERS REGARDING THE SUBSTANCE OF THE NOTICE DESCRIBED IN ITEM (1) OF THIS SUBSECTION;

in line 3, strike the second “THE”; in line 6, strike “INFORMED” and substitute “**(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, INFORMED**”; after line 9, insert:

(II) IF THE USE OF INFORMED CONSENT WILL COMPROMISE THE INVESTIGATION AS DEMONSTRATED UNDER SUBSECTION (G)(1)(II) OF THIS

SECTION AND THE THIRD PARTY HAS NOT ALREADY REFUSED TO CONSENT, INVESTIGATORS MAY SEEK AUTHORIZATION TO COVERTLY COLLECT A DNA SAMPLE IN ACCORDANCE WITH SUBSECTION (G) OF THIS SECTION.”;

in line 11, strike “BIOETHICIST” and substitute “GENETIC COUNSELOR”; in line 12, after “QUALITY” insert “UNDER § 17-104 OF THIS SUBTITLE WITHIN 1 YEAR AFTER THE OFFICE OF HEALTH CARE QUALITY HAS IDENTIFIED AND APPROVED A GENETIC COUNSELOR OR WITHIN 1 YEAR AFTER THE PERSON JOINS THE INVESTIGATIVE UNIT CONDUCTING THE INVESTIGATION, WHICHEVER IS LATER”; in line 18, after “INVESTIGATION” insert “AND HAS THE RIGHT TO REFUSE TO CONSENT TO THE COLLECTION OF A DNA SAMPLE”; after line 18, insert:

“(III) THE LAW PROHIBITS THE COVERT COLLECTION OF A DNA SAMPLE IF THE THIRD PARTY REFUSES TO CONSENT TO THE COLLECTION OF A DNA SAMPLE;”;

and in lines 19, 24, and 27, strike “(III)”, “(IV)”, and “(V)”, respectively, and substitute “(IV)”, “(V)”, and “(VI)”, respectively.

On page 6, in line 5, strike “A” and substitute “AN”; in line 7, after “(G)” insert “(1)”; in the same line, strike “MAY BE” and substitute “ARE”; strike beginning with “PERSON” in line 9 down through “SATISFIED” in line 10 and substitute “PUTATIVE PERPETRATOR OR A THIRD PARTY”; in lines 11, 13, 15, 19, 22, and 27, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively; in line 12, after “PERPETRATOR’S” insert “OR THE THIRD PARTY’S”; strike beginning with “A” in line 13 down through “NECESSARY” in line 14 and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR A COVERT COLLECTION OF A DNA SAMPLE OF A THIRD PARTY, INVESTIGATIVE AUTHORITIES SHALL PROVIDE AN AFFIDAVIT TO THE COURT DEMONSTRATING THAT SEEKING INFORMED CONSENT FROM A THIRD PARTY CREATES SUBSTANTIAL RISK THAT A PUTATIVE PERPETRATOR WILL FLEE, THAT ESSENTIAL EVIDENCE WILL BE DESTROYED, OR THAT OTHER IMMINENT OR IRREVERSIBLE HARM TO THE INVESTIGATION WILL OCCUR”; in line 19, before “ANY” insert “FOR A COVERT COLLECTION OF A DNA SAMPLE OF A PUTATIVE PERPETRATOR,”; in line 20, strike “A” and substitute “AN”; in line 22, after “SAMPLE” insert “, INCLUDING SNPS AND OTHER GENETIC PROFILES OR RELATED INFORMATION,”; in lines 27 and 32, strike “(I)” and “(II)”, respectively, and

substitute “1.” and “2.”, respectively; in lines 28 and 33, in each instance, strike “FROM A PUTATIVE PERPETRATOR”; in line 31, strike “PARAGRAPH (3) OF THIS SUBSECTION” and substitute “ITEM (III) OF THIS PARAGRAPH”; and after line 34, insert:

“(2) THE FEAR THAT A THIRD PARTY WILL REFUSE INFORMED CONSENT MAY NOT CONSTITUTE A BASIS FOR SEEKING COVERT COLLECTION OF A DNA SAMPLE FROM THE THIRD PARTY.”

On page 7, in line 1, strike “ON THE COMPLETION OF THE FGGS INVESTIGATION” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON COMPLETION OF AN FGGS INVESTIGATION THAT DOES NOT RESULT IN A PROSECUTION OR RESULTS IN AN ACQUITTAL, OR ON COMPLETION OF A SENTENCE AND POSTCONVICTION LITIGATION ASSOCIATED WITH A CONVICTION OBTAINED THROUGH THE USE OF FGGS,”; in line 5, strike “ENSURE THAT”; in the same line, after “ALL” insert “PERSONS IN POSSESSION OF”; in line 7, strike “ARE DESTROYED” and substitute “TO DESTROY THE SAMPLES AND INFORMATION”; after line 7, insert:

“(II) 1. ON THE COMPLETION OF AN FGGS INVESTIGATION, THE GENETIC GENEALOGIST PARTICIPATING IN THE FGGS SHALL TURN OVER TO THE INVESTIGATOR ALL RECORDS AND MATERIALS COLLECTED IN THE COURSE OF THE FGGS, INCLUDING MATERIAL SOURCED FROM PUBLIC RECORDS, FAMILY TREES CONSTRUCTED, AND ANY OTHER GENETIC OR NONGENETIC DATA COLLECTED IN THE FGGS.

2. THE GENETIC GENEALOGIST MAY NOT KEEP ANY RECORDS OR MATERIALS IN ANY FORM, INCLUDING DIGITAL OR HARD COPY RECORDS.

3. THE GENETIC GENEALOGIST SHALL ENSURE THAT ALL RECORDS DESCRIBED UNDER THIS SUBPARAGRAPH HAVE BEEN DELETED OR REMOVED FROM ANY FGG WEBSITE.

4. THE PROSECUTOR SHALL RETAIN AND DISCLOSE ANY RECORDS OR MATERIALS AS REQUIRED UNDER THE MARYLAND CONSTITUTION OR THE UNITED STATES CONSTITUTION AND THE RULES OF DISCOVERY AS PROVIDED

IN MARYLAND RULES 4–262 AND 4–263, BUT MAY NOT OTHERWISE USE OR SHARE THE RECORDS OR MATERIALS.”;

in lines 19 and 20, in each instance, strike “A” and substitute “AN”; strike beginning with the third comma in line 23 down through “**ARTICLE**” in line 24; in line 26, after “**SAMPLES**” insert “THAT ARE REQUIRED TO BE DESTROYED IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION”; strike beginning with the second comma in line 29 down through “**ARTICLE**” in line 30; and after line 35, insert:

“(L) A PROSECUTOR IN A CRIMINAL CASE THAT INVOLVES AN FGGS INVESTIGATION MAY FILE WITH THE COURT OF SPECIAL APPEALS AN APPEAL FROM AN INTERLOCUTORY ORDER BY A COURT THAT EXCLUDES OR SUPPRESSES EVIDENCE IN THE FORM OF AN STR DNA PROFILE OBTAINED FROM THE FGGS.”.

On page 8, in line 6, strike “A” and substitute “AN”; strike beginning with “**THE**” in line 7 down through “**CRITERIA**” in line 8; in line 11, after “**FROM**” insert “;”

(I)”;

in the same line, strike the first comma and substitute “;”

(II)”;

in line 12, strike the second “, **OR**” and substitute “; **OR**”

(III)”;

in line 14, strike “A” and substitute “AN”; in line 19, strike “**EITHER**” and substitute “WHETHER”; in the same line, strike “**MAY**” and substitute “WILL NOT”; in line 22, strike “A” and substitute “AN”; in line 24, after “**THAT**” insert “;”

(I)”;

in the same line, strike “**THEIR**” and substitute “ITS”; in line 25, strike “**THEIR**” and substitute “ITS”; in line 26, strike “**UNIDENTIFIED**”; in the same line, after “**REMAINS;**” insert “AND”

(II) SEEKS ACKNOWLEDGEMENT AND CONSENT FROM ITS SERVICE USERS REGARDING THE SUBSTANCE OF THE NOTICE DESCRIBED IN ITEM (I) OF THIS PARAGRAPH;;

in line 29, strike “HAS BEEN” and substitute “ARE”; in line 31, strike “IS” and substitute “SHALL BE”; in line 32, strike “A” and substitute “AN”; and in line 33, strike “§ 17–102(F)” and substitute “§ 17–102(F)(1) THROUGH (3)”.

On page 9, in line 2, strike “A” and substitute “AN”; in line 3, strike “OR” and substitute “NOR”; in line 5, after “(B)” insert “(1)”; in line 6, strike “MAY BE” and substitute “ARE”; in line 8, strike “PERSON” and substitute “PUTATIVE PERPETRATOR OR A THIRD PARTY”; in lines 9, 11, 13, 17, 20, and 25, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI) 1.”, respectively; in line 10, after “PERPETRATOR’S” insert “OR THE THIRD PARTY’S”; strike beginning with “A” in line 11 down through “NECESSARY” in line 12 and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR A COVERT COLLECTION OF A DNA SAMPLE OF A THIRD PARTY, INVESTIGATIVE AUTHORITIES SHALL PROVIDE AN AFFIDAVIT TO THE COURT DEMONSTRATING THAT SEEKING INFORMED CONSENT FROM A THIRD PARTY CREATES SUBSTANTIAL RISK THAT A PUTATIVE PERPETRATOR WILL FLEE, THAT ESSENTIAL EVIDENCE WILL BE DESTROYED, OR THAT OTHER IMMINENT OR IRREVERSIBLE HARM TO THE INVESTIGATION WILL OCCUR”; in line 17, before “ANY” insert “FOR A COVERT COLLECTION OF A DNA SAMPLE OF A PUTATIVE PERPETRATOR,”; in line 20, after “SAMPLE” insert “, INCLUDING SNPS AND OTHER GENETIC PROFILES OR RELATED INFORMATION,”; in line 24, after “STATUTE;” insert “AND”; in line 30, strike “(7)” and substitute “2.”; in lines 26 and 31, in each instance, strike “FROM A PUTATIVE PERPETRATOR”; in line 29, strike “§ 17–102(G)(3) OF THIS TITLE” and substitute “ITEM (III) OF THIS PARAGRAPH”; after line 32, insert:

(2) THE FEAR THAT A THIRD PARTY WILL REFUSE INFORMED CONSENT MAY NOT CONSTITUTE A BASIS FOR SEEKING COVERT COLLECTION OF A DNA SAMPLE FROM THE THIRD PARTY.

(3) ANY INDIVIDUAL ACTING UNDER COURT SUPERVISION IN ACCORDANCE WITH THIS SUBSECTION SHALL BE TREATED AS AN AGENT OF THE

STATE FOR PURPOSES OF ENFORCING STATE AND FEDERAL CONSTITUTIONAL PROTECTIONS.”;

and in line 34, strike “A” and substitute “AN”.

On page 10, in line 14, strike the first “A” and substitute “AN”; in line 19, strike “(K)” and substitute “(E)”; strike beginning with “THE” in line 26 down through “TO” in line 30.

On page 10 in line 31, and on page 11 in line 1, in each instance, strike “LICENSE” and substitute “A LICENSING PROGRAM FOR”; and in the same lines, in each instance, strike “MUST BEGIN”.

On page 11, after line 2, insert:

“(B) THE OFFICE OF HEALTH CARE QUALITY SHALL:

(1) DEVELOP A TRAINING PROGRAM ON OBTAINING INFORMED CONSENT UNDER §§ 17-102 AND 17-103 OF THIS SUBTITLE; AND

(2) IDENTIFY AND APPROVE ONE OR MORE GENETIC COUNSELORS TO ADMINISTER THE TRAINING.”;

strike beginning with “IF” in line 9 down through “LICENSE” in line 11 and substitute:

“(1) PROHIBITIONS MAY NOT BE PLACED ON ANY LABORATORY CONDUCTING SNP OR OTHER SEQUENCING-BASED TESTING OR ON GENETIC GENEALOGISTS PARTICIPATING IN AN FGGS BEFORE THE RELEVANT LICENSING PROGRAM IS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION.

(2) WITHIN 1 YEAR AFTER THE OFFICE OF HEALTH CARE QUALITY ESTABLISHES THE RELEVANT LICENSING PROGRAM UNDER SUBSECTION (A) OF THIS SECTION, LABORATORIES CONDUCTING SNP OR OTHER SEQUENCING-BASED TESTING AND GENETIC GENEALOGISTS PARTICIPATING IN AN FGGS SHALL APPLY FOR THE LICENSE REQUIRED”;

strike beginning with “IN” in line 16 down through “SERVICES” in line 17 and substitute **“ON OR BEFORE JUNE 1 ANNUALLY, THE GOVERNOR’S OFFICE OF CRIME**

PREVENTION, YOUTH, AND VICTIM SERVICES"; in line 18, strike "ANNUAL"; in lines 21, 23, and 26, in each instance, strike "FGG" and substitute "FGGS"; strike beginning with "AND" in line 21 down through "DOCUMENTATION" in line 22 and substitute "MADE, BROKEN DOWN BY NUMBER OF REQUESTS MADE BY PROSECUTORS, PRE-TRIAL DEFENDANTS, AND POSTCONVICTION DEFENDANTS".

On page 12, strike beginning with "WHETHER" in line 11 down through "SEARCH" in line 13 and substitute "THE OUTCOME OF EACH AUTHORIZED SEARCH, INCLUDING WHETHER THE SEARCH RESULTED IN AN ARREST OR A CONVICTION FOR THE TARGET OFFENSE"; in line 14, after "ATTORNEYS," insert "PUBLIC DEFENDERS,"; and in line 19, after "YEAR" insert "AND MAKE POLICY RECOMMENDATIONS".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 23

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 315 – Delegates Bartlett, D.M. Davis, Feldmark, R. Lewis, Lierman, and Pena-Melnyk

AN ACT concerning

Juvenile Law – Juvenile Interrogation Protection Act

HB0315/372913/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 315

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "and" insert "an effort to provide"; in the same line, strike "has been provided"; in line 8, after "custodian" insert "has been made"; in line 9, after "confidential" insert "and in accordance with the Maryland Rules of Professional Conduct";

strike beginning with “proceeded” in line 13 down through “charged” in line 14 and substitute “taken into custody as a child or”; in line 15, strike “a certain record;” and substitute “certain records; requiring that an attorney provide a law enforcement officer with certain information;”; strike beginning with “statements” in line 15 down through “evidence” in line 16 and substitute “a law enforcement officer may conduct an otherwise lawful custodial interrogation of a child”; in lines 16 and 17 strike “requiring the Police Training and Standards Commission” and substitute “authorizing the Court of Appeals”; and in line 21, after “manner;” insert “requiring that an interrogation of a child be recorded under certain circumstances; establishing certain standards for the recording of the interrogation of a child under certain circumstances; requiring that a child be notified of the recording of an interrogation of the child under certain circumstances; establishing a certain rebuttable presumption; requiring the Office of the Public Defender to develop and implement certain policies and to publish on its website or make available to law enforcement certain information;”.

AMENDMENT NO. 2

On page 3, in line 30, strike “**POLICE TRAINING AND STANDARDS COMMISSION SHALL**” and substitute “**COURT OF APPEALS MAY**”.

On pages 3 and 4, strike beginning with the colon in line 32 on page 3 down through “**SUBTITLE**” in line 9 on page 4 and substitute “**THE CHILD’S RIGHTS**”.

On page 4, strike beginning with “**NOTIFIED**” in line 25 down through “**NOTIFIED,**” in line 26 and substitute “**MADE AN EFFORT REASONABLY CALCULATED TO GIVE ACTUAL NOTICE TO**”; and strike beginning with “**IN**” in line 26 down through “**NOTICE**” in line 27.

On page 5, in line 2, strike “**CONFIDENTIAL**” and substitute “**:**”

(I) CONDUCTED IN A MANNER CONSISTENT WITH THE MARYLAND RULES OF PROFESSIONAL CONDUCT; AND

(II) CONFIDENTIAL;

in line 15, after “**(F)**” insert “**(1)**”; in lines 19, 22, and 23, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; after line 23, insert:

“(2) (I) A LAW ENFORCEMENT AGENCY CONDUCTING AN INTERROGATION UNDER THIS SECTION SHALL MAINTAIN A RECORD OF THE NAME OF THE ATTORNEY CONTACTED AND THE COUNTY OR COUNTIES IN WHICH THE ATTORNEY PROVIDED THE CONSULTATION.

(II) AN ATTORNEY CONTACTED TO PROVIDE LEGAL CONSULTATION TO A CHILD UNDER THIS SUBTITLE SHALL PROVIDE TO A LAW ENFORCEMENT OFFICER THE INFORMATION REQUIRED FOR THE RECORD REQUIRED TO BE MAINTAINED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;

in line 24, after “(G)”, insert “(1)”; in line 25, strike “STATEMENTS MADE BY A CHILD ARE ADMISSIBLE AS EVIDENCE” and substitute “A LAW ENFORCEMENT OFFICER MAY CONDUCT AN OTHERWISE LAWFUL CUSTODIAL INTERROGATION OF A CHILD”; in line 26, strike “(1)” and substitute “(I)”; and strike beginning with “WHO” in line 26 down through “WAS” in line 28 and substitute “REASONABLY BELIEVES THAT THE INFORMATION SOUGHT IS”.

On page 6, in line 1, after “INDIVIDUAL” insert “AND A REASONABLE DELAY TO ALLOW THE CHILD TO HAVE LEGAL CONSULTATION WOULD IMPEDE THE ABILITY OF LAW ENFORCEMENT TO SAFEGUARD THE LIFE OF THE THREATENED INDIVIDUAL”; in line 2, strike “(2)” and substitute “(II)”; in line 3, strike “WERE” and substitute “ARE”; in line 4, after “INFORMATION” insert “NECESSARY TO PROTECT THE INDIVIDUAL FROM AN IMMINENT THREAT TO THE LIFE OF THE INDIVIDUAL”; and after line 4, insert:

“(2) (I) UNLESS IT IS IMPOSSIBLE, IMPRACTICABLE, OR UNSAFE TO DO SO, AN INTERROGATION CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE RECORDED.

(II) IN A JURISDICTION THAT HAS ADOPTED THE USE OF BODY–WORN DIGITAL RECORDING DEVICES BY LAW ENFORCEMENT OFFICERS, THE INTERROGATION OF A CHILD MAY BE RECORDED USING A BODY–WORN DIGITAL RECORDING DEVICE IN A MANNER THAT IS CONSISTENT WITH DEPARTMENTAL POLICIES REGARDING THE USE OF BODY–WORN DIGITAL RECORDING DEVICES.

(III) IN A JURISDICTION THAT HAS NOT ADOPTED THE USE OF BODY–WORN DIGITAL RECORDING DEVICES, THE INTERROGATION OF A CHILD MAY

BE RECORDED USING OTHER VIDEO AND AUDIO RECORDING TECHNOLOGY IN A MANNER THAT IS CONSISTENT WITH ANY POLICIES OF THE LAW ENFORCEMENT AGENCY REGARDING THE USE OF VIDEO AND AUDIO RECORDING TECHNOLOGY.

(IV) A CHILD BEING INTERROGATED UNDER THIS SUBSECTION SHALL BE INFORMED IF THE INTERROGATION IS BEING RECORDED.

(H) THERE IS A REBUTTABLE PRESUMPTION THAT A STATEMENT MADE BY A CHILD DURING A CUSTODIAL INTERROGATION IS INADMISSIBLE IN A DELINQUENCY PROCEEDING OR A CRIMINAL PROSECUTION AGAINST THE CHILD IF A LAW ENFORCEMENT OFFICER WILLFULLY FAILED TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

(I) THE OFFICE OF THE PUBLIC DEFENDER SHALL:

(1) DEVELOP AND IMPLEMENT POLICIES TO PROVIDE GUIDANCE AND INSTRUCTION TO ATTORNEYS TO MEET THE REQUIREMENTS OF THIS SECTION; AND

(2) ON OR BEFORE OCTOBER 1, 2021, PUBLISH ON ITS WEBSITE, OR PROVIDE TO LAW ENFORCEMENT ON REQUEST, INFORMATION ON ATTORNEYS AVAILABLE TO ACT AS COUNSEL TO A CHILD IN ACCORDANCE WITH THIS SECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 24

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 372 – Delegate Moon

AN ACT concerning

Criminal Law – Drug Paraphernalia for Administration – Decriminalization

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 611)

CALENDAR OF THIRD READING HOUSE BILLS NO. 64

House Bill 15 – Delegate Pena–Melnyk

AN ACT concerning

Governor’s Office of Immigrant Affairs

Read the third time and passed by yeas and nays as follows:

Affirmative – 102 Negative – 31 (See Roll Call No. 612)

The Bill was then sent to the Senate.

House Bill 463 – Delegate Barron

EMERGENCY BILL

AN ACT concerning

Maryland Health Equity Resource Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 127 Negative – 5 (See Roll Call No. 613)

The Bill was then sent to the Senate.

House Bill 894 – Delegate Haynes

AN ACT concerning

Education – Community Colleges – Collective Bargaining

Delegate Cardin moved the previous question.

The motion was adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 95 Negative – 40 (See Roll Call No. 614)

The Bill was then sent to the Senate.

House Bill 1023 – Delegate Holmes

AN ACT concerning

**Real Property – Condominiums, Homeowners Associations, and Cooperative
Housing Corporations – Virtual Meetings**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 615)

The Bill was then sent to the Senate.

House Bill 1347 – Delegate Barve

AN ACT concerning

**Real Property – Impermissible Restrictions on Use – Portable Basketball
Apparatuses**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 616)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 65

House Bill 567 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Cooperative Housing Corporations, Condominiums, and
Homeowners Associations – Reserve Studies**

Read the third time and passed by yeas and nays as follows:

Affirmative – 122 Negative – 13 (See Roll Call No. 617)

The Bill was then sent to the Senate.

House Bill 852 – Delegate Kaiser

AN ACT concerning

Property Tax – Tax Sales – Homeowner Protection Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 618)

The Bill was then sent to the Senate.

House Bill 854 – Delegate Kaiser

AN ACT concerning

**Maryland Longitudinal Data System Center – Inclusion of ~~Out-of-Home~~
~~Placement Data~~ Child Welfare Data and Governing Board**

Read the third time and passed by yeas and nays as follows:

Affirmative – 113 Negative – 20 (See Roll Call No. 619)

The Bill was then sent to the Senate.

House Bill 905 – Delegate Bridges

AN ACT concerning

Education – Workforce Development Sequence Scholarships – Eligibility

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 620)

The Bill was then sent to the Senate.

House Bill 922 – Delegate Lierman (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – COVID–19–Related Death Benefits – Clarification

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 621)

The Bill was then sent to the Senate.

House Bill 1033 – Delegate Cullison

AN ACT concerning

Office of Health Care Quality – Influenza Virus Immunization Education and Information – Assisted Living Facilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 622)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 68

House Bill 92 – Delegate Luedtke

AN ACT concerning

Procurement – ~~Invasive and Nonnative~~ Plant Species – Prohibition on Use of State Funds

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 2 (See Roll Call No. 623)

The Bill was then sent to the Senate.

House Bill 234 – Delegate Williams

AN ACT concerning

Criminal Law – Harm to Service Animals

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 2 (See Roll Call No. 624)

The Bill was then sent to the Senate.

House Bill 272 – Delegate Carr

AN ACT concerning

**Public Information Act – Required Denials – Sociological Information and
Distribution Lists**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 625)

The Bill was then sent to the Senate.

House Bill 418 – Delegate Guyton

AN ACT concerning

County Boards of Education – Symbols of Hate – Policy

Read the third time and passed by yeas and nays as follows:

Affirmative – 121 Negative – 12 (See Roll Call No. 626)

The Bill was then sent to the Senate.

House Bill 931 – Delegate Arikan

AN ACT concerning

**Child Care Providers – Notice of Allegations of Child Abuse or Neglect
(Aiden’s Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 627)

The Bill was then sent to the Senate.

House Bill 989 – Delegate Krebs

AN ACT concerning

Public Safety – 9-1-1 Emergency Telephone System – Alterations

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 628)

The Bill was then sent to the Senate.

House Bill 1040 – Delegate Kelly

~~EMERGENCY BILL~~

AN ACT concerning

Health Occupations – Pharmacists – Administration of Vaccinations Children’s Vaccines – Study and Temporary Authority

Read the third time and passed by yeas and nays as follows:

Affirmative – 119 Negative – 14 (See Roll Call No. 629)

The Bill was then sent to the Senate.

House Bill 1072 – Charles County Delegation

AN ACT concerning

Charles County – Community Service and Pretrial Release Programs – Authorization

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 630)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 63

House Bill 288 – Delegate Charles

AN ACT concerning

Audiology and Speech–Language Pathology Interstate Compact

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 631)

The Bill was then sent to the Senate.

House Bill 368 – Delegate Bagnall

AN ACT concerning

Task Force on Oral Health in Maryland

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 2 (See Roll Call No. 632)

The Bill was then sent to the Senate.

House Bill 890 – Delegate D.E. Davis

AN ACT concerning

**Natural Gas – Strategic Infrastructure Development and Enhancement –
Surcharge and Plans**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 38 (See Roll Call No. 633)

The Bill was then sent to the Senate.

**House Bill 901 – Delegate Bartlett (By Request – Anne Arundel County
Administration)**

AN ACT concerning

Anne Arundel County – Hotel Tax Alterations – Distribution of Revenue

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 634)

The Bill was then sent to the Senate.

House Bill 1127 – Delegate Beitzel

AN ACT concerning

Garrett County – Memorial Hospital – Board Membership and Meetings

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 635)

The Bill was then sent to the Senate.

House Bill 1287 – Delegate R. Lewis

AN ACT concerning

Alcohol and Drug Counseling – Alcohol and Drug Trainees – Practice Through Telehealth

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 636)

The Bill was then sent to the Senate.

House Bill 1311 – Delegate Mangione

AN ACT concerning

Property Tax Exemption – Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Refund

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 637)

The Bill was then sent to the Senate.

House Bill 1342 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

Economic Development – Partnership for Workforce Quality Program – Alterations

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 638)

The Bill was then sent to the Senate.

SPECIAL ORDERS**House Bill 1351 – Delegate Wilkins**

AN ACT concerning

**Campaign Finance – Contribution Through Third-Party Payment Processor
– Transfer to Campaign Account**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 639)

ADJOURNMENT

At 2:58 P.M. on motion of Delegate Luedtke the House adjourned until 11:00 A.M. on Legislative Day March 9, 2021, Calendar Day, Saturday, March 20, 2021.

Annapolis, Maryland
Legislative Day: March 9, 2021
Calendar Day: Saturday, March 20, 2021
11:00 A.M. Session

The House met at 11:31 A.M. and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 640)

EXCUSED:

Delegate Anderson – illness
Delegate Arikan – late – illness
Delegate Barron – left early – doctor’s appointment
Delegate Ciliberti – personal
Delegate Cox – medical
Delegate Lehman – personal
Delegate Walker – personal

The Journal of March 8, 2021 was read and approved.

MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 19

Senate Bill 8 – Senator Kagan

AN ACT concerning

General Provisions – State Song – Repeal

FOR the purpose of repealing the State song.

BY repealing

Article – General Provisions
Section 7–318
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY renumbering

Article – General Provisions
 Section 7–319
 to be Section 7–318
 Annotated Code of Maryland
 (2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 85 – Senator Rosapepe

AN ACT concerning

Creating Governor’s Office of Immigrant Affairs

FOR the purpose of creating the Governor’s Office of Immigrant Affairs; providing for the appointment, powers, duties, and salary of the Director of the Office; providing for the powers, duties, and responsibilities of the Office; providing for staffing of the Office; requiring the Director to submit certain annual reports to certain persons on or before certain dates; defining certain terms; and generally relating to the Governor’s Office of Immigrant Affairs.

BY adding to

Article – State Government
 Section 9–3301 through 9–3304 to be under the new subtitle “Subtitle 33. Governor’s Office of Immigrant Affairs”
 Annotated Code of Maryland
 (2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 300 – Senator Peters

AN ACT concerning

Special Education – Learning Continuity Plan – Requirement

FOR the purpose of requiring an individualized education program to include a learning continuity plan to be implemented for certain students for a certain purpose during emergency conditions beginning on a certain date; requiring an individualized education program team to develop a learning continuity plan at certain times ~~and to consider certain risks for a certain purpose; providing for the contents of a learning continuity plan; authorizing a local school system to provide certain services by certain learning models;~~ requiring an individualized education program team to notify certain parents or guardians that a learning continuity plan is in place within a certain number of days of a certain determination; requiring that the team seek input from a parent or guardian on how the learning continuity plan will best operate under a certain circumstance; specifying that the provision of services under a

learning continuity plan does not alter a child's educational placement for a certain purpose; requiring an individualized education program team to periodically update a learning continuity plan; ~~requiring a local school system to develop a certain learning continuity plan for certain students on or before a certain date; providing that certain individualized education program teams may fulfill certain requirements in a certain manner by a certain date; defining a certain term~~ term; and generally relating to learning continuity plans for students receiving special education.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–405
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

~~BY adding to
Article – Education
Section 8–405.1
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 417 – Senator Pinsky

AN ACT concerning

Power Plant Research Program – Review of Application for Certificate of Public Convenience and Necessity – Alterations

FOR the purpose of altering the circumstances under which the Public Service Commission must notify the Department of Natural Resources and the Department of the Environment about an application for a certificate of public convenience and necessity associated with power plant construction; altering the timeframe under which the Department of Natural Resources and the Department of the Environment must conduct a certain study and investigation; requiring the Department of Natural Resources to complete a certain report within a certain amount of time after the Commission deems an application complete; altering the timeframe under which the Secretary of Natural Resources and the Secretary of the Environment must submit certain information to the Commission; requiring that certain licensing conditions must be consistent with certain requirements but may not exceed the authority of the Department of the Environment; authorizing the Commission to waive certain deadlines under certain circumstances; repealing the requirement that the Secretary of Natural Resources and the Secretary of the Environment present certain recommendations to the Commission within a certain number of days after a certain hearing; making stylistic and conforming changes; and generally relating to the

Power Plant Research Program and the review of applications for a certificate of public convenience and necessity.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 3–306
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 438 – Senators Washington, Hettleman, and Elfreth

AN ACT concerning

Public Schools – Pregnant and Parenting Students – Policies and Reports

FOR the purpose of requiring the State Department of Education to establish a model policy to support the educational and parenting goals and improve the educational outcomes of pregnant and parenting students; requiring the model policy to include certain policies and procedures; requiring each county board of education to establish a certain policy based on the Department’s model policy; providing for the construction of certain provisions of this Act; altering the required contents of a certain attendance policy developed by a county board; defining a certain term; and generally relating to pregnant and parenting students.

BY adding to
Article – Education
Section 4–138
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 7–301.1(a) and (b)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301.1(c)(1)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 453 – Senator Edwards

AN ACT concerning

Allegany County and Garrett County – Archery Hunting – Safety Zone

FOR the purpose of altering the size of the safety zone for archery hunters in Allegany County and Garrett County within which archery hunting may not take place except under certain circumstances; and generally relating to the archery hunting safety zone in Allegany County and Garrett County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(g)
Annotated Code of Maryland
(2012 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 636 – Senator Hayes

AN ACT concerning

Housing and Community Development – Neighborhood Revitalization – Passive House Pilot Program

FOR the purpose of establishing the Passive House Pilot Program in the Department of Housing and Community Development; establishing the purposes of the Program; requiring the Department to solicit proposals from nonprofit organizations that feature certain elements; requiring the Department to give priority to proposals for which a nonprofit organization partners with certain educational institutions; establishing the Passive House Pilot Program Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Housing and Community Development or the Secretary's designee to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; providing that certain appropriations and expenditures are subject to audit by the Office of Legislative Audits; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; requiring the Department to adopt certain regulations; defining certain terms; providing for the termination of this Act; and generally relating to the Passive House Pilot Program.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 1–101(a), (d), and (j)
Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – Housing and Community Development

Section 6–801 through 6–805 to be under the new subtitle “Subtitle 8. Passive House Pilot Program”

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)122. and 123.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)124.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 658 – Senators Kagan, Reilly, and Jackson

AN ACT concerning

Maryland Department of Emergency Management – Establishment and Transfer of Maryland 9–1–1 Board

FOR the purpose of transferring the Maryland 9–1–1 Board and certain functions, powers, duties, assets, liabilities, and records from the Department of Public Safety and Correctional Services to the Maryland Department of Emergency Management; providing that certain Board members may continue to serve for a certain term; transferring certain functions, powers, and duties from the Secretary of Public Safety and Correctional Services to the Secretary of Emergency Management; renaming the Maryland Emergency Management Agency to be the Maryland Department of Emergency Management; establishing the Maryland Department of Emergency Management as a principal department of the Executive Branch of State government; providing that the head of the Maryland Department of Emergency Management is the Secretary of Emergency Management; requiring the Secretary of

Emergency Management to be appointed by the Governor, with the advice and consent of the Senate; providing for the term and salary of the Secretary of Emergency Management and requiring the Secretary of Emergency Management to devote full time to certain duties; specifying that the Maryland Department of Emergency Management is the successor of the Maryland Emergency Management Agency; providing that this Act does not affect the term of office of an appointed or elected member of any commission, office, department, agency, or other unit; providing for the continuity of certain transactions, employment status, rights, duties, and interests; specifying that certain employees in budgeted positions of the Maryland Emergency Management Agency or the Department of Public Safety and Correctional Services whose positions are transferred to the Maryland Department of Emergency Management are transferred without any change or loss of rights or status; providing for the continuity of certain units and their personnel records and other properties; requiring that certain letterheads, business cards, and other documents may not be used until other documents already in print have been used; requiring the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct any cross-references or terminology rendered incorrect by this Act and to describe any corrections made in an editor's note following the section affected; altering a certain short title; making conforming and stylistic changes; defining certain terms; and generally relating to the Maryland Department of Emergency Management.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 1–301(a) and 8–101(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1–301(u), 1–305(a), 8–101(b)(1) and (h) through (n), 8–102(c) and (e)(1), 8–103(a)(1) and (c)(7)(iii) and (iv), 8–104(a)(2)(i) and (3)(i), (b)(3), (d)(2)(ii), and (e)(1), (3)(i), (5)(ii), (6), (7)(ii) and (iii), and (8)(iii), 8–105(a)(1) and (b)(1), 8–106(b)(1), and 13–501(c); 14–101, 14–102(a), 14–103, 14–104, 14–106(a)(1), 14–107(b)(2) and (c)(1), 14–108(b)(4), 14–109(c)(1), 14–110, 14–112(c)(1) and (2), 14–115, and 14–116(b) and (c) to be under the amended subtitle “Subtitle 1. Maryland Emergency Management Act”; and 14–201(c), 14–603, and 14–803

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing

Article – Public Safety

Section 8–101(g) and 14–101.1

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety
Section 8–101(n)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 8–201, 9–2901(c)(9), and 10–1503(b)(17)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment
Section 5–803(h)(3)(ii)
Annotated Code of Maryland
(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions
Section 4–314.1(b)(5)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 17–602(c)(5) and 17–701(e)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 9–232(a)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 3–1005(a)(9) and 3–1015(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 676 – Senator Edwards

AN ACT concerning

Garrett County – Public Schools – Virtual Education Days Pilot Program

FOR the purpose of establishing the Garrett County Virtual Education Days Pilot Program; authorizing the Garrett County Superintendent to order a virtual education day instead of closing a public school under certain circumstances; requiring the county superintendent to notify a public school principal as soon as possible after the county superintendent makes a certain decision; requiring a principal who receives a certain notice to immediately notify students, parents, and school staff of the implementation of a virtual education day; providing for the content of a virtual education day; requiring a certain school implementing a virtual education day to make accommodations for certain students and school staff; requiring a certain school implementing a virtual education day to establish a method for sending and receiving certain assignments for students who lack Internet access; ~~requiring~~ encouraging the county superintendent to order virtual education days only under certain circumstances; requiring the county superintendent to notify the Garrett County Board of Education of the decision to order a virtual education day for multiple consecutive school days; requiring the county superintendent to arrange for the continued provision of certain services under certain circumstances; providing that a virtual education day will reduce by a certain number of days the number of days incorporated into the school's calendar for a certain purpose; prohibiting the county superintendent from ordering a virtual education day in a certain school year under certain circumstances; requiring the county board to adopt a certain policy; requiring the Garrett County Board of Education to submit a certain report to certain committees of the General Assembly on or before a certain date; providing for the application of this Act; providing for the termination of this Act; and generally relating to virtual education days in Garrett County.

BY adding to

Article – Education

Section 7–103.2

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 683 – Senator Kramer

AN ACT concerning

Election Law – Voting – Permanent Absentee Ballot List, Ballot Drop Boxes, and Report

FOR the purpose of requiring a local board of elections to designate the locations of ballot drop boxes in accordance with certain criteria established by the State Board of Elections; requiring each local board to submit certain proposed locations to the State Administrator of Elections for approval; requiring the State Administrator to

approve certain proposed ballot drop box locations under certain circumstances; requiring the State Administrator to require a local board to reconsider a certain proposed location and to provide to the local board a certain explanation under certain circumstances; authorizing the State Administrator to add ballot drop box locations in a county under certain circumstances; requiring the outgoing envelope of an absentee ballot to include a certain statement; requiring certain guidelines for absentee voting established by the State Board of Elections to provide for a permanent absentee ballot list; providing that all voters are eligible for permanent absentee ballot status; ~~authorizing~~ requiring a voter to complete and submit certain information to ~~apply for~~ request permanent absentee ballot status ~~in a certain manner~~; requiring a local board to send a certain absentee ballot application to each eligible voter within a certain period of time; authorizing a voter to apply for permanent absentee ballot status at any time; prohibiting a voter who ~~has applied for~~ requests permanent absentee ballot status from receiving an absentee ballot for the next election if the ~~application~~ request is made after a certain deadline; requiring a voter to specify in ~~the permanent~~ a certain absentee ballot application one of certain methods by which the voter chooses to receive an absentee ballot and one of certain methods by which the voter chooses to be notified by the State Board under a certain provision of this Act before each election; requiring that a certain absentee ballot application include a statement explaining the process for returning a completed absentee ballot if the voter chooses to receive an absentee ballot by a certain method; requiring a voter who uses the online ~~permanent~~ absentee ballot application to request permanent absentee ballot status or who uses any method to request to receive a blank absentee ballot through the Internet to provide certain information; requiring that a voter who submits a proper ~~application~~ request for permanent absentee ballot status be placed on the permanent absentee ballot list; requiring the State Board to send a certain written communication to each voter who is on the permanent absentee ballot list as of a certain date in a certain manner at a certain time; requiring that a certain written communication include certain information; requiring the State Board to send a certain written communication using a different method from the method chosen by the voter under certain circumstances; requiring a local board of elections to send an absentee ballot to each voter on the permanent absentee ballot list each time there is an election; requiring that a voter who has permanent absentee ballot status be removed from the permanent absentee ballot list under certain circumstances; requiring a voter ~~who has permanent absentee ballot status to provide certain notice to~~ to notify the local board ~~under certain circumstances~~; if certain changes occur while the voter has permanent absentee ballot status; requiring a local board to enclose a certain notification with a certain confirmation notice sent to a voter who has permanent absentee ballot status and gives notice of a change of address; requiring the State Board to submit a certain report to certain committees of the General Assembly on or before a certain date; defining a certain term; and generally relating to ~~a permanent absentee ballot list~~ voting.

BY repealing and reenacting, without amendments,

Article – Election Law

Section 1–101(a)

Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Election Law
Section 1–101(d–1), 2–304, and 9–311.1
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – Election Law
 Section 9–303 and 9–310(a)
 Annotated Code of Maryland
 (2017 Replacement Volume and 2020 Supplement)

~~BY adding to~~

~~Article – Election Law~~
~~Section 9–311.1~~
~~Annotated Code of Maryland~~
~~(2017 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 687 – Senator Smith

AN ACT concerning

State and Local Housing Programs – Affirmatively Furthering Fair Housing

FOR the purpose of requiring the Department of Housing and Community Development to provide a certain report to the General Assembly and the Governor on or before a certain date ~~each year~~ and every 5 years thereafter; requiring the Department and each local jurisdiction to develop and complete jointly a certain template; requiring the Department to administer certain programs to affirmatively further fair housing and prohibiting the Department from taking any action that is materially inconsistent with the obligation to affirmatively further fair housing; requiring the Department to explore ways to ensure it is collaborating with and supporting nonprofit and governmental entities devoted to furthering fair housing; requiring the Department to require ~~certain~~ political subdivisions, and housing authorities, and private entities to affirmatively further fair housing; requiring ~~certain~~ political subdivisions, and housing authorities, and private entities to submit an assessment of fair housing to the Department under certain circumstances; ~~requiring an assessment of fair housing to contain certain information~~; providing that certain requirements do not require or prohibit certain actions; imposing a duty on local jurisdictions to affirmatively further fair housing through certain housing and urban development programs; requiring a comprehensive plan enacted or amended on or after a certain date to include an assessment of fair housing in the comprehensive

plan's housing element; requiring the Department of Planning and the Department of Housing and Community Development, on request of a municipal corporation, to provide certain assistance; requiring a local jurisdiction that completed a certain assessment or analysis to incorporate ~~relevant portions of~~ the assessment or analysis into the local jurisdiction's comprehensive plan, by reference, the next time the local jurisdiction amends its comprehensive plan on or after a certain date; defining certain terms; providing for a delayed effective date for certain provisions of this Act; and generally relating to affirmatively furthering fair housing.

BY adding to

Article – Housing and Community Development
Section 2–302; and 2–401 and 2–402 to be under the new subtitle “Subtitle 4.
Affirmatively Furthering Fair Housing”
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Land Use
Section 3–114
Annotated Code of Maryland
(2012 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 726 – Senators Feldman, Smith, and Hough

AN ACT concerning

Vehicle Laws – Personal Delivery Devices – Standards and Requirements

FOR the purpose of establishing an exception to motor vehicle registration requirements for personal delivery devices; authorizing the Motor Vehicle Administration to accept other forms of security in place of certain insurance requirements for personal delivery devices; authorizing a personal delivery device to operate on any ~~highway~~ roadway, sidewalk, footpath, bicycle trail, or crosswalk in the State; prohibiting a personal delivery device from being operated in certain manners; creating certain marking, equipment, and insurance requirements for personal delivery devices being operated on ~~highways~~ roadways, sidewalks, or crosswalks; requiring an operator of a personal delivery device to file a certain emergency response plan with the Administrator of the Administration and to give a certain notice to certain counties and municipalities; authorizing the Administrator to adopt certain policies; requiring the Administrator to make emergency response plans available to certain first responder agencies; excluding personal delivery devices from the defined terms “motor vehicle” and “vehicle”; defining certain terms; requiring the Administrator to develop a permitting process for personal delivery devices; requiring the Administrator to report the status of the permitting process for personal delivery devices to certain committees of the General Assembly by a certain date; providing

for a delayed effective date for certain provisions of this Act; and generally relating to standards and requirements for personal delivery devices.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 8–409(e), 11–135, 11–176, and 13–402(c)(13) and (14), 17–103(a), 21–501.1(a), and 21–1201(c)

Annotated Code of Maryland
(2020 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 13–402(a)

Annotated Code of Maryland
(2020 Replacement Volume)

BY adding to

Article – Transportation

Section 13–402(c)(15), and 21–104.5, and 21–1205.1(f)

Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 735 – Senator West

AN ACT concerning

State Government – Notarial Acts – Remote Notarizations

FOR the purpose of expanding the availability of remote notarial acts to include certain will and trust documents; clarifying the application of certain provisions of law regarding identity proofing and credential analysis; establishing certain procedures for certain remote notarial acts; affirming the validity of the notarization of certain documents in conformance with certain executive orders; and generally relating to remote notarial acts.

BY repealing and reenacting, with amendments,

Article – State Government

Section 18–214(a) and (h) and, 18–222, and 18–223

Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Government

Section 18–214.1

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 737 – ~~Senator Rosapepe~~ Senators Rosapepe, Elfreth, Guzzone, Hester, Smith, Washington, and Young

AN ACT concerning

Comprehensive Conservation Finance Act

FOR the purpose of providing that the Department of Agriculture, the Department of Natural Resources, and the Maryland Environmental Trust must allow participants in certain programs to participate in and receive compensation from certain markets, credits, or programs under certain circumstances; authorizing the Department of Agriculture and the Department of Natural Resources to enter into certain partnerships for certain purposes; altering the duties of the Commission on Environmental Justice and Sustainable Communities; authorizing the Department of the Environment to take certain actions with respect to certain water infrastructure assets that are priorities for removal to improve fish passage or for small hydroelectric power plant installation; requiring the Department of the Environment to provide a certain notice to the Maryland Industrial Development Financing Authority under certain circumstances; establishing that it is the policy of the State that the maintenance and repair of certain source watersheds is eligible for certain financial assistance; expanding the purposes for which amounts in the Maryland Water Quality Revolving Loan Fund may be used; altering the terms and authorized uses of the Maryland Drinking Water Revolving Loan Fund; altering the name of the Maryland Water Quality Financing Administration to be the Maryland Water Infrastructure Financing Administration; requiring the Maryland Water Infrastructure Financing Administration to prioritize certain opportunities in creating a certain intended use plan; requiring certain financial incentives developed by the State to include allowing landowners to use forests located on State lands for certain purposes; requiring the Department of Natural Resources to convene a certain workgroup for certain purposes and to begin implementation of at least one carbon offset project on State land on or before a certain date; ~~requiring~~ authorizing a certain easement to allow for the potential of economic return from certain uses under certain circumstances; ~~requiring~~ instead of authorizing, certain off-site afforestation or reforestation to prioritize the use of certain forest mitigation banks ~~or certain other advance afforestation or reforestation~~; altering the rate at which a certain person must contribute money to the Forest Conservation Fund under certain circumstances on or after a certain date; requiring certain money deposited to the Forest Conservation Fund to be used to purchase forest mitigation credits in the same county or watershed after a certain period of time; authorizing certain money deposited in the Forest Conservation Fund or in a local forest conservation fund to be spent on the purchase of forest mitigation bank credits; authorizing the Secretary of Natural Resources to purchase certain environmental outcomes from certain projects through certain intergovernmental agreements with other states

under certain circumstances; altering certain references to the BayStat Program and BayStat Subcabinet to instead refer to the Bay Cabinet; requiring the Department of Natural Resources to prepare a certain final work and expenditure plan and requiring the plan to be informed by a certain analysis beginning with the plan prepared for a certain fiscal year; altering the purposes for which the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund may be used; altering the factors that the Bay Cabinet must encourage and consider in evaluating certain Trust Fund applications; altering the name of the BayStat Program Scientific Advisory Panel to be the Trust Fund Program Scientific and Financial Advisory Panel; requiring the Trust Fund Program Scientific and Financial Advisory Panel to analyze and compare certain distributions and strategies, quantify the relative effectiveness of certain distributions and strategies, and make a certain report on or before a certain date; authorizing the Bay Cabinet agencies to maintain a certain amount from the Trust Fund for certain purposes; providing that the use of pay-for-success contracts by the Department of Natural Resources is subject to certain provisions of the State procurement law; authorizing the use of pay-for-success contracting at the procurement officer's discretion; stating certain findings and declarations of the General Assembly; authorizing a unit to enter into a pay-for-success contract only under certain circumstances; authorizing certain units to enter into pay-for-success contracts with certain aggregators to procure certain environmental outcomes projects or already certified environmental outcomes; requiring a certain pay-for-success contract to include certain plans, statements, requirements, provisions, and terms; authorizing a certain pay-for-success contract to include certain provisions; establishing the Green and Blue Infrastructure Policy Advisory Commission; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to study and make recommendations regarding certain matters; requiring the Commission to report its findings and recommendations to the Secretary of the Environment, the Governor, and the General Assembly on or before a certain date each year; establishing the Task Force on State and Local Government Accounting for Natural Capital; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; defining certain terms; altering certain definitions; making stylistic changes; providing for the termination of certain provisions of this Act; and generally relating to environmental financing and pay-for-success contracting.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 8–702

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 1–701(a) and (b) and 5–509(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 1–701(h) ~~and~~, 5–509(b), and 9–1622

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1601, 9–1602, 9–1604(c), 9–1605(a)(1) and (d), and 9–1605.1(a)(1), (d), and

(e) to be under the amended subtitle “Subtitle 16. Maryland Water Infrastructure Financing Administration”

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – Environment

Section 9–1605.1(f)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 3–201, 5–102, 5–1607(a), and 5–1610

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Natural Resources

Section 1–110 and 5–9A–05(p) ~~and 5–1610.2~~

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–203, 8–2A–01, 8–2A–03, and 8–2A–04

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

BY adding to

Article – Natural Resources

Section 8–207

Annotated Code of Maryland
(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 10A–101(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 10A–101(d), 13–101, and 13–102
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Finance and Procurement
Section 13–112.1
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – Environment
Section 5–1401 through 5–1403 to be under the new subtitle “Subtitle 14. Green and
Blue Infrastructure Policy Advisory Commission”
Annotated Code of Maryland
(2013 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation and
the Committee on Appropriations.

Senate Bill 745 – Senator Elfreth

AN ACT concerning

Health Occupations – State Board of Massage Therapy Examiners – Revisions

FOR the purpose of altering a certain requirement for certain State Board of Massage Therapy Examiners members who are licensed massage therapists; altering the education requirements for applicants to qualify for a certain license or registration by requiring that certain curriculums and programs be endorsed by a certain entity or a certain equivalent entity; altering the number of sets of certain fingerprints that certain applicants are required to submit to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services; requiring the Central Repository to provide the Board with a certain revised statement under certain circumstances; requiring the Board to consider certain information when making certain determinations about certain applicants;

requiring the Board to place certain licensed massage therapists and registered massage practitioners on inactive status under certain circumstances; authorizing certain licensed massage therapists and registered massage practitioners to reactivate the license or registration under certain circumstances; altering a certain ground for discipline; repealing a certain provision of law that provides that certain provisions of law do not require certain persons to reimburse a licensed massage therapist or registered massage practitioner for certain services rendered; altering a certain definition; making technical changes; and generally relating to the regulation of massage therapists and massage practitioners.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 6–101, 6–202(b)(1)(iii), 6–302, 6–303, and 6–308(a)(16)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – Health Occupations

Section 6–306.2

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing

Article – Health Occupations

Section 6–403

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 746 – Senators Guzzone, Feldman, Augustine, Benson, Carter, Elfreth, Hettleman, Kagan, King, Kramer, Lam, Pinsky, Washington, Young, McCray, Smith, Sydnor, Waldstreicher, ~~and Zucker~~ Zucker, Jackson, and Kelley

AN ACT concerning

Education – Community Colleges – Collective Bargaining

FOR the purpose of establishing collective bargaining rights for certain community college employees; establishing procedures for the election and certification of an exclusive representative of a bargaining unit; specifying a certain time frame to submit a certain petition and conduct a certain election under certain circumstances; providing procedures by which the State Higher Education Labor Relations Board may designate a bargaining unit; establishing a cap on the number of bargaining units that may be at each community college; specifying the composition of certain bargaining units that may be at each community college; prohibiting the Board from

requiring that certain bargaining units conform to certain requirements under certain circumstances; requiring that certain petitions include certain showing of interest forms; providing that certain showing of interest forms are valid under certain circumstances; requiring a public employer to provide to the Board and an employee organization a certain list within a certain time period; requiring a community college to allow certain employees and employee organizations to access certain property and facilities for a certain purpose; prohibiting a community college from limiting the amount of time a public employee has access to certain property or altering or revising certain rules or regulations for a certain purpose; requiring certain collective bargaining agreements to include certain provisions; establishing procedures for providing an exclusive representative with certain new employee information and processing; establishing the matters subject to collective bargaining negotiations; establishing procedures for authorization and certification of the deduction of dues; establishing the matters subject to collective bargaining negotiations; providing for certain rights and responsibilities in connection with the collective bargaining process; requiring the Governor to include certain amounts in the annual budget bill for a certain purpose; authorizing certain parties to engage in mediation and fact-finding under certain circumstances and providing for fact-finding procedures; providing for the settlement of certain grievances; prohibiting certain public employees and exclusive bargaining representatives from engaging in a strike and providing sanctions for engaging in a strike; requiring the parties to collective bargaining negotiations to make certain efforts to conclude negotiations by a certain time; authorizing a collective bargaining agreement to include a provision for the arbitration of certain grievances; requiring that the terms of a collective bargaining agreement supersede certain regulations and policies; providing that a collective bargaining agreement may be reopened under certain circumstances; repealing certain provisions of law relating to collective bargaining rights that apply to individual community colleges; altering the scope of duty of the Board to include administering and enforcing provisions of this Act; providing for the disclosure of certain employee information; requiring that certain community colleges continue to operate under certain agreements and contracts under certain circumstances for a certain period of time; providing that the exclusive representative of a certain bargaining unit maintains certification under certain circumstances; requiring that certain community colleges be subject to certain rules and regulations under certain circumstances; requiring certain impasses to be resolved under certain procedures; stating the intent of the General Assembly that the State promote certain relationships with certain employees of the community college system in a certain manner; authorizing the Board to adopt certain regulations and to make a certain delegation and assignment of responsibilities and obligations; requiring the Board to adopt certain regulations; prohibiting the Board from adopting certain rules; defining certain terms; providing for the application of this Act; providing for the construction of this Act; providing for a delayed effective date; and generally relating to collective bargaining rights for community college employees.

BY repealing

Article – Education

Section 16–403, 16–412, and 16–414.1
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Education
Section 16–701 through 16–715 to be under the new subtitle “Subtitle 7. Collective Bargaining”
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions
Section 3–2A–01
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 3–2A–05, 3–2A–07, and 3–2A–08(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 748 – Senator Beidle

AN ACT concerning

Public Health – State Designated Exchange – Clinical Information

FOR the purpose of requiring a nursing home, on request of the Maryland Department of Health, to electronically submit clinical information to the State designated exchange for a certain purpose; authorizing the State designated exchange to provide certain information to certain individuals and entities in a certain manner; providing that information submitted under a certain provision of this Act may be combined with other data maintained by the State designated exchange for a certain purpose under certain circumstances; providing that certain information submitted by a nursing home may only be used for a certain purpose and may not be used for any other purpose; requiring an electronic health network to provide certain transactions to the State designated exchange for certain purposes; prohibiting an electronic health network from charging a certain fee to a health care provider, health care payor, ~~of or~~ the State designated exchange; requiring the State designated exchange to develop and implement certain policies and procedures; authorizing the Maryland Health Care Commission to adopt certain regulations; altering the purposes to which certain regulations adopted by the Commission are required to limit the scope of certain information; ~~providing~~ requiring that certain regulations adopted by the

Commission ~~may~~ limit redisclosure of certain information and restrict certain data in relation to the exchange of certain information; requiring the Department to identify and seek certain funding; requiring the Commission to report to the Governor and the General Assembly on or before a certain date; defining certain terms; making stylistic changes; and generally relating to the State designated exchange and the sharing of clinical information.

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 4–302.3
 Annotated Code of Maryland
 (2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 749 – Senator Ellis

AN ACT concerning

Charles County – Board of Education – Membership Alterations

FOR the purpose of altering the manner of election for certain members of the Charles County Board of Education by specifying that certain members be elected from certain ~~school board~~ county commissioner districts; ~~requiring the Board of Charles County Commissioners to establish a certain number of school board districts in a certain manner~~; providing for the ballot requirements for a certain election; requiring the State Board of Elections declare the election of certain candidates; providing for the qualifications of the elected members of the county board; ~~altering the day the term of an elected member begins~~; establishing staggered terms for the elected members of the county board beginning with a certain election; prohibiting elected members from serving more than a certain number of consecutive terms; ~~requiring the County Commissioners to fill a certain vacancy under certain circumstances~~; establishing a residency requirement for an individual appointed to fill a certain vacancy; ~~requiring the County Commissioners to interview an applicant for a certain vacancy on the county board in a certain manner~~; ~~requiring the County Commissioners to publish a certain list of applicants in a certain manner at least a certain amount of time before interviews are scheduled to occur~~; requiring a student member of the county board, and an alternate, to be selected by a certain entity; providing that a student member of the county board is a voting member; authorizing the student member of the county board to vote on all matters before the county board, with the exception of certain specified matters; prohibiting the student member of the county board from attending a certain executive session that relates to certain matters except under certain circumstances; authorizing the county board to determine, in a certain manner, whether a certain matter is a matter on which the student member may not vote; authorizing the State Board of Education to remove a student member from the county board in a certain manner; ~~requiring a certain member of the county board to serve as chair~~; ~~repealing the requirement that~~

~~the county board elect a chair in a certain manner;~~ providing for the initial terms of the elected members of the county board; making conforming changes; ~~defining a certain term;~~ and generally relating to the membership of the Charles County Board of Education.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 3–501 ~~and 3–502~~
 Annotated Code of Maryland
 (2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 3–502
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 767 – Senator Washington

AN ACT concerning

Higher Education – Hunger–Free Campus Grant Program – Established

FOR the purpose of establishing the Hunger–Free Campus Grant Program; stating the purposes of the Program; requiring the Maryland Higher Education Commission to administer the Program, develop a certain form, and designate certain campuses at certain public institutions of higher education as hunger–free campuses using certain criteria; authorizing certain public institutions of higher education to develop certain procedures; requiring certain public institutions of higher education to make certain information publicly available; requiring the Governor, beginning in a certain fiscal year, to include in the annual budget bill a certain appropriation for the Program; requiring the Commission to allocate grant funding to certain public institutions of higher education; requiring the Commission to determine the amount of grant funding to each eligible public institution of higher education; requiring the Commission to include a certain plan in a certain strategic plan; requiring the Commission to adopt certain regulations to carry out the requirements of this Act; requiring the Commission to report to the Governor and the General Assembly on the implementation of this Act within a certain time period; defining certain terms; and generally relating to the Hunger–Free Campus Grant Program.

BY adding to
 Article – Education
 Section 11–1701 through 11–1706 to be under the new subtitle “Subtitle 17.
 Hunger–Free Campus Grant Program”
 Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 771 – Senators Hester and Rosapepe

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Work Sharing
(Work Share Expansion Act of 2021)**

FOR the purpose of altering the definition of “affected employee” for purposes of certain provisions of unemployment insurance law governing work sharing to include ~~certain interns and apprentices and~~ certain individuals who were rehired, subject to a certain limitation; ~~requiring the Maryland Department of Labor to take certain actions to achieve a certain goal relating to participation in the work sharing unemployment insurance program;~~ requiring the Department to ensure that the work sharing unemployment insurance program has sufficient staff and resources to complete the processing of applications within a certain time period; repealing the requirement that the reduction of normal weekly work hours of affected employees in an affected unit be applied equally to all employees in the unit; altering the percentage of normal weekly work hours of each employee that a work sharing plan may include; requiring the Department to provide certain notice to employers regarding their eligibility to participate in the work sharing program; requiring the Department to contract with a professional marketing firm to develop and implement a work sharing unemployment insurance program marketing campaign; providing that the cost of the contract may have a value of up to a certain amount be paid for using funding from certain sources; establishing requirements that a firm must meet to be eligible for the contract; requiring that the campaign include certain components; requiring a certain firm to work with a certain person for certain purposes; making this Act an emergency measure; and generally relating to the work sharing unemployment insurance program.

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–1201(a) and 8–1202

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8–1201(b) and 8–1204(a)(1)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY adding to

Article – Labor and Employment

Section 8–1202.1

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 800 – Senator Patterson

AN ACT concerning

Inmate Training and Job Act of 2021

FOR the purpose of establishing the Inmate Training and Job Pilot Program at certain institutions of postsecondary education; providing for the purpose of the Pilot Program; providing for the administration of the Pilot Program; requiring the Commissioner of Correction to adopt certain regulations to implement the Pilot Program; requiring the Pilot Program to have certain individualized plans that specify a certain staff member to serve as a primary contact; requiring the primary contact to select at least a certain number of students who meet certain qualifications to serve as Pilot Program mentors; requiring certain student mentors to receive course credit and a stipend; requiring the primary contact to meet with an inmate regularly to ensure that the inmate receives certain support; requiring the primary contact to work with the Division of Correction for a certain purpose; requiring certain governing entities to ensure that Pilot Program courses meet certain standards; requiring Pilot Program courses to be provided through a ~~virtual~~ certain format and subject to certain regulations; requiring the Division to ensure that each inmate enrolled in the Pilot Program has access to the Internet and to certain online materials ~~courses and instruction are provided in a certain manner; requiring the Division to create a certain process by which to confer a degree to an inmate enrolled in the Pilot Program under certain circumstances; requiring the Division to create a certain process and system for a certain purpose on or before a certain date; requiring each inmate who participates in the Pilot Program to provide the Maryland Higher Education Commission a certain institution and nonprofit organization with certain updates for a certain period of time; requiring the Maryland Higher Education Commission to establish a certain hotline; requiring the Commission to connect a Pilot Program participant with certain nonprofit organizations under certain circumstances in a certain manner; requiring the Commission to encourage former Pilot Program participants to serve as contacts for future participants; requiring the Governor, in certain fiscal years, to include in the annual budget bill certain appropriations for the Pilot Program and specifying the uses of the appropriated funds; requiring certain governing entities to report on or before a certain date in certain years to the Commission on the number of inmates enrolled in the Pilot Program; requiring that, subject to a certain minimum participant limit, funds be allocated to certain institutions of postsecondary education on a pro rata basis; requiring the Commission on or before certain dates to submit certain reports to the~~

Governor and General Assembly; defining certain terms; providing for the termination of this Act; and generally relating to the Inmate Training and Job Pilot Program.

BY adding to

Article – Correctional Services
Section 3–611
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Education
Section 24–1301 through 24–1306 to be under the new subtitle “Subtitle 13. Inmate Training and Job Pilot Program”
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 830 – Senator Lam

AN ACT concerning

Secretary of Health – School–Based Health Centers – Guidelines and Administration of Grants

FOR the purpose of requiring the Secretary of Health, in consultation with the State Department of Education and other stakeholders, to develop guidelines to support the expansion of school–based health centers; requiring the Maryland Department of Health, in conjunction with the State Department of Education, to report to the General Assembly on or before a certain date on a plan to transfer the administration of school–based health center grants from the State Department of Education to the Bureau of Maternal and Child Health within the Maryland Department of Health; requiring the Governor to transfer the administration of school–based health center grants from the State Department of Education to the Bureau of Maternal and Child Health within the Maryland Department of Health on or before a certain date; and generally relating to school–based health centers.

BY adding to

Article – Health – General
Section 19–22A–01 to be under the amended subtitle “Subtitle 22A. School–Based Health Centers” and the new part “Part I. Guidelines”
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General

Section 19–22A–01 through 19–22A–05 to be under the new part “Part II. Maryland Council on Advancement of School–Based Health Centers”
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Ways and Means.

Senate Bill 845 – Senator Benson

AN ACT concerning

Education – Workforce Development Sequence Scholarships – Eligibility

FOR the purpose of expanding program eligibility for Workforce Development Sequence Scholarships by altering a certain definition to include certain students enrolled directly in certain registered apprenticeship programs; and generally relating to Workforce Development Sequence Scholarships.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–3301
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 18–3302
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 893 – Senator Rosapepe

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Insurance Revisions and Required Study and Special Enrollment Period for Health Benefits

FOR the purpose of requiring the Maryland Health Benefit Exchange to open a certain enrollment period for an individual who consents to share information through a certain system; establishing certain requirements for a certain enrollment period; authorizing the Maryland Health Benefit Exchange to conduct outreach to a certain individual using certain methods; requiring the Maryland Department of Labor to

take certain actions to carry out the State's unemployment insurance law; requiring the Maryland Department of Labor to begin implementing a system through which certain individuals may consent to the sharing of certain information with the Maryland Health Benefit Exchange and the Maryland Department of Health for the purpose of determining eligibility for certain health insurance; requiring the Maryland Department of Labor to enter into a certain memorandum of understanding with the Maryland Health Benefit Exchange and the Maryland Department of Health; requiring that a certain consent request be placed on the weekly claim certification form in a certain manner and using certain language; requiring the Maryland Department of Labor to cooperate with the Maryland Health Benefit Exchange and the Maryland Department of Health for a certain purpose; authorizing, for the purpose of implementing a certain system in a certain manner, the Maryland Department of Labor, the Maryland Health Benefit Exchange, and the Maryland Department of Health to take certain actions; requiring the Maryland Department of Labor to report to a certain committee of the General Assembly on or before a certain date each year; ~~requiring the Secretary of Labor to waive the charge of benefits against the earned rating record of an employing unit if the benefits are paid to a claimant during a period when the Governor has declared a state of emergency due to COVID-19; providing that the Maryland Department of Labor is not required to confirm the reason an employee leaves employment for purposes of waiving certain benefits charges; authorizing the Secretary to investigate accusations of fraud under certain circumstances; authorizing a certain employing unit to elect to delay submitting a certain contribution and employment report for certain calendar quarters; requiring employing units that elect to defer the submission of a contribution and employment report to submit the report on or before a certain date; prohibiting an employing unit that elects to delay the submission of a contribution and employment report from being required by the Secretary to file for an extension or be assessed certain interest for a certain period; altering the maximum amount of wages disregarded when computing the weekly benefit amount to be paid to a claimant;~~ requiring the Maryland Department of Labor to provide certain information regarding certain unemployment insurance recipients to a chief elected official of a county on request and for certain purposes; authorizing a chief elected official of a county to share certain information with the governing body of the county and to request certain information on behalf of a certain political subdivision and provide the information to the political subdivision; authorizing the Maryland Department of Labor to adopt certain regulations; altering the information of which the Secretary of Labor is required to notify a claimant if the Secretary decides to recover benefits from the claimant under certain provisions of law; requiring the Secretary to allow a claimant to appeal a certain determination within a certain period of time; requiring the Maryland Department of Labor to submit to the General Assembly a certain report on or before a certain date; ~~requiring the Maryland Department of Labor to conduct a certain study; requiring the Maryland Department of Labor to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;~~ requiring the Maryland Department of Labor, on or before a certain date, to identify all changes in federal regulations and guidance that would expand access to unemployment benefits or reduce bureaucratic hurdles to prompt approval of unemployment benefits; requiring

the Maryland Department of Labor, on or before a certain date, to revise State unemployment insurance rules and practices for a certain purpose; ~~making a conforming change;~~ making this Act an emergency measure; and generally relating to unemployment ~~insurance.~~

BY adding to

Article – Insurance

Section 31–108(h)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Labor and Employment

Section 8–109 and 8–110

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–809(a) and (b)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section ~~8–611(k), 8–626, 8–628, and 8–803(d)~~ 8–809(c)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 895 – Senator Rosapepe

AN ACT concerning

**University System of Maryland – Student Fees – Review and ~~Retention~~
Spending**

FOR the purpose of requiring the presidents of University System of Maryland institutions to ensure that a certain student fee committee is presented with any proposed fees for their review; requiring certain information to be provided to the student committee; requiring certain revenues to be ~~retained spent~~ by a certain campus unit or department ~~unless the student committee approves an exception to the use of the fee; and~~ in a certain manner; authorizing certain revenues to be spent by a certain campus unit or department in a certain manner under certain circumstances; and generally relating to fees at University System of Maryland institutions.

BY repealing and reenacting, without amendments,
Article – Education
Section 12–109(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 12–109(e)(7)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to
Article – Education
Section 12–109(h)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 20**

Senate Bill 20 – Senator Carter

AN ACT concerning

Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties

FOR the purpose of altering certain penalties for a person who displays a canceled, revoked, or suspended driver’s license; making a certain technical correction; and generally relating to penalties for violations related to canceled, revoked, or suspended driver’s licenses.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–301(c), (d), (e), and (r)(1) and 16–303(h) and (i)
Annotated Code of Maryland
(2020 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–301(r)(3), 16–303(k), and 16–402(a)(16) and (36)
Annotated Code of Maryland
(2020 Replacement Volume)

~~BY adding to
Article – Transportation
Section 16-402(a-1)
Annotated Code of Maryland
(2020 Replacement Volume)~~

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 49 – Senator Lee

AN ACT concerning

State Government – Department of Information Technology – Cybersecurity

FOR the purpose of requiring the Secretary of Information Technology, ~~in consultation with the Attorney General,~~ to advise and oversee a consistent cybersecurity strategy for certain units of State government; requiring the Secretary to advise and consult with the Legislative and Judicial branches of State government regarding a cybersecurity strategy; requiring the Secretary, ~~in consultation with the Attorney General,~~ to develop guidance on consistent cybersecurity strategies for certain political subdivisions of the State; providing for the construction of certain provisions of this Act; defining certain terms; and generally relating to cybersecurity.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3A-101
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A-301 and 3A-303
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 69 – Senators Hester and Simonaire

AN ACT concerning

~~Maryland Emergency Management Agency~~ – **Cybersecurity Coordination and Operations Office – Establishment and Reporting**

FOR the purpose of establishing the ~~Cybersecurity Coordination and Operations Office within the Maryland Emergency Management Agency (MEMA); providing for the purpose of the Office; requiring the Director of MEMA to appoint an Executive~~

~~Director as head of the Office; requiring the Office to be provided with sufficient staff to perform the Office's functions; requiring the Office to establish regional assistance groups to deliver or coordinate support services to political subdivisions, agencies, or regions in accordance with certain requirements; authorizing the Office to hire or procure regional coordinators; requiring a certain report annually~~ Office of Security Management within the Department of Information Technology, certain Office positions, and the Maryland Cybersecurity Coordinating Council; establishing certain responsibilities and authority of the Office; requiring each unit of the Legislative or Judicial Branch of State government that uses a certain network to certify certain compliance to the Department on or before a certain date each year; requiring each unit of the Executive Branch of State government and certain local entities to submit a certain report to the Office on or before a certain date each year; requiring each unit of the Executive Branch of State government and certain local entities to report certain cybersecurity incidents in a certain manner and under certain circumstances; requiring the Office to submit a certain report to the Governor and certain committees of the General Assembly on or before a certain date each year; defining certain terms; and generally relating to the establishment of the Cybersecurity Coordination and Operations Office within MEMA making conforming changes; and generally relating to information technology.

~~BY adding to~~

~~Article – Public Safety~~

~~Section 14–104.1~~

~~Annotated Code of Maryland~~

~~(2018 Replacement Volume and 2020 Supplement)~~

BY renumbering

Article – State Finance and Procurement

Section 3A–101 through 3A–702, respectively, and the title “Title 3A. Department of Information Technology”

to be Section 3.5–101 through 3.5–702, respectively, and the title “Title 3.5. Department of Information Technology”

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–221(b)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–2C–03(h)(2)(i)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 7–806(a), (b)(1), (c)(1), (d)(1) and (2)(i), and (g)(1)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 31–103(a)(2)(i) and (b)(2)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 1–403(c)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 3.5–101(a) and (e) and 3.5–301(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Section 1 of this Act)

BY adding to

Article – State Finance and Procurement

Section 3.5–2A–01 through 3.5–2A–05 to be under the new subtitle “Subtitle 2A. Office of Security Management”; and 3.5–405

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 3.5–301(h), 3.5–302(c), 3.5–303(b)(2)(ii)2., 3.5–307(a)(2), 3.5–309(c)(2), (i)(3), and (l), 3.5–311(a)(2)(i), and 3.5–404

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 12–107(b)(2)(i)10. and 11.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 144 – Senator Guzzone

AN ACT concerning

Electric Vehicle Recharging Equipment for Multifamily Units Act

FOR the purpose of providing that certain provisions of a recorded covenant or restriction, a declaration, or the bylaws or rules of a condominium or homeowners association are void and unenforceable; establishing certain requirements and procedures relating to an application to the governing body of a condominium or homeowners association to install or use electric vehicle recharging equipment; requiring certain owners of electric vehicle recharging equipment to be responsible for certain costs and disclosures; requiring a unit owner or lot owner to obtain certain permits or approval required for electric vehicle recharging equipment; requiring the governing body of a condominium or homeowners association to approve the installation of electric vehicle recharging equipment in a certain parking space under certain circumstances; authorizing the governing body of a condominium or homeowners association to grant a certain license; requiring a unit owner or lot owner to obtain certain insurance or cover certain costs; ~~authorizing the governing body of a condominium or homeowners association to apply for a certain grant under a certain program; establishing the Electric Vehicle Infrastructure Modernization Grant Program in the Maryland Energy Administration; providing for the purpose of the Program; requiring the Administration to administer the Program; requiring the Administration to provide grants under the Program from the Maryland Strategic Energy Investment Fund; requiring the Administration to adopt certain regulations; altering the purposes of the Fund;~~ defining certain terms; and generally relating to electric vehicle recharging equipment in condominiums and homeowners associations.

BY adding to

Article – Real Property

Section 11–111.4, and 11B–111.8, ~~and 14–129~~

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – State Government~~

~~Section 9–20B–05(a)~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,~~

~~Article – State Government~~

~~Section 9–20B–05(f)(10) and (11)~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2020 Supplement)~~

~~BY adding to~~

~~Article – State Government
Section 9-20B-05(f)(11)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 163 – Senator Ellis

AN ACT concerning

Maryland Medical Assistance Program – ~~Doula~~ Doula Pilot Program

FOR the purpose of ~~requiring the Maryland Medical Assistance Program, subject to certain limitations, to provide certified doula services; authorizing the Secretary of Health to contract with certified doulas for the provision of care under the Maryland Medical Assistance Program; providing that certified doulas need not be under the supervision of a physician for purposes of certain provisions of this Act; defining a certain term;~~ establishing the Maryland Medical Assistance Program Doula Pilot Program; requiring the Maryland Department of Health to administer the Pilot Program; providing for the purpose of the Pilot Program; requiring the Department to take certain actions in administering the Pilot Program; requiring the Department to submit a certain report to the Governor and the General Assembly on or before certain dates; defining certain terms; providing for the termination of this Act; and generally relating to the Maryland Medical Assistance Program and ~~doula~~ Doula Pilot Program.

~~BY repealing and reenacting, without amendments,~~

~~Article – Health – General
Section 15-103(a)(1)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,~~

~~Article – Health – General
Section 15-103(a)(2)(xv) and (xvi) and (e)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)~~

BY adding to

Article – Health – General
Section ~~15-103(a)(2)(xvii)~~ 15-141.3
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 183 – Senators Young and Rosapepe

AN ACT concerning

Audiology and Speech–Language Pathology Interstate Compact

FOR the purpose of entering into the Audiology and Speech–Language Pathology Interstate Compact; stating the purpose of the Compact; requiring that a certain license issued by a home state be recognized by each member state as authorizing certain practice of audiology or speech–language pathology; requiring a state to meet certain requirements to participate in the Compact; prohibiting certain communication from including certain information; requiring a certain licensing board to take certain action on application for a privilege to practice; requiring each member state to require an applicant to obtain or retain a certain license and meet certain qualifications; requiring certain audiologists and speech–language pathologists to meet certain eligibility requirements to exercise a certain privilege; requiring an audiologist or a speech–language pathologist practicing in a member state to comply with certain laws; requiring that certain individuals be able to continue to apply for a certain license; authorizing member states to charge a certain fee; requiring member states to comply with certain bylaws, rules, and regulations; requiring certain audiologists and speech–language pathologists to apply for certain licensure; establishing the circumstances under which a license may not be issued or is required to be converted to a certain license; establishing the period during which a Compact privilege is valid; requiring certain licensees to function within certain laws and regulations; providing that certain licensees are subject to certain regulatory authority; requiring a licensee to lose the Compact privilege during a certain period under certain circumstances; requiring member states to recognize the right of an audiologist or a speech–language pathologist to practice via telehealth under certain circumstances; requiring certain active duty military personnel or their spouses to designate a certain state as a home state and ~~authorizing~~ requiring the change of a certain designation in a certain manner; establishing certain requirements and certain authority of remote states and home states with regard to adverse actions; establishing the Audiology and Speech–Language Pathology Compact Commission; establishing the membership, powers, and duties of the Commission; establishing an Executive Committee with authority to act on behalf of the Commission under certain circumstances; establishing the membership, powers, and duties of the Executive Committee; providing for certain financing, accounting, and auditing of the Commission; providing, under certain circumstances, for certain immunity, defense, and indemnity for certain individuals representing the Commission; requiring the Commission to provide for the development, maintenance, and utilization of a certain database and reporting system; requiring a member state to submit certain data to a certain data system; establishing requirements for the availability, notification, and removal of certain information from a certain data system under certain circumstances; establishing the rulemaking powers and

procedures of the Commission; establishing procedures for oversight, dispute resolution, and enforcement of the Compact by the Commission; providing for the application of the Compact; establishing that certain states that join the Compact are subject to certain rules; establishing certain procedures for a member state to withdraw from the Compact; authorizing member states to amend the Compact under certain circumstances; providing for the construction and severability of this Act; making this Act subject to a certain contingency; requiring the Maryland Department of Health to track certain legislation and notify the Department of Legislative Services of a certain occurrence within a certain period of time; defining certain terms; and generally relating to the Audiology and Speech–Language Pathology Interstate Compact.

BY adding to

Article – Health Occupations

Section 2–3A–01 to be under the new subtitle “Subtitle 3A. Audiology and Speech–Language Pathology Interstate Compact”

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 192 – Senator West

AN ACT concerning

Cemeteries – Perpetual Care – Distribution From Perpetual Care Trust Fund

FOR the purpose of requiring a distribution from a certain trust fund to be used for certain purposes; clarifying that a cemetery owner may not use a distribution from a certain trust fund for certain purposes; permitting a certain cemetery to select a certain method of distribution from a certain perpetual care trust fund; requiring the cemetery to submit a certain statement to the Director of the Office of Cemetery Oversight if the cemetery selects a certain method of distribution from the perpetual care trust fund; requiring the cemetery to notify a certain trustee and the Director in a certain manner if the cemetery selects a certain method of distribution from the perpetual care trust fund; providing that the cemetery’s method of distribution is contingent on the approval of the Director; requiring the Director to approve or disapprove a certain method of distribution in a certain manner; requiring the trustee to distribute certain income from the perpetual care trust fund if the cemetery does not select a method of distribution from the perpetual care trust fund; requiring the trustee to submit a certain annual statement to the Director under certain circumstances; prohibiting the trustee from reducing a distribution under certain circumstances; requiring the trustee to adopt a certain investment policy under certain circumstances; requiring the trustee to use a certain method of distribution from the perpetual care trust fund if the fair market value of the perpetual care trust fund exceeds a certain sum, but requiring the trustee to use a different method of distribution if the fair market value of the perpetual care trust

fund does not exceed a certain sum; permitting the Director to limit or prohibit a certain distribution under certain circumstances; requiring the trustee to pay certain taxes from the principal of the perpetual care trust fund; defining a certain term; requiring the Director to make a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to investment of cemetery perpetual care trust funds.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 5–603
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 327 – ~~Senator Waldstreicher~~ Senators Waldstreicher, Hettleman, Jackson, Lee, and West

AN ACT concerning

**Civil Actions – Financial Exploitation of ~~Vulnerable~~ Susceptible Adults and Older Adults
(Maryland SAFE Act)**

FOR the purpose of authorizing the Division of Consumer Protection in the Office of the Attorney General to bring certain actions on behalf of certain susceptible adults and older adults; authorizing the Securities Commissioner of the Division of Securities of the Office of the Attorney General to bring a civil action on behalf of certain susceptible adults and older adults; establishing a cause of action for certain financial exploitation of certain ~~vulnerable adults; authorizing a vulnerable adult~~ susceptible adults and vulnerable adults; specifying that this Act does not apply to certain financial institutions; authorizing a susceptible adult, older adult, or certain individuals in certain representative capacities to bring an action under this Act under certain circumstances; providing that an action authorized under this Act is in addition to and cumulative with certain other claims, causes of action, and remedies and shall survive the death of the ~~vulnerable~~ susceptible adult or older adult; providing that a certain party in an action brought under this Act is entitled to recover certain damages and other relief under certain circumstances; authorizing the court to award reasonable attorney's fees and expenses to a party under certain circumstances; requiring an action under this Act to be brought within a certain period of time; providing for the purposes and construction of this Act; providing that this Act is not intended to alter or amend certain burdens of proof or certain presumptions; defining certain terms; providing for the application of this Act; and generally relating to the financial exploitation of ~~vulnerable~~ susceptible adults and older adults.

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 13–204(a)(14) and (15)
Annotated Code of Maryland
(2013 Replacement Volume and 2020 Supplement)

BY adding to

Article – Commercial Law
Section 13–204(a)(16)
Annotated Code of Maryland
(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations
Section 11–209
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – Estates and Trusts
Section 13–601 through ~~13–608~~ 13–609 to be under the new subtitle “Subtitle 6.
Financial Exploitation of ~~Vulnerable~~ Susceptible Adults and Older Adults”
and the amended title “Title 13. Protection of Minors, Disabled Persons, ~~and~~
~~Vulnerable~~ Susceptible Adults, and Older Adults”
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 335 – Senator Sydnor

AN ACT concerning

Courts – Nongovernmental Corporate Parties – Disclosure Statements

FOR the purpose of requiring a nongovernmental corporate party to file, at a first appearance, pleading, petition, motion, response, or other request addressed to the court, a certain disclosure statement; specifying the contents of the disclosure statement; requiring a nongovernmental corporate party to file a supplemental statement if any required information changes; ~~requiring this Act to be interpreted in a manner that is consistent with the Federal Rules of Civil Procedure;~~ and generally relating to required disclosure statements by nongovernmental corporate parties.

BY adding to

Article – Courts and Judicial Proceedings
Section 6–412
Annotated Code of Maryland

(2020 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 351 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Information Technology)**

AN ACT concerning

**State Government – Protection of Information – Revisions
(Maryland Data Privacy Act)**

FOR the purpose of requiring certain units of State government to employ certain reasonable security procedures and practices; requiring certain units of State government to undertake activities comprising collection, processing, and sharing of personally identifiable information in good faith; requiring certain units to identify and document a certain government purpose for the unit's collection of certain information, describe a certain purpose and make certain notifications, adopt a certain privacy governance and risk management program, implement certain security measures, establish certain privacy requirements and incorporate the requirements into certain agreements, take certain steps, implement certain processes, and establish certain notice provisions; authorizing units of local government to request support from the Department of Information Technology when developing best practices regarding security; requiring certain units to advise certain individuals whether certain information is required to be provided by law or whether the provision is voluntary and subject to certain discretion; requiring certain units to provide an individual with certain means to access certain information and certain third parties; requiring certain units to include certain means in certain notices and provide certain notices to individuals at or before the point of sharing personally identifiable information; requiring certain units to provide an individual with a certain process and the means to opt out of sharing information with third parties under certain circumstances; authorizing the Secretary of Information Technology to adopt certain regulations; establishing that certain provisions of law do not apply to public institutions of higher education; providing for the application and construction of certain provisions of law; providing that certain provisions of this Act do not apply to the Office of the Attorney General; defining certain terms; repealing certain definitions; making conforming changes; requiring each public institution of higher education to submit a certain report to the Governor on or before certain dates each year; providing for the termination of certain provisions of this Act; and generally relating to the protection of personally identifiable information by government agencies.

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–1301 through 10–1304 and 10–1305(a), (b)(1) and (2), (c)(1), (g)(1), (h)(2),
and (j)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 364 – Senator McCray

AN ACT concerning

**Baltimore City – Civil Claims Against Law Enforcement Officers of an
Institution of Higher Education – Prohibition Against ~~Nondisclosure Provision~~
Nondisparagement Clause in Settlement Agreement**

FOR the purpose of prohibiting the use or enforcement of a ~~confidentiality or other
nondisclosure provision~~ nondisparagement clause in a settlement agreement or other release of liability between the parties in a claim of misconduct in the performance of duties against a law enforcement officer of an institution of higher education in Baltimore City; providing for the application of this Act; defining certain terms; and generally relating to private law enforcement officers of institutions of higher education.

BY adding to

Article – Courts and Judicial Proceedings
Section 5–644
Annotated Code of Maryland
(2020 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education
Section 10–101(a) and (h)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 3–101(a) and (e)(1)(i) and (ii)18., 19., 22., and 27. and (2)(i), (iv), and (xi)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 405 – Senator Augustine

AN ACT concerning

Higher Education – Student Identification Cards – Required Information

FOR the purpose of requiring each institution of higher education to provide the telephone number for a certain mental health crisis hotline or crisis center on student identification cards, subject to a certain condition; authorizing an institution of higher education to provide the telephone numbers for certain mental health crisis hotlines on student identification cards, subject to a certain condition; providing that an institution of higher education is not required to reprint or reissue student identification cards in use on the effective date of this Act in order to comply with this Act; providing that student identification cards that are printed before the effective date of this Act will be in compliance with this Act if the cards are issued to students within a certain time period; and generally relating to required information on student identification cards.

BY adding to

Article – Education

Section 15–126

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 446 – Senator West

AN ACT concerning

Department of the Environment – Supplemental Environmental Projects Database

FOR the purpose of requiring the Department of the Environment to create and maintain a certain database of supplemental environmental projects; requiring the Department to solicit input from certain communities in creating and maintaining the database; requiring the Department to prioritize the selection of a supplemental environmental project located in the same geographic area as the alleged violation and ensure that the scope and cost of a chosen ~~supplemental environmental~~ project is commensurate with the scope and cost of a violation before a violator undertakes the project; defining a certain term; and generally relating to a supplemental environmental projects database.

BY adding to

Article – Environment

Section 1–305

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 471 – Senator Washington (By Request)

AN ACT concerning

Task Force to Study Crime Classification and Penalties – Alterations

FOR the purpose of altering the due date by which the Task Force to Study Crime Classification and Penalties is required to submit a report on certain findings and recommendations; altering the termination date for the Task Force; and generally relating to the Task Force to Study Crime Classification and Penalties.

BY repealing and reenacting, with amendments,
Chapter 372 of the Acts of the General Assembly of 2019
Section 1(g) and 2

Read the first time and referred to the Committee on Judiciary.

Senate Bill 474 – Senator Eckardt

AN ACT concerning

Real Property – Sale of Mobile Home Parks – Notice Requirements

FOR the purpose of altering the time frame of certain notices that a mobile home park owner is required to provide and post concerning the sale of a mobile home park under certain circumstances; and generally relating to notice requirements in the sale of a mobile home park.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8A–202(h)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 477 – Senators McCray, Sydnor, Carter, Hayes, and Washington

AN ACT concerning

Enoch Pratt Free Library – Operating Hours and Funding

FOR the purpose of requiring a certain annual appropriation for certain branches of the Enoch Pratt Free Library that extend operating hours and services above those as of a certain date; declaring that it is the intent of the General Assembly to utilize increased operating hours and services to advance the library's commitment to equity, inclusion, and greater access to library resources, programs, and services; requiring the Mayor and City Council to provide a certain report on or before a

certain date each year; making a technical correction; and generally relating to operating hours and funding of the Enoch Pratt Free Library.

BY repealing and reenacting, with amendments,
Article – Education
Section 23–402(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 488 – Senator Beidle

AN ACT concerning

Family Law – Marriage – Licenses and Records

FOR the purpose of altering certain designations on a marriage license and certificate; authorizing the clerk of the circuit court to maintain a certain electronic record as an alternative to the requirement that the clerk keep a certain marriage license book; and generally relating to marriage.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–403 and 2–501
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 497 – Senators Kelley, Guzzone, Carter, Beidle, McCray, Feldman, Eckardt, Augustine, Smith, and Sydnor

AN ACT concerning

Juvenile Services Education Board and Program – Establishment, Powers, and Duties

FOR the purpose of repealing certain provisions of law regarding educational programs for juveniles in residential facilities; establishing the Juvenile Services Education Board; establishing the Juvenile Services Education Program; providing for the composition, terms, and chair and vice chair of the Board; providing that each Board member is entitled to a certain stipend and reimbursement of certain expenses; requiring the Board to have certain authority and responsibility relating to the juvenile services educational programs in the State beginning on a certain date; requiring the Board to provide certain educational services to certain juveniles; specifying the duties of the Board; authorizing the Department of Juvenile Services

to adopt certain regulations; requiring the Board to meet publicly in accordance with certain requirements; requiring the Board to appoint a Superintendent for the Juvenile Services Education Program; specifying the duties and salary of the Superintendent; requiring the Department to implement juvenile services educational programs in the State in accordance with certain requirements; requiring the Department to employ certain staff; requiring the Governor to include in the annual budget bill a certain appropriation; requiring the Board and the Department to work cooperatively to implement certain requirements; prohibiting the disenrollment of certain juveniles from certain schools under certain circumstances; requiring the Board to develop certain intake classrooms; requiring the Board and the Department, in consultation with county boards of education, to develop a certain postcustody re-enrollment procedure for certain juveniles; requiring the Board to offer certain postsecondary education programs to certain juveniles; authorizing the Board to contract with certain entities for certain purposes; requiring county boards of education to waive certain graduation requirements under certain circumstances; requiring county boards of education to reimburse the Department for certain costs under certain circumstances; requiring the Department to submit a certain report to certain entities on or before a certain date each year; requiring the Board to be subject to a certain audit by the Department of Legislative Services and investigation by the Maryland Office of the Inspector General for Education; requiring the State Department of Education and the Department to submit a certain report to the General Assembly on or before a certain date; requiring the Juvenile Justice Monitoring Unit of the Office of the Attorney General to have a representative available to attend meetings of the Board; ~~altering the membership of the Correctional Officers' Retirement System to include certain individuals serving in a certain position in the Department on or after a certain date;~~ providing that the provisions of a certain collective bargaining agreement for certain staff continue to apply under certain circumstances; providing that certain employees transferred to the Department of Juvenile Services under this Act be transferred without diminution of certain rights, benefits, employment, or retirement status; defining certain terms and altering a certain definition; providing for the construction of this Act; and generally relating to the Juvenile Services Education Board and Program.

BY repealing

Article – Education

Section 22–301 through 22–306.1 and 22–307 through 22–310 and the subtitle
“Subtitle 3. Juvenile Services Educational Programs”

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Correctional Services

Section 8–201(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 8–201(h)
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY adding to
Article – Human Services
Section 9–501 through 9–506 to be under the new subtitle “Subtitle 5. Juvenile Services Education Board”; and Section 9–601 through 9–606 to be under the new subtitle “Subtitle 6. Juvenile Services Education Program”
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 6–402
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 6–404
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–201(a)(10) and (11)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)~~

~~BY adding to
Article – State Personnel and Pensions
Section 25–201(a)(12)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Judiciary and the Committee on Ways and Means.

Senate Bill 505 – Senator Hettleman

AN ACT concerning

Criminal Law – First-Degree Child Abuse – Continuing Course of Conduct

FOR the purpose of establishing as first-degree child abuse a certain number of acts that constitute second-degree child abuse committed as a continuing course of conduct; applying certain penalties; and generally relating to child abuse.

BY repealing and reenacting, with amendments,
 Article – Criminal Law
 Section 3–601
 Annotated Code of Maryland
 (2012 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 526 – Senators McCray, Lam, Sydnor, Hettleman, and Washington

AN ACT concerning

Legal Education Success Collaborative – Established

FOR the purpose of establishing a Legal Education Success Collaborative; establishing the purpose of the Collaborative; requiring certain institutions to develop and administer certain programs and cooperatives; requiring certain appropriations to be made to certain institutions and programs in certain fiscal years for certain purposes; requiring certain institutions to provide certain matching funds; requiring a certain appropriation to be used to supplement certain existing funding; defining certain terms; and generally relating to success in legal education.

BY adding to
 Article – Education
 Section 15–126
 Annotated Code of Maryland
 (2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 538 – Senator Guzzone

AN ACT concerning

Community College Tuition and Residency Waivers Colleges and Private Nonprofit Institutions of Higher Education – Funding

FOR the purpose of ~~requiring the Governor, beginning in a certain fiscal year, to include in the annual State budget for the Maryland Higher Education Commission a General Fund appropriation of a certain amount to fund certain community college tuition and residency waivers; requiring the Commission to distribute the appropriation to each community college board of trustees based on the number of qualifying students enrolled in each community college in proportion to the total number of qualifying~~

~~students, as determined by the Commission; requiring the Commission to adopt certain regulations or guidelines; defining a certain term; requiring certain funding be provided to certain institutions of higher education in certain fiscal years; and generally relating to community college funding for State-mandated tuition and residency waivers and private nonprofit institutions of higher education funding.~~

BY repealing and reenacting, with amendments,

Article – Education

Section 16-305(c)(1)(i)12. and 13., 16-512(a)(1)(xiv), and 17-104(a)(1)(x) and (xi)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Education

Section ~~16-322~~ 16-305(c)(1)(i)14. and 17-104(a)(1)(xii) and (xiii)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 550 – Senators Beidle, Augustine, Eckardt, Feldman, Kelley, King, Klausmeier, Waldstreicher, ~~and Salling~~ Salling, Corderman, Edwards, Elfreth, Griffith, Guzzone, McCray, Peters, Rosapepe, Young, and Zucker

AN ACT concerning

Sheila E. Hixson Behavioral Health Services Matching Grant Program for Service Members and Veterans – Establishment

FOR the purpose of establishing the Sheila E. Hixson Behavioral Health Services Matching Grant Program for Service Members and Veterans; providing for the purpose of the Program; requiring the Maryland Department of Health to administer the Program; requiring the Program to award certain grants to nonprofit organizations to establish and expand certain community behavioral health programs; establishing a certain eligibility requirement; requiring an eligible nonprofit organization to secure certain contributions for the proposal at least equal in value to the amount requested from the Program; requiring the Department to develop selection criteria for evaluating applicant proposals; requiring that the selection criteria contain positive scoring for certain proposals; requiring the Department, in awarding matching grants, to give priority to proposals that best meet the selection criteria, regardless of cost; requiring the Department to establish certain application procedures; requiring the Department to establish a certain system of outcome measurement; requiring recipients of a grant under the Program to submit certain information to the Department; requiring the Department to establish certain guidelines for nonprofit organizations receiving a grant under the Program to bill certain insurers; requiring the Department to establish certain procedures; authorizing, beginning in a certain fiscal year, the Governor to include in the annual budget bill a certain

appropriation for the Program; requiring, on or before a certain date each year, the Department to report certain information to the Governor and the General Assembly; defining certain terms; and generally relating to the Sheila E. Hixson Behavioral Health Services Matching Grant Program for Service Members and Veterans.

BY adding to

Article – Health – General

Section 7.5–210

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

Senate Bill 551 – Senator Rosapepe

AN ACT concerning

School Construction Incentive Act of 2021 **Workgroup on School Construction Incentives**

FOR the purpose of ~~requiring an eligible cost of a public school construction or capital improvement project to include costs relating to certain planning, design, and analysis; authorizing the Interagency Commission on School Construction to adopt regulations for requiring the installation of certain utilities metering for certain school construction projects and the use of a certain maintenance management system; requiring the Interagency Commission to establish a certain incentive program for certain school construction and renewal projects; specifying criteria for a project to qualify for an incentive; providing for the calculation of the incentive, including an increase in the State share percentage and a decrease in the local share percentage of school construction and renewal costs; requiring the Interagency Commission to distribute certain incentive funding at certain periods of time; requiring a local education agency to submit to the Interagency Commission for certain projects an estimated total cost of ownership during a certain phase of the project and a projected actual total cost of ownership as constructed during a certain period of time; requiring the Interagency Commission to develop certain cost standards in coordination with the State Department of Education; requiring the Interagency Commission to adopt certain regulations; defining certain terms; and generally relating to public school construction~~ establishing the Workgroup on School Construction Incentives; providing for the purpose, composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Interagency Commission on School Construction to use certain funds for a certain purpose; authorizing the Commission to contract with any person for a certain purpose; requiring the Workgroup to report certain findings and recommendations regarding school construction incentives to certain committees of

the General Assembly on or before a certain date; requiring the Department of Budget and Management to disburse a certain amount to the Interagency Commission on School Construction for a certain purpose, subject to a certain limitation; providing for the termination of this Act; and generally relating to the Workgroup on School Construction Incentives.

~~BY repealing and reenacting, with amendments,
Article — Education
Section 5-303(a)(1) and (d)(2)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — Education
Section 5-310(a)(1) and (3)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

~~BY adding to
Article — Education
Section 5-324
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Appropriations.

Senate Bill 592 – Senators Zucker and Kelley

AN ACT concerning

State Child Welfare System – Reporting

FOR the purpose of altering the contents of a certain report required by the Department of Human Services regarding children and foster youth in the State child welfare system; requiring the State Department of Education, on or before a certain date each year, to report to the General Assembly and the Department of Human Services certain information regarding children and foster youth in the State child welfare system; requiring the State Department of Education to maintain the confidentiality of certain information, ensure that no personally identifiable information is disclosed, and disaggregate certain information in a certain manner; requiring the State Department of Education to publish certain reports on the State Department of Education's website within a certain time; providing for the construction of this Act; and generally relating to children and foster youth in the State child welfare system.

BY repealing and reenacting, with amendments,
Article – Family Law

Section 5–1312
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 649 – Senators Griffith, Pinsky, Sydnor, Beidle, Jackson, McCray, Guzzone, Augustine, Elfreth, Smith, and West

AN ACT concerning

**Procurement – ~~Department of General Services~~ – MBE Program Compliance
~~Officer~~ Review and Oversight**

FOR the purpose of ~~requiring the Secretary of General Services, in consultation with the Chief Procurement Officer in the Department of General Services, to appoint an MBE Program Compliance Officer in the Office of State Procurement to ensure compliance by certain procurement units with the participation goals of the State Minority Business Enterprise Program; requiring the Officer to report on certain matters to the Board of Public Works and the Legislative Policy Committee of the General Assembly on or before a certain date each year; requiring certain procurement units to submit certain periodic and annual reports to the Officer; and generally relating to the MBE Program Compliance Officer in the Department of General Services~~ requiring certain regulations of a primary procurement unit to require the unit to make a good faith effort to solicit a certain minimum number of bids from a certified minority business enterprise for a certain small procurement; requiring certain units to require prospective contractors to attend a certain prebid or preproposal meeting under certain circumstances and to make the contact information of the prospective contractors available to the meeting attendees; requiring a unit to provide certain information to the Governor’s Office of Small, Minority, and Women Business Affairs before awarding a certain contract; requiring the Governor’s Office of Small, Minority, and Women Business Affairs to take certain actions within a certain number of business days after receiving a certain submission; requiring a unit to consider certain recommendations and provide a certain notice to the Governor’s Office of Small, Minority, and Women Business Affairs; requiring a unit that unbundles a procurement based on certain recommendations to resubmit the resulting contracts to the Governor’s Office of Small, Minority, and Women Business Affairs regardless of certain factors; requiring a certain report to state the total number and value of certain procurement contracts for which no minority business enterprise participation goals were established; requiring a certain report to provide a list of certain contractors that failed to meet certain minority business participation goals or subgoals; requiring a certain report to state the total number and value of certain contracts submitted to the Governor’s Office of Small, Minority, and Women Business Affairs under certain provisions of law and to include certain information related to those contracts; requiring a certain report to include information regarding participation by minority business enterprises in certain procurements and the Small Business Reserve Program and

each unit's attainment or nonattainment of certain goals and subgoals in certain fiscal years; requiring the Department of Legislative Services to conduct a review of the implementation of statutory and regulatory requirements of the Minority Business Enterprise Program; requiring the review to examine certain factors; requiring the Department to report its findings and recommendations to certain committees of the General Assembly on or before a certain date; providing for the delayed effective date of certain provisions of this Act; making certain provisions of this Act subject to a certain contingency; and generally relating to the Minority Business Enterprise Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–101(a) and (d) and 14–302(a)(1)(i)1.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~14–302(a)(9)~~ 13–109, 14–302(a)(3) and (9), and 14–305
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Finance and Procurement
Section ~~14–306~~ 14–302(a)(16)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 651 – Senator Klausmeier

AN ACT concerning

Baltimore County – Workers' Compensation – Permanent Partial Disability – Detention and Correctional Officers

FOR the purpose of providing for enhanced workers' compensation benefits for a Baltimore County correctional officer and a Baltimore County detention officer for a compensable permanent partial disability of less than a certain number of weeks; providing for the application of this Act; and generally relating to workers' compensation benefits for Baltimore County correctional officers and detention officers.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–628(a)

Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–628(h) and 9–629
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 686 – Senator Smith

AN ACT concerning

**Real Property – Condominiums, Homeowners Associations, and Cooperative
Housing Corporations – Virtual Meetings**

FOR the purpose of authorizing the governing body of a condominium, homeowners association, or cooperative housing corporation to authorize certain meetings to be conducted or attended by certain electronic means under certain circumstances; authorizing certain individuals who attend a meeting by certain electronic means to be deemed present for certain purposes; authorizing certain matters to be set for a vote at a certain virtual meeting under certain circumstances; authorizing certain members, unit owners, and lot owners who attend a meeting virtually to vote in a certain manner under certain circumstances; authorizing certain members, unit owners, and lot owners to vote by proxy in a certain manner under certain circumstances; requiring the governing body of a condominium, homeowners association, or cooperative housing corporation to comply with certain notice requirements in order to conduct a virtual meeting; providing that nominations from the floor are not required at a certain virtual meeting under certain circumstances; providing that the inability of a certain individual to join a certain virtual meeting does not invalidate the meeting or actions taken at the meeting; and generally relating to condominiums, homeowners associations, and cooperative housing corporations.

BY adding to
Article – Corporations and Associations
Section 5–6B–25.1
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY adding to
Article – Real Property
Section 11–139.3 and 11B–113.6
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 690 – Senator Sydnor

AN ACT concerning

Public Information Act – Inspection of Records From Body–Worn Digital Recording Devices

FOR the purpose of requiring, except under certain circumstances, a custodian of records to deny inspection of the part of a recording from a certain body–worn digital recording device worn by a law enforcement officer regarding certain individuals; requiring certain notification of certain individuals; requiring the Police Training and Standards Commission to develop certain uniform standards and policies in consultation with certain groups; requiring a custodian of records to allow inspection by certain individuals of a recording from a certain body–worn digital recording device worn by a law enforcement officer; prohibiting a custodian of records from allowing inspection or copying of records by certain individuals from a certain body–worn digital recording device worn by a law enforcement officer; providing for the construction and application of this Act; defining a certain term; and generally relating to the inspection of recordings from body–worn digital recording devices worn by law enforcement officers.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 4–101
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to
Article – General Provisions
Section 4–357
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 698 – Senator Eckardt

AN ACT concerning

Real Property Transfer–on–Death Deed Task Force

FOR the purpose of establishing the Real Property Transfer–on–Death Deed Task Force; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the

reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Real Property Transfer–on–Death Deed Task Force.

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 699 – Senator McCray

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program Fund

FOR the purpose of extending the period in which the Governor is required to include in the State budget a certain appropriation for the Baltimore Regional Neighborhood Initiative Program Fund; and generally relating to the Baltimore Regional Neighborhood Initiative Program Fund.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–510
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 714 – Senators Kagan, Reilly, and Jackson

AN ACT concerning

Public Safety – 9–1–1 Emergency Telephone System – Alterations

FOR the purpose of requiring, under certain circumstances, that certain ~~commercial mobile radio service providers and 9–1–1 service carriers~~ providers of a 9–1–1-accessible service provide certain notice to a certain public safety answering point, the Maryland Joint Operations Center, and the Maryland 9–1–1 Board and submit a certain report to the Board; requiring certain providers of a 9–1–1-accessible service to make a certain calculation according to certain federal regulations; requiring the Board and the Center to adopt procedures and implement safeguards to ensure certain information is maintained confidentially; altering the composition of the Board; altering the responsibilities of the Board to include establishing certain training standards related to individual psychological well-being and resilience for public safety answering point personnel; requiring the Board to support certain 9–1–1 specialist recruitment activities; requiring the Board to establish certain onboarding standards for newly hired 9–1–1 specialists; altering the purposes of the 9–1–1 Trust Fund; prohibiting the Fund from being used for a certain purpose;

prohibiting a county from spending certain funds distributed from a certain State 9–1–1 fee in a certain manner; requiring the designee of a county or municipality to be responsible for enforcing certain provisions of law relating to the installation and operation of certain multiple–line telephone systems; requiring the Office of the State Fire Marshal to be responsible for enforcing certain provisions of law relating to the installation and operation of certain multiple–line telephone systems under certain circumstances; requiring the terms of certain members of the Board to terminate on a certain date; specifying the terms of certain initial members of the Board; requiring the ~~Behavioral Health Administration in the Maryland Department of Health~~ University System of Maryland, in consultation with the Workers’ Compensation Commission and the Board, to conduct a certain study; requiring the ~~Department~~ University System of Maryland, on or before a certain date, to report its findings and recommendations to the Governor, the Board, the Commission to Advance Next Generation 9–1–1 Across Maryland, and the General Assembly; requiring the Board to report certain information to the General Assembly on or before a certain date; repealing an obsolete provision of law; making a certain stylistic change; and generally relating to 9–1–1 emergency telephone systems.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 1–301(a), (c), (d), (l), (m), and (t), 1–305(a), 1–306(a), and 1–308(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety

Section 1–304.3 and 1–306(b)(17)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1–305(b), 1–306(b)(15) and (16) and (e), 1–308(b), 1–309(c), 1–312(a), and 1–314

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 815 – Senator Klausmeier

AN ACT concerning

Mental Health Facilities – Sexual Abuse and Harassment – Reporting and Prevention

FOR the purpose of requiring certain mental health facilities to report certain complaints of sexual abuse and sexual harassment to certain entities within a certain time period; requiring the Office of Health Care Quality and the Behavioral Health Administration to develop and implement a certain reporting system; requiring certain mental health facilities to develop and implement certain policies and procedures, ensure that staff provide certain assistance, and develop and oversee certain training and education; requiring the ~~Behavioral Health~~ Administration to ensure that certain policies and procedures are uniform for certain State facilities; requiring certain mental health facilities to use certain screen–tools for a certain purpose, reassign certain patients under certain circumstances, provide a certain patient with certain treatment and education, and ensure that certain staff are trained in a certain trauma recovery modality; requiring certain entities to adopt a certain plan under certain circumstances; altering certain requirements relating to sexual abuse and sexual harassment reporting and prevention for certain State facilities; requiring the ~~Office of Health Care Quality~~ to enforce certain provisions of law; requiring the Maryland Department of Health to adopt certain regulations; and generally relating to mental health facilities and the reporting and prevention of sexual abuse and harassment.

BY repealing and reenacting, without amendments,
 Article – Health – General
 Section 10–101(a), (g), and (k) and 10–701(a)(1) and (3)
 Annotated Code of Maryland
 (2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 10–705
 Annotated Code of Maryland
 (2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 816 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Employer Contributions – ~~Payment Plans~~

FOR the purpose of requiring the Secretary of Labor to offer to employing units for certain calendar years a variety of payment plan options that spread certain contribution due dates through the end of a certain month; requiring the Secretary to offer a variety of additional payment plan options that mutually serve certain interests and, for plans offered in a calendar year in which a certain table of rates is applicable,

provide more flexibility than certain plans offered under a certain provision of this Act; authorizing certain employing units to elect to delay submitting certain contributions for certain calendar quarters under certain circumstances; authorizing the Secretary to authorize certain employing units to defer submitting certain contributions for certain calendar quarters under certain circumstances; prohibiting an employing unit that defers the submission of a contribution in accordance with this Act from being required by the Secretary to file for an extension or be assessed certain interest under certain circumstances; repealing certain provisions of law providing for the deferral of certain contribution and employment reports; repealing a certain provision of law rendered obsolete by a certain provision of this Act; making this Act an emergency measure; providing for the termination of certain provisions of this Act; and generally relating to ~~payment plans for~~ unemployment insurance.

BY repealing and reenacting, with amendments,
 Article – Labor and Employment
 Section ~~8–607(d)~~ 8–607(a) and (d)
 Annotated Code of Maryland
 (2016 Replacement Volume and 2020 Supplement)

BY adding to
 Article – Labor and Employment
 Section 8–607.1 and 8–607.2
 Annotated Code of Maryland
 (2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – Labor and Employment
 Section 8–626 and 8–628
 Annotated Code of Maryland
 (2016 Replacement Volume and 2020 Supplement)
 (As enacted by Chapter 39 of the Acts of the General Assembly of 2021)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 817 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Study on System Reforms

FOR the purpose of requiring the Maryland Department of Labor, in consultation with the Department of Legislative Services, to study and make recommendations regarding reforms to the unemployment insurance system in the State; specifying the scope of the study; requiring the Maryland Department of Labor to report, at a certain

interval, to the Department of Legislative Services and the co–chairs of the Joint Committee on Unemployment Insurance Oversight ~~and~~, to consult with certain other agencies and stakeholders for certain purposes, and to examine and consider a certain report or recommendation; requiring the Maryland Department of Labor to submit an interim and a final report to certain committees of the General Assembly on or before certain dates; making this Act an emergency measure; and generally relating to unemployment insurance.

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 818 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Maryland Department of Labor – Accountability and Oversight

FOR the purpose of requiring the Maryland Department of Labor to ~~submit a report post on its website certain reports~~ on the administration and operation of the State’s unemployment insurance laws ~~to certain persons on or before a certain day each month~~; at certain regular intervals; requiring the Department to retain certain weekly reports on its website for at least a certain number of weeks; establishing when a disaster exists for the purposes of certain provisions of this Act; requiring the Department to monitor the Unemployment Insurance Fund for a disaster; requiring the Department, when a certain determination is made, ~~to initiate a certain plan and to comply with certain reporting requirements~~; requiring that the disaster reporting requirements remain in effect until the Department is able to process at least a certain percentage of certain payments within a certain time period in accordance with certain guidelines for a certain period of time; requiring the Assistant Secretary for the Division of Unemployment Insurance to announce certain information when ~~a~~ the disaster reporting requirements are no longer exists in effect; requiring the Department to submit a certain disaster report to certain persons within a certain time period and with certain frequency thereafter; exempting the Department from certain requirements for hiring staff and requiring the Department to hire certain staff during a disaster; requiring the Assistant Secretary to oversee compliance with certain requirements during a disaster; ~~defining a certain term~~; making this Act an emergency measure; and generally relating to unemployment insurance.

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–101(a), (e), (j), (m), (m–1), and (x) and 8–311

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY adding to

Article – Labor and Employment

Section ~~8-101(m-2)~~, 8-311.1, and 8-311.2

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 819 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Weekly Benefit Amount – Income Disregard

FOR the purpose of altering the maximum amount of wages disregarded when computing the weekly benefit amount to be paid to a claimant for unemployment insurance benefits; making this Act an emergency measure; providing for the termination of this Act; and generally relating to unemployment insurance.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8-803(d)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 832 – Charles County Senators

AN ACT concerning

Southern Maryland – Multifamily Dwelling Registration – Fees and Fines

FOR the purpose of authorizing the code home rule counties of the Southern Maryland class to require a certain property owner to register certain property with the county in order to offer the property for lease; authorizing the code home rule counties of the Southern Maryland class to charge a fee on a certain property owner for registering certain property with the county and to impose a fine on a property owner who leases a dwelling that is not registered with the county; authorizing the code home rule counties of the Southern Maryland class to adopt certain regulations; and generally relating to multifamily dwellings in Southern Maryland.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 12–203
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 862 – Senator Waldstreicher

AN ACT concerning

Arrest Warrants Issued by District Court Commissioners – Recall by Judge

FOR the purpose of authorizing a judge of the District Court or a judge of a circuit court, on a certain finding, to recall an arrest warrant issued by a District Court commissioner and issue a summons in its place; and generally relating to arrest warrants issued by District Court commissioners.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–607(c)
Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 874 – Senator Jackson

EMERGENCY BILL

AN ACT concerning

Workgroup to Study Partial Expungement

FOR the purpose of ~~establishing the Workgroup to Study Partial Expungement; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to submit a report to the General Assembly on or before a certain date; providing for the termination of this Act;~~ altering the name of the Partial Expungement Workgroup to be the Workgroup to Study Partial Expungement; altering the composition of the Workgroup; altering the requirement for the selection of the chair of the Workgroup; altering the due date by which the Workgroup is required to submit a certain report on certain findings and recommendations; altering the termination date for the Workgroup; making this Act an emergency measure; and generally relating to the Workgroup to Study Partial Expungement.

BY repealing and reenacting, with amendments,
Chapter 31 of the Acts of the General Assembly of 2021
Section 3 and 6

Read the first time and referred to the Committee on Judiciary.

Senate Bill 907 – Senator Benson

AN ACT concerning

Human Services – Critical Medical Needs Program – Application for Assistance

FOR the purpose of ~~prohibiting~~ requiring the Office of Home Energy Programs ~~from requiring~~ to allow a certain amount of time for an individual to provide certain medical certification when an individual applies for assistance from the Critical Medical Needs Program if the applicant is at least a certain age and assisted by a navigator; and generally relating to the application for assistance from the Critical Medical Needs Program.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 5–5A–08
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 923 – Senator Washington

AN ACT concerning

Maryland Medical Assistance Program – Eligibility ~~and Disenrollment~~

FOR the purpose of requiring the Maryland Medical Assistance Program to provide certain health care services for a pregnant Program recipient for a certain time period; ~~requiring the Department to develop certain written materials and provide the materials to certain Program recipients at a certain time; requiring the Department to adopt certain regulations;~~ providing for a delayed effective date ~~for certain provisions of this Act;~~ and generally relating to eligibility for ~~and disenrollment from~~ the Maryland Medical Assistance Program.

~~BY adding to
Article – Health – General
Section 15–103(g)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)~~

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(1) and (2)(i)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)(2)(ii)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 21**

Senate Bill 97 – Senator Rosapepe

AN ACT concerning

Purple Line Marketing Act

FOR the purpose of requiring the Maryland Transit Administration, in cooperation with certain stakeholders, to develop and implement a Purple Line marketing plan; specifying the requirements of the marketing plan; requiring the Governor to include in the annual budget bill a certain amount from the Transportation Trust Fund for the Purple Line marketing plan in a certain fiscal ~~years~~ year; requiring the Administration, on or before a certain date, to submit a report to certain standing committees of the General Assembly on certain elements of the Purple Line marketing plan; defining a certain term; providing for the termination of this Act; and generally relating to a marketing program for the Purple Line.

BY adding to
Article – Transportation
Section 7–713
Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Appropriations and the Committee on Environment and Transportation.

**Senate Bill 196 – Chair, Budget and Taxation Committee (By Request –
Departmental – Commerce)**

AN ACT concerning

Economic Development – Research and Development Tax Credit – Alterations

FOR the purpose of repealing a certain credit against the State income tax for certain Maryland qualified research and development expenses not exceeding a certain base amount; altering the amount of research and development tax credits that the Department of Commerce may approve in certain calendar years; requiring the Department to reserve a certain amount of the total amount of research and development credits that the Department may approve in a calendar year to small businesses; prohibiting the Department from approving a tax credit for a single applicant in excess of a certain amount; defining the term “net book value assets” for purposes of the program concerning small businesses; extending the termination date applicable to the program; making conforming changes; providing for the application of this Act; and generally relating to the Research and Development Tax Credit Program.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–721
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Chapter 515 of the Acts of the General Assembly of 2000, as amended by Chapter 98
of the Acts of the General Assembly of 2005, Chapter 20 of the Acts of the
General Assembly of 2010, and Chapter 85 of the Acts of the General Assembly
of 2019
Section 2 and 4

BY repealing and reenacting, with amendments,
Chapter 516 of the Acts of the General Assembly of 2000, as amended by Chapter 98
of the Acts of the General Assembly of 2005, Chapter 20 of the Acts of the
General Assembly of 2010, and Chapter 85 of the Acts of the General Assembly
of 2019
Section 2 and 4

Read the first time and referred to the Committee on Ways and Means.

**Senate Bill 259 – Chair, Budget and Taxation Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

**Department of Transportation – Grant Anticipation Revenue Vehicle Bonds –
Calculation of Debt Limit**

FOR the purpose of altering the calculation of the maximum amount of debt secured by future federal aid that the Department of Transportation may issue; providing that the maximum amount of debt that may be issued is calculated as of a certain date; providing that the proceeds from the issuance of certain debt may be used only for certain purposes; and generally relating to the amount of debt that the Department of Transportation may issue.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 3–601
Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 286 – Senator Augustine

AN ACT concerning

Behavioral Health Crisis Response Services – Modifications

FOR the purpose of requiring the Maryland Department of Health to require that proposals requesting Behavioral Health Crisis Response Grant Program funding contain certain response standards; altering the proposals the Department is required to prioritize in awarding grants under the Program; requiring a local behavioral health authority, for each service or program that receives funding under the Program, to make certain information available to the public; altering a certain system of measurement that the Department is required to establish; requiring, for certain fiscal years, the Governor to include in the budget bill certain appropriations for the Program; requiring, beginning in a certain fiscal year, that at least a certain proportion of the appropriation be used to award competitive grants for mobile crisis teams; altering a certain crisis communication center that the Maryland Behavioral Health Crisis Response System is required to include; establishing certain requirements for certain data; altering the entities with which the Department must collaborate when implementing the System; defining certain terms; and generally relating to behavioral health crisis response services.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7.5–208, 10–1401, and 10–1403
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 10–1402
Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 401 – Senator Carter

AN ACT concerning

Landlord–Tenant – Nonrenewal of Lease – Notice Requirements

FOR the purpose of altering the period of time prior to the expiration of a tenancy that a landlord is required to notify a tenant, in writing, of the intent to terminate a tenancy upon expiration, under certain circumstances and subject to certain conditions; applying the notice provisions statewide; making stylistic changes; providing for the application of this Act; and generally relating to required notices for landlord–tenant agreements.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–402
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 415 – Senator Pinsky

AN ACT concerning

**Public Financing Act – Matching Fund Revisions
(Maryland Fair Elections Act)**

FOR the purpose of requiring the Comptroller to distribute public contributions to a certain campaign finance entity established to receive public contributions for certain eligible candidates; altering the frequency with which the Comptroller is required to submit a certain statement to the State Board of Elections; requiring the State Board to make a certain determination regarding the balance of the Fair Campaign Financing Fund on or before a certain date in certain years; requiring the State Board to provide a certain notice to the Governor on or before a certain date under certain circumstances; requiring the Governor to include a certain appropriation in the budget bill in certain years under certain circumstances; repealing certain provisions of law regarding the raising of seed money by gubernatorial tickets in order to be eligible to receive a public contribution; requiring gubernatorial tickets to take actions before receiving public contributions from the Fund; authorizing certain campaign finance entities to accept only certain contributions and loans; establishing requirements that must be met to qualify as an eligible gubernatorial ticket; establishing a qualifying period for gubernatorial tickets; repealing certain

provisions of law governing campaign expenditure limits for gubernatorial tickets that accept public contributions from the Fund; requiring the State Board to authorize distribution of money in the Fund on certification that certain qualifications have been met and not earlier than a certain date in a certain year; requiring the State Board to distribute public contributions from the Fund during the distribution period in a certain manner; establishing certain limits on the total public contribution payable to eligible gubernatorial tickets for certain elections; repealing certain provisions of law requiring that public contributions be distributed in a certain manner; prohibiting the State Board from distributing matching dollars for certain contributions and loans; requiring that an eligible gubernatorial ticket receive a certain proportion of a certain public contribution amount; authorizing a gubernatorial ticket to withdraw under certain circumstances; altering the reasons for which public contributions may be spent to include an expenditure accompanied by a certain receipt; altering the time period within which expenses must be incurred in order to be paid using a public contribution; altering the time period within which a certain part of a public contribution is required to be repaid; providing that certain persons are civilly and criminally liable for the repayment of an unspent public contribution; requiring the State Board to authorize the repayment of certain money to the General Fund of the State from the Fund under certain circumstances; altering the provisions required to be included in certain regulations that the State Board is required to adopt; requiring a person who violates a certain provision of law in a certain manner to pay a certain civil penalty; providing that a certain infraction is a civil offense; authorizing the State Board to impose a certain civil penalty for certain violations of law; establishing procedures for the issuance, service, notice, contents, and prosecution of a certain civil citation; providing for the amount and payment of a certain civil penalty under certain circumstances; establishing certain provisions regarding a District Court proceeding relating to certain violations of law; requiring certain penalties to be distributed to the Fund; providing for the application of certain provisions of this Act; defining certain terms; altering certain defined terms and certain definitions; repealing certain definitions; making conforming changes; and generally relating to the Public Financing Act.

BY repealing and reenacting, without amendments,

Article – Election Law

Section 13–235

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 15–102, 15–103, 15–104.1, and 15–106 through 15–111

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing

Article – Election Law

Section 15–104 and 15–105

Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Election Law
Section 15–104, 15–105, 15–108, and 15–113
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 459 – Senator Feldman

AN ACT concerning

**Economic Development – ~~Maryland Small Business Innovation Research~~
~~Technical Assistance Program – Alterations~~ Comprehensive Technical
Assistance Program – Establishment**

FOR the purpose of ~~altering the purpose of the Maryland Small Business Innovation Research Technical Assistance Program to include providing technical assistance to assist small businesses with attracting and accessing private capital; and generally relating to the Maryland Small Business Innovation Research Technical Assistance Program~~ establishing the Comprehensive Technical Assistance Program in the Maryland Technology Development Corporation; providing for the purpose of the Program; requiring the Program to include certain types of technical assistance; requiring the Corporation to include certain information on the Program in a certain annual report; requiring the Corporation to adopt certain regulations; and generally relating to the establishment of the Comprehensive Technical Assistance Program in the Maryland Technology Development Corporation.

BY ~~repealing and reenacting, with amendments,~~ adding to

Article – Economic Development
Section ~~10–4B–01~~ 10–416
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 622 – Senator Edwards

AN ACT concerning

Income Tax – Subtraction Modification – Donations to Diaper Banks and Other Charitable Entities

FOR the purpose of allowing a subtraction under the Maryland income tax for donations of certain disposable diapers, certain hygiene products, and certain monetary gifts made by a taxpayer during the taxable year to certain qualified charitable entities; requiring the taxpayer to file certain information with the taxpayer's income tax return in order to claim the subtraction; requiring the ~~Department of Human Services~~ Comptroller to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a subtraction under the Maryland income tax for donations of diapers, hygiene products, or monetary gifts to charitable entities.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a) and 10–308(a)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY adding to
Article – Tax – General
Section 10–208(y)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–308(b)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 639 – ~~Senator Augustine~~ Senators Augustine, Kelley, Feldman, Beidle, Benson, Hayes, Hershey, Jennings, Klausmeier, Kramer, and Ready

AN ACT concerning

**Maryland Technology Development Corporation – Inclusion Fund –
Establishment**

FOR the purpose of establishing the Inclusion Fund in the Maryland Technology Development Corporation as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Corporation to administer the Fund; requiring the State Treasurer to hold the Fund, and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; defining a certain term; and generally relating to the

establishment of the Inclusion Fund within the Maryland Technology Development Corporation.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–401(a) and (c)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to
Article – Economic Development
Section 10–473 through 10–475 to be under the new part “Part VIII. Inclusion Fund”
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)122. and 123.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)124.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 717 – Senator Zucker

AN ACT concerning

State Personnel – Collective Bargaining – Exclusive Representative Access to New Employees

FOR the purpose of altering the type of access and the circumstances under which certain access to new employees by exclusive representatives is required to be permitted by the State, a system institution, Morgan State University, St. Mary’s College of Maryland, and Baltimore City Community College; altering the period of time for which an exclusive representative is required to be permitted to address certain new

employees under certain circumstances; requiring that an exclusive representative be permitted at least a certain amount of time to meet with a new employee; requiring that a certain meeting between a new employee and an exclusive representative be in person; authorizing a certain exclusive representative to meet with a new employee through certain video technology under certain circumstances; requiring that the State, a system institution, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College encourage but not require certain new employees to meet with certain exclusive representatives; requiring that a certain notice be provided on the start date of a new employee; requiring that a certain notice be provided to certain individuals in a certain manner within a certain time period and include and exclude certain information; requiring that a certain notice be considered confidential by an exclusive representative; prohibiting an exclusive representative from disclosing certain information, subject to a certain exception; authorizing an exclusive representative to authorize a third-party contractor to use certain information in a certain manner and for a certain purpose; making conforming changes; and generally relating to collective bargaining for State employees and access by an exclusive representative to new employees.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–307
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 732 – Senator Patterson

AN ACT concerning

Economic Development – Maryland Innovation Initiative University Partnership Pilot Program – Establishment

FOR the purpose of establishing the Maryland Innovation Initiative University Partnership Pilot Program within the Maryland Technology Development Corporation; providing for the purpose of the Pilot Program; requiring the Maryland Innovation Initiative within the Corporation to implement and administer the Pilot Program; authorizing Bowie State University and ~~Salisbury~~ Frostburg State University to participate in the Pilot Program; requiring Bowie State University and ~~Salisbury~~ Frostburg State University to pay a certain annual contribution to participate in the Pilot Program; establishing eligibility criteria for project proposals to receive funding under the Pilot Program; requiring the Initiative to develop certain criteria to review, evaluate, and rate certain project proposals; requiring the Executive Director of the Initiative to distribute certain grants in a certain manner; requiring the Governor to include a certain amount in the State budget for certain fiscal years for the Pilot Program; requiring the Corporation to make a certain report

on or before a certain date; altering the purpose and contents of the Maryland Innovation Initiative Fund; providing for the termination of this Act; defining certain terms; and generally relating to the establishment of the Maryland Innovation Initiative University Partnership Pilot Program.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–454(a), (b), and (d), 10–455(a), and 10–457(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–457(b) and (d)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to
Article – Economic Development
Section 10–461
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

Senate Bill 769 – Senators Hester and Bailey

AN ACT concerning

Income Tax Credit for Venison Donation – Alterations, Extension, and Testing for Chronic Wasting Disease

FOR the purpose of altering the maximum amount of qualified expenses an individual may claim as a credit against the State income tax for a certain donation of processed deer meat; altering the maximum aggregate credit amount the individual may claim in a taxable year; extending the termination date of the tax credit; requiring the Department of Natural Resources to report to certain committees of the General Assembly on or before a certain date on certain testing; providing for the application of certain provisions of this Act; and generally relating to an income tax credit for the donation of processed deer meat and testing for chronic wasting disease.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–746
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Chapter 172 of the Acts of the General Assembly of 2018
Section 3

BY repealing and reenacting, with amendments,
Chapter 173 of the Acts of the General Assembly of 2018
Section 3

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 778 – ~~Senator Elfreth~~ Senators Elfreth, Eckardt, Griffith, Guzzone, King, Rosapepe, and Zucker

AN ACT concerning

Regional Institution Strategic Enterprise Zone Program – Alterations

FOR the purpose of expanding the purposes of the Regional Institution Strategic Enterprise Zone Program; establishing the Regional Institution Strategic Enterprise Zone Fund in the Department of Commerce to be used for certain purposes; providing for the investment of money in and expenditures from the Fund; prohibiting the Secretary of Commerce from approving a Regional Institution Strategic Enterprise (RISE) zone the geographic area of which exceeds a certain amount; providing for the termination of the Program; altering eligibility for tax incentives that a business entity that locates in a RISE zone may receive under certain circumstances; authorizing a certain qualified institution, a county, a municipal corporation, or a certain entity of a county or a municipal corporation to establish a certain program to provide rental assistance to a business entity that moves into or locates in a RISE zone; authorizing a qualified institution, a county, a municipal corporation, or a certain entity of a county or a municipal corporation that establishes a rental assistance program in accordance with this Act to submit a certain request to receive a distribution of certain funds from the Fund; requiring the Department to make available a certain amount of funds to match certain rental assistance funds; requiring the Department to review certain requests and distribute certain funds under certain circumstances; requiring a certain applicant to deposit certain rental assistance funds into a certain fund within a certain period of time; providing for the reallocation of certain funds under certain circumstances; requiring the Department to submit an annual report to the Governor and certain committees of the General Assembly on certain matters; authorizing certain companies to claim an enhanced State income tax credit under certain circumstances; defining certain terms; making conforming changes; providing for the application of certain provisions of this Act; providing for the effective dates of this Act; and generally relating to the Regional Institution Strategic Enterprise Zone Program.

BY repealing and reenacting, with amendments,
Article – Economic Development

Section 5–1401, 5–1402, 5–1404(b) and (f), 5–1406, and 5–1407
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 5–1404(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to
Article – Economic Development
Section 5–1407, 5–1408, and 5–1410
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)122. and 123.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)124.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–725(b)(1) and 10–733(b)(1)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–725(d)(1) and 10–733(d)(1)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property
 Section 9–103.1(a)(1) and (b)
 Annotated Code of Maryland
 (2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – Tax – Property
 Section 9–103.1(a)(4) and (6) and (d)(2)
 Annotated Code of Maryland
 (2019 Replacement Volume and 2020 Supplement)

BY adding to
 Article – Tax – Property
 Section 9–103.1(a)(7)
 Annotated Code of Maryland
 (2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 783 – Senator Hayes

AN ACT concerning

Baltimore City – West North Avenue Development Authority

FOR the purpose of establishing the West North Avenue Development Authority in Baltimore City; authorizing the Authority to manage certain funds; providing for the composition, ~~chair, and staffing~~ and chair of the Authority; prohibiting a member of the Authority from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Authority to support and develop a certain neighborhood revitalization plan in coordination with certain residents; authorizing the Authority to modify certain boundaries, subject to a certain vote; requiring the Authority to report its findings and recommendations to the Governor and to certain committees of the General Assembly on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to the West North Avenue Development Authority.

BY adding to
 Article – Economic Development
 Section 12–701 through 12–706 to be under the new subtitle “Subtitle 7. Baltimore City – West North Avenue Development Authority”
 Annotated Code of Maryland
 (2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 801 – Senator Griffith

AN ACT concerning

Labor and Employment – Economic Stabilization Act – Alterations

FOR the purpose of prohibiting an employee from counting in the determination of a reduction in operations, under certain circumstances, for the purposes of certain provisions of law; altering the persons to whom an employer is required to provide certain notice of a reduction in operations; altering the information required to be included in a certain notice of a reduction in operations; exempting an employer from a certain notice requirement under certain circumstances; requiring an employer that relies on a certain provision of this Act to provide certain notice as soon as practicable; requiring that certain notice of a reduction in operations be provided by a seller on or before a certain date of sale and a purchaser after a certain date of sale under certain circumstances; requiring a certain individual to be considered an employee of a purchaser immediately after a certain date; making certain stylistic changes; defining a certain term; altering certain definitions; and generally relating to the Economic Stabilization Act.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–301, 11–302, and 11–305
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 11–303
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 803 – Senators Edwards and Corderman

AN ACT concerning

**Economic Development – Western Maryland Economic Future Investment
Board and Fund – Establishment**

FOR the purpose of establishing the Western Maryland Economic Future Investment Board; providing for the composition, chair, and staffing of the Board; prohibiting a member of the Board from receiving certain compensation, but authorizing the reimbursement of certain expenses; establishing the Western Maryland Economic Future Investment Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Tri–County Council for Western Maryland to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account

for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; requiring the Governor, for certain fiscal years, to include in the annual operating or capital budget bill an appropriation of at least a certain amount to the Fund; stating the intent of the General Assembly regarding a certain appropriation to the Fund in certain fiscal years; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; authorizing certain member counties and certain other entities to submit proposals for certain grant funding; establishing the qualifications necessary to receive certain grant funding; requiring the Board to develop certain criteria to review, evaluate, and rate certain proposals for grant funding; requiring the Board to distribute certain grant funding based on certain criteria; requiring the Board to monitor and track the progress of certain projects that have received certain grant funding; authorizing the Board to reclaim certain grant funds under certain circumstances; providing that certain grant funding is supplementary and may not supplant certain other funds; requiring the Board to make a certain report on or before a certain date each year; requiring the Board to adopt certain regulations; defining certain terms; providing for the termination of this Act; and generally relating to the establishment of the Western Maryland Economic Future Investment Board and Fund.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 13–701 and 13–702(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to
Article – Economic Development
Section 13–736 through 13–741 to be under the new part “Part IV. Western
Maryland Economic Future Investment Program”
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)122. and 123.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)124.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 837 – Senator Kramer

AN ACT concerning

Health – Advance Care Planning and Advance Directives

FOR the purpose of requiring the Maryland Health Care Commission to coordinate the implementation of advance care planning programs in the State; requiring that the coordination include adoption and implementation of certain measures and development and implementation of certain quality metrics; requiring each health insurance carrier to offer electronic advance directives to its members and enrollees at certain times and make arrangements to receive certain notifications; authorizing a health insurance carrier to contract with an electronic advance directives service under certain circumstances; defining certain terms; requiring the Motor Vehicle Administration to submit a certain report to certain committees of the General Assembly on or before a certain date; ~~requiring the Maryland Department of Health, in collaboration with local jurisdictions in the State, to develop and implement, for certain years, a plan to provide information about advance care planning and the State designated electronic advance directive system, and the opportunity to upload certain documents to a certain system or create a certain plan, to certain individuals;~~ providing for the application of certain provisions of this Act; and generally relating to advance care planning and advance directives.

BY adding to

Article – Health – General
Section 19–145
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 15–122.1
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 857 – Senators Hester and Smith

AN ACT concerning

Health – Maryland ~~Community~~ Behavioral Health and Public Safety Center of Excellence – Establishment

FOR the purpose of establishing the Maryland ~~Community~~ Behavioral Health and Public Safety Center of Excellence within the Governor’s Office of Crime Prevention, Youth, and Victim Services; establishing the purposes of the Center; requiring the Center to monitor and analyze its models, plans, policies, strategies, programs, technical assistance, and training in a certain manner and for certain purposes; requiring the Office to appoint certain individuals to jointly oversee the Center; providing that certain individuals may be associated with a certain entity; authorizing the Center to designate certain points of contact for a certain purpose; authorizing the Center to coordinate with the Justice Reinvestment Oversight Board and other State entities; authorizing the Center to enter into contracts with certain entities or organizations for certain purposes; providing that the operation of the Center is subject to the limitations of the State budget; requiring that the activities of the Center include certain planning, assistance, ~~and~~ coordination, and facilitation; requiring the Center to provide technical assistance to local governments for certain purposes; requiring the Center to develop certain models, recommendations, and procedures; requiring the Center to host a certain summit ~~at certain intervals~~ each year for certain purposes; stating the intent of the General Assembly; requiring the Center to support certain workshops and summarize certain rules in certain reports, implement certain systems and policies, and produce and update a certain plan on or before a certain date each year; establishing requirements for the plan; requiring the Center to consider certain factors when developing the plan; requiring each local jurisdiction to develop a certain plan in collaboration with certain persons; requiring the plan to include certain elements; ~~authorizing~~ encouraging a local jurisdiction to use an existing local planning and coordinating committee or local management board to satisfy certain requirements; ~~requiring the Center to prioritize the disbursement of certain federal funds received by the Center for certain purposes;~~ defining certain terms; and generally relating to health and safety in the State.

BY adding to

Article – Health – General

Section 13–4201 through 13–4206 to be under the new subtitle “Subtitle 42.

Maryland ~~Community~~ Behavioral Health and Public Safety Center of Excellence”

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 914 – Senator McCray

AN ACT concerning

Sheriff of Baltimore City

FOR the purpose of providing that the salaries for certain employees of Baltimore City may be subject to collective bargaining under certain circumstances; providing that certain expense allowances for certain employees may be subject to a certain collective bargaining agreement; authorizing certain sworn law enforcement officers and court security officers in the Sheriff of Baltimore City's offices to collectively bargain with the Mayor and City Council of Baltimore City and the Sheriff of Baltimore City with respect to certain matters; authorizing certain sworn law enforcement officers and court security officers to seek certain recognition from the Sheriff for certain purposes; establishing certain rights of the Sheriff; prohibiting the Sheriff from recognizing an exclusive representative except under certain circumstances; providing for the decertification of a certain exclusive representative under certain circumstances; authorizing the Sheriff, the Labor Commissioner of Baltimore City, and the exclusive representative to select the number of individuals designated to represent the respective parties in collective bargaining; requiring that the parties make every reasonable effort to conclude negotiations in a certain manner; requiring, on certain certification of the exclusive representative, the parties to a collective bargaining agreement to negotiate an agreement within a certain time frame and to memorialize the agreement in writing; providing the date by which negotiations for the collective bargaining shall begin; providing that certain matters negotiated between the Sheriff, the Labor Commissioner of Baltimore City, and the exclusive representative are to be recommended to the General Assembly for approval of legislation or for the appropriation of funds; establishing that an agreement is not valid under a certain time frame; requiring an agreement to contain all matters of agreement reached in the collective bargaining process; authorizing an agreement to contain a certain grievance procedure for certain purposes; requiring that a certain agreement be in writing and signed by certain parties under certain circumstances; providing that an agreement is not valid until it is ratified under certain circumstances; providing that a modification to an existing agreement is not valid unless it is in writing and ratified under certain circumstances; requiring that the terms of the agreement prevail in a certain conflict except under certain circumstances; authorizing certain parties to seek mediation under certain circumstances; requiring a certain party seeking mediation to provide certain notice to certain persons; authorizing certain parties to declare a bargaining impasse under certain circumstances; establishing procedures and timelines for the mediation and arbitration of collective bargaining disputes involving a certain exclusive representative, the Sheriff of Baltimore City and the Mayor and City Council of Baltimore City; providing that certain recommendations of a certain arbitrator are not binding; authorizing the Sheriff, Mayor, or City Council to adopt or reject certain recommendations under certain circumstances; requiring certain parties to accept or reject certain recommendations within a certain period of time; establishing a certain method of distributing the costs of the mediation and arbitration; authorizing certain parties to reach a voluntary settlement on unresolved issues at any time; providing that the terms and conditions of a certain collective bargaining agreement shall remain in effect under certain circumstances; providing for the application of this Act; defining a certain term; and generally relating to collective bargaining for sworn

law enforcement officers and court security officers in the Sheriff of Baltimore City's office.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–316
Annotated Code of Maryland
(2020 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 919 – Senator Gallion

AN ACT concerning

Horse Racing – Fair Hill Natural Resources Management Area

FOR the purpose of repealing certain requirements relating to racing at the Fair Hill Natural Resources Management Area; altering the amount of money that is to be credited to the Fair Hill Improvement Fund; requiring the Governor to include certain appropriations in the annual budget bill for certain fiscal years; requiring the money appropriated to the Fund to be spent in a certain manner; and generally relating to racing at the Fair Hill Natural Resources Management Area.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–702 and 11–704
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–908
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 933 – Senator Benson

AN ACT concerning

Financial Regulation – Access to Banking and Financial Services – Reporting

FOR the purpose of requiring the Commissioner of Financial Regulation to submit a certain report that analyzes the banking environment in the State to the General Assembly on or before a certain date; and generally relating to banking and financial services.

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 943 – Senator Guzzone

AN ACT concerning

University of Maryland Strategic Partnership Act of 2016 – Appropriations and Degree and Credential Programs – Alterations

FOR the purpose of increasing, beginning in a certain fiscal year, certain appropriations to the Center for Maryland Advanced Ventures at the University of Maryland; requiring the University of Maryland Center for Economic and Entrepreneurship Development (UMCEED) to develop degree and credential programs in a field of study related to certain technologies; requiring, beginning in a certain fiscal year, the Governor to include in the annual budget bill certain appropriations to UMCEED for a certain purpose; requiring the Governor, in certain fiscal years, to include in the annual budget bill a certain appropriation to the University System of Maryland Office to be distributed to certain institutions for a certain purpose; specifying that certain funds distributed under this Act are in addition to certain appropriations ~~and must be included in a certain budget~~; making conforming and stylistic changes; and generally relating to the Center for Maryland Advanced Ventures at the University of Maryland, UMCEED, and the University System of Maryland Office.

BY repealing and reenacting, without amendments,

Article – Education

Section 12–305(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 12–305(f) and 12–306

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 22**

Senate Bill 413 – Senator Guzzone

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property

FOR the purpose of increasing the amount of certain abandoned property funds that the Comptroller is required to distribute each year to the Maryland Legal Services Corporation Fund; and generally relating to Maryland Legal Services Corporation funding.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 17–317
Annotated Code of Maryland
(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 11–402
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 597 – Senator Washington

AN ACT concerning

State Board of Social Work Examiners – Revisions

FOR the purpose of requiring certain individuals employed by federal agencies to comply with certain provisions of law; establishing a certain date by which an applicant to obtain a certified social worker license is required to meet certain requirements; altering the number of hours of certain supervision an applicant for a certified social worker–clinical license is required to complete; specifying that certain supervision is to be provided in accordance with regulations adopted by the State Board of Social Work Examiners; requiring that certain electronic license records include disciplinary history if applicable; prohibiting a licensed certified social worker from engaging in private practice; altering the year beginning in which a certain licensee seeking renewal of the license is required to attest that the licensee has submitted to a certain criminal history records check; repealing the requirement for the Board to issue a certain renewal certificate; replacing the “social worker rehabilitation committee” with the “social worker rehabilitation process” and altering certain requirements; repealing references to the obsolete license category licensed graduate social worker; increasing a certain fine for a certain violation; altering the short title of certain provisions of law; altering certain definitions; repealing certain obsolete provisions of law; updating certain terminology; making stylistic changes; and generally relating to the State Board of Social Work Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations

Section 19–101, 19–202(a), (d), and (g)(2), 19–301, 19–302(d), (e), and (f)(5), 19–302.1, 19–302.3(a), 19–306, 19–307, ~~19–308(d)(4)~~ 19–308(d) and (e)(1), 19–309(d)(6), 19–311(15), 19–315, 19–317(a), 19–318(b), 19–402, 19–407(a), and 19–501
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 664 – Senator Ellis

AN ACT concerning

Education – ~~High School Graduation Requirements – Applications for Student Financial Aid – Outreach Plan and Advisory Committee~~

FOR the purpose of ~~requiring certain public high school students, beginning in a certain school year, to confer with a high school counselor or certain designated representative regarding certain financial aid applications as a requirement for graduation; authorizing a student or the parent or legal guardian of a minor student to submit to a county board of education a certain form regarding certain financial aid applications; requiring a county board to waive a certain requirement under certain circumstances; requiring the State Department of Education to adopt certain regulations; requiring certain regulations to include certain guidelines; requiring each county board of education to encourage and assist certain high school students to complete and submit certain financial aid forms by a certain deadline; requiring each county board to develop a certain outreach plan; providing for the contents of a certain outreach plan; requiring each county board to send a copy of a certain outreach plan to the State Department of Education, a certain advisory committee, and certain committees of the General Assembly; requiring the Department, in coordination with the Maryland Higher Education Commission, to establish a certain advisory committee for a certain purpose; providing for the composition and duties of the advisory committee; requiring the advisory committee to submit a certain report to the Governor and General Assembly on or before a certain date each year beginning in a certain year and publicly post the report on certain websites; requiring a county board to report certain information to the Department, a certain advisory committee, and certain committees of the General Assembly on or before a certain date each year for a certain number of years; defining certain terms; and generally relating to graduation requirements for student financial aid planning for public high school students.~~

~~BY repealing and reenacting, without amendments,
Article – Education
Section 7–205.1(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

BY adding to

Article – Education
 Section ~~7-205.1(h)~~ 7-211
 Annotated Code of Maryland
 (2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 754 – ~~Senator Hayes~~ Senators Hayes, Kelley, and Augustine

AN ACT concerning

**Public Service Commission – Damaged, Obsolete, or Excessive Lines – ~~Fines~~
Study**

FOR the purpose of requiring the Public Service Commission to ~~notify a certain owner of a utility pole about damaged, dangling, obsolete, or redundant lines or blight or public nuisance caused by an excessive number of lines on a utility pole under certain circumstances; requiring the owner of a utility pole to require the person that controls the line or lines to investigate and repair or remove offending lines within a certain period of time under certain circumstances; requiring the Commission to impose a certain fine on the owner of a certain utility pole if the offending line or lines are not addressed within a certain period; requiring the Commission to adopt regulations to implement this section;~~ convene a workgroup of interested persons to study utility, telecommunication, and other lines in the State; requiring the workgroup to examine certain matters relating to utility, telecommunication, and other lines; requiring the Commission to report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Public Service Commission convening a workgroup to study damaged, dangling, obsolete, or redundant lines or blight or public nuisance caused by an excessive number of lines on utility poles.

~~BY adding to~~

~~Article – Public Utilities
 Section 5-107
 Annotated Code of Maryland
 (2020 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 762 – Senator McCray

AN ACT concerning

Maryland Electricians Act – Revisions

FOR the purpose of altering the powers and duties of the State Board of Master Electricians; changing the name of the State Board of Master Electricians to the

State Board of Electricians; requiring the Department, on or before a certain date, to adopt regulations necessary for the regulation and licensing of low-voltage electricians if certain legislation is not enacted on or before a certain date; prohibiting, beginning on a certain date, local jurisdictions from issuing certain licenses; replacing local electrician licenses with local electrician registrations; authorizing local jurisdictions that issued certain licenses before a certain date to issue registrations under certain circumstances; prohibiting a certain local jurisdiction, beginning on a certain date, from registering a master-level, journeyman-level, or apprentice-level electrician unless it administers certain examinations and registers certain information with the State Board; requiring certain local jurisdictions to report certain information to the Department on or before a certain date each year; allowing a local jurisdiction to take certain actions against certain licensees under certain circumstances; requiring certain local jurisdictions to administer a certain examination in a certain manner; requiring each county and each municipal corporation to enforce certain provisions of law and adopt certain regulations or require certain State licenses under certain circumstances; altering certain licensing and examination requirements; repealing a certain provision of law stating that certain provisions of law do not require certain individuals to hold a State license; altering certain reciprocity requirements for certain individuals authorized to provide electrical services in other states; establishing certain continuing education requirements; authorizing the State Board to waive certain examination requirements and certain experience requirements for certain licensees in certain circumstances; altering the circumstances under which the State Board may deny a license to an applicant, reprimand a licensee, or suspend or revoke a license; authorizing the State Board to set certain fees; providing for the construction of a certain provision of law; requiring a master electrician to display certain information in a certain manner; requiring a licensee to give the State Board certain notice of a change in certain information; prohibiting a person from ~~taking certain actions without a license~~ employing an individual to provide or assist in providing electrical services unless the individual meets certain licensing requirements; requiring, subject to a certain exception, the presence of a certain electrician at a certain job site; providing that a local jurisdiction is not precluded from enforcing certain more stringent requirements; establishing certain penalties for certain violations; requiring the State Board to provide a certain notice to each local board in the State; altering certain definitions; defining certain terms; making stylistic and conforming changes; and generally relating to the State Board of Electricians and the licensing and regulation of electricians.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 6-101 through 6-103; 6-201, 6-202(h)(2), and 6-205 to be under the amended subtitle “Subtitle 2. State Board of Electricians”; 6-301, 6-302 through 6-306, 6-307, 6-308, 6-310(c)(4) and (e), 6-311(b)(2) and (3), (c), and (d)(1), 6-312, 6-315, 6-316, 6-319(c) and (d)(1), 6-321(a)(2) and (b), 6-401 through 6-603, 6-604(b), and 6-701

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Business Occupations and Professions
Section 6–104, 6–307.1, and 6–605 through 6–608
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing

Article – Business Occupations and Professions
Section 6–605
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 764 – Senator Washington (Chair, Joint Committee on Ending Homelessness)

AN ACT concerning

Workgroup on Adaptive Reuse of Vacant Commercial Spaces

FOR the purpose of establishing the Workgroup on Adaptive Reuse of Vacant Commercial Spaces; providing for the composition, cochairs, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Workgroup on Adaptive Reuse of Vacant Commercial Spaces.

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 821 – Senators Hester and Gallion

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Manufacturer’s Licenses and Off-Site Permits

FOR the purpose of repealing certain provisions relating to brewing company, winery, and distillery off-site permits; establishing a manufacturer’s off-site permit with certain privileges; authorizing the Alcohol and Tobacco Commission to issue a permit to the holder of certain manufacturer’s licenses; authorizing a permit holder to sell and provide certain products at certain events; requiring a permit holder to have an

employee trained in alcohol awareness present at certain events; specifying certain events at which a permit may be used; providing for a certain number of events at which a permit may be used annually; specifying the primary purpose of certain events; prohibiting use of the permit at more than a certain number of events annually; requiring an applicant for a permit to complete a certain form; requiring a permit holder to provide certain notification to the Commission; authorizing the Commission to adopt certain regulations; establishing a certain fee; authorizing the Commission to issue a brewery special event permit; requiring a certain license holder to file a certain notice for a certain permit; authorizing a permit holder to host a certain event; providing for the limitations of a certain permit; altering the volumes of certain products that the holders of a certain license may sell under certain circumstances; altering the volumes of beer that the holders of certain licenses may produce and distribute annually; altering the method by which certain annual license fees are determined; authorizing holders of a certain manufacturer's license to sell and deliver products produced under the holder's license to an individual located in the State under certain circumstances; authorizing certain holders of a manufacturer's license to directly ship alcohol to a consumer under certain circumstances; correcting certain obsolete references; providing for the delayed effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; making this Act an emergency measure; and generally relating to alcoholic beverages, manufacturer's licenses, and off-site permits.

BY repealing

Article – Alcoholic Beverages
Section 2–130, 2–132.2, 2–133, and 2–210(j)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 1–101(a), (f), and (j), 2–202(a), 2–203(a), 2–204(a), 2–205(a), 2–206(a),
2–207(b), 2–209(a), and 2–210(a)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 2–130, 2–140, 2–202(c)(7), 2–203(c)(8), 2–212(c), and 2–219
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 2–201, 2–202(c)(5) and (6) and (k), 2–203(c)(6) and (7) and (g), 2–204(i),
2–205(d), 2–206(b)(1) and (h), 2–207(c)(4), (d), (e), and (g) through (k),
2–209(c)(4), (f)(2), and (i), 2–210(b)(1), (c)(1)(i), (f), (k), and (l), and 2–212(b)(3)
and (4)

Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 824 – Senator Hester (Chair, Joint Cybersecurity, Information Technology, and Biotechnology Committee) and Senators Hayes, Hershey, and Ready

AN ACT concerning

**Economic Development – Broadband Providers – Joint Trenching and Fee
(Building Out Broadband Act of 2021)**

FOR the purpose of declaring certain findings and the intent of the General Assembly; ~~renaming the Rural Broadband Assistance Fund to be the Maryland Digital Connectivity Fund; altering the purpose of the Fund; providing that the Fund consists of certain fees; altering the use of the Fund to include providing certain financial assistance to authorities to expand high-speed Internet access in certain areas of the State; requiring the Department of Commerce to submit a certain report on or before a certain date;~~ authorizing a county or municipal corporation to adopt certain policies to advance progress of infrastructure, equipment, and systems needed to extend certain broadband access; ~~altering the duties of the Maryland Rural Broadband Coordination Board;~~ requiring the Department of Transportation and units of local government to allow joint trenching by broadband providers in a certain manner under certain circumstances; ~~authorizing the Department of Transportation, and units of local government under certain circumstances, to charge a fee to certain broadband providers for joint trenching; requiring the Department of Transportation and units of local government to maintain a certain list of broadband providers that request to receive notice of certain trenching projects; requiring the State or a unit of local government, except under certain circumstances, to provide certain notice to broadband providers of certain trenching projects in a certain manner;~~ requiring the Department of Transportation to coordinate certain review of certain trenching with the Washington Suburban Sanitary District under certain circumstances; requiring certain revenues to be distributed and used in a certain manner; requiring the Department of Commerce and the Department of Transportation to adopt certain regulations on or before a certain date; requiring the State to appropriate certain funds for a certain purpose, to the extent practicable; defining certain terms; and generally relating to broadband expansion.

BY repealing

Article – Economic Development

Section 5–1101

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Economic Development

~~Section 5–1101 and 5–1103 to be under the amended subtitle “Subtitle 11, Maryland Digital Connectivity”~~ Section 5–1101 and 5–1103

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – Economic Development~~

~~Section 5–1102 and 13–504~~

~~Annotated Code of Maryland~~

~~(2018 Replacement Volume and 2020 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Transportation

Section 8–654

Annotated Code of Maryland

(2020 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 846 – Senator Benson

AN ACT concerning

Home Energy Assistance – Critical Medical Needs Program – Power to the People Pilot Program

FOR the purpose of requiring the Office of Home Energy Programs, in coordination with the United Way of Central Maryland and the Fuel Fund of Maryland, to establish the Power to the People Pilot Program on or before a certain date; stating the purpose of the Pilot Program; requiring the Pilot Program to provide training for certain individuals to serve as navigators under the Critical Medical Needs Program; requiring the United Way of Central Maryland to develop a certain screening intake process; requiring certain intake specialists to perform certain duties; requiring the Fuel Fund of Maryland to provide certain services; requiring the Governor to include a certain amount in the annual State budget for the Pilot Program; requiring that certain funds be used in a certain manner; altering a certain definition; defining a certain term; providing for the termination of this Act; and generally relating to the Power to the People Pilot Program.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 5–5A–08

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 856 – Senator Hershey

AN ACT concerning

Electric Companies – Billing Information

FOR the purpose of requiring an electric company to provide to a certain customer certain usage and billing information on request; providing that the electric company must make the information available in a certain manner; and generally relating to electric companies and electric customers.

BY adding to

Article – Public Utilities

Section 7–312

Annotated Code of Maryland

(2020 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 922 – Senator Lam (Chair, Joint Audit and Evaluation Committee)

AN ACT concerning

**Office of Legislative Audits – Acceptance and Investigation of Allegations of
Fraud, Waste, and Abuse**

FOR the purpose of ~~authorizing the Office of Legislative Audits to compel by subpoena or otherwise certain records and the appearance of a person for a certain purpose; authorizing the Office to coordinate an investigation with certain law enforcement units; requiring certain law enforcement units to cooperate and share information under certain circumstances;~~ providing that, except under certain circumstances, certain information obtained in relation to an act or allegation of fraud, waste, or abuse is confidential and may not be disclosed; authorizing the Legislative Auditor to authorize the disclosure of certain information in relation to an act or allegation of fraud, waste, or abuse to certain persons under certain circumstances; requiring the Office of Legislative Audits to maintain a certain fraud hotline; authorizing the Office to investigate or refer to a certain agency certain allegations under certain circumstances; requiring each unit of State government to keep posted in conspicuous places on its premises a certain notice and on its website a certain link; and distribute certain information to certain persons under certain circumstances; ~~report certain information to the Office, and provide timely cooperation on certain inquiries;~~ requiring the Office, in coordination with the Office of the Attorney General and the Office of the State Prosecutor, to evaluate and develop certain statutory and regulatory language; requiring the Office to report its findings to a

certain committee of the General Assembly on or before a certain date; and generally relating to the Office of Legislative Audits.

BY repealing and reenacting, without amendments,
Article – State Government
Section 2–1220(a)(4)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section ~~2–1223~~ and 2–1226
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Government
Section 2–1228
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 926 – Senators Corderman and Edwards

AN ACT concerning

Economic Development – Maryland Stadium Authority – Hagerstown Multi–Use Sports and Events Facility

FOR the purpose of authorizing the Maryland Stadium Authority to review certain matters and make certain recommendations relating to the Hagerstown Multi–Use Sports and Events Facility; authorizing the Authority to acquire by certain means a Hagerstown Multi–Use Sports and Events Facility site or an interest in the site; requiring the Authority to transfer certain lease payments to the Hagerstown Multi–Use Sports and Events Facility Fund under certain circumstances; requiring the Authority to submit a certain annual report, prepared in cooperation with the Office of the Comptroller and the Department of Budget and Management, to the Governor and the General Assembly; prohibiting the Board of Public Works from approving an issuance by the Authority of certain bonds under certain circumstances; requiring the Authority, with certain exceptions, to comply with certain requirements to finance certain site acquisition, design, and construction activities; requiring the Authority to obtain the approval of the Board of Public Works for certain matters; requiring the Comptroller to pay a certain amount from the ~~State Lottery~~ Maryland Stadium Facilities Fund each year until certain bonds are no longer outstanding and unpaid; requiring the Authority ~~or an affiliate of the Authority~~ to carry out certain tasks and secure certain agreements with certain

parties containing certain terms to carry out the Authority’s duties under this Act; requiring the Hagerstown–Washington County Industrial Foundation to report to certain committees of the General Assembly on or before a certain date each year; establishing the Hagerstown Multi–Use Sports and Events Facility Fund as a continuing, nonlapsing fund; specifying the purpose of the Fund; requiring the Authority to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; defining certain terms; and generally relating to the financing and construction of the Hagerstown Multi–Use Sports and Events Facility.

BY renumbering

Article – Economic Development
Section 10–601(s) through (tt), respectively
to be Section 10–601(v) through (ww), respectively
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development
Section 10–601(a) and (b), 10–620(a)(1), and 10–628(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 10–601(q), 10–613(a)(14) and (b), 10–618, 10–620(d) and (e), 10–625, and
10–628(c)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Economic Development
Section 10–601(s), (t), and (u), 10–646.2, and 10–657.4
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)122. and 123.

Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)124.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–120
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 931 – Senator Jackson

AN ACT concerning

Prince George’s County – School Facilities and Public Safety Surcharges and Report – Sunset Extension and Report

FOR the purpose of extending the date by which Prince George’s County is required to report certain findings to certain persons; extending the termination date for certain provisions of law that reduce the school facilities surcharge for certain multifamily housing, exempt certain dwelling units from the school facilities surcharge, authorize the governing body of Prince George’s County to reduce the school facilities surcharge up to a certain portion for certain dwelling units, and require Prince George’s County to conduct a certain review and report its findings to certain persons on or before a certain date; requiring Prince George’s County to conduct a certain review and report its findings to the members of the Prince George’s County Delegation on or before a certain date; and generally relating to the school facilities surcharge and the public safety surcharge in Prince George’s County.

BY repealing and reenacting, without amendments,

The Public Local Laws of Prince George’s County
Section 10–192.01(b–1)
Article 17 – Public Local Laws of Maryland
(2015 Edition and 2017 Supplement, as amended)
(As enacted by Chapter 351 of the Acts of the General Assembly of 2019)

BY repealing and reenacting, with amendments,

Chapter 351 of the Acts of the General Assembly of 2019
Section 3 and 4

Read the first time and referred to the Committee on Appropriations.

APPROPRIATIONS COMMITTEE REPORT NO. 12

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 414 – Delegate D.M. Davis

AN ACT concerning

Southern Maryland Rapid Transit Project – Funding

HB0414/134664/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 414 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 11, insert:

“BY adding to

Article – Transportation

Section 7-713

Annotated Code of Maryland

(2020 Replacement Volume)”.

AMENDMENT NO. 2

On page 1, in line 13, after “That” insert “the Laws of Maryland read as follows”.

On pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 5 on page 2, inclusive, and substitute:

“Article – Transportation

7-713.

(A) IN THIS SECTION, “SOUTHERN MARYLAND RAPID TRANSIT PROJECT” MEANS A HIGH-CAPACITY, FIXED-ROUTE RAPID TRANSIT SERVICE, WITH LIGHT RAIL TRANSIT AS THE PREFERRED OPTION, OPERATING IN A DEDICATED, GRADE-SEPARATED, 18.7-MILE TRANSITWAY IN THE MARYLAND ROUTE 5/U.S. ROUTE 301 CORRIDOR FROM THE BRANCH AVENUE METRORAIL STATION IN PRINCE GEORGE’S COUNTY TO WALDORF AND WHITE PLAINS IN CHARLES COUNTY.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT PROMPTLY SHALL UNDERTAKE ALL STEPS NECESSARY TO COMPLETE THE DESIGN, ENGINEERING, AND NATIONAL ENVIRONMENTAL POLICY ACT PROCESS AND SECURE A RECORD OF DECISION FOR THE SOUTHERN MARYLAND RAPID TRANSIT PROJECT.

(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IN EACH OF FISCAL YEARS 2023 THROUGH 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET AN APPROPRIATION FROM THE TRANSPORTATION TRUST FUND OF AT LEAST \$5,000,000, CONTINGENT ON THE RECEIPT OF FEDERAL FUNDS TO BE USED TO PROVIDE MATCHING FUNDS NEEDED TO CONDUCT AN ENVIRONMENTAL IMPACT STUDY UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) FOR THE SOUTHERN MARYLAND RAPID TRANSIT PROJECT.

(2) AN APPROPRIATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE REDUCED BY THE AMOUNT OF THE TOTAL AUTHORIZED IN THE PRIOR FISCAL YEAR TO CONDUCT THE NEPA STUDY.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 813 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Facilities Bond

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 862 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County and Metropolitan Commission – Debt Limitations

HB0862/894467/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 862
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “County;” insert “requiring an amount equal to a certain percent of a certain percent limitation to be available to the St. Mary’s Metropolitan Commission for certain bonds or other evidences of indebtedness;”.

AMENDMENT NO. 2

On page 2, in line 3, after “law,” insert “AND SUBJECT TO SUBSECTION D OF THIS SECTION;”; after line 27, insert:

“D. AN AMOUNT EQUAL TO AT LEAST FORTY (40) PERCENT OF THE PERCENT LIMITATION ON INDEBTEDNESS SET FORTH UNDER SUBSECTION A OF THIS SECTION FOR ASSESSABLE REAL PROPERTY IN THE COUNTY OTHER THAN THE OPERATING REAL PROPERTY OF A PUBLIC UTILITY SHALL BE AVAILABLE TO THE ST. MARY’S COUNTY METROPOLITAN COMMISSION FOR ALL BONDS OR OTHER EVIDENCES OF INDEBTEDNESS OF THE COMMISSION.”;

and in line 36, strike “**FORTY (40)**” and substitute “**TWO (2)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 1131 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bond

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1141 – Delegate Boteler

AN ACT concerning

Baltimore County – Public Schools – Air Quality Testing

HB1141/244669/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1141
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “an independent air quality inspector” and substitute “a qualified indoor air quality investigator”; in the same line, after “any” insert “indoor”; in lines 6 and 9, in each instance, after “an” insert “indoor”; and in line 10, after “to” insert “indoor”.

AMENDMENT NO. 2

On page 1, in lines 22 and 23, strike “AN INDEPENDENT AIR QUALITY INSPECTOR” and substitute “A QUALIFIED INDOOR AIR QUALITY INVESTIGATOR”; and in line 23, after “ANY” insert “INDOOR”.

On page 2, in lines 1 and 6, in each instance, after “AN” insert “INDOOR”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1173 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bond

HB1173/584267/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1173

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “\$26,453,345” and substitute “\$20,000,000”.

AMENDMENT NO. 2

On page 2, in line 6, strike “\$26,453,345” and substitute “\$20,000,000”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Belcastro moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1245 – Delegate Washington

AN ACT concerning

**Guaranteed Access Grant and Next Generation Scholars of Maryland –
Alterations**

HB1245/824565/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1245

(First Reading File Bill)

On page 3, in line 4, strike “who”; in line 5, strike “**IS ELIGIBLE FOR FREE OR REDUCED PRICE MEALS**”; in line 7, after “student” insert “:

(I);

in the same line, strike “otherwise” and substitute “**OTHERWISE**”; and in line 8, after “subsection” insert “;**AND**

(II) 1. IS ELIGIBLE FOR FREE OR REDUCED PRICED MEALS;

OR

2. ATTENDS A SCHOOL THAT PARTICIPATES IN THE U.S. DEPARTMENT OF AGRICULTURE COMMUNITY ELIGIBILITY PROVISION AND THE STUDENT IS IDENTIFIED BY:

A. DIRECT CERTIFICATION; OR

B. INCOME INFORMATION PROVIDED BY THE FAMILY OF THE STUDENT TO THE LOCAL SCHOOL SYSTEM ON AN ALTERNATIVE FORM DEVELOPED BY THE DEPARTMENT”.

On page 4, in line 3, strike “\$5,000,000” and substitute “**\$2,500,000**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1301 – Delegate Smith

AN ACT concerning

Baltimore City – Visit Baltimore – Appropriation Calculation

HB1301/574762/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1301

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “appropriation;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 17, strike “2021” and substitute “2023”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1365 – Delegate Korman

AN ACT concerning

Nonpublic Special Education Schools – State Contribution – Increase

HB1365/384161/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1365
(First Reading File Bill)

On page 3, in line 26, after “2023,” insert “in addition to”; and in line 27, strike “shall include” and substitute “, the Governor shall include in the annual budget bill an appropriation to provide”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1372 – The Speaker

EMERGENCY BILL

AN ACT concerning

Blueprint for Maryland’s Future – Revisions

HB1372/443826/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1372
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “costs;” insert “requiring local boards of education and schools to prioritize certain funds to purchase digital devices;”; in line 10, after “Program;” insert “requiring the State Department of Education to submit a certain report on or before a certain date;”; in line 20, after “time;” insert “providing for the plenary authority of the Accountability and Implementation Board; requiring certain decisions to control under certain circumstances;”; in line 22, after “circumstances;” insert “requiring the Comprehensive Implementation Plan to include certain outcomes;”; in line 23, after “individuals;” insert “requiring the State Department of Education to send an Expert Review Team to a certain school or group of schools for a certain purpose beginning in a certain school year;”; and in line 29, after “Center;” insert “providing that the Blueprint for Maryland’s Future and a certain standard are not intended to alter certain needs;”.

On page 2, in line 14, after “health;” insert “requiring each county board to submit certain plans on the use of certain behavioral health funding to the Accountability and Implementation Board, the Governor, and the Legislative Policy Committee on or before certain dates; prohibiting certain funding from being provided to a county board under certain circumstances; requiring the Department of Legislative Services to conduct a certain study and report to the President of the Senate and the Speaker of the House on or before a certain date; authorizing the Department of Legislative Services to hire certain experts or consultants for a certain purpose;”; in line 21, strike “5-222(a)(3)” and substitute “5-222(a)(2)(i) and (ii) and (3)”; in line 22, strike “(g)(1)” and substitute “(g)”; in line 38, strike “, 5-223(h)” and substitute “and (c), 5-223(d)(4) and (h)”; in the same line, strike “and”; and in line 39, after “5-402(d)(1)(iii)” insert “and (h)(3), 5-404(b)(3), 5-411(g)(6), and 7-205.1(c)(3)”.

AMENDMENT NO. 2

On page 5, after line 16, insert:

“(C) LOCAL BOARDS OF EDUCATION AND SCHOOLS SHALL PRIORITIZE THE PURCHASE OF DIGITAL DEVICES FOR USING FUNDS UNDER SUBSECTION (A)(8) OF THIS SECTION.”

On page 7, in line 2, after “(a)” insert “(2) “Compensatory education enrollment” means:

(i) Except as provided in subparagraph (iv) of this paragraph, for fiscal years 2017 through [2025] 2026, the greater of:

1. The number of students eligible for free or reduced price meals for the prior fiscal year;

2. For county boards that participate, in whole or in part, in the United States Department of Agriculture community eligibility provision, the number of students equal to the greater of:

A. The sum of the number of students in participating schools identified by direct certification for the prior fiscal year, plus the number of students identified by the income information provided by the family to the school system on an alternative form developed by the Department for the prior fiscal year, plus the number of students eligible for free and reduced price meals from any schools not participating in the community eligibility provision for the prior fiscal year; or

B. Subject to paragraph (3) of this subsection, the number of students eligible for free and reduced price meals at schools not participating in the community eligibility provision for the prior fiscal year, plus the product of the percentage of students eligible for free and reduced price meals at participating schools for the fiscal year prior to opting into the community eligibility provision multiplied by the prior fiscal year enrollment; or

3. The number of students directly certified and who are enrolled in a public school in the county in the prior fiscal year; and

(ii) For fiscal year [2026] 2027 and each fiscal year thereafter, the greater of:

1. The number of students eligible for free or reduced price meals using the United States Department of Agriculture count or the alternative State form for the prior fiscal year; or

2. The number of direct certification students who are enrolled in a public school in the county in the prior fiscal year.”;

in line 27, strike “AVERAGE”; and in the same line, after “PERCENTAGE” insert “OF”.

On page 8, in lines 2 and 3, strike “ROUNDED TO THE NEAREST WHOLE PERCENT”; in line 4, after “THREE” insert “; AND”

3. ROUNDED TO THE NEAREST WHOLE PERCENT”;

in line 8, strike “EACH” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, EACH”; after line 26, insert:

“(4) BEGINNING IN FISCAL YEAR 2030, EACH ELIGIBLE SCHOOL SHALL RECEIVE 100% OF THE PER PUPIL GRANT CALCULATED UNDER PARAGRAPH (2) OF THIS SUBSECTION ROUNDED TO THE NEAREST WHOLE DOLLAR.”;

in line 27, after “(1)” insert “ON OR BEFORE NOVEMBER 1, 2021, THE DEPARTMENT SHALL SUBMIT AN INTERIM REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, AND THE ACCOUNTABILITY AND IMPLEMENTATION BOARD ON:”

(I) THE PROGRESS ON ANALYZING NEIGHBORHOOD INDICATORS OF POVERTY UNDER PARAGRAPH (2) OF THIS SUBSECTION;

(II) THE FISCAL YEAR FOR WHICH MEDICAID DATA CAN BE INCORPORATED INTO THE DIRECT CERTIFICATION OF STUDENTS ELIGIBLE FOR THE COMPENSATORY EDUCATION PROGRAM UNDER § 5-222 OF THIS SUBTITLE AND UNDER THIS SECTION; AND

(III) THE PLAN FOR DEVELOPING AND USING THE STATE ALTERNATIVE INCOME ELIGIBILITY FORM TO DETERMINE ELIGIBILITY FOR THE COMPENSATORY EDUCATION PROGRAM UNDER § 5-222 OF THIS SUBTITLE.

(2) (I);

and after line 31, insert:

“(2) (II) The study shall evaluate:

(i) 1. The American Community Survey data available across geographic areas in the Small Area Income and Poverty Estimates Program to provide school district poverty estimates; and

(ii) 2. The Area Deprivation Index developed by the University of Wisconsin – Madison to rank neighborhoods by socioeconomic status disadvantage.”.

On page 14, after line 31, insert:

“(h) (3) (I) THE BOARD SHALL HAVE PLENARY AUTHORITY OVER ALL MATTERS WITHIN ITS JURISDICTION UNDER THIS SUBTITLE, INCLUDING THE INTENDED OUTCOMES OF THE BLUEPRINT FOR MARYLAND’S FUTURE.

(II) IN THE EVENT OF A CONFLICT BETWEEN A DECISION OR POLICY OF THE BOARD AND THE DECISION OR POLICY OF ANOTHER ENTITY ON A MATTER WITHIN THE BOARD’S JURISDICTION, THE BOARD’S DECISION OR POLICY SHALL CONTROL.”.

On page 15, in line 13, after “(3)” insert “THE COMPREHENSIVE IMPLEMENTATION PLAN SHALL INCLUDE THE INTENDED OUTCOMES THAT THE BLUEPRINT FOR MARYLAND’S FUTURE WILL ACHIEVE.

(4)”.

On page 17, after line 20, insert:

“5–411.

(g) **(6) BEGINNING IN THE 2022–2023 SCHOOL YEAR, THE DEPARTMENT SHALL SEND AN EXPERT REVIEW TEAM TO A SCHOOL OR A GROUP OF SCHOOLS IN THE SAME IMMEDIATE AREA IN WHICH STUDENTS CONTINUE TO DEMONSTRATE LEARNING LOSS THAT BEGAN IN RELATION TO THE COVID–19 PANDEMIC FOR THE PURPOSE OF DETERMINING THE REASON THAT THE LEARNING LOSS CONTINUES.**”.

On page 23, in line 7, after “(3)” insert **“THE BLUEPRINT FOR MARYLAND’S FUTURE AND THE CCR STANDARD ESTABLISHED UNDER THIS SECTION ARE NOT INTENDED TO ALTER THE NEED FOR HIGH QUALITY PROGRAMS AND CONTENT IN FINE ARTS, CIVICS, PHYSICAL EDUCATION, AND OTHER AREAS THAT ARE NECESSARY TO PROVIDE A HOLISTIC EDUCATION AND ENABLE EVERY STUDENT TO BE WELL–ROUNDED AND MEET THE CCR STANDARD.**

(4)”.

On page 32, in line 1, after “teachers” insert “and other school employees”; in line 2, after “assistance” insert “, subject to collective bargaining, as applicable”; in line 14, strike the second “and”; and in line 16, after “credits” insert “; and”

(iii) shall use State and federal funding provided for COVID–19 relief in the State budget to expand existing summer school programs in 2021 and 2022 at no additional cost to public schools for the programs provided under this section”.

On page 33, in line 3, after “subsection” insert “that:

(i) accurately measures literacy, mathematical competency, and any other academic competency;

(ii) is aligned with the content area in which the tutoring is provided;
and

(iii) may be selected by the school or county board”;

in the same line, strike the second “and”; in line 4, after “(10)” insert “uses State and federal funding provided for COVID–19 relief in the State budget to expand existing tutoring programs as provided under this section; and

(11)”;

in line 6, strike “October 1, 2021” and substitute “January 1, 2022”; in the same line, strike “October 1, 2022” and substitute “January 1, 2023”; and in line 30, after “tutoring” insert “and by race, ethnicity, gender, disability status, English language learner status, and socioeconomic status”.

On page 34, in line 1, after “(a)” insert “(1)”; in the same line, after “use” insert “State and federal”; in line 2, strike “in” and substitute “for COVID–19 relief in the State budget for”; after line 4, insert:

“(2) On or before September 1, 2021, each county board of education, including Baltimore City, shall submit to the Accountability and Implementation Board, the Governor, and, in accordance with § 2–1257 of the State Government Article, the Legislative Policy Committee of the General Assembly a plan for spending the fiscal year 2022 funds under paragraph (1) of this subsection, including how the county board will:

(i) provide behavioral health services to students;

(ii) ensure that services provided to students address the trauma and behavioral health issues due to the effects of the COVID–19 pandemic; and

(iii) monitor students experiencing more trauma and behavioral health issues than other students.

(3) Funding may not be provided to a county board under paragraph (1) of this subsection for fiscal year 2022 until the county board submits a plan in accordance with paragraph (2) of this subsection.

(4) On or before January 1, 2022, each county board of education, including Baltimore City, shall submit to the Accountability and Implementation Board, the Governor, and, in accordance with § 2–1257 of the State Government Article, the Legislative Policy Committee of the General Assembly a report on how the county board spent funds provided in fiscal year 2021 under paragraph (1) of this subsection to address trauma and behavioral health issues through summer school programs, including how the county board:

(i) provided behavioral health services to students;

(ii) ensured that services provided to students addressed the trauma and behavioral health issues due to the effects of the COVID–19 pandemic; and

(iii) monitored students experiencing more trauma and behavioral health issues than other students.”;

after line 8, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The Department of Legislative Services shall conduct a study of the impact of the implementation of the Blueprint for Maryland’s Future on county governments, including Baltimore City, and the capacity of counties to meet the local maintenance of effort requirements as the annual amounts increase in future years.

(b) The Department may hire outside experts or consultants as necessary to complete the study.

(c) On or before January 1, 2022, the Department shall report its findings under subsection (a) of this section to the President of the Senate and the Speaker of the House in accordance with § 2–1257 of the State Government Article.”;

and in line 9, strike “6.” and substitute “7.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 24

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 883 – Allegany County Delegation

AN ACT concerning

Allegany County – Alcoholic Beverages – Transfer and Auction of Licenses

HB0883/843199/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 883

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Transfer and Auction of Licenses**” and substitute “**Class B–D Beer, Wine, and Liquor License**”; strike beginning with “providing” in line 3 down through “beverages” in line 14 and substitute “establishing a Class B–D beer, wine, and liquor license in Allegany County; authorizing the Board of License Commissioners for Allegany County to issue a Class B–D license for use by a certain restaurant; authorizing a license holder to sell beer, wine, and liquor for on–premises consumption; requiring a license holder to submit a certain report on request from the Board; authorizing the Board to take certain enforcement actions under certain circumstances; requiring a license holder to demonstrate certain compliance as a prerequisite for license renewal; authorizing a”

license holder to sell beer, wine, and liquor during certain hours and days; establishing the annual license fee; limiting the number of Class B–D licenses that may be issued in a single year; and generally relating to alcoholic beverages”; in line 17, strike “9–101(a) and (b) and”; in line 20, strike “repealing and reenacting, with amendments,” and substitute “adding to”; in line 22, strike “9–1602” and substitute “9–902.1 and 9–1607”; and after line 24, insert:

“BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 9–2004

Annotated Code of Maryland

(2016 Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 6, inclusive.

On pages 2 and 3, strike in their entirety the lines beginning with line 9 on page 2 through line 17 on page 3, inclusive, and substitute:

“9–902.1.

(A) THERE IS A CLASS B–D BEER, WINE, AND LIQUOR LICENSE.

(B) THE BOARD MAY ISSUE THE LICENSE FOR USE BY A RESTAURANT THAT:

(1) IS LOCATED IN A PERMANENT BUILDING WITH AMPLE SPACE AND ACCOMMODATIONS;

(2) COMMONLY OFFERS HOT AND COLD MEALS THAT ARE PREPARED, SOLD, AND SERVED TO THE PUBLIC DURING REGULAR BUSINESS HOURS;

(3) MAINTAINS A MENU THAT ADVERTISES A VARIETY OF FOOD THAT THE ESTABLISHMENT SERVES;

(4) SERVES FOOD AT ALL TIMES WHENEVER ALCOHOLIC BEVERAGES ARE BEING SERVED OR CONSUMED; AND

(5) HAS, ON AN ANNUAL BASIS, GROSS SALES OF FOOD AND NONALCOHOLIC BEVERAGES THAT EXCEED ITS GROSS SALES OF ALCOHOLIC BEVERAGES.

(C) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR FOR ON–PREMISES CONSUMPTION.

(D) (1) (I) ONCE EVERY LICENSING CYCLE, THE LICENSE HOLDER SHALL COMPLY WITH A REQUEST FROM THE BOARD TO SUBMIT A FOOD ALCOHOL

RATIO REPORT COVERING 2 PRECEDING QUARTERS THAT THE BOARD SELECTS TO DEMONSTRATE COMPLIANCE WITH THE ANNUAL GROSS SALES REQUIREMENT UNDER SUBSECTION (B)(5) OF THIS SECTION.

(II) TO ENFORCE THIS PARAGRAPH, THE BOARD MAY:

1. REQUEST A LICENSE HOLDER TO PROVIDE SUPPORTING DATA OR ADDITIONAL INFORMATION;

2. IMPOSE A FINE ON A LICENSE HOLDER; OR

3. SUSPEND A LICENSE.

(2) A LICENSE HOLDER OR THE LICENSE HOLDER'S ACCOUNTANT SHALL COMPLETE, SIGN, AND PROVIDE FOR THE NOTARIZATION OF THE FOOD ALCOHOL RATIO REPORT.

(3) WHEN SUBMITTING A FOOD ALCOHOL RATIO REPORT, THE LICENSE HOLDER SHALL INCLUDE A CURRENT MENU, INFORMATION ON HOURS OF OPERATION, AND SALES AMOUNTS AND PERCENTAGES FOR FOOD, NONALCOHOLIC BEVERAGES, AND ALCOHOLIC BEVERAGES FOR THE TIME PERIOD REQUESTED.

(E) AS A PREREQUISITE FOR THE RENEWAL OF THE LICENSE, THE LICENSE HOLDER SHALL DEMONSTRATE COMPLIANCE WITH THE ANNUAL GROSS SALES REQUIREMENT UNDER SUBSECTION (B)(5) OF THIS SECTION.

(F) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR DURING THE HOURS AND DAYS SET OUT FOR A CLASS B–D BEER, WINE, AND LIQUOR LICENSE UNDER § 9–2004 OF THIS TITLE.

(G) THE ANNUAL LICENSE FEE IS \$700.

9–1607.

NOT MORE THAN TWO CLASS B–D LICENSES MAY BE ISSUED IN A SINGLE YEAR.

9–2004.

(a) (1) Except as provided in § 9–2005 of this subtitle for December 31 and January 1, a holder of a Class A beer, wine, and liquor license may sell beer, wine, and liquor for off–premises consumption:

(i) on Monday through Saturday from 7 a.m. to 2 a.m. the following day; and

(ii) on Sunday from 11 a.m. to 2 a.m. the following day if the holder:

1. pays an additional fee of \$250; or
2. is issued a 2-day Sunday sales permit in accordance with paragraph (2) of this subsection.

(2) (i) The Board may issue a 2-day Sunday sales permit to a holder of a Class A beer, wine, and liquor license.

(ii) An applicant for a 2-day Sunday sales permit need not have kitchen facilities on the licensed premises.

(iii) A 2-day Sunday sales permit authorizes the holder to sell beer, wine, and liquor for off-premises consumption on not more than two Sundays in a year from 11 a.m. to 2 a.m. the following day.

(iv) The permit fee is \$50 for each time the permit is used.

(b) (1) Except as provided in § 9-2005 of this subtitle for December 31 and January 1, a holder of a Class B beer, wine, and liquor license may sell beer, wine, and liquor:

(i) on Monday through Saturday, for on-premises and off-premises consumption, from 7 a.m. to 2 a.m. the following day;

(ii) on Sunday, for on-premises and off-premises consumption, from 11 a.m. to 2 a.m. the following day if the holder:

1. pays an additional fee of \$250;
2. is issued the license for use in a restaurant in a permanent building with ample space and accommodations where meals are usually prepared, sold, or served to the public when the restaurant is regularly open for business; or
3. is issued a 2-day Sunday sales permit in accordance with paragraph (2) of this subsection.

(2) (i) The Board may issue a 2-day Sunday sales permit to a holder of a Class B beer, wine, and liquor license, including a Class B beer, wine, and liquor license issued for use in a restaurant or banquet room in a hotel or motel.

(ii) An applicant for a 2-day Sunday sales permit need not have kitchen facilities on the licensed premises.

(iii) A 2-day Sunday sales permit authorizes the holder to sell beer, wine, and liquor for on-premises and off-premises consumption on not more than two Sundays in a year from 11 a.m. Sunday to 2 a.m. the following day.

(iv) The permit fee is \$50 for each time the permit is used.

(C) (1) EXCEPT AS PROVIDED IN § 9-2005 OF THIS SUBTITLE FOR DECEMBER 31 AND JANUARY 1, A HOLDER OF A CLASS B-D BEER, WINE, AND LIQUOR LICENSE MAY SELL BEER, WINE, AND LIQUOR:

(I) ON MONDAY THROUGH SATURDAY, FOR ON-PREMISES CONSUMPTION, FROM 7 A.M. TO 2 A.M. THE FOLLOWING DAY; AND

(II) ON SUNDAY:

1. FROM 11 A.M. TO 2 A.M. THE FOLLOWING DAY IF THE HOLDER PAYS AN ADDITIONAL FEE OF \$250; OR

2. IN ACCORDANCE WITH A 2-DAY SUNDAY SALES PERMIT ISSUED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(2) (I) THE BOARD MAY ISSUE A 2-DAY SUNDAY SALES PERMIT TO A HOLDER OF A CLASS B-D BEER, WINE, AND LIQUOR LICENSE.

(II) A 2-DAY SUNDAY SALES PERMIT AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION ON NOT MORE THAN TWO SUNDAYS IN A YEAR FROM 11 A.M. SUNDAY TO 2 A.M. THE FOLLOWING DAY.

(III) THE PERMIT FEE IS \$50 FOR EACH TIME THE PERMIT IS USED.

[(c)] (D) (1) Except as provided in § 9-2005 of this subtitle for December 31 and January 1, a holder of a Class C beer, wine, and liquor license may sell beer, wine, and liquor:

(i) on Monday through Saturday, for on-premises and off-premises consumption, from 7 a.m. to 2 a.m. the following day;

(ii) on Sunday, for on-premises and off-premises consumption, from 11 a.m. to 2 a.m. the following day if the holder:

1. pays an additional fee of \$250; or

2. is issued a 2-day Sunday sales permit in accordance with paragraph (2) of this subsection.

(2) (i) The Board may issue a 2-day Sunday sales permit to a holder of a Class C beer, wine, and liquor license.

(ii) An applicant for a 2-day Sunday sales permit need not have kitchen facilities on the licensed premises.

(iii) A 2-day Sunday sales permit authorizes the holder to sell beer, wine, and liquor for on-premises and off-premises consumption on not more than two Sundays in a year from 11 a.m. Sunday to 2 a.m. the following day.

(iv) The permit fee is \$50 for each time the permit is used.

[(d)] (E) (1) Except as provided in § 9-2005 of this subtitle for December 31 and January 1, a holder of a Class D beer, wine, and liquor license may sell beer, wine, and liquor:

(i) on Monday through Saturday, for on-premises and off-premises consumption, from 7 a.m. to 2 a.m. the following day;

(ii) on Sunday, from 11 a.m. to 2 a.m. the following day if the holder pays an additional fee of \$250; or

(iii) in accordance with a 2-day Sunday sales permit issued under paragraph (2) of this subsection.

(2) (i) The Board may issue a 2-day Sunday sales permit to a holder of a Class D beer, wine, and liquor license.

(ii) An applicant for a 2-day Sunday sales permit need not have kitchen facilities on the licensed premises.

(iii) A 2-day Sunday sales permit authorizes the holder to sell beer, wine, and liquor for on-premises and off-premises consumption on not more than two Sundays in a year from 11 a.m. Sunday to 2 a.m. the following day.

(iv) The permit fee is \$50 for each time the permit is used.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1007 – Delegate Charkoudian

AN ACT concerning

Renewable Energy Portfolio Standard and Geothermal Heating and Cooling Systems

HB1007/543391/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1007 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “standard;” insert “altering the methods by which the Public Service Commission shall determine certain energy savings;”; strike beginning with “requiring” in line 13 down through “regulations;” in line 14 and substitute “providing for regulation and enforcement of certain requirements by the Department of Labor; clarifying who is eligible to receive certain renewable energy credits under certain circumstances;”; strike beginning with the second “requiring” in line 16 down through “State;” in line 18; and in line 31, after “date;” insert “providing that existing obligations or contract rights may not be impaired by this Act;”.

On page 2, in line 10, strike “7–705(b), and 7–712” and substitute “and 7–705(b)”.

AMENDMENT NO. 2

On page 3, in line 24, strike “**JANUARY**” and substitute “**JULY**”.

On page 6, in lines 15 and 21, strike “**0.15%**” and “**0.25%**”, respectively, and substitute “**0.05%**” and “**0.15%**”, respectively.

On page 7, in lines 1, 7, and 14, strike “**0.50%**”, “**0.75%**”, and “**1%**”, respectively, and substitute “**0.25%**”, “**0.5%**”, and “**0.75%**”, respectively.

On page 9, in line 19, strike “system” and substitute “**PORTION OF THE SYSTEM THAT CONSISTS OF:**”

1. A CLOSED LOOP OR A SERIES OF CLOSED LOOP SYSTEMS IN WHICH FLUID IS PERMANENTLY CONFINED WITHIN A PIPE OR TUBING AND DOES NOT COME IN CONTACT WITH THE OUTSIDE ENVIRONMENT; OR

2. AN OPEN LOOP SYSTEM IN WHICH GROUND OR SURFACE WATER IS CIRCULATED IN AN ENVIRONMENTALLY SAFE MANNER DIRECTLY INTO THE FACILITY AND RETURNED TO THE SAME AQUIFER OR SURFACE WATER SOURCE”;

and in line 22, strike “Internet-based”.

On page 10, in line 15, strike “, AT THE TIME OF INSTALLATION,”; in line 16, strike “IS CERTIFIED BY THE COMMISSION AS PROVIDING” and substitute “**PROVIDES**”.

On page 11, strike beginning with “THE” in line 4 down through “PARAGRAPH” in line 6 and substitute “**COMPLIANCE WITH THIS PARAGRAPH SHALL BE REGULATED AND ENFORCED BY THE DEPARTMENT OF LABOR**”.

On page 13, in line 21, strike “AND 2023” and substitute “**THROUGH 2024**”; in line 22, strike “2024” and substitute “**2025**”; in line 23, strike “2025” and substitute “**2026**”; and in line 24, strike “2026” and substitute “**2027**”.

On pages 13 and 14, strike in their entirety the lines beginning with line 25 on page 13 through line 12 on page 14, inclusive.

On page 14, strike beginning with “SUPPORT” in line 26 down through “OF” in line 28 and substitute “**PROMOTE INCREASED OPPORTUNITIES FOR THE GROWTH AND DEVELOPMENT OF SMALL, MINORITY, WOMEN-OWNED, AND VETERAN-OWNED BUSINESSES IN THE STATE THAT INSTALL GEOTHERMAL SYSTEMS IN**”.

On page 16, in line 25, after “industry;” insert “**and**”; strike beginning with “at” in line 26 down through “5.” in line 28; in line 29, strike “and”; and in line 30, after “(v)” insert “**two representatives selected by the Baltimore-D.C. Metro Building and Construction Trades Council;**

(vi) **one representative selected by the Maryland State and District of Columbia AFL-CIO; and**

(vii)”.

On page 17, in line 17, strike the second “and”; and in line 18, after “(iv)” insert “**examine methods for the Department of Labor to require that geothermal installers adhere to the labor and apprenticeship requirements for large-scale geothermal projects required under § 7-704(h)(6) of the Public Utilities Article, as enacted by Section 1 of this Act;**

(v) **examine methods to promote increased opportunities for the growth and development of small, minority, women-owned, and veteran-owned businesses in the State that will install geothermal systems in the State and will promote career training opportunities in the geothermal industry for local residents, minorities, women,**

and veterans, including developing a baseline survey of the current levels of participation of these businesses and workers in the State; and

(vi)".

On page 18, after line 8, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That a presently existing obligation or contract right may not be impaired in any way by this Act.";

and in line 9, strike "3." and substitute "4.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably:

House Bill 1153 – Delegate Adams

AN ACT concerning

**Names of Entities With Physician Membership – Approval Requirement –
Exemption**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1154 – Delegate C. Jackson

AN ACT concerning

Labor and Employment – Economic Stabilization Act – Alterations

HB1154/803796/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1154
(First Reading File Bill)

On page 2, in line 10, strike “**IN THE STATE**”; in line 14, strike “**NO INTENT**” and substitute “**NOT AGREED IN A WRITTEN CONTRACT**”; in line 15, strike “**AT**” and substitute “**WITHIN 3 MONTHS AFTER**”; in line 17, strike “**1**” and substitute “**AN INITIAL**”; in line 18, strike “**REDUCES**” and substitute “**MAY REDUCE**”; and in line 18, after “**EMPLOYEES**” insert “**AT THE INITIAL WORKPLACE**”.

On page 3, in line 9, strike “**EMPLOYER OFFERS TO TRANSFER THE**”; and strike beginning with “**TO**” in line 9 down through “**TO**” in line 14 and substitute “**ACCEPTS AN OFFER TO TRANSFER TO ANY OTHER SITE OF EMPLOYMENT WITHIN 30 DAYS AFTER BEING OFFERED THE**”.

On page 4, in line 21, strike “**A.**”; in line 24, strike “**B.**” and substitute “**2.**”; in the same line, strike “**REASONABLY**”; in the same line, strike “**IN GOOD FAITH**”; and strike beginning with “**AND**” in line 26 down through “**PROVIDED;**” in line 29.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1232 – Delegate Brooks

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Manufacturer’s Licenses and Off-Site Permits

HB1232/893097/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1232 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 25, after “references;” insert “providing for the termination of this Act;”.

On page 2, in line 18, after “(f),” insert “(i).”.

AMENDMENT NO. 2

On pages 5 and 6, strike in their entirety the lines beginning with line 25 on page 5 through line 12 on page 6, inclusive.

On pages 6 and 7, strike in their entirety the lines beginning with line 18 on page 6 through line 3 on page 7, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 19 on page 7 through line 7 on page 8, inclusive.

On page 8, strike in their entirety lines 13 through 24, inclusive.

On pages 11 and 12, strike in their entirety the lines beginning with line 19 on page 11 through line 2 on page 12, inclusive.

On page 12, strike in their entirety lines 8 through 14, inclusive.

AMENDMENT NO. 3

On page 14, after line 29, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

2–202.

(a) There is a Class 1 distillery license.

(c) A license holder may:

(5) (i) conduct guided tours of the licensed premises;

(ii) at no cost or for a fee, serve to an individual who has attained the legal drinking age and participated in a guided tour of the licensed premises, not more than 2 ounces of products, with each product sample consisting of not more than one-half ounce from a single product manufactured by the license holder;

(iii) serve samples blended with other products manufactured by the license holder or nonalcoholic ingredients; and

(iv) sell [not more than 2.25 liters of] products manufactured on the licensed premises, for off-premises consumption, and related merchandise to an individual who has attained the legal drinking age [and participated in a guided tour of the licensed premises]; [and]

(6) subject to subsection (i) of this section, sell liquor manufactured by the license holder that is mixed with other nonalcoholic ingredients; AND

(7) SELL AND DELIVER PRODUCTS MANUFACTURED BY THE LICENSE HOLDER TO AN INDIVIDUAL IN ACCORDANCE WITH § 2-219 OF THIS SUBTITLE.

2-203.

(a) There is a Class 9 limited distillery license.

(c) A holder of the limited distillery license:

(6) may conduct guided tours of that portion of the licensed premises used for the limited distillery operation; [and]

(7) may serve not more than three samples of products manufactured at the licensed premises, with each sample consisting of not more than one-half ounce from a single product, to persons who:

(i) have attained the legal drinking age;

(ii) participated in a guided tour; and

(iii) are present on that portion of the premises used for the limited distillery operation; AND

(8) MAY SELL AND DELIVER PRODUCTS MANUFACTURED BY THE LICENSE HOLDER TO AN INDIVIDUAL IN ACCORDANCE WITH § 2-219 OF THIS SUBTITLE.

2-206.

(a) There is a Class 4 limited winery license.

(b) (1) A license holder may:

(i) subject to paragraph (2) of this subsection, from available Maryland agricultural products:

1. ferment and bottle wine; and

2. distill and bottle pomace brandy; and

(ii) sell and deliver the wine and pomace brandy to:

1. a holder of a wholesaler's license;

2. a holder of a permit that is authorized to acquire wine or pomace brandy; [or]

3. a person outside the State that is authorized to acquire wine or pomace brandy; OR

4. AN INDIVIDUAL IN ACCORDANCE WITH § 2-219 OF THIS SUBTITLE.

2-207.

(b) There is a Class 5 brewery license.

(c) A license holder may:

(4) sell and deliver beer to:

(i) a holder of a wholesaler’s license that is authorized to acquire beer; [or]

(ii) a person outside of the State that is authorized to acquire beer;

OR

(III) AN INDIVIDUAL IN ACCORDANCE WITH § 2-219 OF THIS SUBTITLE;

(d) An individual may purchase beer under subsection (c)(6) of this section if the individual]:

(1) purchases not more than 288 ounces of beer per visit; and

(2) has attained the legal drinking age.

2-209.

(a) There is a Class 7 micro-brewery license.

(c) A license holder may:

(4) store the finished product under an individual storage permit or at a licensed public storage facility for subsequent sale and delivery:

(i) to a holder of a wholesaler’s license;

(ii) to an authorized person outside the State; [or]

(iii) for shipment back to the micro–brewery location for sale on the retail premises; OR

(IV) TO AN INDIVIDUAL IN ACCORDANCE WITH § 2–219 OF THIS SUBTITLE;

(f) (2) A license holder may sell and deliver beer brewed under the license to:

(i) a holder of a wholesaler’s license; [or]

(ii) a person outside the State that is authorized to acquire beer; OR

(III) AN INDIVIDUAL IN ACCORDANCE WITH § 2–219 OF THIS SUBTITLE.

2–210.

(a) There is a Class 8 farm brewery license.

(b) (1) Subject to paragraph (2) of this subsection, a license holder may sell and deliver beer manufactured in a facility on the licensed farm or in a facility other than one on the licensed farm to:

(i) a wholesaler licensed to sell and deliver beer in the State; [or]

(ii) a person in another state authorized to acquire beer; OR

(III) AN INDIVIDUAL AS AUTHORIZED UNDER § 2–219 OF THIS SUBTITLE.”.

On page 15, in line 5, after “WHO IS” insert “:

(I)”;

in line 6, after “OLD;” insert “AND

(II) CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM;”;

and in line 29, strike “3.” and substitute “4.”.

On page 16, in line 2, after “enacted.” insert “It shall remain effective through December 31, 2022, and, at the end of December 31, 2022, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 16

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 301 – Delegates Shetty and R. Lewis

AN ACT concerning

Estates and Trusts – Maryland Revised Uniform Anatomical Gift Act – Revisions

HB0301/826682/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 301 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “authorizing a person who chooses to be an organ donor on or after a certain date to designate if the anatomical gift is to be used for certain purposes; requiring the Organ Procurement Organization or its designee to produce and provide to each Motor Vehicle Administration location educational materials that include certain information; requiring each Motor Vehicle Administration location to prominently display and make available to prospective donors on request the educational materials; requiring the Motor Vehicle Administration to adopt regulations to carry out certain provisions of this Act;”; in the same line, after “used;” insert “requiring that a certain gift registered before a certain date be used only for certain purposes;”; in line 8, after “circumstances;” insert “providing for a delayed effective date;”; in line 12, after “Section” insert “4–503(a) and (b) and”; and after line 14, insert:

“BY adding to

Article – Estates and Trusts

Section 4–503(f), (g), and (h)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“4-503.

(a) Subject to § 4-506 of this subtitle, an anatomical gift may be made during the life of a donor for the purpose of transplantation, therapy, research, or education by:

(1) (i) A donor who is an adult; or

(ii) A donor who is a minor, if the minor is:

1. Emancipated; or

2. Authorized under State law to apply for a driver’s license because the donor is at least 15 years and 9 months old;

(2) An agent of a donor, unless a power of attorney for health care or other record prohibits the agent from making an anatomical gift;

(3) A parent of a donor, if the donor is an unemancipated minor; or

(4) A guardian of a donor.

(b) A donor may make an anatomical gift:

(1) By authorizing a statement or symbol indicating that the donor has made an anatomical gift to be imprinted on the donor’s driver’s license or identification card;

(2) By will;

(3) During a terminal illness or an injury of the donor, by any form of communication addressed to at least two adults, at least one of whom is a disinterested witness; or

(4) As provided in subsection (c) of this section.

(F) ON OR AFTER JULY 1, 2022, A PERSON WHO ELECTS TO BE A DONOR MAY DESIGNATE ANY OF THE FOLLOWING PURPOSES FOR THE ANATOMICAL GIFT:

(1) RESEARCH AND EDUCATION; AND

(2) TRANSPLANTATION AND THERAPY.

(G) (1) BY JULY 1, 2022, THE ORGAN PROCUREMENT ORGANIZATION OR ITS DESIGNATED AFFILIATE SHALL PRODUCE AND PROVIDE TO EACH MOTOR VEHICLE ADMINISTRATION LOCATION EDUCATIONAL MATERIALS THAT INCLUDE DEFINITIONS OF:

- (I) ANATOMICAL GIFT;
- (II) RESEARCH AND EDUCATION; AND
- (III) TRANSPLANTATION AND THERAPY.

(2) EACH MOTOR VEHICLE ADMINISTRATION LOCATION SHALL PROMINENTLY DISPLAY THE EDUCATIONAL MATERIALS AND MAKE AVAILABLE THE EDUCATIONAL MATERIALS TO PROSPECTIVE DONORS ON REQUEST.

(H) THE MOTOR VEHICLE ADMINISTRATION SHALL ADOPT REGULATIONS BY JULY 1, 2022, TO CARRY OUT SUBSECTIONS (F) AND (G) OF THIS SECTION.”;

in line 15, after “(f)” insert “(1)”; in the same line, strike “If” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF”; and after line 18, insert:

“(2) IF A DONOR REGISTERED A DOCUMENT OF GIFT DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION BEFORE JULY 1, 2022, THE GIFT MAY ONLY BE USED FOR TRANSPLANTATION OR THERAPY.”.

On page 3, in line 16, strike “October 1, 2021” and substitute “January 1, 2022”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 565 – Delegate Charkoudian

AN ACT concerning

Health Facilities – Hospitals – Medical Debt Protection

HB0565/266285/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 565
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “policy;” insert “requiring that the description of a hospital’s financial assistance policy that is included on a certain information sheet include a certain section;”; in line 6, after “the” insert “Health Services Cost Review”; strike beginning with “requiring” in line 8 down through “bills;” in line 11 and substitute “prohibiting a hospital from charging interest or fees on certain debts incurred by certain patients;”; strike beginning with “prohibiting” in line 15 down through “period;” in line 19 and substitute “requiring the Health Services Cost Review Commission to develop certain guidelines, with input from stakeholders, for an income-based payment plan; prohibiting a hospital from seeking legal action against a patient on a debt owed until the hospital has implemented a certain payment plan;”; in line 20, after “circumstances;” insert “requiring a patient to contact the health care facility and identify a certain plan under certain circumstances; authorizing a health care facility to waive certain payments required in a payment plan under certain circumstances; providing that a health care facility may not be required to waive certain payments;”; in line 21, after “requirements” insert “and guidelines”; and in line 22, after “actions;” insert “providing that certain provisions of this Act do not prohibit a hospital from using a certain vendor for a certain purpose;”.

On page 2, strike beginning with “prohibiting” in line 3 down through “amount;” in line 4; in line 5, after “patient” insert “under certain circumstances; authorizing a hospital to offer the family of a certain patient the ability to apply for financial assistance”; strike beginning with “against” in line 5 down through “or” in line 6; strike beginning with “prohibiting” in line 6 down through “debt;” in line 7; in line 15, after “the” insert “Health Services Cost Review”; in line 16, after “Commission” insert “, on or before a certain date,”; in the same line, after “to” insert “compile certain information and”; in the same line, strike “annual”; in line 19, after “changes;” insert “requiring the Health Services Cost Review Commission, on or before a certain date and with input from certain stakeholders, to develop certain guidelines; requiring the Health Services Cost Review Commission, on or before a certain date, to report to certain committees of the General Assembly on certain guidelines; requiring the Health Services Cost Review Commission to conduct a certain study on uncompensated care; requiring the Maryland Health Care Commission to examine the feasibility of using the State-designated Health Information Exchange for a certain purpose and to make a certain report to certain committees of the General Assembly on or before a certain date; providing for a delayed effective date;”; and in line 28, after “(ii)” insert “and (f)(1)(i)”.

AMENDMENT NO. 2

On page 3, after line 11, insert:

“(f) (1) Each hospital shall develop an information sheet that:

(i) Describes the hospital’s financial assistance policy AND INCLUDES A SECTION THAT ALLOWS FOR A PATIENT TO INITIAL THAT THE PATIENT HAS BEEN MADE AWARE OF THE FINANCIAL ASSISTANCE POLICY;”;

in line 24, strike “COSTS OF” and substitute “CHARGES FOR”; and in line 26, after “INSURANCE” insert “, INCLUDING THE OUT-OF-POCKET COSTS FOR PATIENTS COVERED BY INSURANCE,”.

AMENDMENT NO. 3

On page 4, in line 13, strike the brackets; in line 14, strike “OR REDUCED-COST”; strike beginning with “MORE” in line 14 down through “POSTDISCHARGE” in line 15 and substitute “WITHIN 240 DAYS AFTER THE INITIAL”; in line 17, strike the brackets; in line 18, strike “OR REDUCED-COST”; strike beginning with “MORE” in line 18 down through “POSTDISCHARGE” in line 19 and substitute “WITHIN 240 DAYS AFTER THE INITIAL”; and in line 32, strike “COST OF THE HOSPITAL SERVICE” and substitute “APPROVED CHARGE FOR THE HOSPITAL SERVICE AS ESTABLISHED BY THE COMMISSION”.

On page 5, in line 5, strike “OR REDUCED-COST”; strike beginning with “OR” in line 9 down through “REDUCED-COST” in line 10; strike beginning with “IF” in line 16 down through “CHARGE” in line 20 and substitute “A HOSPITAL MAY NOT CHARGE”; and strike beginning with the semicolon in line 22 down through “DISCHARGE” in line 26.

On page 6, strike in their entirety lines 6 through 22, inclusive, and substitute:

“(3) (1) THE COMMISSION SHALL DEVELOP GUIDELINES, WITH INPUT FROM STAKEHOLDERS, FOR AN INCOME-BASED PAYMENT PLAN OFFERED UNDER THIS SUBSECTION THAT INCLUDES:

1. THE AMOUNT OF MEDICAL DEBT OWED TO THE HOSPITAL;

2. THE DURATION OF THE PAYMENT PLAN BASED ON A PATIENT’S ANNUAL GROSS INCOME;

3. GUIDELINES FOR REQUIRING APPROPRIATE DOCUMENTATION OF INCOME LEVEL;

4. GUIDELINES FOR THE PAYMENT AMOUNT THAT:

A. MAY NOT EXCEED 5% OF THE INDIVIDUAL PATIENT’S FEDERAL OR STATE ADJUSTED GROSS MONTHLY INCOME; AND

B. SHALL CONSIDER FINANCIAL HARDSHIP, AS DEFINED IN § 19-214.1(A) OF THIS SUBTITLE;

5. GUIDELINES FOR:

A. THE DETERMINATION OF POSSIBLE INTEREST PAYMENTS FOR PATIENTS WHO DO NOT QUALIFY FOR FREE OR REDUCED-COST CARE, WHICH MAY NOT BEGIN BEFORE 180 DAYS AFTER THE DUE DATE OF THE FIRST PAYMENT; AND

B. A PROHIBITION ON INTEREST PAYMENTS FOR PATIENTS WHO QUALIFY FOR FREE OR REDUCED-COST CARE;

6. GUIDELINES FOR MODIFICATION OF A PAYMENT PLAN THAT DOES NOT CREATE A GREATER FINANCIAL BURDEN ON THE PATIENT; AND

7. A PROHIBITION ON PENALTIES OR FEES FOR PREPAYMENT OR EARLY PAYMENT.

(II) A HOSPITAL MAY NOT SEEK LEGAL ACTION AGAINST A PATIENT ON A DEBT OWED UNTIL THE HOSPITAL HAS ESTABLISHED AND IMPLEMENTED A PAYMENT PLAN POLICY THAT COMPLIES WITH THE GUIDELINES DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;

in lines 23 and 26, strike “(5)” and “(6)”, respectively, and substitute “(4) (I)” and “(5) (I)”, respectively; after line 25, insert:

“(II) IF A PATIENT MISSES A SCHEDULED MONTHLY PAYMENT, THE PATIENT SHALL CONTACT THE HEALTH CARE FACILITY AND IDENTIFY A PLAN TO MAKE UP THE MISSED PAYMENT WITHIN 1 YEAR AFTER THE DATE OF THE MISSED PAYMENT.

(III) THE HEALTH CARE FACILITY MAY, BUT MAY NOT BE REQUIRED TO, WAIVE ANY ADDITIONAL MISSED PAYMENTS THAT OCCUR WITHIN A 12-MONTH PERIOD AND ALLOW THE PATIENT TO CONTINUE TO PARTICIPATE IN THE INCOME-BASED PAYMENT PLAN AND NOT REFER THE OUTSTANDING BALANCE OWED TO A COLLECTION AGENCY OR FOR LEGAL ACTION.”;

in line 27, after “SUBSECTION” insert “AND THE GUIDELINES DEVELOPED BY THE COMMISSION UNDER PARAGRAPH (3) OF THIS SUBSECTION”; and in line 28, strike “(I)” and substitute “1.”.

On page 7, in line 1, strike “(II)” and substitute “2.”; after line 2, insert:

“(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT PROHIBIT A HOSPITAL FROM USING AN ELIGIBILITY VENDOR TO PROVIDE OUTREACH TO A PATIENT FOR PURPOSES OF ASSISTING THE PATIENT IN QUALIFYING FOR FINANCIAL ASSISTANCE.”;

in line 3, strike the third set of brackets; in line 4, strike “**THE FIRST POSTDISCHARGE BILL WAS PROVIDED**”; in line 20, strike “**INFORMED**” and substitute “**NOTIFIED IN ACCORDANCE WITH FEDERAL LAW**”; in line 22, strike “, AND UNTIL 60 DAYS AFTER THE APPEAL IS COMPLETE” and substitute “**WITHIN THE IMMEDIATELY PRECEDING 60 DAYS**”; in line 23, strike “**UNTIL 60 DAYS AFTER**” and substitute “**IF**”; and in line 24, after “**CARE**” insert “**THAT WAS APPROPRIATELY COMPLETED BY THE PATIENT WITHIN THE IMMEDIATELY PRECEDING 60 DAYS**”.

On page 8, strike beginning with “**FIRST**” in line 9 down through “**POSTDISCHARGE**” in line 10 and substitute “**INITIAL**”; strike in their entirety lines 21 and 22; in line 23, strike “**(6)**” and substitute “**(5) (I)**”; in line 24, after “**BILL**” insert “**IF THE DECEASED PATIENT WAS KNOWN BY THE HOSPITAL TO BE ELIGIBLE FOR FREE CARE UNDER § 19–214.1 OF THIS SUBTITLE OR IF THE VALUE OF THE ESTATE AFTER TAX OBLIGATIONS ARE FULFILLED IS LESS THAN HALF OF THE DEBT OWED.**”.

(II) A HOSPITAL MAY OFFER THE FAMILY OF THE DECEASED PATIENT THE ABILITY TO APPLY FOR FINANCIAL ASSISTANCE”;

in line 25, strike “**(7)**” and substitute “**(6)**”; and strike beginning with the colon in line 26 down through “**UNTIL**” in line 29 and substitute “**UNTIL**”.

On pages 8 and 9, strike in their entirety the lines beginning with line 32 on page 8 through line 2 on page 9, inclusive.

On page 9, strike beginning with “**AS**” in line 23 down through “**COMMISSION**” in line 24.

On page 10, in line 7, strike “**NONPROFIT AND GOVERNMENT RESOURCES, INCLUDING**”; in line 11, after “**POLICY**” insert “**AND**”; strike in their entirety lines 12 through 18, inclusive; and in line 19, strike “**8.**” and substitute “**6.**”.

On page 11, in line 21, strike “**ORAL NOTICE**” and substitute “**NOTICE**”; and in line 22, after “**POLICY**” insert “**AS DOCUMENTED UNDER § 19–214.1(F) OF THIS SUBTITLE**”.

On page 12, in line 11, after “**BILL**” insert “**AND**”; and strike in their entirety lines 12 through 17, inclusive, and substitute:

“(VI) A COPY OF THE PATIENT’S SIGNED CERTIFIED MAIL ACKNOWLEDGMENT OF RECEIPT OF THE WRITTEN NOTICE OF INTENT TO FILE AN ACTION, IF RECEIVED BY THE HOSPITAL.”

AMENDMENT NO. 4

On page 13, in line 9, strike “**THE**” and substitute “**ON OR BEFORE FEBRUARY 1 EACH YEAR, BEGINNING IN 2023, THE**”; strike beginning with “**PREPARE**” in line 9 down through “**DEBT**” in line 11 and substitute “**COMPILE THE INFORMATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AND PREPARE A MEDICAL DEBT COLLECTION REPORT BASED ON THE COMPILED INFORMATION**”; after line 17, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before January 1, 2022, the Commission shall develop guidelines, with input from stakeholders, for an income-based payment plan offered under this subsection that includes:

(1) the amount of medical debt owed to the hospital;

(2) the duration of the payment plan based on a patient’s annual gross income;

(3) guidelines for requiring appropriate documentation of income level;

(4) guidelines for the payment amount, that:

(i) may not exceed 5% of the individual patient’s federal or State adjusted gross monthly income; and

(ii) shall consider financial hardship, as defined in § 19–214.1(a) of the Health – General Article;

(5) guidelines for:

(i) the determination of possible interest payments for patients who do not qualify for free or reduced-cost care, which may not begin before 180 days after the due date of the first payment; and

(ii) a prohibition on interest payments for patients who qualify for free or reduced-cost care;

(6) guidelines for modification of a repayment plan that does not create a greater financial burden on the patient; and

(7) a prohibition on penalties or fees for prepayment or early payment.

(b) In developing the payment plan guidelines required under subsection (a) of this section, the Health Services Cost Review Commission shall seek input from stakeholders, including the Maryland Hospital Association, Maryland Insurance Administration, Office of the Attorney General, labor unions that represent the health care sector, a statewide nonprofit consumer rights group; patients’ rights organizations, legal

service providers who work with patients who have experienced medical debt; and patients who have experienced medical debt.

(c) On or before January 1, 2022, the Commission shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, on the guidelines required under subsection (a) of this section.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Health Services Cost Review Commission shall study the impact on uncompensated care of:

(1) providing for a refund of amounts collected from patients or guarantors of patients who were later found by the hospital to be eligible for reduced–cost care; and

(2) requiring a hospital to forgive a judgment or strike adverse information if a hospital obtains a judgment against, or reports adverse information to a consumer reporting agency about patients who were later found by the hospital to be eligible for reduced–cost care.

(b) (1) In conducting the study required under subsection (a) of this section, if the Health Services Cost Review Commission determines that additional hospital data is required, the Commission shall notify the hospital of the data that is required.

(2) Not later than 30 days after receiving notification from the Commission under paragraph (1) of this subsection, a hospital shall submit the required data to the Commission.

(c) On or before January 1, 2022, the Health Services Cost Review Commission shall report the findings of the study required under subsection (a) of this section to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article.

SECTION 4. AND BE IT FURTHER ENACTED, That the Maryland Health Care Commission shall:

(1) examine the feasibility of using the State–designated Health Information Exchange to support the determination of financial status for purposes of determining eligibility for free or reduced–cost care or for an income–based payment plan; and

(2) on or before December 1, 2021, report the findings from the examination required under item (1) of this section to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article.”;

in line 18, strike “2.” and substitute “5.”; and strike beginning with “this” in line 18 down through “2021” in line 19 and substitute “Sections 2, 3, and 4 of this Act shall take effect June 1, 2021.”

SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in Section 5 of this Act, this Act shall take effect January 1, 2022”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 601 – Delegate Kipke

AN ACT concerning

Pharmacy Benefits Managers – Definition of Purchaser and ERISA

HB0601/536987/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 601 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Definition of Purchaser and ERISA**” and substitute “**Revisions**”; in line 3, after the first “of” insert “defining “carrier” and”; in line 6, strike “; repealing a certain definition;” and substitute “and to apply the provisions to certain persons that offer certain plans or programs in the State; prohibiting a carrier rather than a purchaser from entering into an agreement with a pharmacy benefits manager that has not registered with the Insurance Commissioner; providing that certain provisions of State insurance law governing pharmacy benefits managers apply only to pharmacy benefits managers that provide pharmacy benefits management services on behalf of a carrier; altering the pharmacy and therapeutics committees that are required to meet the requirements of certain provisions of State insurance law governing pharmacy and therapeutics committees; altering a certain provision of law requiring credentialing of pharmacies or pharmacists; altering a requirement that certain entities file certain contracts and amendments to contracts with the Commissioner; repealing the requirement that the Commission adopt certain regulations; providing that the Commissioner is not required to review and evaluate a certain filing at a certain time; authorizing the Commissioner to review and disapprove certain forms that have been submitted to the Commissioner; prohibiting a certain carrier, rather than a purchaser, from charging a”

certain pharmacy, or holding a certain pharmacy responsible for, a certain fee or reimbursement; prohibiting a certain carrier, rather than a purchaser, from making or allowing certain reductions in payments for pharmacy services; requiring the Maryland Insurance Administration to report to certain committees on or before a certain date; providing for the application of this Act; providing for a delayed effective date;”; in line 7, strike “and plans subject to ERISA”; in line 10, after “15–1601” insert “, 15–1606, 15–1611, 15–1611.1, 15–1612, 15–1613, 15–1622, 15–1628, 15–1628.3, 15–1629, 15–1630, and 15–1633”; and after line 12, insert:

“BY adding to

Article – Insurance

Section 15–1633

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“(D) (1) “CARRIER” MEANS THE STATE EMPLOYEE AND RETIREE HEALTH AND WELFARE BENEFITS PROGRAM, AN INSURER, A NONPROFIT HEALTH SERVICE PLAN, OR A HEALTH MAINTENANCE ORGANIZATION THAT:

(I) PROVIDES PRESCRIPTION DRUG COVERAGE OR BENEFITS IN THE STATE; AND

(II) ENTERS INTO AN AGREEMENT WITH A PHARMACY BENEFITS MANAGER FOR THE PROVISION OF PHARMACY BENEFITS MANAGEMENT SERVICES.

(2) “CARRIER” DOES NOT INCLUDE A PERSON THAT PROVIDES PRESCRIPTION DRUG COVERAGE OR BENEFITS THROUGH PLANS SUBJECT TO ERISA AND DOES NOT PROVIDE PRESCRIPTION DRUG COVERAGE OR BENEFITS THROUGH INSURANCE, UNLESS THE PERSON IS A MULTIPLE EMPLOYER WELFARE ARRANGEMENT AS DEFINED IN § 514(B)(6)(A)(II) OF ERISA.”;

and in line 22, strike “(c–1)” and substitute “**(E)**”.

On page 2, in lines 3, 8, 9, 10, 25, and 27, strike “(c–2)”, “(d)”, “**(D)**”, “**(E)**”, “**(F)**”, and “**(G)**”, respectively, and substitute “**(F)**”, “**(G)**”, “**(H)**”, “**(I)**”, “**(J)**”, and “**(K)**”, respectively; and in line 8, strike the brackets.

On page 3, in lines 1, 3, 5, 7, and 12, strike “**(H)**”, “(i)”, “(j)”, “(k)”, and “(l)”, respectively, and substitute “**(L)**”, “**(M)**”, “**(N)**”, “**(O)**”, and “**(P)**”, respectively.

On page 4, in lines 4, 6, 10, 21, and 24, strike “(m)”, “(n)”, “(o)”, “(p)”, and “(q)”, respectively, and substitute “**(Q)**”, “**(R)**”, “**(S)**”, “**(T)**”, and “**(U)**”, respectively; in line 10, after

“means” insert “A PERSON THAT OFFERS A PLAN OR PROGRAM IN THE STATE, INCLUDING”; and strike beginning with “an” in line 11 down through “organization” in line 12.

On page 5, in lines 5 and 7, strike “(r)” and “(s)”, respectively, and substitute “(V)” and “(W)”, respectively; after line 8, insert:

“15-1606.

A [purchaser] CARRIER may not enter into an agreement with a pharmacy benefits manager that has not registered with the Commissioner.

15-1611.

(A) THIS SECTION APPLIES ONLY TO A PHARMACY BENEFITS MANAGER THAT PROVIDES PHARMACY BENEFITS MANAGEMENT SERVICES ON BEHALF OF A CARRIER.

[(a)] (B) A pharmacy benefits manager may not prohibit a pharmacy or pharmacist from:

(1) providing a beneficiary with information regarding the retail price for a prescription drug or the amount of the cost share for which the beneficiary is responsible for a prescription drug;

(2) discussing with a beneficiary information regarding the retail price for a prescription drug or the amount of the cost share for which the beneficiary is responsible for a prescription drug; or

(3) if a more affordable drug is available than one on the purchaser’s formulary and the requirements for a therapeutic interchange under §§ 15-1633 through 15-1639 of this subtitle are met, selling the more affordable alternative to the beneficiary.

[(b)] (C) This section may not be construed to alter the requirements for a therapeutic interchange under §§ 15-1633 through 15-1639 of this subtitle.

15-1611.1.

(A) THIS SECTION APPLIES ONLY TO A PHARMACY BENEFITS MANAGER THAT PROVIDES PHARMACY BENEFITS MANAGEMENT SERVICES ON BEHALF OF A CARRIER.

[(a)] (B) Except as provided in subsection [(b)] (C) of this section, a pharmacy benefits manager may not require that a beneficiary use a specific pharmacy or entity to fill a prescription if:

(1) the pharmacy benefits manager or a corporate affiliate of the pharmacy benefits manager has an ownership interest in the pharmacy or entity; or

(2) the pharmacy or entity has an ownership interest in the pharmacy benefits manager or a corporate affiliate of the pharmacy benefits manager.

[(b)] (C) A pharmacy benefits manager may require a beneficiary to use a specific pharmacy or entity for a specialty drug as defined in § 15–847 of this title.

15–1612.

(A) THIS SECTION APPLIES ONLY TO A PHARMACY BENEFITS MANAGER THAT PROVIDES PHARMACY BENEFITS MANAGEMENT SERVICES ON BEHALF OF A CARRIER.

[(a)] (B) This section does not apply to reimbursement:

(1) for specialty drugs;

(2) for mail order drugs; or

(3) to a chain pharmacy with more than 15 stores or a pharmacist who is an employee of the chain pharmacy.

[(b)] (C) A pharmacy benefits manager may not reimburse a pharmacy or pharmacist for a pharmaceutical product or pharmacist service in an amount less than the amount that the pharmacy benefits manager reimburses itself or an affiliate for providing the same product or service.

15–1613.

A pharmacy and therapeutics committee established by a pharmacy benefits manager **PERFORMING PHARMACY BENEFITS MANAGEMENT SERVICES ON BEHALF OF A CARRIER** shall meet the requirements of this part.

15–1622.

(A) EXCEPT AS PROVIDED FOR IN SUBSECTION (B) OF THIS SECTION, THE PROVISIONS OF §§ 15–1623 AND 15–1624 OF THIS SUBTITLE APPLY ONLY TO A PHARMACY BENEFITS MANAGER THAT PROVIDES PHARMACY BENEFITS MANAGEMENT SERVICES ON BEHALF OF A CARRIER.

(B) The provisions of §§ 15–1623 and 15–1624 of this part do not apply to a pharmacy benefits manager when providing pharmacy benefits management services to a purchaser that is affiliated with the pharmacy benefits manager through common ownership within an insurance holding company.

15-1628.

(a) (1) At the time of entering into a contract with a pharmacy or a pharmacist, and at least 30 working days before any contract change, a pharmacy benefits manager shall disclose to the pharmacy or pharmacist:

(i) the applicable terms, conditions, and reimbursement rates;

(ii) the process and procedures for verifying pharmacy benefits and beneficiary eligibility;

(iii) the dispute resolution and audit appeals process; and

(iv) the process and procedures for verifying the prescription drugs included on the formularies used by the pharmacy benefits manager.

(2) (i) This paragraph does not apply to a requirement that a specialty pharmacy obtain national certification to be considered a specialty pharmacy in a pharmacy benefits manager's or [purchaser's] CARRIER'S network.

(ii) For purposes of credentialing a pharmacy or a pharmacist as a condition for participating in a pharmacy benefits manager's [or purchaser's] network FOR A CARRIER, the pharmacy benefits manager [or purchaser] may not:

1. require a pharmacy or pharmacist to renew credentialing more frequently than once every 3 years; or

2. charge a pharmacy or pharmacist a fee for the initial credentialing or renewing credentialing.

(b) (1) [A] EACH contract FORM or an amendment to a contract FORM between a pharmacy benefits manager[, a pharmacy services administration organization, or a group purchasing organization] and a pharmacy may not become effective unless[:

(i)] at least 30 days before the contract FORM or amendment TO THE CONTRACT FORM is to become effective, the pharmacy benefits manager[, pharmacy services administration organization, or group purchasing organization] files [the contract or amendment] AN INFORMATIONAL FILING with the Commissioner in the [form] MANNER required by the Commissioner[: and

(ii) the Commissioner does not disapprove the filing within 30 days after the contract or amendment is filed] THAT INCLUDES A COPY OF THE CONTRACT FORM OR AMENDMENT TO THE CONTRACT FORM.

(2) The Commissioner [shall adopt regulations to establish the circumstances under which the Commissioner may disapprove a contract] IS NOT REQUIRED TO REVIEW THE INFORMATIONAL FILING TO EVALUATE WHETHER A CONTRACT FORM OR AMENDMENT TO A CONTRACT FORM IS IN VIOLATION OF THIS SUBTITLE AT THE TIME THE INFORMATIONAL FILING IS MADE.

(3) THE COMMISSIONER MAY REVIEW AND DISAPPROVE A CONTRACT FORM OR AMENDMENT TO A CONTRACT FORM AT ANY TIME AFTER THE CONTRACT FORM OR AMENDMENT TO THE CONTRACT FORM HAS BEEN SUBMITTED AS PART OF AN INFORMATIONAL FILING.

15-1628.3.

(a) A pharmacy benefits manager or a [purchaser] CARRIER may not directly or indirectly charge a contracted pharmacy, or hold a contracted pharmacy responsible for, a fee or performance-based reimbursement related to the adjudication of a claim or an incentive program.

(b) A pharmacy benefits manager or [purchaser] CARRIER may not make or allow any reduction in payment for pharmacy services by a pharmacy benefits manager or [purchaser] CARRIER or directly or indirectly reduce a payment for a pharmacy service under a reconciliation process to an effective rate of reimbursement, including generic effective rates, brand effective rates, direct and indirect remuneration fees, or any other reduction or aggregate reduction of payments.

15-1629.

(A) THIS SECTION APPLIES ONLY TO A PHARMACY BENEFITS MANAGER THAT PROVIDES PHARMACY BENEFITS MANAGEMENT SERVICES ON BEHALF OF A CARRIER.

[(a)] (B) This section does not apply to an audit that involves probable or potential fraud or willful misrepresentation by a pharmacy or pharmacist.

[(b)] (C) A pharmacy benefits manager shall conduct an audit of a pharmacy or pharmacist under contract with the pharmacy benefits manager in accordance with this section.

[(c)] (D) A pharmacy benefits manager may not schedule an onsite audit to begin during the first 5 calendar days of a month unless requested by the pharmacy or pharmacist.

[(d)] (E) When conducting an audit, a pharmacy benefits manager shall:

- (1) if the audit is onsite, provide written notice to the pharmacy or pharmacist at least 2 weeks before conducting the initial onsite audit for each audit cycle;
- (2) employ the services of a pharmacist if the audit requires the clinical or professional judgment of a pharmacist;
- (3) permit its auditors to enter the prescription area of a pharmacy only when accompanied by or authorized by a member of the pharmacy staff;
- (4) allow a pharmacist or pharmacy to use any prescription, or authorized change to a prescription, that meets the requirements of COMAR 10.34.20.02 to validate claims submitted for reimbursement for dispensing of original and refill prescriptions;
- (5) for purposes of validating the pharmacy record with respect to orders or refills of a drug, allow the pharmacy or pharmacist to use records of a hospital or a physician or other prescriber authorized by law that are:
 - (i) written; or
 - (ii) transmitted electronically or by any other means of communication authorized by contract between the pharmacy and the pharmacy benefits manager;
- (6) audit each pharmacy and pharmacist under the same standards and parameters as other similarly situated pharmacies or pharmacists audited by the pharmacy benefits manager;
- (7) only audit claims submitted or adjudicated within the 2-year period immediately preceding the audit, unless a longer period is authorized under federal or State law;
- (8) deliver the preliminary audit report to the pharmacy or pharmacist within 120 calendar days after the completion of the audit, with reasonable extensions allowed;
- (9) in accordance with subsection [(i)] (K) of this section, allow a pharmacy or pharmacist to produce documentation to address any discrepancy found during the audit; and
- (10) deliver the final audit report to the pharmacy or pharmacist:
 - (i) within 6 months after delivery of the preliminary audit report if the pharmacy or pharmacist does not request an internal appeal under subsection [(i)] (K) of this section; or

(ii) within 30 days after the conclusion of the internal appeals process under subsection [(i)] (K) of this section if the pharmacy or pharmacist requests an internal appeal.

[(d-1)] (F) If a contract between a pharmacy or pharmacist and a pharmacy benefits manager specifies a period of time in which a pharmacy or pharmacist is allowed to withdraw and resubmit a claim and that period of time expires before the pharmacy benefits manager delivers a preliminary audit report that identifies discrepancies, the pharmacy benefits manager shall allow the pharmacy or pharmacist to withdraw and resubmit a claim within 30 days after:

(1) the preliminary audit report is delivered if the pharmacy or pharmacist does not request an internal appeal under subsection [(i)] (K) of this section; or

(2) the conclusion of the internal appeals process under subsection [(i)] (K) of this section if the pharmacy or pharmacist requests an internal appeal.

[(e)] (G) During an audit, a pharmacy benefits manager may not disrupt the provision of services to the customers of a pharmacy.

[(f)] (H) (1) A pharmacy benefits manager may not:

(i) use the accounting practice of extrapolation to calculate overpayments or underpayments; or

(ii) Except as provided in paragraph (2) of this subsection:

1. share information from an audit with another pharmacy benefits manager; or

2. use information from an audit conducted by another pharmacy benefits manager.

(2) Paragraph (1)(ii) of this subsection does not apply to the sharing of information:

(i) required by federal or State law;

(ii) in connection with an acquisition or merger involving the pharmacy benefits manager; or

(iii) at the payor's request or under the terms of the agreement between the pharmacy benefits manager and the payor.

[(g)] (I) The recoupment of a claims payment from a pharmacy or pharmacist by a pharmacy benefits manager shall be based on an actual overpayment or denial of an

audited claim unless the projected overpayment or denial is part of a settlement agreed to by the pharmacy or pharmacist.

[(h)] (J) (1) In this subsection, "overpayment" means a payment by the pharmacy benefits manager to a pharmacy or pharmacist that is greater than the rate or terms specified in the contract between the pharmacy or pharmacist and the pharmacy benefits manager at the time that the payment is made.

(2) A clerical error, record-keeping error, typographical error, or scrivener's error in a required document or record may not constitute fraud or grounds for recoupment of a claims payment from a pharmacy or pharmacist by a pharmacy benefits manager if the prescription was otherwise legally dispensed and the claim was otherwise materially correct.

(3) Notwithstanding paragraph (2) of this subsection, claims remain subject to recoupment of overpayment or payment of any discovered underpayment by the pharmacy benefits manager.

[(i)] (K) (1) A pharmacy benefits manager shall establish an internal appeals process under which a pharmacy or pharmacist may appeal any disputed claim in a preliminary audit report.

(2) Under the internal appeals process, a pharmacy benefits manager shall allow a pharmacy or pharmacist to request an internal appeal within 30 working days after receipt of the preliminary audit report, with reasonable extensions allowed.

(3) The pharmacy benefits manager shall include in its preliminary audit report a written explanation of the internal appeals process, including the name, address, and telephone number of the person to whom an internal appeal should be addressed.

(4) The decision of the pharmacy benefits manager on an appeal of a disputed claim in a preliminary audit report by a pharmacy or pharmacist shall be reflected in the final audit report.

(5) The pharmacy benefits manager shall deliver the final audit report to the pharmacy or pharmacist within 30 calendar days after conclusion of the internal appeals process.

[(j)] (L) (1) A pharmacy benefits manager may not recoup by setoff any moneys for an overpayment or denial of a claim until:

(i) the pharmacy or pharmacist has an opportunity to review the pharmacy benefits manager's findings; and

(ii) if the pharmacy or pharmacist concurs with the pharmacy benefits manager's findings of overpayment or denial, 30 working days have elapsed after the date the final audit report has been delivered to the pharmacy or pharmacist.

(2) If the pharmacy or pharmacist does not concur with the pharmacy benefits manager's findings of overpayment or denial, the pharmacy benefits manager may not recoup by setoff any money pending the outcome of an appeal under subsection [(i)] (K) of this section.

(3) A pharmacy benefits manager shall remit any money due to a pharmacy or pharmacist as a result of an underpayment of a claim within 30 working days after the final audit report has been delivered to the pharmacy or pharmacist.

(4) Notwithstanding the provisions of paragraph (1) of this subsection, a pharmacy benefits manager may withhold future payments before the date the final audit report has been delivered to the pharmacy or pharmacist if the identified discrepancy for all disputed claims in a preliminary audit report for an individual audit exceeds \$25,000.

[(k)] (M) (1) The Commissioner may adopt regulations regarding:

- (i) the documentation that may be requested during an audit; and
- (ii) the process a pharmacy benefits manager may use to conduct an audit.

(2) On request of the Commissioner or the Commissioner's designee, a pharmacy benefits manager shall provide a copy of its audit procedures or internal appeals process.

15-1630.

(A) THIS SECTION APPLIES ONLY TO A PHARMACY BENEFITS MANAGER THAT PROVIDES PHARMACY BENEFITS MANAGEMENT SERVICES ON BEHALF OF A CARRIER.

[(a)] (B) A pharmacy benefits manager shall establish a reasonable internal review process for a pharmacy to request the review of a failure to pay the contractual reimbursement amount of a submitted claim.

[(b)] (C) A pharmacy may request a pharmacy benefits manager to review a failure to pay the contractual reimbursement amount of a claim within 180 calendar days after the date the submitted claim was paid by the pharmacy benefits manager.

[(c)] (D) The pharmacy benefits manager shall give written notice of its review decision within 90 calendar days after receipt of a request for review from a pharmacy under this section.

[(d)] (E) If the pharmacy benefits manager determines through the internal review process established under subsection [(a)] (B) of this section that the pharmacy

benefits manager underpaid a pharmacy, the pharmacy benefits manager shall pay any money due to the pharmacy within 30 working days after completion of the internal review process.

[(e)] (F) This section may not be construed to limit the ability of a pharmacy and a pharmacy benefits manager to contractually agree that a pharmacy may have more than 180 calendar days to request an internal review of a failure of the pharmacy benefits manager to pay the contractual amount of a submitted claim.

15-1633.

THE PROVISIONS OF §§ 15-1633.1 THROUGH 15-1639 OF THIS SUBTITLE APPLY ONLY TO A PHARMACY BENEFITS MANAGER PERFORMING PHARMACY BENEFITS MANAGEMENT SERVICES ON BEHALF OF A CARRIER.

[15-1633.] 15-1633.1.

A pharmacy benefits manager or its agent may not request a therapeutic interchange unless:

(1) the proposed therapeutic interchange is for medical reasons that benefit the beneficiary; or

(2) the proposed therapeutic interchange will result in financial savings and benefits to the purchaser or the beneficiary.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2021, the Maryland Insurance Administration shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article, on the scope of the U.S. Supreme Court opinion in Rutledge v. Pharmaceutical Care Management Association and how to apply the decision to Title 15, Subtitle 16 of the Insurance Article.

SECTION 3. AND BE IT FURTHER ENACTED, That, for a contract between a pharmacy benefits manager and a purchaser that is a health and welfare benefit plan, this Act shall apply on the first day of the first plan year beginning on or after January 1, 2022.”;

in line 9, strike “2.” and substitute “4.”; and in line 10, strike “October 1, 2021” and substitute “January 1, 2022”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 27

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 83 – Delegate Queen

AN ACT concerning

**Public and Nonpublic Schools – Electric Retractable Room Partitions –
Operation Requirements**

HB0083/615360/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 83

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “**Operation Requirements**” and substitute “**Review and Report**”; strike beginning with “prohibiting” in line 4 down through “terms;” in line 11 and substitute “requiring the State Department of Education to conduct a thorough review and evaluation of certain matters relating to the operation of electric retractable room partitions; requiring the Department to adopt certain regulations or guidelines on or before a certain date under certain circumstances; requiring the Department to report to the Governor and the General Assembly on or before a certain date on its review and actions;”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 25 on page 2, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(a) The State Department of Education shall conduct a thorough review and evaluation of:

(1) the current electric retractable room partition equipment used in public and nonpublic schools throughout the State;

(2) the current practices used by staff in public and nonpublic schools throughout the State when operating electric retractable room partitions; and

(3) existing policies by public schools, local school systems, and nonpublic schools that govern the operation of electric retractable room partitions.

(b) On or before September 1, 2022, after conducting its thorough examination and review, the State Department of Education shall adopt any regulations or guidelines needed to ensure that the operation of electric retractable room partitions in public and nonpublic schools occur in the safest manner possible.

(c) On or before December 1, 2022, the State Department of Education shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly on its review and any actions taken under this Act.”.

The preceding 2 amendments were read only.

Delegate Kaiser moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 222 – Delegate Wilkins

AN ACT concerning

Value My Vote Act

HB0222/705061/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 222 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “website;” insert “requiring correctional facilities to display certain signs in certain areas; requiring correctional facilities to provide a certain drop box that incarcerated individuals may use to submit election-related materials to election officials; requiring correctional facilities to return ballots addressed to certain individuals to the local board of elections; requiring correctional facilities to designate an employee who will serve as a certain point of contact between the State Board of Elections and the correctional facility for the implementation of certain provisions of this Act; requiring each correctional facility to cooperate fully with the State Board and the local boards in

implementing certain requirements;"; in the same line, strike "of Elections"; in line 10, strike "of elections"; in line 12, strike the second "and"; in line 13, after "ballots" insert "and pick up certain materials on a certain basis"; in line 14, after "program;" insert "prohibiting the State Board or a local board from being required to disclose certain information concerning an incarcerated individual; requiring the State Board to engage certain organizations to facilitate voting by eligible voters;"; in line 16, after "Assembly;" insert "establishing a Voting Rights Ombudsman for Incarcerated Individuals; providing for the appointment and removal of the Ombudsman; requiring the Ombudsman to perform certain functions; authorizing the Ombudsman to conduct certain visits to correctional facilities to facilitate implementation of certain provisions of this Act; authorizing the Department and correctional facilities to limit the Ombudsman's access to certain areas within correctional facilities under certain circumstances; requiring the Ombudsman to comply with certain security requirements before gaining access to a correctional facility; requiring the Ombudsman to submit a certain report to the State Board each year; requiring the State Board to provide a certain voter hotline for incarcerated individuals; requiring the State Board and the local boards to adopt certain regulations in collaboration with the Department and correctional facilities;"; in line 21, after "2-501" insert "and 2-502"; in the same line, after "of" insert "Incarcerated and"; and in line 27, after "1-303.1" insert "through 1-303.3".

AMENDMENT NO. 2

On page 2, in line 10, after "OF" insert "INCARCERATED AND"; and after line 23, insert:

"2-502.

(A) EACH CORRECTIONAL FACILITY SHALL:

(1) DISPLAY SIGNS DEVELOPED BY THE STATE BOARD OF ELECTIONS UNDER § 1-303.1 OF THE ELECTION LAW ARTICLE IN ALL AREAS WHERE INDIVIDUALS ARE PROCESSED DURING INTAKE OR FOR RELEASE AND IN APPROPRIATE AREAS WHERE THERE IS HIGH VISIBILITY;

(2) PROVIDE A SECURE, DESIGNATED DROP BOX THAT INCARCERATED INDIVIDUALS MAY USE TO EASILY SUBMIT ELECTION-RELATED MATERIALS TO ELECTION OFFICIALS;

(3) IF THE CORRECTIONAL FACILITY RECEIVES A BALLOT ADDRESSED TO AN INDIVIDUAL WHO HAS BEEN RELEASED FROM INCARCERATION, RETURN THE BALLOT TO THE LOCAL BOARD; AND

(4) DESIGNATE AN EMPLOYEE WHO WILL SERVE AS THE PRIMARY POINT OF CONTACT BETWEEN THE STATE BOARD OF ELECTIONS AND THE CORRECTIONAL FACILITY FOR THE IMPLEMENTATION OF THIS SUBSECTION.

(B) EACH CORRECTIONAL FACILITY SHALL COOPERATE FULLY WITH THE STATE BOARD OF ELECTIONS AND THE LOCAL BOARDS OF ELECTIONS IN IMPLEMENTING THIS SECTION.

On page 3, in line 10, after “VOTERS” insert “AT LEAST TWICE DURING THE PERIOD BEGINNING”; in line 11, strike “AT LEAST”; in the same line, strike “30” and substitute “60”; in line 12, after “ELECTION” insert “AND ENDING ON THE DEADLINE TO REGISTER TO VOTE BEFORE EACH ELECTION”; in line 17, strike the second “AND”; in line 20, after “VOTERS” insert “; AND”

(5) PICK UP ON A REGULAR BASIS ELECTION-RELATED MATERIALS THAT HAVE BEEN PLACED IN A DROP BOX UNDER § 2-502(A)(3) OF THE CORRECTIONAL SERVICES ARTICLE;

in line 21, after “(D)” insert “(1)”; and after line 23, insert:

“(2) NOTWITHSTANDING TITLE 4 OF THE GENERAL PROVISIONS ARTICLE, THE STATE BOARD OR A LOCAL BOARD MAY NOT BE REQUIRED TO DISCLOSE ANY IDENTIFYING INFORMATION CONCERNING AN INCARCERATED INDIVIDUAL THAT THE STATE BOARD OR A LOCAL BOARD OBTAINS FROM A CORRECTIONAL FACILITY FOR THE PURPOSE OF IMPLEMENTING THE PROGRAM UNDER THIS SECTION.

(3) THE STATE BOARD SHALL ENGAGE NONPARTISAN COMMUNITY ORGANIZATIONS TO FACILITATE VOTING BY ELIGIBLE VOTERS.”.

On page 4, in line 7, strike “AND”; in line 9, after “ARTICLE” insert “; AND”

(5) A DESCRIPTION OF ANY VIOLATIONS OF THIS SECTION OR VIOLATIONS OF TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES ARTICLE THAT WERE REPORTED BY THE VOTING RIGHTS OMBUDSMAN FOR INCARCERATED INDIVIDUALS UNDER § 1-303.2(F) OF THIS SUBTITLE;

and after line 9, insert:

“1-303.2.

(A) IN THIS SECTION, “OMBUDSMAN” MEANS THE VOTING RIGHTS OMBUDSMAN FOR INCARCERATED INDIVIDUALS.

(B) THERE IS A VOTING RIGHTS OMBUDSMAN FOR INCARCERATED INDIVIDUALS.

(C) (1) THE STATE ADMINISTRATOR FOR THE STATE BOARD SHALL APPOINT THE OMBUDSMAN.

(2) THE OMBUDSMAN MAY BE REMOVED FROM OFFICE BY THE STATE ADMINISTRATOR AFTER A FINDING OF INCOMPETENCY OR OTHER GOOD CAUSE.

(D) THE OMBUDSMAN SHALL:

(1) OVERSEE THE IMPLEMENTATION OF §§ 1-303.1 AND 1-303.3 OF THIS SUBTITLE AND TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES ARTICLE; AND

(2) MAKE RECOMMENDATIONS TO THE STATE BOARD, THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, AND CORRECTIONAL FACILITIES ON APPROPRIATE COMMUNITY ORGANIZATIONS AND PARTNERSHIPS TO ASSIST IN FACILITATING VOTING BY INCARCERATED INDIVIDUALS.

(E) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE OMBUDSMAN MAY CONDUCT SCHEDULED VISITS TO CORRECTIONAL FACILITIES TO FACILITATE IMPLEMENTATION OF §§ 1-303.1 AND 1-303.3 OF THIS SUBTITLE AND TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES ARTICLE.

(2) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES AND CORRECTIONAL FACILITIES MAY LIMIT ACCESS TO AREAS WITHIN CORRECTIONAL FACILITIES WHEN RESTRICTIONS ARE REQUIRED FOR THE SAFETY OF THE OMBUDSMAN OR FOR THE EFFICIENT FUNCTIONING OF THE CORRECTIONAL FACILITIES.

(3) THE OMBUDSMAN SHALL OBTAIN A SECURITY CLEARANCE IF REQUIRED AND COMPLY WITH ALL OTHER SECURITY REGULATIONS BEFORE GAINING ACCESS TO A CORRECTIONAL FACILITY.

(F) ON OR BEFORE JANUARY 1 EACH YEAR, THE OMBUDSMAN SHALL SUBMIT A WRITTEN REPORT TO THE STATE BOARD ON THE IMPLEMENTATION OF §§ 1-303.1 AND 1-303.3 OF THIS SUBTITLE AND TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES ARTICLE.

1-303.3.

(A) THE STATE BOARD SHALL PROVIDE A TOLL-FREE VOTER HOTLINE FOR INCARCERATED INDIVIDUALS TO RECEIVE INFORMATION ABOUT VOTING, REQUEST VOTING MATERIALS, AND REPORT VOTING RIGHTS VIOLATIONS.

(B) THE STATE BOARD SHALL ADOPT REGULATIONS IN COLLABORATION WITH THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES AND CORRECTIONAL FACILITIES FOR THE ADMINISTRATION OF THE VOTER HOTLINE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Mautz moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 522 – Delegate Washington

AN ACT concerning

Public Schools – School Resource Officers – Prohibited Conduct

HB0522/675865/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 522

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– **Prohibited Conduct**” and substitute “**and School Security Employees – Revisions**”; strike beginning with “prohibiting” in line 3 down through “procedures;” in line 7; in line 7, after “curriculum” insert “for school resource officers and school security employees”; in line 8, strike “conduct that is prohibited for school resource officers;” and substitute “certain matters; requiring that beginning on a certain date a school resource officer or school security employee meet certain qualifications; requiring, beginning on a certain date, local school systems and local law enforcement agencies jointly to determine the assignment of a school resource officer, except under certain circumstances; requiring, beginning on a certain date, that the Baltimore City School Police Force consult with the Baltimore City Board of School Commissioners before the assignment of a school resource officer in Baltimore City; requiring certain public schools to adopt a certain plan before a school resource officer may be assigned or a school security employee may be employed in the school; prohibiting a school resource officer from enforcing or certain school administrators from directing a school resource officer to enforce a school’s student code of conduct, except under certain circumstances; prohibiting a school resource officer or a school security employee from inquiring about certain information; requiring certain actions for a school resource officer”

or a school security employee about whom certain conduct is alleged; requiring a certain local law enforcement agency on or before a certain date to designate a supervisor for all school resource officers in the jurisdiction; requiring that a certain supervisor meet during school hours with certain individuals; providing for the content of certain meetings; requiring, on or before certain dates, the Maryland Center for School Safety to develop certain specialized curriculum and offer training to certain supervisors and administrators; requiring certain supervisors to take a certain training; requiring a local school system that employs a school security employee to establish a certain complaint process; requiring certain county boards of education to establish a behavioral health and safety action plan template on or before a certain date and to update the plan periodically; providing for the content of a behavioral health and safety action plan template; requiring certain schools to develop a plan on or before a certain date annually based on a certain template; authorizing the use of certain other plans in lieu of a certain plan; requiring certain county boards to review plans on or before a certain date annually; authorizing the county board to modify a certain plan; requiring that certain plans be published on certain public school websites; repealing a certain use for certain funds; authorizing certain funds to be used for a certain purpose; providing that a local school system may elect to use a certain grant for certain purposes; prohibiting a local school system from using funds for more than one purpose; requiring a local school system that elects to use funds for a certain purpose to provide funding to local law enforcement agencies in a certain manner; requiring the Center to collect certain data for a certain report; requiring the Center to report certain information to the Governor and the General Assembly on or before certain dates; requiring the Center to review certain information on or before a certain date each year; requiring the Center to analyze certain information and synthesize the information into certain best practices; requiring the Maryland Longitudinal Data System Center to conduct research relating to the impact that assignment to a juvenile detention facility has on a student’s educational and economic outcomes; requiring the Governor to appropriate a certain amount of funding in the annual budget bill for the Maryland Longitudinal Data System Center to study a certain matter; requiring that certain funding supplement and not supplant existing funding; making conforming changes;” strike beginning with “prohibited” in line 9 down through “officers” in line 10 and substitute “the role of school security employees and school resource officers and safety and discipline in public schools”; in line 13, after “7-1508” insert “and 7-1512(g) and (h)”; and, after line 15, insert:

“BY adding to

Article – Education

Section 7-1508.1

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 7-1512(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – EducationSection 24–703(f)(5) and (i)Annotated Code of Maryland(2018 Replacement Volume and 2020 Supplement)(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)”.AMENDMENT NO. 2

On page 2, strike in their entirety lines 2 through 7, inclusive; in line 8, strike the brackets; in the same line, strike “(C)”; in line 21, strike “AND”; in line 22, strike “**PROHIBITED CONDUCT**” and substitute “**RESTORATIVE APPROACHES TO DISCIPLINE, IN ACCORDANCE WITH § 7–306 OF THIS TITLE;**”

7. IDENTIFICATION OF THE CONDUCT PROHIBITED UNDER SUBSECTIONS (C) AND (D) OF THIS SECTION, INCLUDING WHAT CONSTITUTES SCHOOL DISCIPLINE AND WHAT IS CONTAINED IN THE STUDENT CODE OF CONDUCT; AND

8. BEST PRACTICES DEVELOPED UNDER § 7–1508.1 OF THIS SUBTITLE”.

On page 3, in line 10, after “(4)” insert “**(I)**”; in the same line, strike “2019” and substitute “**2021**”; in lines 12, 13, 16, and 18, strike “(i)”, “1.”, “2.”, and “(ii)”, respectively, and substitute “**1.**”, “**A.**”, “**B.**”, and “**2.**”, respectively; in line 17, strike “and”; in line 19, after “Commission” insert “;”

3. HAVE A DISCIPLINARY RECORD THAT DOES NOT INCLUDE A FINDING OF EXCESSIVE USE OF FORCE AFTER FINAL DISPOSITION IN AN ADMINISTRATIVE HEARING; AND

4. MEET ANY OTHER CRITERIA ADOPTED BY THE CENTER.

(II) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, BEGINNING AUGUST 15, 2021, A LOCAL LAW ENFORCEMENT AGENCY AND A LOCAL SCHOOL SYSTEM JOINTLY SHALL DETERMINE THE ASSIGNMENT OF A SCHOOL RESOURCE OFFICER TO A PUBLIC SCHOOL.

2. IN BALTIMORE CITY, BEGINNING AUGUST 15, 2021, THE BALTIMORE CITY SCHOOL POLICE FORCE SHALL CONSULT WITH THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS BEFORE THE ASSIGNMENT OF A SCHOOL RESOURCE OFFICER TO A PUBLIC SCHOOL.

(III) BEGINNING SEPTEMBER 1, 2022, BEFORE A SCHOOL RESOURCE OFFICER MAY BE ASSIGNED TO A PUBLIC SCHOOL, THE SCHOOL MUST

ADOPT A BEHAVIORAL HEALTH AND SAFETY ACTION PLAN IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION”;

in line 20, after “(5)” insert “**(I)**”; in the same line, strike “2019” and substitute “**2021**”; in line 21, strike “complete” and substitute “:

1. COMPLETE”;

in lines 22 and 25, strike “(i)” and “(ii)”, respectively, and substitute “**A.**” and “**B.**”, respectively; and in line 26, after “subsection” insert “:

2. PASS A BACKGROUND CHECK THAT REVEALS NO FINDINGS OF EXCESSIVE FORCE, CHILD ABUSE, CRIMES OF VIOLENCE, OR ASSAULTS IN THE SECOND DEGREE, OR THE VIOLATION OF AN EX PARTE ORDER; AND

3. MEET ANY OTHER CRITERIA ADOPTED BY THE CENTER.

(II) BEGINNING SEPTEMBER 1, 2022, BEFORE A SCHOOL SECURITY EMPLOYEE MAY BE HIRED TO WORK IN A PUBLIC SCHOOL, THE SCHOOL MUST ADOPT A BEHAVIORAL HEALTH AND SAFETY ACTION PLAN IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION”.

AMENDMENT NO. 3

On page 3, after line 26, insert:

“(C) (1) (I) A SCHOOL RESOURCE OFFICER MAY NOT ENFORCE AND A SCHOOL ADMINISTRATOR OR OFFICIAL OR SCHOOL SAFETY COORDINATOR MAY NOT DIRECT A SCHOOL RESOURCE OFFICER TO ENFORCE A SCHOOL’S STUDENT CODE OF CONDUCT UNLESS:

1. A SERIOUS BODILY INJURY, AS DEFINED UNDER COMAR 13A.08.03.02, WITH AN IMMINENT THREAT OF SERIOUS HARM HAS OCCURRED; OR

2. TO PREVENT AN IMMINENT THREAT OF SERIOUS BODILY INJURY, AS DEFINED UNDER COMAR 13A.08.03.02, TO OTHER STUDENTS OR STAFF THAT CANNOT BE REDUCED OR ELIMINATED THROUGH OTHER INTERVENTIONS AND SUPPORTS.

(II) A SCHOOL RESOURCE OFFICER MAY NOT INQUIRE INTO A STUDENT’S IMMIGRATION STATUS OR THE IMMIGRATION STATUS OF A STUDENT’S FAMILY MEMBERS.

(III) A SCHOOL RESOURCE OFFICER WHO IS UNDER INVESTIGATION FOR EXCESSIVE FORCE SHALL BE REASSIGNED IMMEDIATELY AND MAY NOT BE ASSIGNED TO A PUBLIC SCHOOL UNTIL THE INVESTIGATION HAS CONCLUDED WITH A FINDING THAT EXCESSIVE FORCE WAS NOT USED.

(2) (I) ON OR BEFORE SEPTEMBER 1, 2021, A LOCAL LAW ENFORCEMENT AGENCY THAT ASSIGNS INDIVIDUALS TO BE SCHOOL RESOURCE OFFICERS SHALL DESIGNATE A SUPERVISOR TO WHOM THE SCHOOL RESOURCE OFFICER SHALL REPORT.

(II) A SUPERVISOR DESIGNATED UNDER THIS PARAGRAPH SHALL REGULARLY MEET DURING SCHOOL HOURS WITH:

1. EACH SCHOOL RESOURCE OFFICER WHO REPORTS TO THE SUPERVISOR; AND

2. THE SCHOOL ADMINISTRATOR WHERE A SCHOOL RESOURCE OFFICER THAT REPORTS TO THE SUPERVISOR IS LOCATED.

(III) DURING THE REGULAR MEETINGS REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE SUPERVISOR SHALL ENSURE THAT EACH SCHOOL RESOURCE OFFICER IS:

1. MAINTAINING A PROFESSIONAL AND APPROPRIATE RELATIONSHIP WITH STUDENTS AND SCHOOL PERSONNEL; AND

2. IS NOT ENFORCING DISCIPLINE-RELATED MATTERS IN A MANNER THAT VIOLATES THE PROVISIONS OF PARAGRAPH (1)(I) OF THIS SUBSECTION.

(IV) 1. ON OR BEFORE SEPTEMBER 1, 2021, THE CENTER SHALL DEVELOP A SPECIALIZED CURRICULUM TO BE USED TO TRAIN A SCHOOL RESOURCE OFFICER SUPERVISOR IN THE REQUIREMENTS OF THIS PARAGRAPH.

2. BEGINNING AUGUST 15, 2022, ALL SCHOOL RESOURCE OFFICER SUPERVISORS SHALL COMPLETE THE TRAINING DEVELOPED BY THE CENTER UNDER THIS SUBPARAGRAPH.

(3) (I) ON OR BEFORE SEPTEMBER 1, 2021, THE CENTER SHALL DEVELOP A SPECIALIZED CURRICULUM TO BE USED TO TRAIN SCHOOL ADMINISTRATORS IN:

1. DE-ESCALATION;

2. MEDIATION;

3. PROPER DISCIPLINARIAN ROLES, INCLUDING THE PROHIBITION AGAINST A SCHOOL RESOURCE OFFICER ENFORCING DISCIPLINARY MATTERS;

4. RESTORATIVE APPROACHES TO DISCIPLINE, IN ACCORDANCE WITH § 7-306 OF THIS TITLE;

5. METHODS OF CONFLICT RESOLUTION THAT ARE TRAUMA INFORMED APPROACHES, AS DEFINED UNDER § 7-427.1 OF THIS TITLE; AND

6. CRISIS TECHNIQUES TO APPROPRIATELY RESPOND TO STUDENT MISBEHAVIOR.

(II) BEGINNING AUGUST 15, 2022, THE CENTER SHALL OFFER TRAINING IN THE SPECIALIZED CURRICULUM DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO ALL SCHOOL ADMINISTRATORS.

(D) (1) A SCHOOL SECURITY EMPLOYEE MAY NOT ARREST OR OTHERWISE DETAIN A STUDENT ENROLLED IN THE PUBLIC SCHOOL IN WHICH THE SCHOOL SECURITY EMPLOYEE IS EMPLOYED.

(2) A SCHOOL SECURITY EMPLOYEE MAY NOT INQUIRE INTO A STUDENT’S IMMIGRATION STATUS OR THE IMMIGRATION STATUS OF A STUDENT’S FAMILY MEMBERS.

(3) (I) A LOCAL SCHOOL SYSTEM THAT EMPLOYS A SCHOOL SECURITY EMPLOYEE SHALL ESTABLISH A COMPLAINT PROCESS MODELED ON THE UNIFORM CITIZEN COMPLAINT PROCESS UNDER § 3-519 OF THE PUBLIC SAFETY ARTICLE.

(II) A SCHOOL SECURITY EMPLOYEE WHO IS ALLEGED TO HAVE COMMITTED EXCESSIVE FORCE MAY NOT WORK IN A PUBLIC SCHOOL WHILE THE CLAIM IS BEING INVESTIGATED AND MAY NOT WORK IN A PUBLIC SCHOOL UNTIL THE INVESTIGATION HAS CONCLUDED WITH A FINDING THAT EXCESSIVE FORCE WAS NOT USED.”;

and in line 27, strike “(D)” and substitute “(E)”.

AMENDMENT NO. 4

On page 4, in lines 1, 3, 14, 23, and 32, strike “(E)”, “(D)”, “(F)”, “(E)(2)”, and “(G)”, respectively, and substitute “(F)”, “(E)”, “(G)”, “(F)(2)”, and “(I)”, respectively; and after line 31, insert:

“(H) (1) (I) ON OR BEFORE APRIL 1, 2022, EACH COUNTY BOARD SHALL ESTABLISH A TEMPLATE FOR A BEHAVIORAL HEALTH AND SAFETY ACTION PLAN TO BE USED BY EACH SCHOOL AT WHICH A SCHOOL RESOURCE OFFICER IS ASSIGNED OR A SCHOOL SECURITY EMPLOYEE IS EMPLOYED.

(II) THE COUNTY BOARD PERIODICALLY SHALL UPDATE THE TEMPLATE BASED ON CURRENT EVIDENCE-BASED BEHAVIORAL HEALTH PRACTICES.

(2) THE TEMPLATE FOR A PLAN ESTABLISHED UNDER THIS SUBSECTION SHALL INCLUDE METRICS TO MEASURE AND CONCRETE STEPS TO ACHIEVE IMPROVEMENTS IN:

(I) THE NUMBER OF STUDENTS WHO HAVE ACCESS TO BEHAVIORAL AND MENTAL HEALTH SUPPORTS;

(II) REFERRALS TO MENTAL HEALTH SERVICES WHEN A STUDENT IS EXPERIENCING A CRISIS;

(III) THE USE OF RESTORATIVE APPROACHES IN ADDRESSING STUDENT MISCONDUCT;

(IV) THE USE OF TRAUMA-INFORMED APPROACHES TO A STUDENT IN DISTRESS;

(V) THE NUMBER OF SCHOOL-BASED ARRESTS;

(VI) THE NUMBER OF SUSPENSIONS;

(VII) REFERRALS TO THE DEPARTMENT OF JUVENILE SERVICES; AND

(VIII) THE NUMBER OF EXPULSIONS FOR NONVIOLENT BEHAVIOR.

(3) (I) ON OR BEFORE JUNE 1 EACH YEAR, BEGINNING IN 2022, EACH PUBLIC SCHOOL AT WHICH A SCHOOL RESOURCE OFFICER IS ASSIGNED OR A SCHOOL SECURITY EMPLOYEE IS EMPLOYED, SHALL DEVELOP A BEHAVIORAL HEALTH AND SAFETY ACTION PLAN BASED ON THE TEMPLATE.

(II) A PLAN DEVELOPED UNDER THIS SUBSECTION SHOULD INCLUDE INFORMATION ON THE PROPER ROLES FOR SCHOOL RESOURCE OFFICERS, SCHOOL SECURITY EMPLOYEES, AND OTHER SCHOOL EMPLOYEES, CONSISTENT WITH SUBSECTIONS (C) AND (D) OF THIS SECTION.

(4) AN ALREADY EXISTING PLAN THAT FULFILLS THE REQUIREMENTS OF A HEALTH AND SAFETY ACTION PLAN OR THAT CAN BE MADE TO FULFILL THOSE REQUIREMENTS THROUGH MODIFICATION MAY BE USED IN LIEU OF DEVELOPING A NEW PLAN.

(5) (I) A PLAN DEVELOPED UNDER THIS SUBSECTION SHALL BE SUBMITTED TO THE COUNTY BOARD.

(II) ON OR BEFORE AUGUST 15 EACH YEAR, BEGINNING IN 2022, THE COUNTY SHALL REVIEW A PLAN SUBMITTED UNDER THIS SUBSECTION.

(III) EACH PUBLIC SCHOOL THAT IS ASSIGNED A SCHOOL RESOURCE OFFICER OR THAT EMPLOYS A SCHOOL SECURITY EMPLOYEE SHALL PUBLISH THE APPROVED PLAN ON ITS WEBSITE.”.

AMENDMENT NO. 5

On page 5, in lines 2, 5, and 9, strike “(H)”, “(F)”, and “(I)”, respectively, and substitute “(J)”, “(G)”, and “(K)”, respectively; in line 4, strike “and local law enforcement agencies”; in the same line, strike “providing” and substitute “:

(I) PROVIDING”;

in line 5, after “section” insert “;

(II) HIRING SCHOOL PSYCHOLOGISTS, SCHOOL SOCIAL WORKERS, SCHOOL COUNSELORS, OR BEHAVIORAL SPECIALISTS TO EXPAND THE AVAILABILITY OF SCHOOL-BASED MENTAL HEALTH SERVICES AND BEHAVIORAL SUPPORTS FOR STUDENTS; OR

(III) HIRING COMMUNITY SCHOOL COORDINATORS, DEVELOPING COMMUNITY SCHOOLS, AND PROVIDING WRAPAROUND SERVICES IN THE SCHOOL SYSTEM”;

after line 8, insert:

“(3) (I) A LOCAL SCHOOL SYSTEM MAY ELECT TO USE A GRANT PROVIDED UNDER THIS SUBSECTION FOR ANY OF THE SINGLE PURPOSES LISTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(II) A LOCAL SCHOOL SYSTEM MAY NOT ELECT TO USE A GRANT PROVIDED UNDER THIS SUBSECTION FOR MORE THAN ONE OF THE PURPOSES LISTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(III) IF A LOCAL SCHOOL SYSTEM ELECTS TO USE A GRANT PROVIDED UNDER THIS SUBSECTION TO ASSIST IN MEETING THE REQUIREMENTS OF SUBSECTION (G) OF THIS SECTION, THE LOCAL SCHOOL SYSTEM SHALL PROVIDE FUNDING TO A LOCAL LAW ENFORCEMENT AGENCY, IF APPROPRIATE, IN ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING BETWEEN THE LOCAL SCHOOL SYSTEM AND THE LOCAL LAW ENFORCEMENT AGENCY.”;

in line 9, after “(1)” insert “**(I)**”; in lines 10 and 12, strike “(i)” and “(ii)”, respectively, and substitute “**1.**” and “**2.**”, respectively; after line 13, insert:

“(II) THE CENTER SHALL COLLECT DATA ON ANY INCIDENT IN WHICH:

1. A SCHOOL RESOURCE OFFICER DETAINS OR SEARCHES A STUDENT, WHETHER OR NOT THE INCIDENT RESULTS IN ARREST; AND

2. A SCHOOL SECURITY EMPLOYEE SEARCHES A STUDENT.”;

in line 14, strike “2020” and substitute “**2022**”; and after line 17, insert:

“(L) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2022, THE CENTER SHALL REPORT, IN ACCORDANCE WITH FEDERAL AND STATE LAW, TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY FOR EACH PUBLIC SCHOOL:

(1) THE RATIO, IN THE PREVIOUS SCHOOL YEAR, OF SCHOOL RESOURCE OFFICERS ASSIGNED TO A PUBLIC SCHOOL TO:

(I) STUDENTS IN THE SCHOOL;

(II) TEACHERS IN THE SCHOOL; AND

(III) ADMINISTRATORS IN THE SCHOOL; AND

(2) THE RATIO, IN THE PREVIOUS SCHOOL YEAR, OF SCHOOL SECURITY EMPLOYEES EMPLOYED BY A PUBLIC SCHOOL TO:

(I) STUDENTS IN THE SCHOOL;

(II) TEACHERS IN THE SCHOOL; AND

(III) ADMINISTRATORS IN THE SCHOOL.

7-1508.1.

(A) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2022, THE CENTER SHALL REVIEW ALL OF THE INFORMATION COLLECTED UNDER THIS SUBTITLE RELATED TO SCHOOL RESOURCE OFFICERS AND SCHOOL SECURITY EMPLOYEES.

(B) IN COMPLETING ITS REVIEW UNDER THIS SECTION, THE CENTER SHALL ANALYZE DATA ON INTERACTIONS BETWEEN SCHOOL RESOURCE OFFICERS OR SCHOOL SECURITY EMPLOYEES AND STUDENTS, INCLUDING:

(1) POSITIVE COMMUNITY RELATIONSHIPS;

(2) AID GIVEN DURING A STUDENT MENTAL HEALTH CRISIS;

(3) EPISODES IN WHICH SUCCESSFUL DE-ESCALATION WAS EMPLOYED;

(4) USE OF FORCE INCIDENTS; AND

(5) IN-SCHOOL ARRESTS.

(C) (1) THE CENTER SHALL SYNTHESIZE THE REVIEW REQUIRED UNDER SUBSECTION (B) OF THIS SECTION INTO BEST PRACTICES FOR SCHOOL RESOURCE OFFICERS AND SCHOOL SECURITY EMPLOYEES.

(2) IN ESTABLISHING BEST PRACTICES UNDER THIS SUBSECTION, THE CENTER SHALL ADOPT KEY PERFORMANCE INDICATORS THAT CAN BE USED TO IDENTIFY A SCHOOL RESOURCE OFFICER OR SCHOOL SECURITY EMPLOYEE WHOSE PERFORMANCE EXEMPLIFIES THE CENTER'S BEST PRACTICES.

(3) ON OR BEFORE EACH SEPTEMBER 1, BEGINNING IN 2023, THE CENTER SHALL SHARE THE KEY INDICATORS DEVELOPED UNDER THIS SUBSECTION WITH LOCAL SCHOOL SYSTEMS AND LOCAL LAW ENFORCEMENT ENTITIES.

(4) THE CENTER SHALL INCORPORATE THE BEST PRACTICES ESTABLISHED UNDER THIS SUBSECTION INTO THE TRAINING PROVIDED TO SCHOOL

RESOURCE OFFICERS AND SCHOOL SECURITY EMPLOYEES UNDER § 7-1508 OF THIS SUBTITLE.

AMENDMENT NO. 6

On page 5, after line 17, insert:

“7-1512.

(a) There is a Safe Schools Fund.

(g) Beginning in fiscal year 2020 and each fiscal year thereafter, at least \$10,000,000 of the money in the Fund shall be used to provide grants to local school systems [and local law enforcement agencies] as provided under § 7-1508 of this subtitle.

(h) (1) The Subcabinet may make grants to local school systems [and local law enforcement agencies] from the Fund.

(2) The Subcabinet shall establish procedures for local school systems [and local law enforcement agencies] to apply for grants from the Fund.

24-703.

(f) The Center shall perform the following functions and duties:

(5) Conduct research relating to:

(i) The impact of State and federal education programs;

(ii) The performance of educator preparation programs; [and]

(iii) Best practices regarding classroom instruction, education programs and curriculum, and segment alignment; AND

(IV) THE IMPACT THAT SCHOOL DISCIPLINARY ACTION AND ASSIGNMENT TO JUVENILE DETENTION HAS ON A STUDENT’S EDUCATIONAL AND ECONOMIC OUTCOMES;

(i) **(1) The Center may receive funding from the following sources:**

[(1)] (I) State appropriations;

[(2)] (II) Grants or other assistance from local education agencies and institutions of higher education;

[(3)] (III) Federal grants; and

[(4)] (IV) Any other grants or contributions from public or private entities received by the Center.

(2) (I) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION FOR THE CENTER OF AT LEAST \$100,000 TO STUDY THE IMPACT THAT SCHOOL DISCIPLINARY ACTION AND ASSIGNMENT TO JUVENILE DETENTION HAS ON A STUDENT’S EDUCATIONAL AND ECONOMIC OUTCOMES.

(II) FUNDING PROVIDED TO THE CENTER UNDER THIS PARAGRAPH SHALL SUPPLEMENT AND NOT SUPPLANT EXISTING FUNDING APPROPRIATED TO THE CENTER.”;

and in line 18, strike “July” and substitute “June”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

House Bill 83 – Delegate Queen

AN ACT concerning

Public and Nonpublic Schools – Electric Retractable Room Partitions – Operation Requirements

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

HB0083/615360/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 83 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “**Operation Requirements**” and substitute “**Review and Report**”; strike beginning with “prohibiting” in line 4 down through “terms;” in line 11 and substitute “requiring the State Department of Education to conduct a thorough”

review and evaluation of certain matters relating to the operation of electric retractable room partitions; requiring the Department to adopt certain regulations or guidelines on or before a certain date under certain circumstances; requiring the Department to report to the Governor and the General Assembly on or before a certain date on its review and actions;”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 25 on page 2, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(a) The State Department of Education shall conduct a thorough review and evaluation of:

(1) the current electric retractable room partition equipment used in public and nonpublic schools throughout the State;

(2) the current practices used by staff in public and nonpublic schools throughout the State when operating electric retractable room partitions; and

(3) existing policies by public schools, local school systems, and nonpublic schools that govern the operation of electric retractable room partitions.

(b) On or before September 1, 2022, after conducting its thorough examination and review, the State Department of Education shall adopt any regulations or guidelines needed to ensure that the operation of electric retractable room partitions in public and nonpublic schools occur in the safest manner possible.

(c) On or before December 1, 2022, the State Department of Education shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on its review and any actions taken under this Act.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 28

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 746 – Delegate Wivell

AN ACT concerning

Election Law – Absentee Ballot Envelopes – Party Affiliation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 864 – Delegate Charles

AN ACT concerning

Income Tax – Subtraction Modification – Military Retirement Income

HB0864/135268/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 864
(First Reading File Bill)

On page 2, in line 27, strike “**\$30,000**” and substitute “**\$20,000**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 865 – Delegate Smith

AN ACT concerning

Historic Revitalization Tax Credit – Small Commercial Projects – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1178 – Delegate Brooks

AN ACT concerning

**Income Tax – Subtraction Modification – First-Time Homebuyer Savings
Accounts****HB1178/525169/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1178
(First Reading File Bill)**AMENDMENT NO. 1**

On page 1, in line 10, after “modification;” insert “authorizing an individual to jointly establish an account under certain circumstances; prohibiting an individual from being the account holder of more than one account;”; and in line 21, after “circumstances;” insert “requiring the financial institution to provide each account holder certain information regarding homebuyer education and housing counseling in a certain manner; requiring the Department of Housing and Community Development to provide and maintain certain information; requiring the Department to conduct certain outreach to certain communities;”.

AMENDMENT NO. 2

On page 2, in line 15, strike “AN INDIVIDUAL” and substitute “**A FIRST-TIME HOMEBUYER**”; in line 16, strike “, INDIVIDUALLY OR JOINTLY WITH ONE OR MORE OTHER INDIVIDUALS,”; in line 20 and lines 22 and 23, in each instance, strike “A QUALIFIED BENEFICIARY” and substitute “**AN ACCOUNT HOLDER**”; after line 25, insert:

“(VI) “FIRST-TIME HOMEBUYER” MEANS AN INDIVIDUAL WHO IS A RESIDENT OF THE STATE AND WHO HAS NOT OWNED OR PURCHASED, EITHER INDIVIDUALLY OR JOINTLY, A HOME IN THE STATE IN THE LAST 7 YEARS.”;

in lines 26 and 33, strike “(VI)” and “(VII)”, respectively, and substitute “(VII)” and “(VIII)”, respectively; and in line 32, strike “A QUALIFIED BENEFICIARY” and substitute “**THE ACCOUNT HOLDER**”.

On page 3, strike in their entirety lines 2 through 9, inclusive; and in line 31, strike “A QUALIFIED BENEFICIARY” and substitute “**THE ACCOUNT HOLDER**”.

On page 4, after line 6, insert:

“(5) (I) AN INDIVIDUAL MAY JOINTLY ESTABLISH AN ACCOUNT WITH ANOTHER PERSON IF THE JOINT ACCOUNT HOLDERS ARE BOTH FIRST-TIME HOMEBUYERS AND FILE A JOINT INCOME TAX RETURN.

(II) AN INDIVIDUAL MAY NOT BE THE ACCOUNT HOLDER OF MORE THAN ONE ACCOUNT.;

in lines 7, 11, 21, and 27, strike “(5)”, “(6)”, “(7)”, and “(8)”, respectively, and substitute “(6)”, “(7)”, “(8)”, and “(9)”, respectively; and in line 27, strike “(5)” and substitute “(6)”.

On page 5, in lines 7 and 17, strike “(9)” and “(10)”, respectively, and substitute “(10)” and “(13)”, respectively; and after line 16, insert:

“(11) (I) THE FINANCIAL INSTITUTION SHALL PROVIDE TO EACH ACCOUNT HOLDER, IN THE MANNER SPECIFIED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, INFORMATION ABOUT HOMEBUYER EDUCATION AND HOUSING COUNSELING PROGRAMS AND SERVICES PROVIDED BY NONPROFIT AND GOVERNMENT ORGANIZATIONS CERTIFIED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THAT ARE AVAILABLE TO RESIDENTS OF THE STATE.

(II) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL PROVIDE AND MAINTAIN THE INFORMATION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(12) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL CONDUCT OUTREACH TO COMMUNITIES OF THE STATE THAT HAVE EXPERIENCED LOWER RATES OF HOMEOWNERSHIP REGARDING FIRST-TIME HOMEBUYER SAVINGS ACCOUNTS AND THE AVAILABILITY OF THE SUBTRACTION UNDER THIS SUBSECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1307 – Delegate Smith

EMERGENCY BILL

AN ACT concerning

Education – Child Care Centers and Youth Development Organizations and Programs

(Support Youth Development for School-Age Children Act)

HB1307/995961/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1307
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “center;” insert “authorizing youth development organizations or programs to provide care for a child who is at least a certain age, under certain circumstances; requiring a youth development organization or program to provide a certain child care environment and have certain policies and requirements;”; in line 11, after “entities” insert “and the records to be filed with the Department in accordance with certain regulations;”; and in line 20, after “measure;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 3, in line 20, strike, “6” and substitute “5”; and in line 30, after “SCHOOLS;” insert “AND”.

On pages 3 and 4, strike in their entirety the lines beginning with line 31 on page 3 through line 4 on page 4.

On page 4, in line 5, strike “(7)” and substitute “(5)”; in line 8, after “(A)” insert “SUBJECT TO THE LIMITATIONS OF THIS SECTION, A YOUTH DEVELOPMENT ORGANIZATION OR PROGRAM MAY PROVIDE CARE FOR A CHILD WHO IS AT LEAST 5 YEARS OLD AND WHO ATTENDS A PUBLIC SCHOOL THAT:

(1) HAS BEEN CLOSED FOR IN-PERSON INSTRUCTION DUE TO PROLONGED EMERGENCY CONDITIONS; AND

(2) IS CONTINUING TO PROVIDE REGULAR INSTRUCTION TO STUDENTS IN SOME FORM.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, EACH YOUTH DEVELOPMENT ORGANIZATION OR PROGRAM SHALL PROVIDE A CHILD CARE ENVIRONMENT THAT IS AT LEAST AS PROTECTIVE OF CHILD SAFETY AS THE MARYLAND YOUTH CAMP ACT AND THE MARYLAND DEPARTMENT OF HEALTH’S REGULATIONS IMPLEMENTING THAT ACT.

(2) TO OPERATE IN ACCORDANCE WITH THIS SECTION, EACH YOUTH DEVELOPMENT ORGANIZATION OR PROGRAM SHALL HAVE:

(I) A CHILD TO EMPLOYEE RATIO OF NO MORE THAN 15 TO 1;

(II) MINIMAL QUALIFICATIONS FOR EMPLOYEES REQUIRING THAT EACH EMPLOYEE IS:

1. AT LEAST 18 YEARS OLD; AND

2. HAS OBTAINED A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; AND

(III) A REQUIREMENT FOR EACH CHILD TO RECEIVE CARE APPROPRIATE FOR THE CHILD’S INDIVIDUAL NEEDS, INCLUDING:

1. MAKING REASONABLE ACCOMMODATIONS FOR A CHILD WITH A DISABILITY; AND

2. ALLOWING AN ADULT WHO PROVIDES SPECIALIZED SERVICES TO A CHILD WHO IS UNDER THE YOUTH DEVELOPMENT ORGANIZATION OR PROGRAM’S CARE TO PROVIDE THOSE SERVICES ON THE GROUNDS OF THE ORGANIZATION OR PROGRAM AS SPECIFIED IN:

A. THE CHILD’S INDIVIDUALIZED EDUCATION PROGRAM PLAN;

B. AN INDIVIDUALIZED FAMILY SERVICE PLAN; OR

C. A WRITTEN BEHAVIORAL PLAN.

(C)”;

and in line 24, strike “(B)” and substitute “(D)”.

On page 5, in lines 3, 6, and 10, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(D) (1)”, “(E)”, and “(F)”, respectively; and after line 5, insert:

“(2) THE RECORD OF EACH CRIMINAL BACKGROUND CHECK PERFORMED IN ACCORDANCE WITH THIS SUBSECTION SHALL BE FILED WITH THE DEPARTMENT IN ACCORDANCE WITH THE DEPARTMENT’S REGULATIONS.”.

On page 5, in line 26, after the period insert “It shall remain effective through June 30, 2022, and, at the end of June 30, 2022, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 25

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 71 – Delegate Luedtke

AN ACT concerning

Juvenile Services Education Board and Program – Establishment, Powers, and Duties

HB0071/812119/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 71 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Board;” insert “providing that the Board is an independent unit within the Department of Juvenile Services;”; in line 7, after “terms,” insert “staff;”; in the same line, after “Board;” insert “requiring the Board, to the extent practicable, to reflect the diversity of the student population that the Department serves;”; in line 12, strike “of Juvenile Services”; in line 13, after “regulations;” insert “requiring the Department to adopt certain regulations;”; in line 16, after “Superintendent;” insert “specifying the Superintendent’s qualifications;”; in lines 16, 18, 20, 23, and 30, in each instance, strike “Department” and substitute “Superintendent”; in line 18, after “staff;” insert “requiring Expert Review Teams to be sent to all residential facilities by the end of a certain school year;”; and in line 19, after “appropriation;” insert “requiring the Department to notify a juvenile in custody of the juvenile’s educational rights;”.

On page 2, in line 3, after “Education;” insert “requiring the Department of Legislative Services to conduct certain audits of the administration of juvenile education programs on or before certain dates;”; in line 5, after “date;” insert “requiring the Board, in consultation with local school systems, to examine and make recommendations on certain matters on or before a certain date; requiring the Department to contract with a certain entity, on or before a certain date, to conduct a review of certain policies and practices of the Department and develop recommendations; requiring the entity to submit its findings and recommendations to the Department, the Governor, and the General Assembly on or”.

before a certain date.”; in line 6, after “Board;” insert “specifying certain personnel requirements for certain employees transferred to the Department;”; strike beginning with “altering” in line 7 down through “date;” in line 9; in line 12, after “Act;” insert “providing for the termination of this Act;”; after line 28, insert:

“BY repealing and reenacting, with amendments,
Article – Education
Section 5–411(g)(2)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)
(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)”;

and in line 32, strike “9–606” and substitute “9–607”.

On page 3, strike in their entirety lines 5 through 14, inclusive.

AMENDMENT NO. 2

On page 3, after line 34, insert:

“Article – Education

5–411.

(g) (2) (i) Beginning on July 1, 2023, the Department shall send Expert Review Teams to at least 10% of public schools in at least three different local school systems each year.

(ii) AN EXPERT REVIEW TEAM SHALL BE SENT TO EVERY RESIDENTIAL FACILITY IN WHICH JUVENILES ARE EDUCATED IN ACCORDANCE WITH TITLE 9, SUBTITLE 6 OF THE HUMAN SERVICES ARTICLE BY THE END OF THE 2025–2026 SCHOOL YEAR.

(iii) An Expert Review Team shall be sent at least once to every public school in the State by the end of the 2030–2031 school year.”.

On page 4, in line 10, before “**THERE**” insert “(A)”; and after line 11, insert:

“(B) THE BOARD IS AN INDEPENDENT UNIT WITHIN THE DEPARTMENT.”;

in line 21, strike “AND” and substitute:

“(6) ONE EDUCATOR EMPLOYED BY THE STATE WHO IS ENGAGED IN THE EDUCATION OF JUVENILES RESIDING IN A RESIDENTIAL FACILITY; AND”;

in line 22, strike “(6)” and substitute “(7)”; in the same line, strike “SIX” and substitute “FIVE”; and in line 24, after “(B)” insert “(1) THE CANDIDATE WHO RECEIVES THE

HIGHEST NUMBER OF VOTES IN AN ELECTION BY THE EDUCATORS EMPLOYED BY THE DEPARTMENT SHALL BE THE EDUCATOR MEMBER.

(2) THE TERM OF THE EDUCATOR MEMBER IS 4 YEARS.

(3) AT THE END OF A TERM, THE EDUCATOR MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

(4) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CONDUCT THE ELECTION OF THE EDUCATOR MEMBER.

(5) THE EDUCATOR MEMBER MAY NOT VOTE ON ANY MATTER THAT RELATES TO APPEALS TO THE STATE BOARD OF EDUCATION UNDER § 6-202 OF THE EDUCATION ARTICLE.

(C) (1) TO THE EXTENT PRACTICABLE, THE APPOINTED MEMBERS OF THE BOARD SHALL REFLECT THE DIVERSITY OF THE POPULATION OF JUVENILES IN THE STATE.

(2)".

On page 5, in lines 11, 20, 22, and 24, strike "(C)", "(D)", "(E)", and "(F)", respectively, and substitute "**(D)**", "**(E)**", "**(F)**", and "**(G)**", respectively.

On page 6, in lines 3 and 6, strike "(G)" and "(H)", respectively, and substitute "**(H)**" and "**(I)**", respectively.

On page 8, in line 8, after "(D)" insert "**THE SUPERINTENDENT:**

(1) MUST BE AN EXPERIENCED AND COMPETENT EDUCATOR;

(2) MUST BE A GRADUATE OF AN ACCREDITED COLLEGE OR UNIVERSITY;

(3) MUST HAVE AT LEAST 2 YEARS OF SPECIAL ACADEMIC AND PROFESSIONAL GRADUATE PREPARATION IN AN ACCREDITED COLLEGE OR UNIVERSITY;

(4) MUST HAVE AT LEAST 7 YEARS OF EXPERIENCE IN TEACHING AND ADMINISTRATION; AND

(5) MAY NOT BE A CURRENT MEMBER OF THE BOARD OR HAVE BEEN A MEMBER OF THE BOARD AT ANY TIME DURING THE YEAR IMMEDIATELY PRECEDING THE APPOINTMENT.

(E)”;

after line 20, insert:

“(E) “SUPERINTENDENT” MEANS THE JUVENILE SERVICES EDUCATION PROGRAM SUPERINTENDENT.”;

and in line 25, strike “DEPARTMENT” and substitute “SUPERINTENDENT”.

On page 9, in lines 1, 3, 8, and 17, in each instance, strike “DEPARTMENT” and substitute “SUPERINTENDENT”; in lines 12 and 13, strike “OF THE BLUEPRINT FOR MARYLAND’S FUTURE” and substitute “UNDER TITLE 6, SUBTITLE 10 OF THE EDUCATION ARTICLE”; in line 24, after “(1)” insert “THE DEPARTMENT SHALL NOTIFY A JUVENILE IN CUSTODY OF THE JUVENILE’S EDUCATIONAL RIGHTS.”

(2)”;

in line 28, strike “(2)” and substitute “(3)”; and in line 29, strike “(1)” and substitute “(2)”.

On page 10, in line 1, strike “(3)” and substitute “(4)”; and in lines 2, 14, 18, and 24, in each instance, strike “DEPARTMENT” and substitute “SUPERINTENDENT”.

On page 11, in lines 1 and 27, in each instance, strike “DEPARTMENT” and substitute “SUPERINTENDENT”; in line 5, strike “SHALL” and substitute “MAY”; in line 11, after “BASIC” insert “DAILY”; in line 13, after “CHILD” insert “DIVIDED BY THE NUMBER OF ACTUAL SCHOOL DAYS REQUIRED FOR A PUBLIC SCHOOL UNDER § 7-103 OF THE EDUCATION ARTICLE”; in line 15, after “BASIC” insert “DAILY”; in line 24, strike “5-202” and substitute “5-201”; in line 26, after “(A)” insert “(1)”; and after line 30, insert:

(2) THE SUPERINTENDENT’S REPORT SHALL INCLUDE:

(I) STUDENT OUTCOMES;

(II) EXTERNAL ORGANIZATIONAL PARTNERSHIPS; AND

(III) TRANSITIONS BETWEEN ENROLLMENT IN PUBLIC SCHOOL AND THE CUSTODY OF THE DEPARTMENT.

(3) THE SUPERINTENDENT SHALL REPORT THE INFORMATION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN THE AGGREGATE AND DISAGGREGATED BY:

- (I) RACE;**
- (II) ETHNICITY;**
- (III) GENDER;**
- (IV) ENGLISH PROFICIENCY STATUS;**
- (V) DISABILITY STATUS; AND**
- (VI) FAMILIAL INCOME.”.**

On page 12, after line 6, insert:

“(C) THE OFFICE OF LEGISLATIVE AUDITS IN THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL CONDUCT AN AUDIT OF THE SUPERINTENDENT AND DEPARTMENT’S ADMINISTRATION OF JUVENILE EDUCATIONAL PROGRAMS ON OR BEFORE:

- (1) JULY 1, 2027; AND**
- (2) JULY 1, 2030.**

9-607.

(A) (1) ON OR BEFORE JANUARY 1, 2024, THE DEPARTMENT SHALL CONTRACT WITH A PUBLIC OR PRIVATE ENTITY TO CONDUCT AN EMPIRICAL EVALUATION OF THE DEPARTMENT’S POLICIES AND PRACTICES REGARDING THE EDUCATIONAL SERVICES PROVIDED TO JUVENILES IN RESIDENTIAL FACILITIES.

(2) IN CONDUCTING THE STUDY REQUIRED UNDER THIS SUBSECTION, THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL REVIEW THE EFFECTIVENESS OF THE DEPARTMENT’S CURRENT POLICIES AND PRACTICES, INCLUDING:

- (I) STUDENT EDUCATIONAL OUTCOMES;**
- (II) IF THE EDUCATIONAL PLANS REQUIRED UNDER § 9-604(C) OF THIS SUBTITLE ARE MEETING JUVENILE NEEDS;**

(III) STUDENT DISCIPLINARY OUTCOMES;**(IV) HOW EFFICIENTLY STUDENTS TRANSITION BETWEEN ENROLLMENT IN PUBLIC SCHOOL AND THE CUSTODY OF THE DEPARTMENT, INCLUDING:****1. HOW WELL EDUCATIONAL RECORDS ARE TRANSFERRED BETWEEN THE DEPARTMENT AND COUNTY BOARDS;****2. HOW EFFICIENTLY JUVENILES ARE RE-ENROLLED IN PUBLIC SCHOOL AFTER BEING RELEASED FROM THE CUSTODY OF THE DEPARTMENT; AND****3. HOW WELL THE EDUCATION THE JUVENILE RECEIVES WHILE UNDER THE CUSTODY OF THE DEPARTMENT MATCHES WITH THE EDUCATION RECEIVED IN THE JUVENILE’S PUBLIC SCHOOL;****(V) THE QUALITY OF THE CURRICULUM;****(VI) HOW CONDUCIVE THE EDUCATIONAL SETTING IS TO LEARNING; AND****(VII) ACCESS TO MENTAL HEALTH SERVICES.****(3) THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL, AFTER COMPLETING ITS REVIEW, DEVELOP RECOMMENDATIONS TO IMPROVE THE EDUCATION DELIVERED UNDER THIS SUBTITLE.****(B) ON OR BEFORE OCTOBER 1, 2026, THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE DEPARTMENT, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.”.****AMENDMENT NO. 3**

On pages 13 and 14, strike in their entirety the lines beginning with line 16 on page 13 through line 8 on page 14, inclusive.

On page 14, after line 13, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) On or before December 1, 2021, the Juvenile Services Education Board established under Section 2 of this Act shall submit to the General Assembly, in accordance

with § 2–1257 of the State Government Article, a report that meets the requirements of this section.

(b) In consultation with local school systems, the Juvenile Services Education Board shall examine and report on how, before the disposition of a student’s juvenile case, to meet the needs of a student who:

(1) is dually enrolled in the Juvenile Services Education Program and a local school system; and

(2) has an individualized education program or other special education plan.

(c) The Juvenile Services Education Board shall examine and make recommendations regarding funding for the Juvenile Services Education Program established under Section 2 of this Act, including recommendations for any improvements.

SECTION 5. AND BE IT FURTHER ENACTED, That any State personnel or contractual employee involved in a transfer to the Department of Juvenile Services under this Act shall:

(1) if applicable, remain in the State Personnel Management System;

(2) remain in a position that is comparable to or most closely compares to their former position, without further examination or qualification;

(3) receive no diminution in compensation or accumulated leave solely as a result of the transfer; and

(4) if applicable, continue in the same salary grade in the Department of Juvenile Services.”;

in line 14, strike “4.” and substitute “6.”; after line 17, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That an individual who is an employee of the Juvenile Services Education Program on June 30, 2022, and remains a Department of Juvenile Services direct education staff member on July 1, 2022, shall remain a member of the Employees’ Pension System as provided under Title 23 of the State Personnel and Pensions Article.”;

in line 18, strike “5.” and substitute “8.”; and in line 19, after “2021.” insert “It shall remain effective for a period of 12 years and, at the end of June 30, 2033, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 26

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 308 – Delegates Rosenberg and Cardin

AN ACT concerning

Courts – Civil Actions – Strategic Lawsuits Against Public Participation

HB0308/832918/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 308 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “with” insert “an anti–SLAPP motion or”.

AMENDMENT NO. 2

On page 4, in lines 6 and 8, in each instance, strike “TARGETED”; in line 13, after “(4)” insert “(I)”; and strike beginning with “ORDERS” in line 13 down through “DISMISS” in line 16 and substitute “GRANTS AN ANTI–SLAPP MOTION, THE COURT SHALL AWARD COSTS AND REASONABLE ATTORNEY’S FEES TO THE MOVING PARTY IF THE COURT DETERMINES THAT JUSTICE AND EQUITY REQUIRE IT.”

(II) IF THE COURT FINDS THAT A MOTION TO DISMISS IS FRIVOLOUS OR SOLELY INTENDED TO CAUSE UNNECESSARY DELAY, THE COURT MAY AWARD COSTS AND REASONABLE ATTORNEY’S FEES TO THE RESPONDING PARTY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 27

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 316 – Delegate Smith

AN ACT concerning

Conditions of Pretrial Release – Home Detention Monitoring

HB0316/192813/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 316 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 6 down through the second “Fund” in line 8 and substitute “establishing the Workgroup on Home Detention Monitoring; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to submit a report to the General Assembly on or before a certain date; expressing the intention of the General Assembly regarding the funding of certain provisions of this Act”; in line 9, strike “effective date” and substitute “termination”; and strike in their entirety lines 16 through 26, inclusive.

AMENDMENT NO. 2

On page 2, in line 28, strike “(I)”.

On pages 2 and 3, strike in their entirety the lines beginning with line 32 on page 2 through line 1 on page 3, inclusive.

On page 3, strike beginning with “the” in line 2 down through “follows” in line 3.

On pages 3 through 5, strike in their entirety the lines beginning with line 4 on page 3 through line 29 on page 5, inclusive, and substitute:

“(a) There is a Workgroup on Home Detention Monitoring.

(b) The Workgroup consists of the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Public Safety and Correctional Services, or the Secretary's designee;

(4) the Public Defender of Maryland, or the Public Defender's designee;

(5) the President of the Maryland State's Attorneys' Association, or the President's designee;

(6) one representative of the Job Opportunities Task Force, appointed by the Governor;

(7) one representative of the Maryland Chiefs of Police Association and the Maryland Sheriffs' Association, appointed by the Governor;

(8) one representative of a large local detention center, appointed by the Governor;

(9) one representative of a small local detention center, appointed by the Governor;

(10) one representative of a county pre-trial release program that does not charge fees to participants, appointed by the Governor;

(11) one representative of a county pre-trial release program that does charge fees to participants, appointed by the Governor; and

(12) two representatives of private home detention monitoring agencies as nonvoting members.

(c) The President of the Senate and the Speaker of the House shall select two cochairs from among the members of the Workgroup.

(d) The Department of Public Safety and Correctional Services shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall study and make recommendations regarding the costs and availability of both publicly and privately provided pre-trial home detention monitoring systems.

(g) On or before December 31, 2021, the Workgroup shall submit a report of its findings and recommendations to the General Assembly, in accordance with § 2-1257 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intention of the General Assembly that, subject to the availability of federal funds, the implementation of Section 1 of this Act be funded in fiscal year 2022 using federal funds.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021. Section 1 of this Act shall remain effective for 1 year after the expiration or rescission of the Governor's proclamation of March 5, 2020 "Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19" or the expiration of any renewal of the state of emergency declared by the Governor in the proclamation of March 5, 2020, and 1 year after the expiration of the state of emergency or any renewal of the state of emergency, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of June 30, 2022, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect."

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 28

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1008 – Delegate Hill

AN ACT concerning

Failure to Pay Rent Proceedings – Sealing of Court Records

HB1008/692915/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1008

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Proceedings** –” insert “**Prohibition on Rent Increases and**”; in line 3, after “of” insert “**prohibiting a landlord from increasing rent for a certain reason;**”; in line 7, after “circumstances;” insert “**prohibiting the District Court from sealing court records relating to a failure to pay rent proceeding under certain circumstances; authorizing certain sealed records to be opened under certain circumstances; authorizing a tenant to obtain a copy of a certain order in a certain manner;**”; in line 8, after “Act;” insert “**requiring the Maryland Judiciary to develop and publish a certain form on its website on or before a certain date; requiring a certain form to include certain information; providing for the effective dates of this Act;**”; in the same line, after the first “to” insert “**a prohibition on increasing rent and**”; in line 10, strike “repealing and reenacting, without amendments,” and substitute “**adding to**”; in line 12, strike “8-401(e)” and substitute “**8-119 and 8-401(g)**”; in line 15, strike “adding to” and substitute “**repealing and reenacting, without amendments,**”; and in line 17, strike “8-401(g)” and substitute “**8-401(e)**”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

8-119.

A LANDLORD MAY NOT INCREASE A TENANT’S RENT SOLELY BECAUSE A JUDGMENT WAS ENTERED AGAINST THE TENANT IN A FAILURE TO PAY RENT ACTION UNDER § 8-401 OF THIS TITLE.;

in line 18, strike “**30**” and substitute “**60**”; in line 21, after “**POSSESSION**” insert “**AND NO APPEAL IS PENDING**”; in line 33, after “**(II)**” insert “**THE DISTRICT COURT MAY NOT SEAL A COURT RECORD UNDER THIS SUBSECTION IF THE TENANT RECEIVES FEDERAL FUNDS TO SUBSIDIZE RENT REQUIRED UNDER THE LEASE AGREEMENT AND FAILS TO PAY THE NONFEDERAL PORTION OF ANY RENT DUE.**”

(III);

and after line 35, insert:

“(IV) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, A RECORD SEALED UNDER THIS PARAGRAPH MAY BE OPENED ONLY:

- 1. ON WRITTEN REQUEST BY THE TENANT; OR**
- 2. ON ORDER OF THE DISTRICT COURT ON A SHOWING OF COMPELLING NEED.**

(v) A TENANT MAY OBTAIN A COPY OF AN ORDER ISSUED UNDER THIS SUBSECTION AT ANY TIME FROM A CLERK OF THE DISTRICT COURT, ON PROPER IDENTIFICATION, WITHOUT A SHOWING OF NEED.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2021, the Maryland Judiciary shall develop and publish on its website a form titled “Petition to Seal an Eviction Record” to facilitate the implementation of § 8–401(g) of the Real Property Article, as enacted by Section 1 of this Act.

(b) The form required under subsection (a) of this section shall include a question on whether the tenant used federal funds to subsidize the tenant’s payment of rent owed under the lease agreement.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 2021.”.

On page 3, in line 1, strike “2.” and substitute “4.”; in the same line, after “That” insert “, except as provided in Section 3 of this Act.”; and in line 2, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 29

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 719 – Delegate Moon

EMERGENCY BILL

AN ACT concerning

Commercial Tenants – Personal Liability Clauses – Enforceability

HB0719/662913/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 719

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “is” and substitute “may be”.

AMENDMENT NO. 2

On page 2, in line 3, strike “shall” and substitute “may”; in line 12, strike “and”; in line 15, after “inclusive” insert “; and

(3) the court finds, based on the totality of the circumstances, that enforcement of the personal liability clause would be unjust”;

and strike beginning with “through” in line 30 down through “2023” in line 31 and substitute “until 180 days after the expiration or rescission of the Governor’s proclamation of March 5, 2020, “Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID–19”, and 180 days after the expiration or rescission of the Governor’s proclamation”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1248 – Delegate Washington

AN ACT concerning

Public Safety – Law Enforcement Officer – Data Collection and Reporting

HB1248/232719/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 1248

(First Reading File Bill)

On page 1, in line 2, strike “**Law Enforcement**” and substitute “**Police**”; in line 5, strike “law enforcement” and substitute “police”; in line 23, strike “**2–101**” and substitute “**3–201**”; and in the same line, strike “**ARTICLE**” and substitute “**TITLE**”.

On page 2, in line 1, strike “**LAW ENFORCEMENT**” and substitute “**POLICE**”; in line 2, strike “**3–101**” and substitute “**3–201**”; in line 7, strike the first “**LAW ENFORCEMENT**”

and substitute “**POLICE**”; and strike beginning with “**LAW**” in line 13 down through “**ENFORCEMENT**” in line 14 and substitute “**POLICE**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 30

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 885 – Delegate R. Watson

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Courts of Appeals and Special Appeals – Renaming

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 1339 – Chair, Judiciary Committee (By Request – Departmental – Human Services)

AN ACT concerning

Child Support – Guidelines

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 31

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably:

House Bill 531 – Delegate Morgan

AN ACT concerning

Criminal Procedure – Sexual Offenders – Lifetime Supervision

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 681 – Delegate Buckel

AN ACT concerning

Task Force to Study the Maryland Orphans' Courts

HB0681/442316/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 681
(First Reading File Bill)

On page 1, strike beginning with “one” in line 17 down through “(4)” in line 18; in lines 19 and 20, strike “(5)” and “(6)”, respectively, and substitute “(4)” and “(5)”, respectively.

On page 2, in line 1, strike “(7)” and substitute “(6)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 882 – Delegate Barron**EMERGENCY BILL**

AN ACT concerning

Workgroup to Study Partial Expungement

HB0882/232713/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 882
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 3 down through “Act;” in line 9 and substitute “altering the name of the Partial Expungement Workgroup to be the Workgroup to Study Partial Expungement; altering the composition of the Workgroup; altering the requirement for the selection of the chair of the Workgroup; altering the due date by which the Workgroup is required to submit a certain report on certain findings and recommendations; altering the termination date for the Workgroup;”; and after line 10, insert:

“BY repealing and reenacting, with amendments,
Chapter 31 of the Acts of the General Assembly of 2021
Section 3 and 6”.

AMENDMENT NO. 2

On page 1, in line 12, after “That” insert “the Laws of Maryland read as follows”.

On pages 1 and 2, strike in their entirety the lines beginning with line 13 on page 1 through line 16 on page 2, inclusive, and substitute:

“Chapter 31 of the Acts of 2021

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) **There is a [Partial Expungement Workgroup] WORKGROUP TO STUDY PARTIAL EXPUNGEMENT.**

(b) **The Workgroup consists of the following members:**

(1) **two members of the Senate of Maryland, appointed by the President of the Senate;**

(2) **two members of the House of Delegates, appointed by the Speaker of the House;**

(3) **the Public Defender, or the Public Defender’s designee;**

(4) **one representative of the Administrative Office of the Courts, APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS; [and]**

(5) **the President of the Maryland State’s Attorneys’ Association, or the President’s designee; AND**

(6) ONE REPRESENTATIVE OF THE JOB OPPORTUNITIES TASK FORCE, APPOINTED BY THE GOVERNOR.

(c) The Workgroup shall [designate the chair of the Workgroup] ELECT A CHAIR FROM AMONG ITS MEMBERS.

(d) The Governor’s Office of Crime Prevention, Youth, and Victim Services shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall study and develop a plan and legislative recommendations for enabling the expungement of criminal charges that are currently not eligible for expungement because of the requirements of § 10–107 of the Criminal Procedure Article.

(g) On or before January 5, [2021] 2022, the Workgroup shall report its plan and legislative recommendations to the General Assembly, in accordance with § 2–1257 of the State Government Article.

SECTION 6. AND BE IT FURTHER ENACTED, That, subject to Sections 4 and 5 of this Act, this Act shall take effect June 1, 2020. Section 3 of this Act shall remain effective for a period of [1 year] 2 YEARS and 1 month and, at the end of June 30, [2021] 2022, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

On page 2, strike in their entirety lines 21 through 23, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1250 – Delegate Malone

AN ACT concerning

Task Force to Study the Laws of Intestacy in Maryland

HB1250/282814/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1250
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “chair;” insert “specifying that, to the extent practicable, the members appointed to the Task Force reflect the racial, ethnic, cultural, and gender diversity of the State;”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“(iv) one representative of the Register of Wills Association;”;

in lines 4 and 6, strike “(iv)” and “(v)”, respectively, and substitute “(v)” and “(vi)”, respectively; and after line 10, insert:

“(3) To the extent practicable, the members appointed to the Task Force shall reflect the racial, ethnic, cultural, and gender diversity of the State.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 32

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 23 – Delegate Stein

AN ACT concerning

Personal Information – State and Local Agencies – Restrictions on Access

HB0023/322217/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 23
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 2, insert:

“(Maryland Driver Privacy Act)”;

and in line 10, after “circumstances;” insert **“prohibiting certain persons from disclosing certain information to a federal agent or a federal agency under certain circumstances;”**.

AMENDMENT NO. 2

On page 5, in line 25, after “(2)” insert **“A PERSON RECEIVING PERSONAL INFORMATION UNDER SUBSECTION (D), (E), OR (F) OF THIS SECTION MAY NOT DISCLOSE THE PERSONAL INFORMATION TO A FEDERAL AGENT OR FEDERAL AGENCY FOR THE PURPOSE OF FEDERAL IMMIGRATION ENFORCEMENT UNLESS THE PERSON IS PRESENTED WITH A VALID WARRANT ISSUED BY A FEDERAL COURT OR A COURT OF THIS STATE.**

(3)”.

On page 6, strike beginning with the colon in line 23 down through “ENFORCEMENT” in line 25 and substitute **“ENFORCING FEDERAL IMMIGRATION LAW”**.

On pages 6 and 7, strike beginning with the colon in line 33 on page 6 down through “ENFORCEMENT” in line 1 on page 7 and substitute **“ENFORCING FEDERAL IMMIGRATION LAW”**.

On page 7, in lines 5 and 6, strike “ANY STATE OR LOCAL AGENCY THAT RECEIVES A REQUEST FROM A FEDERAL AGENCY” and substitute **“THE MOTOR VEHICLE ADMINISTRATION, THE DEPARTMENT OF STATE POLICE, AND THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL, WITH RESPECT TO REQUESTS FROM FEDERAL AGENCIES”**; in line 6, strike “CIVIL OR CRIMINAL” and substitute **“FEDERAL”**; in line 8, strike “SHALL” and substitute **“, WHETHER OR NOT THE REQUEST WAS INITIATED THROUGH A STATE OR LOCAL LAW ENFORCEMENT AGENCY,”**; in line 19, strike “BY THE STATE OR LOCAL AGENCY”; in line 21, strike “A STATE OR LOCAL AGENCY” and substitute **“THE MOTOR VEHICLE ADMINISTRATION, THE DEPARTMENT OF STATE POLICE, OR THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES”**; strike beginning with “THE” in line 23 down through “AGENCY” in line 24 and substitute **“, RESPECTIVELY, THE MOTOR VEHICLE ADMINISTRATION, THE DEPARTMENT OF STATE POLICE, AND THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES”**; in line 27, after “(A)” insert **“(1)”**; in the same line, strike the comma and substitute **“THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2)”;

in the same line, strike the first “DATABASE” and substitute “DATABASE”; after line 29, insert:

“(3) (I) “LAW ENFORCEMENT AGENCY” MEANS A FEDERAL, STATE, OR LOCAL AGENCY AUTHORIZED TO ENFORCE CRIMINAL LAWS.

(II) “LAW ENFORCEMENT AGENCY” INCLUDES THE MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(III) “LAW ENFORCEMENT AGENCY” DOES NOT INCLUDE THE U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY.”;

and in line 32, after “AGENCY” insert “OR THE MARYLAND JUDICIARY”.

On page 8, in line 6, after “(III)” insert “A STATEMENT ON WHETHER THE INDIVIDUAL IS ACTING ON BEHALF OF THE MARYLAND JUDICIARY OR A LAW ENFORCEMENT AGENCY AND, IF ACTING ON BEHALF OF A LAW ENFORCEMENT AGENCY,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 28

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 90 – Delegate Lierman

AN ACT concerning

State and Local Housing Programs – Affirmatively Furthering Fair Housing

HB0090/300616/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 90
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “each year” and substitute “and every 5 years thereafter; requiring the Department and each local jurisdiction to develop and complete jointly a certain template”; in line 8, after the semicolon insert “requiring the Department to explore ways to ensure it is collaborating with and supporting nonprofit and governmental entities devoted to furthering fair housing;”; in the same line, strike “certain”; in the same line, strike the comma and substitute “and”; in line 9, strike “, and private entities”; in line 10, strike “certain”; in the same line, strike the first comma and substitute “and”; in the same line, strike “, and private entities”; in line 12, strike “requiring an assessment of fair housing to contain certain information;”; in line 17, after “element;” insert “requiring the Department of Planning, in consultation with the Department of Housing and Community Development, on request of a local jurisdiction, to provide certain assistance;”; in line 18, strike “relevant portions of”; and in line 19, after “plan” insert “, by reference.”.

AMENDMENT NO. 2

On page 3, strike beginning with “(1)” in line 2 down through “(B)” in line 10; in line 10, strike “2021” and substitute “2023”; in the same line, strike “EACH DECEMBER 1” and substitute “ON OR BEFORE DECEMBER 1 EVERY 5 YEARS”; after line 14, insert:

“(1) THE EFFORTS BY THE STATE, POLITICAL SUBDIVISIONS, AND HOUSING AUTHORITIES TO PROMOTE FAIR HOUSING CHOICE AND RACIAL AND ECONOMIC HOUSING INTEGRATION, AND THE RESULTS OF THOSE EFFORTS, DELINEATED BY COUNTY; AND

“(2) ANY ASSESSMENT OF FAIR HOUSING REQUIRED UNDER § 3-114(D)(2) OF THE LAND USE ARTICLE COMPLETED SINCE THE MOST RECENT REPORT REQUIRED UNDER THIS SUBSECTION, INCLUDING ANY ASSESSMENT OF FAIR HOUSING COMPLETED OR REVISED UNDER THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT’S MOST RECENTLY PUBLISHED AFFIRMATIVELY FURTHERING FAIR HOUSING RULE.”;

and on pages 3 and 4, strike in their entirety the lines beginning with line 15 on page 3 through line 15 on page 4, inclusive, and substitute:

“(B) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL PROVIDE AN UPDATE ON THE ACTIONS BEING TAKEN BY LOCAL JURISDICTIONS TO AFFIRMATIVELY FURTHER FAIR HOUSING.

“(C) THE DEPARTMENT SHALL WORK IN PARTNERSHIP WITH EACH LOCAL JURISDICTION TO JOINTLY DEVELOP AND COMPLETE A TEMPLATE TO CAPTURE DATA IN THE JURISDICTION RELATED TO AFFIRMATIVELY FURTHERING FAIR HOUSING.”.

AMENDMENT NO. 3

On page 5, in line 15, strike “AND”; in line 16, after “(2)” insert “SHALL EXPLORE WAYS TO ENSURE IT IS COLLABORATING WITH AND SUPPORTING NONPROFIT AND GOVERNMENTAL ENTITIES DEVOTED TO FURTHERING FAIR HOUSING; AND”

(3)”;

in line 18, strike the comma and substitute “AND”; strike beginning with the comma in line 19 down through “DEPARTMENT” in line 20; in line 22, strike the comma and substitute “AND”; in line 23, strike “, AND PRIVATE ENTITIES”; in line 24, strike “SUBSECTION (C) OF THIS SECTION” and substitute “§ 3-114(D)(2) OF THE LAND USE ARTICLE”; in line 25, strike the first comma and substitute “OR”; in the same line, strike “, OR PRIVATE ENTITY”; and strike beginning with “BEFORE” in line 26 down through “PURPOSES” in line 29 and substitute “AS PART OF THE HOUSING ELEMENT OF A COMPREHENSIVE PLAN”.

On pages 5 and 6, strike in their entirety the lines beginning with line 30 on page 5 through line 26 on page 6, inclusive.

AMENDMENT NO. 4

On page 6, in line 27, strike “(D)” and substitute “(C)”; in line 28, strike the first comma and substitute “OR”; in lines 28 and 29, strike “, OR PRIVATE ENTITY”; in line 31, strike the first comma and substitute “OR”; and in lines 31 and 32, strike “, OR PRIVATE ENTITY”.

On page 7, in line 24, strike “2022” and substitute “2023”; in lines 25 and 26, strike “, AS DESCRIBED UNDER § 2-402 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE,”; after line 27, insert:

“(3) ON REQUEST OF A LOCAL JURISDICTION, THE DEPARTMENT OF PLANNING, IN CONSULTATION WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, SHALL PROVIDE TECHNICAL ASSISTANCE FOR THE PURPOSE OF DEVELOPING THE HOUSING ELEMENT OF THE COMPREHENSIVE PLAN.”;

and in line 28, strike “(3)” and substitute “(4)”.

On page 8, in line 3, after “Development’s” insert “most recently published”; in line 4, strike “published in the Federal Register on July 16, 2015,”; in line 6, strike “relevant portions of”; and in line 7, after the comma insert “by reference”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0090/353823/1

BY: Delegate M. Fisher

AMENDMENT TO HOUSE BILL 90
(First Reading File Bill)

On page 4, in line 27, after “TO” insert “:

(I)”;

and in line 29, strike “**(I)**” and substitute “**1.**”.

On page 5, in lines 1, 3, and 5, strike “**(II)**”, “**(III)**”, and “**(IV)**”, respectively, and substitute “**2.**”, “**3.**”, and “**4.**”, respectively; and in line 6, after “LAWS” insert “;**AND**

(II) LOWER PROPERTY TAXES AND GENERAL TAX BURDENS TO MAKE HOUSING MORE AFFORDABLE FOR ALL MARYLAND RESIDENTS”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 89 (See Roll Call No. 641)

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 933 – Delegate Bartlett

AN ACT concerning

Anne Arundel County – Transfer Tax – Housing Trust Special Revenue Fund

HB0933/310112/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 933
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the second “property” insert “, subject to a certain exception”.

AMENDMENT NO. 2

On page 2, in line 11, strike “**THE**” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**”; after line 15, insert:

“(II) A WRITTEN INSTRUMENT CONVEYING TITLE TO REAL PROPERTY OR A LEASEHOLD INTEREST IN REAL PROPERTY THAT PROVIDES AFFORDABLE HOUSING FOR MODERATE- OR LOW-INCOME INDIVIDUALS IN THE COUNTY, INCLUDING THE CITY OF ANNAPOLIS, IS NOT SUBJECT TO ANY INCREASE IN THE TAX RATE IMPOSED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;

and in line 19, after “**RATE**” insert “**IN EXCESS OF 1% OF THE ACTUAL CONSIDERATION PAID OR TO BE PAID FOR THE CONVEYANCE OF TITLE**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0933/133628/1

BY: Delegate Saab

AMENDMENTS TO HOUSE BILL 933, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike in their entirety the Environment and Transportation Committee Amendments (HB0933/310112/1).

On page 1 of the bill, in line 2, before “**Anne Arundel County**” insert “**Department of Housing and Community Development – Study on Affordable Housing for Moderate- and Low-Income Individuals in**”; in the same line, strike “**- Transfer Tax – Housing Trust Special Revenue Fund**”; strike beginning with “authorizing” in line 3 down through “of” in line 13 and substitute “**requiring the Department of Housing and Community Development to study affordable housing for moderate- and low-income individuals in Anne Arundel County; requiring that the study analyze, consider, and identify certain issues and information; requiring the study to ensure that certain recommendations adhere to a certain plan; requiring the study to develop certain recommendations; requiring the Department to report its findings and recommendations, on or before a certain date, to the General Assembly; providing for the termination of this Act; and generally relating to affordable**”; and strike in their entirety lines 14 through 23, inclusive.

AMENDMENT NO. 2

On pages 1 through 3 of the bill, strike in their entirety the lines beginning with line 24 on page 1 through line 20 on page 3, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(a) The Department of Housing and Community Development shall conduct a study on affordable housing for moderate– and low–income individuals in Anne Arundel County.

(b) The study shall:

(1) analyze and identify the need for affordable housing for moderate– and low–income individuals in Anne Arundel County, including where in Anne Arundel County affordable housing is needed because it does not currently exist;

(2) once areas in need of affordable housing are identified, consider the impact of creating affordable housing with respect to watershed management, infrastructure, law enforcement, fire safety, school capacity, and other county resources;

(3) ensure that any recommendations for affordable housing adhere to the General Development Plan (Plan 2040) of Anne Arundel County;

(4) identify and recommend which income brackets consist of moderate– to low–income individuals for purposes of affordable housing; and

(5) consider the impact of cluster housing and other high–density communities that may affect the surrounding area.

(c) On or before June 30, 2022, the Department of Housing and Community Development shall, in accordance with § 2–1257 of the State Government Article, report the findings and recommendations of the study to the General Assembly.”.

On page 3, in line 22, after “2021.” insert “It shall remain effective for a period of 1 year and 6 months and, at the end of December 31, 2022, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 38 Negative – 89 (See Roll Call No. 642)

FLOOR AMENDMENT

HB0933/143122/1

BY: Delegate Chisholm

AMENDMENTS TO HOUSE BILL 933
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “individuals;” insert “prohibiting the transfer or diversion of revenues deposited in the Fund, except under certain circumstances;”.

AMENDMENT NO. 2

On page 3, in line 18, strike “**TO PROVIDE**” and substitute “**FOR THE EXCLUSIVE PURPOSE OF PROVIDING**”; and after line 20, insert:

“(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, NO PART OF THE HOUSING TRUST SPECIAL REVENUE FUND MAY BE TRANSFERRED OR DIVERTED TO THE GENERAL FUND OR A SPECIAL FUND OF THE COUNTY UNLESS APPROVED BY THE COUNTY COUNCIL THROUGH A RESOLUTION PASSED BY A THREE-FIFTHS MAJORITY VOTE OF THE COUNTY COUNCIL.

(2) FUNDS IN THE HOUSING TRUST SPECIAL REVENUE FUND MAY BE USED FOR PURPOSES OTHER THAN PROVIDING AFFORDABLE HOUSING FOR MODERATE- AND LOW-INCOME INDIVIDUALS IN THE COUNTY, INCLUDING THE CITY OF ANNAPOLIS, ONLY IF:

(I) THE GOVERNOR PROCLAIMS A STATE OF EMERGENCY IN THE COUNTY OR THE STATE; AND

(II) THE COUNTY EXECUTIVE DECLARES THAT THE USE OF THE FUNDS IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH OR SAFETY.”

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 88 (See Roll Call No. 643)

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 977 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Public Safety and Behavioral Health
Surcharges – Behavioral Health Programs**

PG 414–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 1010 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Payment in Lieu of Taxes Agreements – Low-Income Housing

PG 415–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1061 – Charles County Delegation

AN ACT concerning

Southern Maryland – Multifamily Dwelling Registration – Fees and Fines

HB1061/690210/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1061
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Multifamily**”; in the same line, after “**Registration**” insert “**and Inspection**”; in line 8, after “county;” insert “authorizing the code home rule counties of the Southern Maryland class to conduct inspections on certain properties and to impose a fine on a property owner who leases a dwelling that is in violation of certain inspection criteria;”; and in line 10, strike “multifamily”.

AMENDMENT NO. 2

On page 1, in line 22, after “(i)” insert ““DWELLING UNIT” MEANS A BUILDING OR PART OF A BUILDING THAT PROVIDES LIVING OR SLEEPING FACILITIES FOR ONE OR MORE INDIVIDUALS.”

(II) “DWELLING UNIT” INCLUDES A ONE OR TWO FAMILY DWELLING.

(4) (I)”.

On page 2, in line 14, strike “(4)” and substitute “**(5)**”.

On page 5, in line 22, after the second “A” insert “**DWELLING UNIT OR A**”; in line 24, strike “**IN THE DWELLINGS**”; in line 26, after “A” insert “**DWELLING UNIT OR A**”; in the same line, strike “**AND**”; in line 27, after “**3.**” insert “**CONDUCT INSPECTIONS OF A DWELLING UNIT OR A MULTIFAMILY DWELLING THAT IS REGISTERED WITH THE COUNTY TO ENFORCE MINIMUM PROPERTY MAINTENANCE STANDARDS; AND**

4.”;

in the same line, after “**OWNER**” insert “**UNDER THIS PARAGRAPH**”; in the same line, after “**THAT**” insert “**:**”

A.”;

in line 28, after “**DWELLING**” insert “**OR A DWELLING UNIT**”; in line 29, strike “**UNDER THIS PARAGRAPH**” and substitute “**; OR**

B. IS IN VIOLATION OF THE INSPECTION CRITERIA ESTABLISHED BY THE COUNTY”;

and in line 31, after “**OF**” insert “**DWELLING UNITS OR**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Holmes moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1207 – Delegate Bridges

AN ACT concerning

**Environment – Commission on Environmental Justice and Sustainable
Communities – Reform**

HB1207/800414/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1207
(First Reading File Bill)AMENDMENT NO. 1

On page 1, in line 11, after “State;” insert “requiring the Commission’s meetings to be reasonably accessible to all attendees, including certain persons; requiring the Department to post notice of the time and location of its meetings on its website at least a certain number of days before the meeting; prohibiting a member of the Commission from representing more than one entity or group;”; in line 12, after “State” insert “and local”; in the same line, after “laws” insert “, permits, actions,”; in line 13, after “issues;” insert “requiring the Commission to assess compliance with a certain federal law;”; in the same line, after “the” insert “Maryland Office of Minority Health and Health Disparities and the”; in line 15, strike the comma; in the same line, strike “after seeking” and substitute “to seek”; in line 16, strike “hosting” and substitute “host”; and strike beginning with the comma in line 16 down through “issues” in line 17.

AMENDMENT NO. 2

On page 2, in line 4, after “**(2)**” insert ““BUSINESS ORGANIZATION” MEANS A CORPORATION, BUSINESS TRUST, PARTNERSHIP, OR ANY OTHER FOR-PROFIT ENTITY.”

(3)”;

in line 6, strike “**(3)**” and substitute “**(4)**”; after line 8, insert:

“**(5)** “ENVIRONMENTAL ORGANIZATION” MEANS A NONPROFIT ENTITY ENGAGED IN ADVOCACY OR ACTION RELATED TO CONSERVATION, STEWARDSHIP OF NATURAL RESOURCES, OR POLLUTION REDUCTION.”;

and strike in their entirety lines 9 through 12, inclusive.

On page 3, in lines 1 and 2, strike “**ONE REPRESENTATIVE**” and substitute “**NOT FEWER THAN FOUR REPRESENTATIVES**”; in line 2, after “COMMUNITY” insert “**DISPROPORTIONATELY**”; in the same line, strike “justice **ISSUES**” and substitute “**AND PUBLIC HEALTH HAZARDS THAT REPRESENT THE GEOGRAPHIC DIVERSITY OF THE STATE**”; in lines 3, 5, and 7, in each instance, strike “**ONE REPRESENTATIVE**” and substitute “**TWO REPRESENTATIVES**”; in line 3, strike “A”; in line 4, strike “**ORGANIZATION**” and substitute “**ORGANIZATIONS**”; in line 6, strike “AN”; in the same line, strike “**ORGANIZATION**” and substitute “**ORGANIZATIONS**”; in line 7, strike “**IS A**” and substitute “**ARE**”; in line 8, strike “**EXPERT**” and substitute “**EXPERTS**”; in the same line, after the semicolon insert “**AND**”; strike in their entirety lines 9 and 10, inclusive; in

line 11, strike “6.” and substitute “5.”; strike in their entirety lines 14 through 23, inclusive; in lines 24 and 26, strike “(XI)” and “(XII)”, respectively, and substitute “(X)” and “(XI)”, respectively; in line 25, strike “AND”; and in line 27, after “LEAGUE” insert “;AND”

(XII) TWO REPRESENTATIVES OF A LABOR UNION, DESIGNATED BY THE MARYLAND STATE AND D.C. AFL-CIO.

On page 4, in line 1, after “STATE” insert “,ACCORDING TO THE MOST RECENT AVAILABLE CENSUS DATA”; strike beginning with “OR” in line 2 down through “HOUSE” in line 3; in line 19, after “PARAGRAPH” insert “,THE COMMISSION SHALL ESTABLISH ROTATING MEETING LOCATIONS IN DIFFERENT GEOGRAPHIC LOCATIONS OF THE STATE, INCLUDING”; in lines 20 and 22, in each instance, strike “SHALL BE HELD”; and after line 23, insert:

“(III) THE MEETINGS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE REASONABLY ACCESSIBLE TO ALL ATTENDEES, INCLUDING PERSONS WITH:

- 1. LIMITED ENGLISH PROFICIENCY; AND**
- 2. DISABILITIES.**

(IV) THE DEPARTMENT SHALL POST NOTICE OF THE TIME AND LOCATION OF A MEETING REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON ITS WEBSITE AT LEAST 30 DAYS BEFORE THE MEETING.”.

On page 5, after line 2, insert:

“(4) A MEMBER OF THE COMMISSION MAY NOT REPRESENT MORE THAN ONE ENTITY OR GROUP.”;

in line 7, after “State” insert “AND LOCAL”; in the same line, after “laws” insert “,PERMITS, ACTIONS,”; in line 8, after “communities” insert “,INCLUDING CUMULATIVE IMPACTS, EFFECTS, AND EXPOSURE”; in line 10, after “communities” insert “,INCLUDING ASSESSING COMPLIANCE WITH TITLE VI OF THE FEDERAL CIVIL RIGHTS ACT OF 1964”; in line 12, after “Council” insert “,THE MARYLAND OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES,”; in line 15, strike “AFTER SEEKING” and substitute “SEEK”; in the same line, strike “HOSTING” and substitute “HOST”; in line 16, after “COMMUNITIES” insert “DISPROPORTIONATELY”; in the same line, strike “JUSTICE ISSUES” and substitute “AND PUBLIC HEALTH HAZARDS”; and strike beginning with the comma in line 16 down through “ISSUES” in line 18.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1239 – Delegate Lierman

AN ACT concerning

**Department of Housing and Community Development – Appraisal Gap From
Historic Redlining Financial Assistance Program – Establishment**

HB1239/920616/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1239
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 16 down through “bill;” in line 17; in line 22, after “year;” insert “requiring the Department to make a certain report to certain committees on or before a certain date each year;”; and in the same line, after “regulations;” insert “requiring the Department to perform a certain study and submit a report on the study by a certain date;”.

AMENDMENT NO. 2

On page 2, after line 21, insert:

“(I) ACQUISITION COSTS;”;

and in lines 22, 23, 24, 25, 26, 27, and 28, strike “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively, and substitute “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively.

On page 3, in lines 1, 2, 3, 4, 5, 6, and 7, strike “(VIII)”, “(IX)”, “(X)”, “(XI)”, “(XII)”, “(XIII)”, and “(XIX)”, respectively, and substitute “(IX)”, “(X)”, “(XI)”, “(XII)”, “(XIII)”, “(XIV)”, and “(XV)”, respectively; in line 9, after “LOANS;” insert “OR”; and strike beginning with “FORGIVABLE” in line 10 down through “(3)” in line 11.

On page 6, after line 10, insert:

“(F) ON OR BEFORE MARCH 1 EACH YEAR, THE DEPARTMENT SHALL SUBMIT A REPORT, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE,

TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE COMMITTEE ON WAYS AND MEANS ON THE NUMBER OF FUNDS DEPLOYED TO CENSUS TRACTS WITH A MAJORITY RACIAL MINORITY POPULATION.”.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 31 and 32.

On page 6, in line 1, strike “(3)” and substitute “(2)”.

AMENDMENT NO. 4

On page 4, in line 17, strike “BE EQUAL TO” and substitute “NOT EXCEED 35% OF”; and in line 18, strike “35% OF THE APPRAISAL GAP” and substitute “THE TOTAL COST OF ELIGIBLE CONSTRUCTION EXPENSES”.

On page 5, strike beginning with the colon in line 6 down through “(2)” in line 8.

AMENDMENT NO. 5

On page 6, after line 16, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, for the purpose of determining whether there has been discrimination on the basis of race in community investments, real estate financing, or real estate appraisals, the Department of Housing and Community Development shall:

(1) conduct a study, aggregated by race, zip codes, and census tracts, of housing values, appraisals, and refinancing rates across the State over the past 30 years, including the impact of State and federal policies, such as infrastructure (road, park, and water and sewer) and other investments, on those communities; and

(2) on or before June 30, 2022, report its findings to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.”;

and in line 17, strike “2.” and substitute “3.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 1285 – Howard County Delegation

AN ACT concerning

Howard County – Fee for Rental Housing Services – Established

Ho. Co. 15–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 23**

Senate Bill 303 – Senators Patterson, Carozza, Ellis, and Lam

AN ACT concerning

General Provisions – Commemorative Days – Tuskegee Airmen Commemoration Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Tuskegee Airmen Commemoration Day; requiring the proclamation to urge certain organizations to observe Tuskegee Airmen Commemoration Day through appropriate and informative programs and activities; and generally relating to Tuskegee Airmen Commemoration Day.

BY renumbering

Article – General Provisions
Section 7–402 through 7–417, respectively
to be Section 7–403 through 7–418, respectively
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – General Provisions
Section 7–402
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 623 – Senator Lee

SECOND PRINTING

AN ACT concerning

Criminal Law – Crimes Involving Computers

FOR the purpose of prohibiting a person from committing a certain prohibited act with the intent to interrupt or impair the functioning of a certain health care facility or a certain public school; prohibiting a person from knowingly possessing certain ransomware with the intent to use the ransomware for a certain purpose; creating a certain exception; altering and establishing certain penalties; authorizing a victim of a certain offense to bring a civil action for damages against a certain person; providing for the recovery of certain attorney's fees and court costs in an action brought under this Act; establishing that a certain criminal conviction is not a prerequisite for maintenance of an action under this Act; providing for the application of this Act; defining a certain term; and generally relating to crimes involving computers.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 7–302
Annotated Code of Maryland
(2012 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 705 – Senators Beidle, Feldman, and Hershey

AN ACT concerning

State Airports – Commercial Activity – Rental Vehicles and Peer-to-Peer Car Sharing

FOR the purpose of establishing certain standards and requirements governing the provision of services and the granting of privileges by the Maryland Aviation Administration with respect to commercial activity undertaken by rental vehicle companies and peer-to-peer car sharing programs at State airports; altering the defined term “commercial activity” as it relates to State airports to include certain activities performed by rental vehicle companies and peer-to-peer car sharing programs; establishing that the Administration's authority over commercial activity at a certain airport extends to a commercial zone within a certain radius of the main terminal; requiring the Administration to establish the rules and requirements for the conduct of airport-related commercial activity within a certain commercial zone; making a certain stylistic change; and generally relating to commercial activity by rental vehicle companies and peer-to-peer car sharing programs at State airports.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 19–520(a)(1), (8), and (9)
Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – Transportation
 Section 5–408
 Annotated Code of Maryland
 (2020 Replacement Volume)

BY repealing and reenacting, without amendments,
 Article – Transportation
 Section 18–108(a) and 18.5–106
 Annotated Code of Maryland
 (2020 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters and the Committee on Environment and Transportation.

Senate Bill 836 – Senators Beidle and Elfreth

AN ACT concerning

~~State Board of Dental Examiners – Disciplinary Action – Disclosure Requirements and Licensee Profiles~~ Disciplinary Process and Actions Task Force

FOR the purpose of ~~requiring the State Board of Dental Examiners to disclose certain information contained in a certain record to certain committees of certain facilities and entities under certain circumstances; requiring the Board to notify certain facilities or entities of certain complaints under certain circumstances; requiring the Board to notify certain facilities and entities of certain action taken by the Board within a certain period of time and to provide certain facilities or entities with certain reports within a certain period of time; requiring the Board to provide certain information to a person who has made a complaint on request; requiring the Board to disclose a certain filing or notice on the Board’s website following the filing of certain charges or notice of certain denial of a license application; authorizing the Board to disclose any information in a certain record to a licensing or disciplinary authority of another state under certain circumstances; authorizing the Board to disclose any information as authorized by a certain licensee to certain persons under certain circumstances; authorizing the Board to disclose certain information to certain government entities under certain circumstances; requiring the Board to disclose certain information to a law enforcement or prosecutorial official under certain circumstances; authorizing the Board to allow certain inspection of records by a person who is engaged in a research project under certain circumstances; requiring the Board to provide a certain portion of a transcript to a certain person who provided certain testimony; authorizing the Board to publish a certain summary of allegations; prohibiting a certain summary from identifying certain persons; requiring the Board to disclose certain information in a record to the Governor, the~~

~~Secretary of Health, or the Legislative Auditor for purposes of a certain audit and prohibiting the disclosure of personally identifiable information by certain individuals; requiring the Board to create and maintain certain profiles on licensees that include certain information; requiring the Board to include a certain statement on each licensee's profile; requiring the Board to forward certain written copies of certain profiles, under certain circumstances, and maintain a certain website for certain profiles; requiring the Board to provide a certain mechanism for making certain corrections to a profile; requiring the Board to include certain disciplinary information in a certain profile within a certain period of time; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to disciplinary action, disclosure requirements, licensee profiles, and the State Board of Dental Examiners~~ establishing the State Board of Dental Examiners Disciplinary Process and Actions Task Force; providing for the composition and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; and generally relating to the State Board of Dental Examiners Disciplinary Process and Actions Task Force.

~~BY adding to
 Article — Health Occupations
 Section 4-322 and 4-323
 Annotated Code of Maryland
 (2014 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Health and Government Operations.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 17
 CONSENT NO. 49**

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably on all of the following bills:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 790	FAV	Del. P. Young	Prermnt – Ofc of Sml, Mnrty, & Wmn Bsns Affairs – Sml Bsns Reserve Prgrm & Veteran-Ownd Sml Bsns Entrprs Prgrm

BILL NO.	REPORT	SPONSOR	CONTENT
HB 872	FAV	Del. Charles (Jointly Considered HGO/APP)	Sheila E. Hixson Behavioral Health Services Matching Grant Program for Service Members and Veterans – Establishment

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 29

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 532 – Allegany County Delegation

AN ACT concerning

Allegany County – Video Lottery Terminals – Distribution of Proceeds

HB0532/895864/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 532

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Allegany County**” and substitute “**Gaming**”; in the same line, after “**Terminals –**” insert “**Payout Percentages and**”; in line 3, after the first “of” insert “**altering certain minimum payout percentages of certain video lottery terminals; requiring the Comptroller to pay a certain amount of video lottery terminal proceeds as local impact grants to Anne Arundel County or Baltimore City under certain circumstances; requiring that certain local impact grants received by Anne Arundel County or Baltimore City be used in a certain manner;**”; strike beginning with “a” in line 3 down through “facility;” in line 5 and substitute “**certain facilities in certain counties; repealing a certain limitation on the holder of a video lottery operation license for Worcester County or certain other persons to build or convert certain lodging facilities on or within a certain distance of the facility;**”; in line 5, after “to” insert “**video lottery terminal payout percentages and**”; in line 6, strike “at a facility in Allegany County”; in line 9, strike “9-1A-01(u)(3)(ii), 9-1A-26(a)(3), and 9-1A-27(b) and (c)” and substitute “**9-1A-22, 9-1A-26, 9-1A-27(a) and**

(b), 9-1A-31(a)(7), and 9-1A-36(h)(3)”; and in line 14, strike “9-1A-27(a)(7)(iii)” and substitute “9-1A-27(c) and 9-1A-31(a)(1) through (3)”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with line 20 on page 1 through line 1 on page 2, inclusive, and substitute:

“9-1A-22.

(a) Except as provided in subsections (b) and (c) of this section, a video lottery terminal shall have an average payout percentage of at least [87%] 85%.

(b) The Commission may by regulation establish an average payout percentage of more than [90%] 88% but not more than 95% for video lottery operation licensees.

(c) The Commission may approve an average payout percentage of more than 95% for the video lottery terminals at a video lottery facility.”.

On page 2, after line 2, insert:

“(a) (1) Except as provided in paragraphs (2) and (3) of this subsection, all proceeds from the operation of video lottery terminals and table games shall be electronically transferred daily into the State Lottery Fund established under Subtitle 1 of this title and distributed as provided under § 9-1A-27 of this subtitle.

(2) The requirement under paragraph (1) of this subsection does not apply on a day when State government is closed.”;

in line 3, strike “(a)”; in line 5, strike the brackets; in the same line, strike “(2)(II)”; after line 5, insert:

“(b) (1) The Commission shall account to the Comptroller for all of the revenue under this subtitle.

(2) The proceeds from video lottery terminals and table games shall be under the control of the Comptroller and, except as provided in [subsection] SUBSECTIONS (c) AND (D) of this section, shall be distributed as provided under § 9-1A-27 of this subtitle.

(c) A jackpot won at a video lottery terminal that is not claimed by the winner within 182 days after the jackpot is won shall:

(1) become the property of the State; and

(2) be distributed as follows:

(i) 2.5% to the Small, Minority, and Women-Owned Businesses

Account established under § 5–1501 of the Economic Development Article;

(ii) 9.5% in local impact grants, in accordance with § 9–1A–31 of this subtitle;

(iii) 10% to the Purse Dedication Account established under § 9–1A–28 of this subtitle;

(iv) 1.5% to the Racetrack Facility Renewal Account established under § 9–1A–29 of this subtitle; and

(v) the remainder to the Education Trust Fund established under § 9–1A–30 of this subtitle.

(D) (1) IF THE AMOUNT OF THE LOCAL IMPACT GRANTS DISTRIBUTED TO ANNE ARUNDEL COUNTY OR BALTIMORE CITY UNDER § 9–1A–31(A)(3)(I) AND (7) OF THIS SUBTITLE IS LESS THAN THE AMOUNT OF LOCAL IMPACT GRANTS RECEIVED BY ANNE ARUNDEL COUNTY OR BALTIMORE CITY IN FISCAL YEAR 2016, THE COMPTROLLER SHALL PAY THE DIFFERENCE TO ANNE ARUNDEL COUNTY OR BALTIMORE CITY FROM THE PROCEEDS OF VIDEO LOTTERY TERMINALS.

(2) LOCAL IMPACT GRANTS RECEIVED BY ANNE ARUNDEL COUNTY OR BALTIMORE CITY UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE USED AS REQUIRED UNDER § 9–1A–31 OF THIS SUBTITLE.

[(d)] (E) The admissions and amusement tax may not be imposed on any proceeds from the operation of video lottery terminals and table games.

[(e)] (F) The Commission shall adopt regulations that allow a video lottery operation licensee to reduce the amount of proceeds when a video lottery operation licensee returns to successful players more than the amount of money bet through video lottery terminals or table games on a given day that are consistent with § 9–1A–01(u) of this subtitle.”;

in line 8, before “of” insert “**AND (D)**”; after line 10, insert:

“(1) (i) on or before March 31, 2015, 2% to the State Lottery and Gaming Control Agency for costs as defined in § 9–1A–01 of this subtitle; and

(ii) beginning April 1, 2015, 1% to the State Lottery and Gaming Control Agency for costs as defined in § 9–1A–01 of this subtitle;

(2) to the video lottery operation licensee, the percentage stated in the accepted application for the location, not to exceed, except as provided in subsection (b) of this section, 33%;

(3) 5.5% in local impact grants, in accordance with § 9-1A-31 of this subtitle;

(4) 6% to the Purse Dedication Account established under § 9-1A-28 of this subtitle, not to exceed a total of \$100,000,000 to the Account annually;

(5) (i) until the issuance of a video lottery operation license in Baltimore City, 1.75% to the Racetrack Facility Renewal Account established under § 9-1A-29 of this subtitle and distributed in accordance with that section; and

(ii) on or after the issuance of a video lottery operation license in Baltimore City, 1% to the Racetrack Facility Renewal Account established under § 9-1A-29 of this subtitle and distributed in accordance with that section, not to exceed a total of \$20,000,000 to the Account annually;

(6) (i) except as provided in items (ii) and (iii) of this item, 1.5% to the Small, Minority, and Women-Owned Businesses Account established under § 5-1501 of the Economic Development Article;

(ii) for fiscal year 2018, 1.5% to the General Fund to pay a portion of the costs of the grants provided under Chapters 6 and 607 of the Acts of the General Assembly of 2017;

(iii) for fiscal years 2019 and 2020, 1.5% to the Education Trust Fund established under § 9-1A-30 of this subtitle; and

(iv) beginning in fiscal year 2021, from the amount paid to the Small, Minority, and Women-Owned Businesses Account under item (i) of this item, up to 5%, not to exceed \$1,000,000, to the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account established under § 5-1204 of the Economic Development Article;

(7) (i) except as provided in items (ii) and (iii) of this item, 6% to the video lottery operation licensee if the video lottery operation licensee owns or leases each video lottery terminal device and the associated equipment and software;

(ii) **BEFORE JANUARY 1, 2023**, 8% to the video lottery operation licensee in Anne Arundel County; and”;

in line 11, strike “(7)”; after line 14, insert:

“(8) beginning after the issuance of a video lottery operation license for a video lottery facility in Prince George’s County, 8% to the video lottery operation licensee in Anne Arundel County and 7% to the licensee in Baltimore City for:

(i) marketing, advertising, and promotional costs required under § 9-1A-23 of this subtitle; and

(ii) capital improvements at the video lottery facilities; and

(9) the remainder to the Education Trust Fund established under § 9–1A–30 of this subtitle.”;

in lines 20 and 26, in each instance, strike the bracket; strike beginning with the colon in line 21 down through “(i)” in line 22; in line 22, strike “43%” and substitute “48%”; strike beginning with the semicolon in line 24 down through “2%” in line 25; and after line 28, insert:

“(4) BEGINNING JANUARY 1, 2023, FOR A VIDEO LOTTERY FACILITY IN CECIL COUNTY, THE PERCENTAGE IN SUBSECTION (A)(2) OF THIS SECTION IS EQUAL TO 36% PROVIDED THAT EACH YEAR AN AMOUNT EQUIVALENT TO 3% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY IS SPENT ON:

(I) MARKETING, ADVERTISING, AND PROMOTIONAL COSTS REQUIRED UNDER § 9–1A–23 OF THIS SUBTITLE; AND

(II) CAPITAL IMPROVEMENTS AT THE VIDEO LOTTERY FACILITY.

(5) BEGINNING JANUARY 1, 2023, FOR A VIDEO LOTTERY FACILITY IN BALTIMORE CITY, THE PERCENTAGE IN SUBSECTION (A)(2) OF THIS SECTION IS EQUAL TO 34% PROVIDED THAT EACH YEAR AN AMOUNT EQUIVALENT TO 1% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY IS SPENT ON:

(I) MARKETING, ADVERTISING, AND PROMOTIONAL COSTS REQUIRED UNDER § 9–1A–23 OF THIS SUBTITLE; AND

(II) CAPITAL IMPROVEMENTS AT THE VIDEO LOTTERY FACILITY.”.

On page 3, in lines 18 and 19, in each instance, strike the bracket.

On pages 3 and 4, strike beginning with “ON” in line 19 on page 3 down through “SUBTITLE.” in line 1 on page 4 and substitute:

“9–1A–31.

(a) (1) Except as provided in paragraph (8) of this subsection, the local impact

grants provided under § 9-1A-27 of this subtitle shall be distributed as provided in this subsection.

(2) The following amounts shall be distributed to the following jurisdictions:

- (i) Allegany County – \$200,000;
- (ii) Cecil County – \$130,000;
- (iii) Town of Forest Heights – \$120,000;
- (iv) Town of Perryville – \$70,000; and
- (v) Worcester County – \$200,000.

(3) The remaining funds for local impact grants shall be distributed in the following manner:

(i) 82% to the local jurisdictions with video lottery facilities, based on each jurisdiction's percentage of overall gross revenues from video lottery terminals; and

(ii) except as provided in paragraph (4) of this subsection, for operations at a video lottery facility starting in fiscal year 2012 and ending in fiscal year 2032, 18% to Baltimore City with the Pimlico Community Development Authority acting as the local development council in accordance with subsection (d) of this section, to be distributed primarily for capital projects benefiting economic and community development in the following manner:

1. at least 75% in a manner that is consistent with the Park Heights Master Plan; and

2. the remainder dedicated to the needs of:

A. any census blockgroup that Baltimore City identifies as being located partly or entirely within 1 mile of Pimlico Race Course but not within the boundaries of the Park Heights Master Plan in a manner that is consistent with adopted neighborhood priorities;

B. any neighborhood included in the Northwest Community Planning Forum Strategic Neighborhood Action Plan in a manner that is consistent with the adopted Northwest Community Planning Forum Strategic Neighborhood Action Plan priorities; and

C. beginning after a video lottery operation license is issued to a video lottery facility in Baltimore City, any neighborhood within an area bounded by Liberty Heights Avenue, Northern Parkway, Druid Park Drive, and Wabash Avenue in a

manner that is consistent with adopted neighborhood priorities.

(7) (i) The distribution under paragraph (3)(i) of this subsection to Anne Arundel County, Baltimore City, and Prince George’s County equals the sum of the amounts to be distributed to Anne Arundel County, Baltimore City, and Prince George’s County divided by three.

(ii) 1. Notwithstanding subparagraph (i) of this paragraph, the amount distributed to Anne Arundel County and Baltimore City under paragraph (3)(i) of this subsection may not be less than the amount received in the fiscal year before the video lottery operation license for a video lottery facility in Prince George’s County was issued.

2. ANY AMOUNT DISTRIBUTED TO ANNE ARUNDEL COUNTY OR BALTIMORE CITY AS REQUIRED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE PAID FROM THE PROCEEDS OF VIDEO LOTTERY TERMINALS AS REQUIRED UNDER § 9-1A-26(D) OF THIS SUBTITLE.

9-1A-36.

(h) (3) (i) With respect to a video lottery operation license awarded to a location under paragraph (1)(iv) of this subsection, the holder of the video lottery operation license or any other person with a direct or indirect legal or financial interest in the Ocean Downs racetrack or video lottery facility may not[:

1. build any type of hotel, motel, or other public lodging accommodation on or within 10 miles of the property owned by the holder of the license on which a video lottery facility is operated;

2. convert an existing facility on or within 10 miles of the property described in item 1 of this subparagraph into any type of hotel, motel, or other public lodging accommodation; or

3.] build or operate a conference center or convention center, amusement park, amusement rides, arcade, or miniature golf course on or within 10 miles of the property [described in item 1 of this subparagraph] OWNED BY THE HOLDER OF THE LICENSE ON WHICH A VIDEO LOTTERY FACILITY IS OPERATED.

(ii) The prohibitions under subparagraph (i) of this paragraph apply to any subsequent holder of a video lottery operation license awarded under paragraph (1)(iv) of this subsection.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 753 – Delegate Ebersole

AN ACT concerning

**Education – Student–Organized Peaceful Demonstrations – Student Discipline
and Policy**

HB0753/505961/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 753

(First Reading File Bill)

On page 2, strike beginning with the colon in line 4 down through “**CREATE**” in line 5 and substitute “**CREATE**”; and strike beginning with the semicolon in line 6 down through “**ACT**” in line 7.

On page 3, in lines 1 and 2, strike “**AT LEAST 48 HOURS**” and substitute “**WITHIN A REASONABLE AMOUNT OF TIME**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

APPROPRIATIONS COMMITTEE REPORT NO. 13

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1091 – Delegate Reznik

AN ACT concerning

Emergency and Expedited Procurements – Reform

HB1091/433024/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1091
(First Reading File Bill)AMENDMENT NO. 1

On page 1, in line 2, before “Emergency” insert “State Procurement –”; and in the same line, strike “Reform” and substitute “Revisions and Reporting”.

On pages 1 and 2, strike beginning with “altering” in line 3 on page 1 down through “regulations” in line 8 on page 2 and substitute “requiring the Special Secretary for the Governor’s Office of Small, Minority, and Women Business Affairs, in consultation with the Secretary of Transportation and the Attorney General, to establish certain guidelines; requiring a unit’s procurement officer to obtain approval from the Chief Procurement Officer or the Chief Procurement Officer’s designee before making an emergency procurement under certain circumstances; requiring the Chief Procurement Officer or designee to approve or disapprove a certain request within a certain time frame after receiving the request; providing that if the Chief Procurement Officer or designee does not approve or disapprove a certain request within a certain time frame, the request shall be considered to be approved; altering the time frame within which a procurement officer must submit a certain report to the Board of Public Works; specifying when a unit is required to publish notice of a certain emergency procurement in eMaryland Marketplace; requiring a unit that awards a certain contract or contract modification as an emergency procurement to submit a certain report to the Board and a certain appropriate control agency within a certain period of time; specifying the contents of a certain report; authorizing the Board to adopt certain regulations; authorizing certain units of State government to make a procurement on an expedited basis under certain circumstances; requiring a primary procurement unit to submit a certain report to the Chief Procurement Officer instead of the Governor and the General Assembly; clarifying the types of procurement contracts that must be included in a certain report; requiring a certain report to include certain information on certain types of procurements; requiring the Chief Procurement Officer, within a certain number of days after the end of each fiscal year, to submit to the Governor and certain committees of the General Assembly a consolidated report that includes each report submitted to the Chief Procurement Officer by the primary procurement units as required under this Act; requiring that a report submitted to a committee of the General Assembly under this Act be submitted subject to a certain provision of law; requiring the Special Secretary for the Governor’s Office of Small, Minority, and Women Business Affairs to report to certain committees of the General Assembly on or before a certain date; providing for the application of certain provisions of this Act; providing for the effective dates of this Act”.

On page 2, after line 14, insert:

“BY repealing and reenacting, with amendments,
Article – State Finance and Procurement

Section 13–108
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)
(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 2, in line 19, strike “A”; and in line 32, strike “DUE TO UNFORESEEN CAUSES”.

On pages 2 and 3, strike beginning with “(I)” in line 33 on page 2 down through “(3)” in line 8 on page 3.

On page 3, strike beginning with the comma in line 9 down through “QUOTES” in line 11; in line 14, strike the brackets; strike in their entirety lines 15 through 27, inclusive; in line 28, strike the brackets; in the same line, strike “(V) NOT MORE THAN 15 DAYS”; and in line 29, strike the brackets.

On pages 3 through 5, strike beginning with “IN” in line 30 on page 3 down through “AWARD.” in line 27 on page 5, inclusive, and substitute a period.

On page 6, in lines 12 and 13, in each instance, strike the bracket; strike beginning with “A” in line 13 down through “OFFICER” in line 14; in line 23, strike the second set of brackets; strike beginning with “EXCEPT” in line 23 down through “NOT” in line 24; after line 29, insert:

“(H) THE SPECIAL SECRETARY FOR THE GOVERNOR’S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, IN CONSULTATION WITH THE SECRETARY OF TRANSPORTATION AND THE ATTORNEY GENERAL, SHALL ESTABLISH GUIDELINES FOR EACH UNIT TO CONSIDER WHEN DETERMINING THE APPROPRIATE MINORITY BUSINESS ENTERPRISE PARTICIPATION PERCENTAGE GOAL AND OUTREACH FOR AN EMERGENCY PROCUREMENT CONTRACT.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

13–108.

(a) In this section, “emergency” means an occurrence or condition that creates an immediate and serious need for services, materials, or supplies that:

- (1) cannot be met through normal procurement methods; and
- (2) are required to avoid or mitigate serious damage to public health, safety, or welfare.

(b) (1) Except as provided in § 11–205 (“Collusion”), § 10–204 (“Approval for designated contracts”), § 13–219 (“Required clauses – Nondiscrimination clause”), § 13–221 (“Disclosures to Secretary of State”), Title 16 (“Suspension and Debarment of Contractors”), or Title 17 (“Special Provisions – State and Local Subdivisions”) of this article, with the approval of the head of a unit, its procurement officer may make an emergency procurement by any method that the procurement officer considers most appropriate to avoid or mitigate serious damage to public health, safety, or welfare.

(2) (I) EXCEPT WHEN DELAYING A PROCUREMENT BY UP TO 48 HOURS WOULD LIKELY RESULT IN IMMINENT HARM, AFTER OBTAINING THE APPROVAL OF THE HEAD OF THE UNIT AND BEFORE MAKING AN EMERGENCY PROCUREMENT, THE PROCUREMENT OFFICER SHALL OBTAIN APPROVAL OF THE USE OF EMERGENCY PROCUREMENT PROCEDURES FROM THE CHIEF PROCUREMENT OFFICER, OR THE CHIEF PROCUREMENT OFFICER’S DESIGNEE.

(II) WITHIN 48 HOURS AFTER RECEIVING A REQUEST TO USE EMERGENCY PROCUREMENT PROCEDURES, THE CHIEF PROCUREMENT OFFICER OR DESIGNEE SHALL APPROVE OR DISAPPROVE THE REQUEST.

(III) IF THE CHIEF PROCUREMENT OFFICER OR DESIGNEE DOES NOT APPROVE OR DISAPPROVE THE REQUEST TO USE EMERGENCY PROCUREMENT PROCEDURES WITHIN 48 HOURS AFTER RECEIVING THE REQUEST, THE REQUEST SHALL BE CONSIDERED TO BE APPROVED.

(3) The procurement officer shall:

(i) obtain as much competition as possible under the circumstances;

(ii) limit the emergency procurement to the procurement of only those items, both in type and quantity, necessary to avoid or to mitigate serious damage to public health, safety, or welfare; and

(iii) NOT MORE THAN 15 DAYS after awarding the procurement contract, submit to the Board a written report that gives the justification for use of the emergency procurement procedure.

(4) NOTWITHSTANDING SUBSECTION (E) OF THIS SECTION, ON THE DAY OF THE EXECUTION AND APPROVAL OF A PROCUREMENT CONTRACT AWARDED UNDER THIS SUBSECTION, OR AS SOON AS PRACTICABLE THEREAFTER, A UNIT SHALL PUBLISH IN eMARYLAND MARKETPLACE NOTICE OF THE AWARD.

(5) (I) THIS PARAGRAPH APPLIES ONLY TO THE AWARD OF A CONTRACT OR A CONTRACT MODIFICATION MADE UNDER THIS SUBSECTION THAT, WITH PRIOR MODIFICATIONS, EXCEEDS \$50,000.

(II) WITHIN 15 DAYS AFTER AWARDING A CONTRACT OR A CONTRACT MODIFICATION, A UNIT SHALL SUBMIT TO THE BOARD AND THE APPROPRIATE CONTROL AGENCY A REPORT THAT INCLUDES:

1. THE BASIS AND JUSTIFICATION FOR THE EMERGENCY PROCUREMENT INCLUDING THE DATE THE EMERGENCY FIRST BECAME KNOWN;

2. A LISTING OF SUPPLIES, SERVICES, MAINTENANCE, COMMODITIES, CONSTRUCTION, OR CONSTRUCTION-RELATED SERVICES PROCURED;

3. THE NAMES OF ALL PERSONS SOLICITED AND A JUSTIFICATION IF THE SOLICITATION WAS LIMITED TO ONE PERSON;

4. THE PRICES AND TIMES OF PERFORMANCE PROPOSED BY THE PERSONS RESPONDING TO THE SOLICITATION;

5. THE NAME OF AND BASIS FOR THE SELECTION OF A PARTICULAR CONTRACTOR;

6. THE AMOUNT AND TYPE OF THE CONTRACT OR CONTRACT MODIFICATION;

7. A LISTING OF ANY PRIOR OR RELATED EMERGENCY CONTRACTS, INCLUDING ALL CONTRACT MODIFICATIONS, EXECUTED FOR THE PURPOSES OF AVOIDING OR MITIGATING THE PARTICULAR EMERGENCY, INCLUDING THE AGGREGATE COSTS; AND

8. THE IDENTIFICATION NUMBER, IF ANY, OF THE CONTRACT FILE.

(III) THE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THIS PARAGRAPH.

(c) (1) Consistent with the requirements of subsection (b)(1) of this section, the State Highway Administration may enter into procurement contracts related to the pretreatment and removal of snow and ice as required or authorized under Title 8 of the Transportation Article.

(2) (i) Beginning on June 30, 2016, and no later than June 30 of each succeeding year, the State Highway Administration shall submit to the Board a written report on the operation and effectiveness of the procurement contracts entered into under this subsection during the previous year.

(ii) The report shall include:

1. the number of contracts awarded;
2. the total dollar value of the contracts awarded; and
3. the amount of contracting dollars expended with minority business enterprises, certified small businesses, and certified veteran-owned businesses, as defined under Title 14 of this article.

(3) The Board, in consultation with the State Highway Administration, may adopt regulations to carry out the requirements of this subsection.

(d) (1) Except as provided in § 11–205 (“Collusion”), § 10–204 (“Approval for designated contracts”), § 13–219 (“Required clauses – Nondiscrimination clause”), § 13–221 (“Disclosures to Secretary of State”), Title 16 (“Suspension and Debarment of Contractors”), or Title 17 (“Special Provisions – State and Local Subdivisions”) of this article, with the approval of the head of the unit and the Board, [the Maryland Port Commission or the Maryland Aviation Administration] A UNIT’S PROCUREMENT OFFICER may make a procurement on an expedited basis if the head of the unit and the Board find that:

- (i) urgent circumstances require prompt action;
- (ii) an expedited procurement best serves the public interest; and
- (iii) the need for the expedited procurement outweighs the benefits of making the procurement on the basis of competitive sealed bids or competitive sealed proposals.

(2) The procurement officer shall attempt to obtain as much competition as reasonably possible.

(e) [Not] EXCEPT AS PROVIDED IN SUBSECTION (B)(4) OF THIS SECTION, NOT more than 30 days after the execution and approval of a procurement contract awarded under this section, a unit shall publish in eMaryland Marketplace notice of the award.

(f) For real property leases procured under this section, the term of the lease shall be for the minimum period of time practicable.

(g) The Board may adopt regulations to carry out this section.

(h) The Special Secretary for the Governor’s Office of Small, Minority, and Women Business Affairs, in consultation with the Secretary of Transportation and the Attorney General, shall establish guidelines for each unit to consider when determining the

appropriate minority business enterprise participation percentage goal and outreach for an emergency procurement contract.”;

in line 31, strike the brackets; and in the same line, strike “**60**”.

AMENDMENT NO. 3

On page 8, in line 16, strike “Budget and Management” and substitute “GENERAL SERVICES”; and strike in their entirety lines 22 and 23 and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2021, the Special Secretary for the Governor’s Office of Small, Minority, and Women Business Affairs shall report to the Legislative Policy Committee, the Senate Budget and Taxation Committee, and the House Appropriations Committee, in accordance with § 2–1257 of the State Government Article, on the status of establishing the guidelines for minority business enterprise participation goals required under Section 1 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2021.

SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect July 1, 2021.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1091/994764/1

BY: Delegate Reznik

AMENDMENT TO HOUSE BILL 1091, AS AMENDED (First Reading File Bill)

On page 6 of the bill, in line 31, after “Within” insert “**60**”; and in the same line, strike “90”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 855 – Delegate Hartman

AN ACT concerning

**Criminal Law – Life-Threatening Injury Involving a Motor Vehicle or Vessel
– Criminal Negligence
(Wade’s Law)**

HB0855/372514/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 855
(First Reading File Bill)

On page 2, in line 16, strike “18 MONTHS” and substitute “1 YEAR”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 18

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 448 – Delegate Harrison

AN ACT concerning

**State Government – Legal and Employee Holiday – Juneteenth National
Freedom Day**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 527 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County Human Relations Commission – Equal Treatment

HB0527/306184/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 527

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “people;” insert “requiring the Commission to maintain a certain list in a certain manner;”.

AMENDMENT NO. 2

On page 2, in line 4, strike “and”; and in line 8, after “accommodations” insert “;**AND**”

(3) MAINTAIN A LIST ON A PUBLICLY ACCESSIBLE WEBSITE OF PROTECTED CLASSES OF PEOPLE IN FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS RELATED TO HOUSING, EMPLOYMENT, AND PUBLIC ACCOMMODATIONS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 990 – Delegate Krebs

AN ACT concerning

Maryland Department of Emergency Management – Establishment and Transfer of Maryland 9–1–1 Board

HB0990/826681/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 990

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, after “Agency” insert “or the Department of Public Safety and Correctional Services”.

AMENDMENT NO. 2

On page 24, in line 12, after “Agency” insert “or the Department of Public Safety and Correctional Services”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1214 – Delegate Wilson

AN ACT concerning

Procurement – Transparency and Application to County Contracts**HB1214/286084/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1214

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “requiring the Secretary of General Services to review and evaluate certain contracts in accordance with certain requirements; requiring the Secretary to report annually to certain committees of the General Assembly; requiring the Secretary to adopt certain regulations;”.

On page 2, in line 2, after “Section” insert “4-204(f).”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“4-204.

(f) (1) On or before December 1 of each year, the Secretary shall send a report to the Governor on the activities of the Department during the previous fiscal year.

(2) (I) THE SECRETARY SHALL REVIEW AND EVALUATE ALL CONTRACTS THAT WERE EXECUTED IN THE PRIOR YEAR USING STATE FUNDS OR CONTRACTS FOR THE BENEFIT OF THE STATE, A UNIT OF THE STATE, OR STATE OFFICIALS OR EMPLOYEES.

(II) FOR EACH REVIEWED CONTRACT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE EVALUATION SHALL EXAMINE:

1. CHANGES IN FINAL COST COMPARED TO THE BID OR OFFER PRICE;

2. HOW CLOSELY THE COMPLETED CONTRACT MET THE CRITERIA LISTED IN THE REQUEST FOR PROPOSALS OR INVITATION FOR BIDS; AND

3. WHETHER PROPER PROCUREMENT PROCEDURES WERE FOLLOWED TO SOLICIT AND AWARD THE CONTRACT.

(III) ON OR BEFORE JULY 1 EACH YEAR, THE SECRETARY SHALL REPORT ON THE CONTRACT REVIEW REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE SENATE FINANCE COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.

(IV) THE SECRETARY SHALL ADOPT REGULATIONS TO ENSURE THAT LOCAL UNITS AND THIRD PARTIES PROVIDE THE INFORMATION NECESSARY FOR THE SECRETARY'S REVIEW OF CONTRACTS TO BE THOROUGH AND COMPLETE."

On page 11, in line 14, strike the second "OR"; and in line 17, after "ARTICLE" insert ";
OR

(III) THE DATE ON WHICH THE BIDDER OR OFFEROR FIRST RECEIVES NOTICE THAT THEIR BID WAS UNSUCCESSFUL UNDER § 13-103(B) OF THIS ARTICLE"

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 29

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 480 – Delegate Barve

AN ACT concerning

Vehicle Laws – Plug-In Electric Drive Vehicles – Reserved Parking Spaces

HB0480/300815/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 480
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “vehicle” insert “plugged into charging equipment”; strike beginning with “requiring” in line 7 down through “markings” in line 8; in line 13, strike “a certain term” and substitute “certain terms”; and strike in their entirety lines 16 through 20, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 2 through 17, inclusive; in line 19, after “(A)” insert “**(1)**”; in the same line, strike beginning with “SECTION” through “ELECTRIC” and substitute “SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(2) “PLUG-IN ELECTRIC DRIVE VEHICLE” MEANS A MOTOR VEHICLE:

(I) THAT IS MADE BY A MANUFACTURER;

(II) THAT IS PROPELLED TO A SIGNIFICANT EXTENT BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT CAN BE RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY;

(III) FOR WHICH THE EXTERNAL SOURCE OF ELECTRICITY IS UNABLE TO BE CONNECTED TO THE MOTOR VEHICLE WHILE THE MOTOR VEHICLE IS IN MOTION; AND

(IV) THAT IS PROPERLY REGISTERED.

(3) “PLUG-IN ELECTRIC”;

in line 23, after the second “VEHICLE” insert “THAT IS PLUGGED INTO CHARGING EQUIPMENT”; in line 26, after “(C)” insert:

“(1) A PUBLICLY ACCESSIBLE PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL BE DESIGNATED BY A SIGN THAT MEETS THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION IF THE CHARGING SPACE WAS FUNDED, IN WHOLE OR IN PART, BY:

(I) ANY STATE FUNDS, INCLUDING THE STRATEGIC ENERGY INVESTMENT FUND; OR

(II) MONEY COLLECTED FROM ELECTRIC UTILITY RATEPAYERS.

(2);

strike in their entirety lines 28 through 30, inclusive; after line 30 insert:

“(I) INDICATE THAT THE CHARGING SPACE IS ONLY FOR ELECTRIC VEHICLE CHARGING;

(II) INCLUDE ANY DAY OR TIME RESTRICTIONS;”.

AMENDMENT NO. 3

On page 3, in lines 1 and 3, strike “(3)” and “(4)”, respectively, and substitute “(III)” and “(IV)”, respectively; strike beginning with “MEET” in line 3 down through “SIGNS” in line 4 and substitute “BE CONSISTENT WITH THE DESIGN AND PLACEMENT SPECIFICATIONS ESTABLISHED IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS ADOPTED BY THE STATE HIGHWAY ADMINISTRATION UNDER § 25-104 OF THIS ARTICLE”; strike beginning with “A” in line 5 down through “(E)” in line 7; and in lines 17 and 22, strike “(F)” and “(G)”, respectively, and substitute “(E)” and “(F)”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 626 – Prince George’s County Delegation

AN ACT concerning

Prince George's County – Vehicle Height Monitoring Systems

PG 305–21

HB0626/880617/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 626

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “systems;” insert “requiring the establishment of a certain workgroup including certain county and municipal officials in Prince George’s County for a certain purpose before the installation of any vehicle height monitoring systems in Prince George’s County; requiring the establishment of a certain workgroup including certain representatives of the trucking industry for a certain purpose before the installation of any vehicle height monitoring systems in Prince George’s County; requiring the adoption of a certain local law before the installation of any vehicle height monitoring systems in Prince George’s County; authorizing the adoption of a local law exempting certain vehicles from the enforcement of vehicle height restrictions by vehicle height monitoring systems in Prince George’s County;”.

AMENDMENT NO. 2

On page 3 after line 29 and on page 8 after line 31, in each instance, insert:

“(3) “LOCAL JURISDICTION” MEANS A COUNTY OR MUNICIPAL CORPORATION.”

On page 3 in line 26, on page 6 in lines 8 and 22, on page 7 in lines 1 and 2 and 15, and on page 8 in lines 12, 15 and 16, and 18, in each instance, strike “**LAW ENFORCEMENT**” and substitute “**GOVERNMENT**”.

On page 3, in lines 26 and 27, strike “**A LAW ENFORCEMENT**” and substitute “**AN**”; and in lines 30 and 31, strike “**(3)**” and “**(4)**”, respectively, and substitute “**(4)**” and “**(5)**”, respectively.

On page 4, in line 15, strike “**(5)**” and substitute “**(6)**”; and in line 30, strike “**LAW ENFORCEMENT OFFICER OF THE LOCAL LAW ENFORCEMENT**” and substitute “**OFFICIAL OF THE LOCAL GOVERNMENT**”.

On page 5, in line 1, strike “LAW ENFORCEMENT OFFICER’S” and substitute “OFFICIAL’S”.

On page 8, after line 23, insert:

“(L) (1) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.

(2) BEFORE THE INSTALLATION OF ANY VEHICLE HEIGHT MONITORING SYSTEMS, THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY AND THE PRESIDENT OF THE PRINCE GEORGE’S COUNTY MUNICIPAL ASSOCIATION SHALL JOINTLY ESTABLISH A WORKGROUP TO ASSIST IN:

(i) IDENTIFYING THE ENTITY RESPONSIBLE FOR THE INSTALLATION COSTS, COLLECTION OF REVENUE, AND DISTRIBUTION OF REVENUE RELATING TO VEHICLE HEIGHT MONITORING ENFORCEMENT;

(ii) EVALUATING EXISTING SIGNAGE AND IDENTIFYING ANY LOCATIONS WHERE SIGNAGE COULD BE IMPROVED;

(iii) DETERMINING THE OVERALL NUMBER OF VEHICLE HEIGHT MONITORING SYSTEMS THAT MAY BE PLACED WITHIN A MUNICIPAL CORPORATION; AND

(iv) CLARIFYING WHICH VEHICLES MAY BE EXEMPT FROM ENFORCEMENT OF HEIGHT RESTRICTIONS BY A VEHICLE HEIGHT MONITORING SYSTEM.

(M) (1) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.

(2) BEFORE THE INSTALLATION OF ANY VEHICLE HEIGHT MONITORING SYSTEMS, THE GOVERNING BODY OF THE LOCAL JURISDICTION SHALL:

(i) ESTABLISH A WORKGROUP INCLUDING COMMERCIAL TRANSPORTATION INDUSTRY REPRESENTATIVES TO ASSIST THE LOCAL GOVERNMENT IN:

1. EVALUATING EXISTING TRUCK ROUTES;

2. IDENTIFYING AREAS FOR VEHICLE HEIGHT MONITORING ENFORCEMENT; AND

3. EVALUATING EXISTING SIGNAGE AND IDENTIFYING LOCATIONS WHERE SIGNAGE COULD BE IMPROVED; AND

(II) ADOPT A LOCAL LAW LIMITING THE OVERALL NUMBER OF VEHICLE HEIGHT MONITORING SYSTEMS THAT MAY BE PLACED IN THE LOCAL JURISDICTION.

(3) THE GOVERNING BODY OF THE LOCAL JURISDICTION MAY ADOPT A LOCAL LAW EXEMPTING CERTAIN VEHICLES FROM THE ENFORCEMENT OF HEIGHT RESTRICTIONS BY A VEHICLE HEIGHT MONITORING SYSTEM IN THE LOCAL JURISDICTION.

On page 8, in line 29, strike the first “law enforcement” and substitute “**GOVERNMENT**”; in the same line, strike “a law enforcement” and substitute “**AN**”; and in line 32, strike “(3)” and substitute “**(4)**”.

On page 9, in lines 5 and 21, strike “(4)” and “(5)”, respectively, and substitute “**(5)**” and “**(6)**”, respectively.

On page 10, in line 5, strike “law enforcement officer” and substitute “**OFFICIAL**”; in line 6, strike the first “law enforcement” and substitute “**GOVERNMENT**”; and in the same line, strike “law enforcement officer’s” and substitute “**OFFICIAL’S**”.

On page 11 in lines 11 and 24, on page 12 in lines 4 and 16, and on page 13 in lines 12, 15, and 16, in each instance, strike “law enforcement” and substitute “**GOVERNMENT**”.

On page 14, after line 5, insert:

“(M) (1) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.

(2) BEFORE THE INSTALLATION OF ANY VEHICLE HEIGHT MONITORING SYSTEMS, THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY AND THE PRESIDENT OF THE PRINCE GEORGE’S COUNTY MUNICIPAL ASSOCIATION SHALL JOINTLY ESTABLISH A WORKGROUP TO ASSIST IN:

(I) IDENTIFYING THE ENTITY RESPONSIBLE FOR THE INSTALLATION COSTS, COLLECTION OF REVENUE, AND DISTRIBUTION OF REVENUE RELATING TO VEHICLE HEIGHT MONITORING ENFORCEMENT;

(II) EVALUATING EXISTING SIGNAGE AND IDENTIFYING ANY LOCATIONS WHERE SIGNAGE COULD BE IMPROVED;

(III) DETERMINING THE OVERALL NUMBER OF VEHICLE HEIGHT MONITORING SYSTEMS THAT MAY BE PLACED WITHIN A MUNICIPAL CORPORATION; AND

(IV) CLARIFYING WHICH VEHICLES MAY BE EXEMPT FROM ENFORCEMENT OF HEIGHT RESTRICTIONS.

(N) (1) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

(2) BEFORE THE INSTALLATION OF ANY VEHICLE HEIGHT MONITORING SYSTEMS, THE GOVERNING BODY OF THE LOCAL JURISDICTION SHALL:

(I) ESTABLISH A WORKGROUP INCLUDING COMMERCIAL TRANSPORTATION INDUSTRY REPRESENTATIVES TO ASSIST THE LOCAL GOVERNMENT IN:

1. EVALUATING EXISTING TRUCK ROUTES;

2. IDENTIFYING AREAS FOR VEHICLE HEIGHT MONITORING ENFORCEMENT; AND

3. EVALUATING EXISTING SIGNAGE AND IDENTIFYING LOCATIONS WHERE SIGNAGE COULD BE IMPROVED; AND

(II) ADOPT A LOCAL LAW LIMITING THE OVERALL NUMBER OF VEHICLE HEIGHT MONITORING SYSTEMS THAT MAY BE PLACED IN THE LOCAL JURISDICTION.

(3) THE GOVERNING BODY OF THE LOCAL JURISDICTION MAY ADOPT A LOCAL LAW EXEMPTING CERTAIN VEHICLES FROM THE ENFORCEMENT OF HEIGHT RESTRICTIONS BY A VEHICLE HEIGHT MONITORING SYSTEM IN THE LOCAL JURISDICTION.

SECTION 3. AND BE IT FURTHER ENACTED, That, before the installation of any vehicle height monitoring systems in Prince George's County, a workgroup established under § 24-111.3(m) of the Transportation Article, as enacted by Section 1 of this Act, or § 24-111.3(n) of the Transportation Article, as enacted by Section 2 of this Act, shall examine and make recommendations to the local governing body on:

(1) developing a map of height-restricted roads in the County and municipalities in the County and providing the map to operators using the best available technology;

(2) developing and implementing a process for a vehicle owner to easily contest an erroneously issued citation without the necessity of a court hearing;

(3) developing a process for the owner of a vehicle to identify and transfer liability to the operator of a vehicle responsible for incurring a citation; and

(4) exempting certain types of vehicles from enforcement by a vehicle height monitoring system.”;

in lines 6, 10, and 14, strike “3.”, “4.”, and “5.”, respectively, and substitute “4.”, “5.”, and “6.”, respectively; and in line 15, strike “3” and “4”, respectively, and substitute “4” and “5”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 941 – Delegate Wells (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Speed Limits – Establishment

HB0941/870814/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 941 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Baltimore City**” and substitute “**Motor Vehicles**”; and in the same line, after “**Establishment**” insert “**and Enforcement**”; in line 3, strike “establish” and substitute “decrease or raise to a previously established level”; in line 4, after “study;” insert “prohibiting a local jurisdiction from implementing a new speed monitoring system to enforce speed limits on certain highways;”; in line 5, after “establishment” insert “and enforcement”; in lines 5 and 6, strike “in Baltimore City”; after line 11, insert:

“BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–809(b)(1)(vi)

Annotated Code of Maryland

(2020 Replacement Volume)

BY adding to

Article – Transportation

Section 21-809(b)(1)(xi)
Annotated Code of Maryland
(2020 Replacement Volume)”;

and in line 16, strike the first “(3)”.

AMENDMENT NO. 2

On page 2, in line 12, strike “ESTABLISH” and substitute “DECREASE OR RAISE TO A PREVIOUSLY ESTABLISHED LEVEL”; and after line 31, insert:

“21-809.

(b) (1) (vi) This section applies to a violation of this subtitle recorded by a speed monitoring system that meets the requirements of this subsection and has been placed:

1. In Montgomery County, on a highway in a residential district, as defined in § 21-101 of this title, with a maximum posted speed limit of 35 miles per hour, which speed limit was established using generally accepted traffic engineering practices;

2. In a school zone with a posted speed limit of at least 20 miles per hour; or

3. In Prince George’s County:

A. Subject to subparagraph (vii) of this paragraph, on Maryland Route 210 (Indian Head Highway); or

B. On that part of a highway located within the grounds of an institution of higher education as defined in § 10-101(h) of the Education Article, or within one-half mile of the grounds of a building or property used by the institution of higher education where generally accepted traffic and engineering practices indicate that motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the institution of higher education.

(XI) A LOCAL JURISDICTION MAY NOT IMPLEMENT A NEW SPEED MONITORING SYSTEM TO ENFORCE SPEED LIMITS ON ANY PORTION OF A HIGHWAY FOR WHICH THE SPEED LIMIT HAS BEEN DECREASED WITHOUT PERFORMING AN ENGINEERING AND TRAFFIC INVESTIGATION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 967 – Delegate Bridges (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Speed Monitoring Systems – Interstate 83

HB0967/460912/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 967
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “City;” insert “requiring certain signage and a certain real-time display of a driver’s traveling speed for speed monitoring systems operating on Interstate 83 in Baltimore City;”; in the same line, strike “certain provisions of”; in line 17, strike “and (viii)”; and in line 22, strike “(vii)” and substitute “(viii)”.

AMENDMENT NO. 2

On page 2, in line 33, strike “**STATE HIGHWAY ADMINISTRATION**” and substitute “**BALTIMORE CITY DEPARTMENT OF TRANSPORTATION**”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 1 and 2.

AMENDMENT NO. 4

On page 4, in line 25, strike “or” and substitute a comma; in line 26, after “paragraph,” insert “**OR ON INTERSTATE 83 IN BALTIMORE CITY;**”; and in line 34, after “County” insert “**OR INTERSTATE 83 IN BALTIMORE CITY**”.

AMENDMENT NO. 5

On page 5, in line 13, strike “3.” and substitute “2.”; in lines 13 and 15, in each instance, strike “Section 1 of”; in line 14, strike “on”; and strike in their entirety lines 17 and 18.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 971 – Delegate Mautz

AN ACT concerning

Talbot County Speed Monitoring Systems

HB0971/810713/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 971

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “requirements;” insert “requiring the fines collected by the Town of Oxford as a result of violations enforced by a speed monitoring system be used to assist in covering the cost of roadway and pedestrian safety improvements in and around the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue; requiring a certain real-time display of a driver’s traveling speed for a speed monitoring system operating at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue; providing for the termination of this Act;”; after line 7, insert:

“BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 7–302(e)(4)

Annotated Code of Maryland

(2020 Replacement Volume)”;

in line 10, strike “and (viii),”; in line 15, strike “, (vi), and (vii)” and substitute “through (viii)”; and after line 19, insert:

“Article – Courts and Judicial Proceedings

7–302.

(e) (4) (i) From the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems or school bus monitoring cameras, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems or school bus monitoring cameras; and

2. Subject to subparagraphs (ii) and (iii) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

(ii) 1. For any fiscal year, if the balance remaining from the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, after the costs of implementing and administering the systems are recovered in accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total revenues of the political subdivision for the fiscal year, the political subdivision shall remit any funds that exceed 10% of the total revenues to the Comptroller.

2. The Comptroller shall deposit any money remitted under this subparagraph to the General Fund of the State.

(iii) The fines collected by Prince George’s County as a result of violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted to the Comptroller for distribution to the State Highway Administration to be used solely to assist in covering the costs of:

1. Examining the engineering, infrastructure, and other relevant factors that may contribute to safety issues on Maryland Route 210 in Prince George’s County;

2. Reporting its findings and recommendations on any solutions to these safety issues; and

3. Implementing any solutions to these safety issues.

(IV) FROM THE FINES COLLECTED BY THE TOWN OF OXFORD AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD) AND BONFIELD AVENUE IN TALBOT COUNTY, ANY BALANCE REMAINING AFTER THE ALLOCATION OF FINES UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE REMITTED TO THE COMPTROLLER FOR DISTRIBUTION TO THE STATE HIGHWAY ADMINISTRATION TO BE USED SOLELY TO ASSIST IN COVERING THE COST OF ROADWAY AND PEDESTRIAN SAFETY IMPROVEMENTS IN AND AROUND THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD) AND BONFIELD AVENUE.”.

AMENDMENT NO. 2

On page 3, in line 18, strike “or” and substitute a comma; in line 20, after “paragraph,” insert “**OR AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD) AND BONFIELD AVENUE,**”; and in line 27, after “County” insert “**OR AT THE**”

INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD) AND BONFIELD AVENUE”.

AMENDMENT NO. 3

On page 4, in line 7, after “2021.” insert “It shall remain effective for a period 5 years and, at the end of September 30, 2026, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1114 – Delegate Arentz

AN ACT concerning

Illegal Dumping and Litter Control Law – Yard Waste – Disposal on Highways

HB1114/440816/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1114

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “requiring” and substitute “authorizing”; in line 4, strike “a penalty for a violation” and substitute “certain penalties for certain violations”; in line 5, strike “found guilty of disposing” and substitute “who disposes”; and in line 6, after “term;” insert “providing for the application of this Act.”.

AMENDMENT NO. 2

On page 3, after line 4, insert:

“(III) “YARD WASTE” DOES NOT INCLUDE ORGANIC PLANT WASTE DERIVED FROM AN ELECTRIC COMPANY’S ACTIVITIES THAT ARE PERFORMED:

1. IN COMPLIANCE WITH THE ELECTRIC SERVICE RELIABILITY REQUIREMENTS ESTABLISHED UNDER § 7-213 OF THE PUBLIC UTILITIES ARTICLE; OR

2. IN RESPONSE TO A WEATHER EVENT WITHIN THE ELECTRIC COMPANY’S SERVICE TERRITORY.”;

in line 10, after “(c)” insert **“THIS SECTION DOES NOT APPLY TO LEAVES OR OTHER YARD WASTE THAT IS PLACED ON OR NEAR THE CURB OR THE EDGE OF A RESIDENTIAL STREET FOR A SCHEDULED PICKUP.**

(D)”;

and in lines 21, 22, and 28, strike “(d)”, “(c)”, and “(e)”, respectively, and substitute **(E)**, **(D)**, and **(F)**, respectively.

AMENDMENT NO. 3

On page 4, in line 1, strike “(f)” and substitute **(G)**; in line 18, strike **“GUILTY OF A MISDEMEANOR AND ON CONVICTION IS”**; in lines 19 and 20, in each instance, strike **“OFFENSE”** and substitute **“VIOLATION”**; in the same lines, in each instance, strike **“FINE”** and substitute **“CIVIL PENALTY”**.

On page 5, in line 4, strike **“SHALL”** and substitute **“MAY”**; in lines 4 and 5, strike **“FOUND GUILTY OF DISPOSING”** and substitute **“WHO DISPOSES”**; and in lines 18, 21, and 28, strike “(g)”, “(h)”, and “(i)”, respectively, and substitute **(H)**, **(I)**, and **(J)**, respectively.

On page 6, in lines 2, 4, 12, and 26, strike “(h)”, “(j)”, “(f)(1)”, and “(k)”, respectively and substitute **(I)**, **(K)**, **(G)(1)**, and **(L)**, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1293 – Delegate Amprey

AN ACT concerning

Baltimore City – West North Avenue Development Authority

HB1293/930010/1

BY: Environment and Transportation Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “, chair, and staffing” and substitute “and chair”; in the same line, after “Authority;” insert “authorizing the Authority to manage certain funds;”; and in line 8, after “residents;” insert “authorizing the Authority to modify certain boundaries, subject to a certain vote;”.

AMENDMENT NO. 2

On page 3, strike beginning with “A” in line 9 down through “AUTHORITY” in line 11 and substitute “THE PRESIDENT OF COPPIN STATE UNIVERSITY, OR THE PRESIDENT’S DESIGNEE, SHALL SERVE AS THE CHAIR OF THE AUTHORITY”; and strike beginning with “THE” in line 13 down through the period in line 14 and substitute “THE AUTHORITY MAY MANAGE APPROPRIATED FUNDS FROM THE CITY OF BALTIMORE AND THE STATE.”.

On page 4, in line 13, after “(B)” insert “THE AUTHORITY MAY, BY A MAJORITY VOTE OF ALL MEMBERS OF THE AUTHORITY, MODIFY THE BOUNDARIES OF THE TARGET AREA AND THE BUFFER ZONE.”.

(C)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 70

House Bill 89 – Delegate Wilkins

AN ACT concerning

Correctional Services – Diminution Credits – Education

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0089/713520/1

BY: Delegate Wilson

AMENDMENT TO HOUSE BILL 89, AS AMENDED

In the House Judiciary Committee Amendment (HB0089/265210/1), in line 11, after “**FOR**” insert “**MURDER IN THE FIRST DEGREE OR**”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 71**House Bill 804 – Delegate Palakovich Carr**

AN ACT concerning

Taxes – Whistleblower Reward Program and Statute of Limitations for Tax Collections

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR COMMITTEE AMENDMENT

HB0804/695569/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 804
(First Reading File Bill)

On page 3, in lines 7, 16, 24, and 30, in each instance, after “**COMPROLLER**” insert “**IN A SWORN AFFIDAVIT**”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0804/383629/1

BY: Delegate Adams

AMENDMENTS TO HOUSE BILL 804
(First Reading File Bill)AMENDMENT NO. 1

On page 1, in line 17, after “circumstances;” insert “providing that the whistleblower is responsible for certain costs and fees incurred by a certain taxpayer under certain circumstances;”.

AMENDMENT NO. 2

On page 6, before line 17, insert:

“(D) IF AN INVESTIGATION OR COVERED ENFORCEMENT ACTION UNDER THIS SECTION DOES NOT RESULT IN A FINAL ASSESSMENT OR A SUCCESSFUL OUTCOME AGAINST A TAXPAYER, THE WHISTLEBLOWER SHALL BE RESPONSIBLE FOR ANY COSTS OR ATTORNEY’S FEES INCURRED BY THE TAXPAYER IN DEFENDING AGAINST THE INVESTIGATION OR COVERED ENFORCEMENT ACTION.”;

and in line 17, strike “(D)” and substitute “(E)”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 39 Negative – 91 (See Roll Call No. 644)

FLOOR AMENDMENT

HB0804/463128/1

BY: Delegate Mautz

AMENDMENTS TO HOUSE BILL 804, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 17, after “attorney” insert “and certain persons”.

AMENDMENT NO. 2

On page 3 of the Committee on Ways and Means Amendments (HB0804/715565/1), in line 18 of Amendment No. 2, strike “(1)”; in the same line, strike “(I)”; in the same line, strike “(1)”; in line 19, strike “(II)”; and in the same line, strike “(2)”.

On page 6 of the bill, after line 3, insert:

“(2) SUBJECT TO SUBSECTION (D) OF THIS SECTION, WITHIN 15 DAYS AFTER RECEIVING ORIGINAL INFORMATION PROVIDED BY A WHISTLEBLOWER, THE COMPTROLLER SHALL PROVIDE WRITTEN NOTICE TO ANY PERSON WHO IS THE SUBJECT OF THE ORIGINAL INFORMATION PROVIDED TO THE COMPTROLLER OR WHO MAY BE SUBJECT TO A COVERED ENFORCEMENT ACTION OR RELATED ACTION AS A RESULT OF THE ORIGINAL INFORMATION PROVIDED TO THE COMPTROLLER.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 86 (See Roll Call No. 645)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 646)

CALENDAR OF THIRD READING HOUSE BILLS NO. 74

House Bill 315 – Delegates Bartlett, D.M. Davis, Feldmark, R. Lewis, Lierman, and Pena-Melnyk

AN ACT concerning

Juvenile Law – Juvenile Interrogation Protection Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 90 Negative – 41 (See Roll Call No. 647)

The Bill was then sent to the Senate.

House Bill 372 – Delegate Moon

AN ACT concerning

Criminal Law – Drug Paraphernalia for Administration – Decriminalization

Read the third time and passed by yeas and nays as follows:

Affirmative – 91 Negative – 39 (See Roll Call No. 648)

The Bill was then sent to the Senate.

House Bill 416 – Delegate Belcastro

AN ACT concerning

Health Care Facilities – Assisted Living Programs – ~~Memory Care and Alzheimer’s Disease Unit~~ Requirements for Alzheimer’s Special Care Units and Regulations

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 649)

The Bill was then sent to the Senate.

House Bill 495 – Delegate Palakovich Carr

AN ACT concerning

Income Tax – Internal Revenue Code Amendments ~~and the Federal CARES Act~~ – Decoupling

Read the third time and passed by yeas and nays as follows:

Affirmative – 127 Negative – 3 (See Roll Call No. 650)

The Bill was then sent to the Senate.

House Bill 600 – Delegate Belcastro

AN ACT concerning

State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists – Duties, Appointment of Members, and Requirements for Licensees

Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 0 (See Roll Call No. 651)

The Bill was then sent to the Senate.

House Bill 807 – Delegate Love

AN ACT concerning

Task Force ~~to Review and Update the Maryland Recycling Act~~ on Recycling Policy and Recycling and Waste Systems in Maryland

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 652)

The Bill was then sent to the Senate.

House Bill 892 – Delegate Buckel

AN ACT concerning

**Economic Development – Maryland Technology Infrastructure Pilot Program –
Establishment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 653)

The Bill was then sent to the Senate.

House Bill 1351 – Delegate Wilkins

AN ACT concerning

**Campaign Finance – Contribution Through Third-Party Payment Processor
~~– Transfer to Campaign Account~~ and Payment of Expenses**

Read the third time and passed by yeas and nays as follows:

Affirmative – 113 Negative – 20 (See Roll Call No. 654)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 70

House Bill 514 – Delegate B. Barnes

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property

Read the third time and passed by yeas and nays as follows:

Affirmative – 99 Negative – 34 (See Roll Call No. 655)

The Bill was then sent to the Senate.

House Bill 758 – Delegate Bagnall

AN ACT concerning

Maryland Licensure of Certified Midwives Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 656)

The Bill was then sent to the Senate.

House Bill 919 – Delegate Bagnall

EMERGENCY BILL

AN ACT concerning

**Maryland Insurance Commissioner – Specialty Mental Health Services and
Payment of Claims – Enforcement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 657)

The Bill was then sent to the Senate.

House Bill 1013 – Delegate Crosby

AN ACT concerning

General Provisions – Standard Time – Year–Round Daylight Saving Time

Read the third time and passed by yeas and nays as follows:

Affirmative – 115 Negative – 16 (See Roll Call No. 658)

The Bill was then sent to the Senate.

House Bill 1193 – Delegate Adams

AN ACT concerning

**Certified Nursing Assistants – Certificate Renewal – Training Program
Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 659)

The Bill was then sent to the Senate.

House Bill 1212 – Delegate Washington

AN ACT concerning

~~**Procurement – Socially and Economically Disadvantaged Workers’ Protection
Preference**~~

**Workgroup to Study Enhanced Opportunities for Socially and Economically
Disadvantaged Individuals in the State**

Read the third time and passed by yeas and nays as follows:

Affirmative – 104 Negative – 28 (See Roll Call No. 660)

The Bill was then sent to the Senate.

House Bill 1268 – Delegate Henson

AN ACT concerning

Legal Education Success Collaborative – Established

Read the third time and passed by yeas and nays as follows:

Affirmative – 100 Negative – 31 (See Roll Call No. 661)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 75

House Bill 45 – Delegate Forbes

AN ACT concerning

Education – Baltimore County Public Library – Collective Bargaining

Read the third time and passed by yeas and nays as follows:

Affirmative – 96 Negative – 36 (See Roll Call No. 662)

The Bill was then sent to the Senate.

House Bill 240 – Delegate Shetty

AN ACT concerning

Criminal Procedure – Forensic Genetic Genealogical DNA Analysis, Searching, Regulation, and Oversight

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 663)

The Bill was then sent to the Senate.

House Bill 1166 – Delegate Ebersole

AN ACT concerning

**Education – Physical Restraint and Seclusion – ~~Requirements, Reporting,~~
Reporting and Training**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 664)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 73

House Bill 915 – Delegate Amprey

AN ACT concerning

**Workgroup on Black, Latino, Asian American Pacific Islander, and Other
Underrepresented ~~Mental~~ Behavioral Health Professionals**

Read the third time and passed by yeas and nays as follows:

Affirmative – 127 Negative – 5 (See Roll Call No. 665)

The Bill was then sent to the Senate.

House Bill 980 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Public Ethics – Definition of Application

PG 416–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 32 (See Roll Call No. 666)

The Bill was then sent to the Senate.

House Bill 1039 – Delegate Kelly

AN ACT concerning

Health Occupations – State Board of Massage Therapy Examiners – Revisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 1 (See Roll Call No. 667)

The Bill was then sent to the Senate.

House Bill 1047 – Delegate Wilkins

AN ACT concerning

Mail–In Voting Enhancement Act

Delegate Lierman moved the previous question.

The motion was adopted by a roll call vote as follows:

Affirmative – 94 Negative – 40 (See Roll Call No. 668)

Read the third time and passed by yeas and nays as follows:

Affirmative – 95 Negative – 38 (See Roll Call No. 669)

The Bill was then sent to the Senate.

House Bill 1182 – Delegate Kipke

AN ACT concerning

Tax – Property – Tax Sales

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 4 (See Roll Call No. 670)

The Bill was then sent to the Senate.

House Bill 1209 – Delegate Luedtke

AN ACT concerning

Sales and Use Tax – Peer-to-Peer Car Sharing – Alterations

Read the third time and passed by yeas and nays as follows:

Affirmative – 98 Negative – 34 (See Roll Call No. 671)

The Bill was then sent to the Senate.

House Bill 1255 – Delegate Ivey

AN ACT concerning

Homestead and Homeowners’ Property Tax Credits – Access and Eligibility

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 672)

The Bill was then sent to the Senate.

House Bill 1280 – Delegate Pena-Melnyk

AN ACT concerning

Health – Maryland ~~Community~~ Behavioral Health and Public Safety Center of Excellence – Establishment

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 673)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 71

House Bill 190 – Delegate Lierman

AN ACT concerning

**Procurement – Specialized Printing Services Contracts – Board of Public Works
Approval**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 674)

The Bill was then sent to the Senate.

House Bill 317 – Delegate Gilchrist

AN ACT concerning

**Maryland Green Purchasing Committee – Food and Beverage Procurement –
Greenhouse Gas Emissions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 90 Negative – 41 (See Roll Call No. 675)

The Bill was then sent to the Senate.

House Bill 561 – Delegate D.E. Davis

AN ACT concerning

**Renewable Energy Portfolio Standard – Wastewater, ~~Thermal, and Other~~
~~Renewable Sources~~ Heating or Cooling System**

Read the third time and passed by yeas and nays as follows:

Affirmative – 112 Negative – 20 (See Roll Call No. 676)

The Bill was then sent to the Senate.

House Bill 579 – Delegate Hornberger

AN ACT concerning

**Cecil County – Snare Traps – ~~Prohibition Against Sale or Possession~~
~~Alterations~~ Repeal of Prohibitions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 677)

The Bill was then sent to the Senate.

House Bill 944 – Delegate Solomon

AN ACT concerning

Growing Family Child Care Opportunities Pilot Program – Established

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 4 (See Roll Call No. 678)

The Bill was then sent to the Senate.

House Bill 1253 – Delegate Washington

AN ACT concerning

**National Capital Strategic Economic Development Program – Eligibility and
Funding**

Read the third time and passed by yeas and nays as follows:

Affirmative – 99 Negative – 34 (See Roll Call No. 679)

The Bill was then sent to the Senate.

House Bill 1277 – Delegate Henson

AN ACT concerning

**State Personnel Management System – Office of the Public Defender –
Placement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 92 Negative – 40 (See Roll Call No. 680)

The Bill was then sent to the Senate.

SPECIAL ORDERS

House Bill 222 – Delegate Wilkins

AN ACT concerning

Value My Vote Act

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0222/733327/1

BY: Delegate Mautz

AMENDMENTS TO HOUSE BILL 222, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0222/705061/1), in line 11 of Amendment No. 1, strike “and”; and in the same line, after “basis” insert “. ensure election integrity, and prevent voter fraud and voting rights violations”.

AMENDMENT NO. 2

On page 3 of the Committee on Ways and Means Amendments, in line 8 of Amendment No. 2, strike “AND”; and in line 11, after “ARTICLE” insert “;

(6) ENSURE ELECTION INTEGRITY; AND

(7) PREVENT VOTER FRAUD AND VOTING RIGHTS VIOLATIONS”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 85 (See Roll Call No. 681)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

House Bill 1061 – Charles County Delegation

AN ACT concerning

Southern Maryland – Multifamily Dwelling Registration – Fees and Fines

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 32

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 67 – Delegate Korman**EMERGENCY BILL**

AN ACT concerning

**I-495 and I-270 Public-Private Partnership – Partnership Agreement –
Requirements
(Maryland Department of Transportation Promises Act of 2021)**

HB0067/600817/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 67

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “a” insert “phase”; in line 7, strike the second “the” and substitute “a”; in line 8, after “agreement” insert “for the Program”; and in line 12, after “data;” insert “requiring the Department to execute a certain memorandum of understanding with certain counties;”.

AMENDMENT NO. 2

On page 3, in line 18, after “(4)” insert “**“PHASE DEVELOPER” MEANS AN ENTITY THE DEPARTMENT SELECTS TO MANAGE PREDEVELOPMENT WORK AND THE PROCESS FOR EXECUTING EACH SECTION PUBLIC-PRIVATE PARTNERSHIP AGREEMENT.**”

(5) “PHASE PUBLIC-PRIVATE PARTNERSHIP AGREEMENT” MEANS AN AGREEMENT BETWEEN THE DEPARTMENT AND A PHASE DEVELOPER TO MANAGE PREDEVELOPMENT WORK AND THE PROCESS FOR EXECUTING EACH SECTION PUBLIC-PRIVATE PARTNERSHIP AGREEMENT.

(6)”;

after line 19, insert:

“(7) “PROJECT LABOR AGREEMENT” MEANS AN AGREEMENT BETWEEN A PHASE DEVELOPER AND A SECTION DEVELOPER THAT:

(I) BINDS ALL CONTRACTORS AND SUBCONTRACTORS ENGAGED IN CONSTRUCTION OF THE PROJECT TO THE TERMS OF THE PROJECT LABOR AGREEMENT;

(II) CONTAINS GUARANTEES AGAINST STRIKES, LOCKOUTS, AND OTHER JOB DISRUPTIONS;

(III) SETS FORTH EFFECTIVE, PROMPT, AND MUTUALLY BINDING PROCEDURES FOR RESOLVING LABOR DISPUTES ARISING DURING THE TERM OF THE PROJECT LABOR AGREEMENT;

(IV) PROVIDES OTHER MECHANISMS FOR COOPERATION BETWEEN LABOR AND MANAGEMENT ON MATTERS OF MUTUAL INTEREST AND CONCERN, INCLUDING PRODUCTIVITY, QUALITY OF WORK, SAFETY, AND HEALTH; AND

(V) INCLUDES ANY ADDITIONAL REQUIREMENTS THAT THE DEPARTMENT CONSIDERS NECESSARY TO PROMOTE THE EFFICIENT AND TIMELY COMPLETION OF A PROJECT.

(8) “SECTION DEVELOPER” MEANS A SEPARATE LEGAL ENTITY THAT IS:

(I) ESTABLISHED BY A PHASE DEVELOPER TO ENTER INTO A SECTION PUBLIC–PRIVATE PARTNERSHIP AGREEMENT; AND

(II) RESPONSIBLE FOR THE FINAL DESIGN, CONSTRUCTION, FINANCING, TOLLING, OPERATING, MAINTENANCE, AND HANDBACK OF A SECTION.

(9) “SECTION PUBLIC–PRIVATE PARTNERSHIP AGREEMENT” MEANS AN AGREEMENT BETWEEN THE DEPARTMENT AND A SECTION DEVELOPER FOR WORK ON A SPECIFIC SECTION OF THE PROGRAM.”;

in line 20, after “A” insert “PHASE”; strike beginning with “AT” in line 22 down through “COSTS” in line 23 and substitute “THE PAYMENT OF THE TOLL REVENUE”; and in line 23, after “I-270” insert “AGREED ON IN ACCORDANCE WITH THE MEMORANDA OF UNDERSTANDING BETWEEN THE DEPARTMENT AND THE GOVERNING BODIES OF THE COUNTIES WHERE THE TOLL FACILITIES THAT ARE PART OF THE PROGRAM ARE LOCATED”.

On page 4, in line 5, strike “SEPARATE PEDESTRIAN AND BICYCLE LANE OR LANES” and substitute “SHARED–USE PATH FOR BICYCLISTS AND PEDESTRIANS THAT IS CONNECTED TO ONE OR MORE EXISTING PATHS ON THE MARYLAND SIDE OF THE

POTOMAC RIVER"; in line 8, strike "THE" and substitute "A SECTION"; in line 24, after "TOLLS" insert "WITH NO NET COST TO THE STATE OR STATE TAXPAYERS"; strike beginning with "(II)" in line 25 down through "2021;" in line 28; in line 29, strike "(III)" and substitute "(II)"; and in line 32, strike "CONTRACT" and substitute "SECTION PUBLIC-PRIVATE PARTNERSHIP AGREEMENT".

On page 5, in line 5, strike "STATE" and substitute "ADMINISTRATION"; strike beginning with "UNDERTAKE" in line 5 down through "CORRIDOR" in line 7 and substitute ", AT MINIMUM, COMMIT TO ESTABLISHING PRIORITY BICYCLE AND PEDESTRIAN CONNECTIONS TO REMOVE BARRIERS AND PROVIDE CONNECTIVITY FOR BICYCLISTS AND PEDESTRIANS CONSISTENT WITH CONNECTIONS IDENTIFIED IN THE AFFECTED COUNTY MASTER PLANS AND PRIORITIES, INCLUDING:

(I) IN MONTGOMERY COUNTY:

1. A NEW PEDESTRIAN AND BICYCLE CONNECTION ACROSS THE AMERICAN LEGION BRIDGE;

2. REPLACING AND WIDENING THE BETHESDA TROLLEY TRAIL BRIDGE CROSSINGS OF I-495 AND I-270;

3. LENGTHENING THE I-270 BRIDGE OVER TUCKERMAN LANE NORTH OF BETHESDA TO ACCOMMODATE A FUTURE SEPARATED BIKEWAY ALONG TUCKERMAN LANE;

4. NEW BUFFER-SEPARATED SIDE PATHS ACROSS MD 190 OVER I-495 NEAR CARDEROCK SPRINGS;

5. WIDENING THE PATH ALONG SEVEN LOCKS ROAD UNDER I-495 NEAR CARDEROCK SPRINGS; AND

6. A NEW SEPARATED BIKEWAY ALONG NORTHBOUND MD 355 OVER I-495 BETWEEN BETHESDA AND ROCKVILLE; AND

(II) IN PRINCE GEORGE'S COUNTY:

1. NEW SIDEWALKS ACROSS THE MD 212 BRIDGE OVER I-495 NEAR WHITE OAK MANOR THAT MEASURE 8 FEET WIDE;

2. A NEW SHARED-USE PATH THAT MEASURES 10 FEET WIDE, PLUS A BUFFER THAT IS 5 FEET WIDE, ALONG CHERRY HILL ROAD NEAR BELTSVILLE ON TWO BRIDGES CROSSING THE I-495 INNER LOOP AND THE I-495 OUTER LOOP TO PROVIDE TRAIL CONNECTION ACROSS THE INTERSTATE;

3. NEW SIDEWALKS THAT ARE 8 FEET WIDE ON BOTH SIDES OF GLENARDEN PARKWAY OVER I-495 TO IMPROVE CONNECTION AND SAFETY BETWEEN GLENARDEN NEIGHBORHOODS;

4. AFTER EVALUATING THE BEST LOCATION FOR THE CONNECTION, A PEDESTRIAN CROSSING OF I-495 BETWEEN ARENA DRIVE, METRO BRIDGE, CENTRAL AVENUE, AND SOUTHWEST BRANCH;

5. EXPANDING THE SIDEWALKS TO MEASURE 8 FEET WIDE ON BOTH SIDES OF AUTH ROAD OVER I-495 TO IMPROVE ACCESS TO THE BRANCH AVENUE METRO STATION; AND

6. A NEW CONNECTION TO THE HENSON CREEK TRAIL NEAR TEMPLE HILLS”;

in line 7, strike “AND”; strike beginning with “THAT” in line 8 down through “STUDY” in line 9 and substitute “THE ADMINISTRATION TO, AT MINIMUM, COMMIT TO COLLABORATING WITH LOCAL STAKEHOLDERS AND DELIVERING REGIONAL TRANSIT IMPROVEMENTS TO ENHANCE EXISTING AND PLANNED TRANSIT AND SUPPORT NEW OPPORTUNITIES FOR REGIONAL TRANSIT SERVICE, INCLUDING:

(I) ESTABLISHING HIGH-OCCUPANCY TOLL LANES;

(II) AUTHORIZING BUSES, CARPOOLERS, AND VANPOOLERS TO USE THE HIGH-OCCUPANCY TOLL LANES AT NO COST;

(III) IN MONTGOMERY COUNTY, EXPANDING:

1. BUS CAPACITY AT THE WMATA SHADY GROVE METRORAIL STATION; AND

2. THE PARK AND RIDE AT MONTGOMERY MALL TRANSIT CENTER; AND

(IV) IN PRINCE GEORGE’S COUNTY, ESTABLISHING:

1. VIRTUAL BUS RAPID TRANSIT STATIONS, STOPS, AND TECHNOLOGY TO SUPPORT A VIRTUAL BUS RAPID TRANSIT ROUTE EXTENSION OF THE PURPLE LINE, INCLUDING STOP ENHANCEMENTS AND TECHNOLOGY SUCH AS NEXT VEHICLE ARRIVAL INFORMATION; AND

2. A COUNTY BUS MAINTENANCE FACILITY TO SUPPORT THE COUNTY BUS SYSTEM AND THE BUSES THAT TRAVEL ALONG MANAGED LANES;

(11) REQUIRES THE ADMINISTRATION TO COMMIT TO WORKING COLLABORATIVELY WITH PARTNER AGENCIES TO:

(I) AVOID AND MINIMIZE COMMUNITY, CULTURAL, ENVIRONMENTAL, AND PARKLAND IMPACTS OF THE PROJECT;

(II) FINALIZE MITIGATION BASED ON IDENTIFIED PRIORITIES THAT WOULD, AT A MINIMUM, BRING NO NET LOSS TO IMPACTED RESOURCES, WITH A GOAL OF NET BENEFIT;

(III) REDUCE IMPACTS ON NATIONAL PARK SERVICE PROPERTIES, WITH A SPECIAL FOCUS ON AREAS NEAR:

1. THE CHESAPEAKE AND OHIO CANAL NATIONAL HISTORIC PARK;

2. THE GEORGE WASHINGTON MEMORIAL PARKWAY;

AND

3. THE BALTIMORE-WASHINGTON PARKWAY;

(IV) INCORPORATE AN OPTION IN THE DEPARTMENT'S RECOMMENDED PREFERRED ALTERNATIVE THAT SIGNIFICANTLY REDUCES IMPACT TO THE MOSES LODGE CEMETERY;

(V) COMPLETE ENVIRONMENTAL ENHANCEMENTS THAT WOULD PROVIDE MEANINGFUL BENEFITS TO ADJACENT RESOURCES, INCLUDING:

1. WATER QUALITY IMPROVEMENTS;

2. STREAM RESTORATION; AND

3. REMOVAL OF INVASIVE SPECIES ON COUNTY PARKLAND; AND

(VI) CONDUCT STREAM BANK AND BED STABILIZATION IMPROVEMENTS, AND REMOVE CONCRETE-LINED CHANNELS IN IDENTIFIED PRIORITY AREAS IN:

1. CABIN JOHN STREAM VALLEY PARK;

2. ROCK CREEK STREAM VALLEY PARK;
3. SLIGO CREEK PARKWAY;
4. INDIAN SPRINGS TERRACE LOCAL PARK;
5. NORTHWEST BRANCH STREAM VALLEY PARK;
6. SOUTHWEST BRANCH STREAM VALLEY PARK;
7. HERITAGE GLEN PARK; AND
8. MANCHESTER ESTATES PARK; AND

(12) REQUIRES A PHASE DEVELOPER TO INITIATE A PROJECT LABOR AGREEMENT”;

in line 10, strike “**THE**” and substitute “**A**”; and in the same line, after “**AGREEMENT**” insert “**FOR THE PROGRAM**”.

On page 6, after line 5, insert:

“(A) (1) THE DEPARTMENT SHALL EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE GOVERNING BODY OF EACH COUNTY WHERE TOLL FACILITIES ARE LOCATED.

(2) A MEMORANDUM OF UNDERSTANDING EXECUTED UNDER THIS SECTION SHALL:

(I) SPECIFY THE NATURE, AMOUNT, AND TIMING OF PAYMENTS OF TOLL REVENUE TO THE COUNTY FOR THE COMPLETION AND OPERATION OF PUBLIC TRANSIT IMPROVEMENTS; AND

(II) BE EXECUTED WITH EACH COUNTY BEFORE THE DEPARTMENT SUBMITS FOR BOARD OF PUBLIC WORKS APPROVAL A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR ANY PHASE OF A PROGRAM THAT INCLUDES CONSTRUCTION OR OPERATION OF A TOLL FACILITY LOCATED IN THAT COUNTY.”;

in line 6, before “**AT**” insert “**(B)**”; strike beginning with “**AT**” in line 6 down through “**COSTS**” in line 7 and substitute “**THE PAYMENT OF TOLL REVENUE**”; in line 7, after “**PROGRAM**” insert “**MADE IN ACCORDANCE WITH A MEMORANDUM OF UNDERSTANDING EXECUTED UNDER THIS SECTION**”; in line 8, after “**FOR**” insert

“ESTABLISHING AND PROVIDING FUNDS FOR THE COUNTIES WHERE TOLL FACILITIES THAT ARE PART OF THE PROGRAM ARE LOCATED TO OPERATE”; in line 9, strike “PROJECTS” and substitute “IMPROVEMENTS”; and strike beginning with “IN” in line 9 down through “LOCATED” in line 11.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 485 – Delegate Solomon

AN ACT concerning

Public–Private Partnerships – Process and Oversight

HB0485/190514/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 485 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 2, strike “**Process and Oversight**” and substitute “**and the Collection of Video Tolls**”; after line 7, insert “requiring a reporting agency to submit a separate presolicitation report for each phase of a project that will develop in phases; providing that the total value of a public–private partnership developed in phases is equal to the sum of the total value of each phase of the project;”; strike beginning with “and” in line 9 down through “circumstances” in line 10; and in line 16, after “Committee” insert “and the Public–Private Partnership Oversight Review Board”.

On pages 1 and 2, strike beginning with “requiring” in line 30 on page 1 down through the semicolon in line 5 on page 2 and substitute “extending the termination date for certain provisions of law relating to the collection of certain unpaid video tolls and associated penalties; requiring the Department of Transportation to conduct a certain traffic analysis before submitting a certain public–private partnership agreement to the Board of Public Works;”.

On page 2, in line 6, after “terms;” insert “making this Act an emergency measure;”; in lines 6 and 7, strike “providing for the termination of certain provisions of this Act;” in

line 8, after “partnerships” insert “and the collection of certain video tolls and associated penalties”; in line 11, after “Section” insert “3–302 and”; and after line 23, insert:

“BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–1414(a)(1), (2), and (11) and (h)

Annotated Code of Maryland

(2020 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 547 of the Acts of the General Assembly of 2018

Section 3”.

AMENDMENT NO. 2

On page 3, strike beginning with “**BALTIMORE**” in line 12 down through “**THE**” in line 14.

On page 4, in line 2, after “**TO**” insert “**SUBPARAGRAPH (III) OF THIS PARAGRAPH AND**”; after line 17, insert:

“(III) 1. IF A REPORTING AGENCY HAS DETERMINED THAT A PROJECT THAT IS SUBJECT TO A PUBLIC–PRIVATE PARTNERSHIP WILL BE DEVELOPED IN SEPARATE PHASES, THE REPORTING AGENCY SHALL SUBMIT A SEPARATE PRESOLICITATION REPORT IN ACCORDANCE WITH THIS SECTION FOR EACH PHASE OF THE PROJECT.

2. FOR THE PURPOSES OF DETERMINING THE TOTAL VALUE OF A PUBLIC–PRIVATE PARTNERSHIP FOR A PROJECT THAT WILL BE DEVELOPED IN PHASES, THE TOTAL VALUE OF THE PUBLIC–PRIVATE PARTNERSHIP SHALL BE EQUAL TO THE SUM OF THE TOTAL VALUE OF EACH PHASE OF THE PROJECT.”;

in line 35, strike the colon; and in line 36, strike “**(I)**”.

On page 5, strike beginning with the semicolon in line 1 down through “**ACT**” in line 5; and in line 28, after “**ARTICLE**” insert “**, AND THE PUBLIC–PRIVATE PARTNERSHIP OVERSIGHT REVIEW BOARD**”.

On page 6, strike beginning with “**ALL**” in line 11 down through “**BONDS**” in line 12 and substitute “**A FINANCIAL ADVISOR CHOSEN BY THE STATE TREASURER**”; and in line 15, strike “**FINANCIAL ADVISORY FIRM**” and substitute “**FINANCIAL ADVISOR**”.

AMENDMENT NO. 3

On page 9, after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

3–302.

(b) Unless, with the approval of the Secretary, a unit of the State government assigns the claim to the Central Collection Unit, the Central Collection Unit is not responsible for and may not collect:

(1) any taxes;

(2) any child support payment that is owed under § 5–308 of the Human Services Article;

(3) any unemployment insurance contribution or overpayment;

(4) any fine;

(5) any court costs;

(6) any forfeiture on bond;

(7) any money that is owed as a result of a default on a loan that the Department of Commerce or the Department of Housing and Community Development has made or insured;

(8) any money that is owed under Title 9, Subtitles 2, 3, and 4 and Title 20 of the Insurance Article;

(9) any money that is owed under a delinquent account for unpaid video tolls and associated civil penalties and is recalled by the Maryland Transportation Authority under § 21–1414(h) of the Transportation Article; or

(10) any money that is owed for unpaid video tolls and associated civil penalties under § 21–1414 of the Transportation Article under a delinquent account associated with a person residing outside the State.

Article – Transportation

21–1414.

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

(2) “Authority” means the Maryland Transportation Authority.

(11) “Video toll” means the amount assessed by the Authority when a video toll transaction occurs.

(h) (1) The Authority may refer a delinquent account for unpaid video tolls and associated civil penalties to the Central Collection Unit for collection.

(2) The Authority may recall a delinquent account from the Central Collection Unit if:

(i) The delinquent account exceeds \$300 in unpaid video tolls and associated civil penalties;

(ii) The video tolls in question were assessed within a 30–day period;
and

(iii) Mitigating factors exist with respect to the assessment of the unpaid video tolls and associated civil penalties, as determined by the Authority.

(3) Notwithstanding any other provision of law, until the Authority refers the debt to the Central Collection Unit or after the Authority has recalled a delinquent account from the Central Collection Unit, the Authority may waive any portion of the video toll due or civil penalty assessed under this section.

Chapter 547 of the Acts of 2018

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2018. It shall remain effective for a period of [3] 6 years and, at the end of May 31, [2021] 2024, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 4

Strike in their entirety the lines beginning with line 22 on page 9 through line 25 on page 10, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That before submitting to the Board of Public Works a public–private partnership agreement for the I–495 and I–270 Public–Private Partnership Program, the Department of Transportation shall complete and submit to the Board of Public Works a traffic analysis on the impact of the COVID–19 pandemic and resulting increases in telework throughout the region on the traffic patterns and volume on I–495 and I–270 in Maryland.”.

AMENDMENT NO. 5

On page 10, strike in their entirety lines 26 through 29, inclusive, and substitute:

“SECTION 4. 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 ye 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.”

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 31

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 44 – Delegate Fraser–Hidalgo

AN ACT concerning

Clean Cars Act of 2021

HB0044/600310/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 44 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “and vehicle excise tax credit”; strike beginning with “altering” in line 6 down through “vehicles;” in line 11; strike beginning with the comma in line 11 down through “amount” in line 12 and substitute “certain amounts”; in line 14, strike beginning with “providing” through “Act;”; in line 15, strike “energy reduction programs and”; in line 18, strike “and 9–20B–05(a)”; and in line 23, strike “and 9–20B–05(i)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 3 on page 2, inclusive.

AMENDMENT NO. 3

On pages 2 through 4, strike in their entirety the lines beginning with line 28 on page 2 through line 26 on page 4, inclusive.

AMENDMENT NO. 4

On pages 4 and 5, strike beginning with the colon in line 27 on page 4 down through “year” in line 17 on page 5 and substitute “, notwithstanding any other provision of law, the”

Maryland Energy Administration shall transfer the lesser of \$10,000,000 or the actual total outstanding amount of the credit allowed against the excise tax from the Strategic Energy Investment Fund to the Transportation Trust Fund to offset the reduction in revenues from the vehicle excise tax credit for qualified plug-in electric drive vehicles and fuel cell electric vehicles under § 13–815 of the Transportation Article applied for before July 1, 2020”.

AMENDMENT NO. 5

On page 5, strike in their entirety lines 18 through 21, inclusive; and in line 22, strike “4.” and substitute “3.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1069 – Delegate Stewart

AN ACT concerning

Water Supply – Private Well Safety Program

HB1069/630819/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1069
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 3 down through “manner;” in line 17; and strike beginning with “requiring” in line 19 down through “terms” in line 29 and substitute “requiring an owner of residential rental property that is served by a private water supply well to notify a tenant under certain circumstances; requiring an owner of residential rental property that is served by a private water supply well to notify the Department of the Environment and the local health department about well contamination and address the contamination under certain circumstances and in a certain manner; providing for the application of certain provisions of this Act”.

On page 2, in line 3, strike “through 9–4A–16”; and strike in their entirety lines 7 through 21, inclusive.

AMENDMENT NO. 2

On pages 2 through 8, strike in their entirety the lines beginning with line 26 on page 2 through line 18, on page 8, inclusive.

On page 8, in line 19, strike “~~9-4A-16.~~” and substitute “~~9-4A-01.~~”; in line 20, before “AN” insert “(A)”; in line 22, strike “AND”; and in line 24, after “TESTING” insert “; AND”

(3) NOTIFY A TENANT:

(I) AFTER ANY WATER QUALITY TEST REQUIRED UNDER ITEM (1) OF THIS SUBSECTION IS COMPLETE; AND

(II) OF THE MOST RECENT WATER QUALITY TEST WHEN THEY SIGN A LEASE.

(B) (1) THE REQUIREMENTS OF THIS SUBSECTION APPLY WHEN A PRIVATE WATER SUPPLY WELL IS CONTAMINATED BY A SUBSTANCE THAT EXCEEDS:

(I) THE MAXIMUM CONTAMINANT LEVEL FOR THAT SUBSTANCE THAT IS SET BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR DRINKING WATER QUALITY; OR

(II) A HARMFUL LEVEL FOR THAT SUBSTANCE, AS DETERMINED BY THE DEPARTMENT.

(2) WHEN A WATER QUALITY TEST REVEALS A PRIVATE WATER SUPPLY WELL IS CONTAMINATED, THE OWNER OF A RESIDENTIAL RENTAL PROPERTY THAT IS SERVED BY THE WELL SHALL:

(I) NOTIFY THE DEPARTMENT AND THE LOCAL HEALTH DEPARTMENT ABOUT THE CONTAMINATION;

(II) PROVIDE AN APPROVED POTABLE WATER SUPPLY UNTIL THE CONTAMINATION IS PERMANENTLY REMEDIATED; AND

(III) WITHIN 60 DAYS OF THE DATE ON WHICH THE OWNER KNEW OF THE CONTAMINATION, RESOLVE THE CONTAMINATION”.

On pages 8 through 11, strike in their entirety the lines beginning with line 25 on page 8 through line 34 on page 11, inclusive.

On page 12, in line 1, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Adams moved to make the Bill a Special Order for next session.

The motion was adopted.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 30

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 253 – Delegate Grammer

AN ACT concerning

Baltimore County – Nuisance Actions – Community Association

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 444 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Innovative Recreation Youth Program

MC/PG 104–21

HB0444/740016/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 444

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Maryland–National Capital Park and**” and substitute “**Prince George’s County**”; in the same line, strike “**Commission**” and substitute “**Board**”; in lines 2 and 3, strike “**Innovative Recreation Youth Program**” and substitute “**Nontraditional Recreational Opportunities – Establishment and**”

Fund"; in line 5, after "of" insert "requiring the Prince George's County planning board to include nontraditional recreational opportunities in their program of recreation;"; in the same line, after "establishing" insert "the Nontraditional Recreation Fund; requiring"; in the same line, strike "an Innovative Recreation Youth Program in"; in line 6, after "Commission" insert "to record certain revenues in the Fund; specifying the purpose for which certain revenues may be used"; strike beginning with "requiring" in line 6 down through "Program;" in line 10; in line 10, strike "a"; in line 11, strike "term" and substitute "terms"; in lines 11 and 12, strike "the Maryland–National Capital Park and Planning Commission and the Innovative Recreation Youth Program" and substitute "nontraditional recreational opportunities"; in line 13, strike "adding to" and substitute "repealing and reenacting, with amendments,"; and strike in their entirety lines 15 and 16 and substitute "Section 25–801".

AMENDMENT NO. 2

On page 1, after line 21, insert:

"25–801.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "NONTRADITIONAL RECREATIONAL OPPORTUNITIES" MEANS SPORTS, RECREATIONAL ACTIVITIES, PROGRAMS, OR FACILITIES IN THE COUNTY WITH A REASONABLE PROMISE OF GROWTH IN:

1. POPULARITY; OR

2. PARTICIPATION OR DEMAND AMONG YOUTH POPULATIONS THAT ARE OTHERWISE UNDER–REPRESENTED OR UNDERSERVED BY TRADITIONAL RECREATIONAL ACTIVITIES.

(II) "NONTRADITIONAL RECREATIONAL OPPORTUNITIES" MAY INCLUDE:

1. SKATE PARKS;

2. LACROSSE WALLS;

3. REMOTE–CONTROLLED CAR COURSES;

4. PICKLEBALL COURTS;

5. DISC GOLF COURSES;

6. CRICKET FIELDS;

7. PUMP TRACKS; AND

8. ANY OTHER NEW OR INNOVATIVE RECREATION OR LEISURE ACTIVITY RECOMMENDATION INCLUDED IN A PARK AND RECREATION PLAN.

(3) “PARK AND RECREATION PLAN” MEANS:

(I) A FUNCTIONAL MASTER PLAN OF PARKS AND OPEN SPACES ADOPTED UNDER § 21–106(A)(3) OF THIS ARTICLE; OR

(II) A LOCAL LAND PRESERVATION AND RECREATION PLAN APPROVED UNDER § 5–905(B) OF THE NATURAL RESOURCES ARTICLE.

[(a)] (B) The county planning board shall:

(1) provide an adequate and balanced program of recreation to serve the needs and interests of various age groups among the residents of the county THAT INCLUDES APPROPRIATE NONTRADITIONAL RECREATIONAL OPPORTUNITIES;

(2) offer a comprehensive youth sports program that provides a variety of sports programming, leagues, and teams throughout the county; and

(3) coordinate the programs with the Commission’s park functions.

[(b)] (C) The county planning board may develop programs of recreation that may include physical, social, mental, and creative opportunities that the county planning board considers appropriate to offer in:

(1) major recreation centers, playfields, athletic fields, playgrounds, tennis courts, baseball diamonds, swimming pools, golf courses, community centers, and social centers on publicly or privately owned land or buildings made available for these purposes or over which the county planning board has sole or joint jurisdiction; or

(2) land or buildings of a municipal corporation or political subdivision in the county, if the municipal corporation or political subdivision requests the services of the county planning board.

[(c)] (D) (1) The county planning board may contract with recreation or sports groups or associations to incorporate the activities of the groups or associations into the programs established by the county planning board under this subtitle.

(2) Notwithstanding paragraph (1) of this subsection, as part of the programs established under this subtitle the county planning board shall create a youth sports division to:

- (i) coordinate youth sports programming, leagues, and teams; and
- (ii) incorporate youth sports activities into the programs.

(E) (1) THERE IS A NONTRADITIONAL RECREATION FUND.

(2) THE NONTRADITIONAL RECREATION FUND SHALL FINANCE AND ACCOUNT FOR THE DEVELOPMENT AND MAINTENANCE OF NONTRADITIONAL RECREATIONAL OPPORTUNITIES IN THE COUNTY.

(3) THE COMMISSION SHALL RECORD REVENUES FROM THE DEVELOPMENT AND MAINTENANCE OF NONTRADITIONAL RECREATIONAL OPPORTUNITIES IN THE COUNTY IN THE NONTRADITIONAL RECREATION FUND.

(4) THE COMMISSION SHALL USE THE REVENUES OF THE NONTRADITIONAL RECREATION FUND:

(I) FOR CAPITAL IMPROVEMENT PROJECTS THAT CONTRIBUTE TO PROVIDING NONTRADITIONAL RECREATIONAL OPPORTUNITIES;

(II) TO PROVIDE PATRONS OF THE COMMISSION ACCESS TO EQUIPMENT NECESSARY TO PARTICIPATE IN NONTRADITIONAL RECREATIONAL OPPORTUNITIES; AND

(III) FOR SUPPLIES AND OTHER DIRECT PROGRAM COSTS ASSOCIATED WITH PROVIDING NONTRADITIONAL RECREATIONAL OPPORTUNITIES IN ACCORDANCE WITH THIS SECTION.”.

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 19 on page 2, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 615 – Prince George’s County Delegation

AN ACT concerning

Natural Resources – Sunday Deer Hunting – Prince George’s County

PG 402–21

HB0615/640715/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 615
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Hunting**” insert “**and Archery Hunting Safety Zones**”; strike beginning with “authorizing” in line 6 down through “County” in line 7 and substitute “adding Prince George’s County to the list of counties in which the safety zone for archery hunters extends a certain distance from certain structures”; in line 8, after “hunting” insert “and archery hunting safety zones”; in line 11, after “10–410(a)” insert “and (g)(3)”; and after line 13, insert:

“BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 10–410(g)(1) and (2)

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 5, in line 13, strike the brackets; strike beginning with the semicolon in line 15 down through “**COUNTY**” in line 16; and after line 16, insert:

“(g) (1) Except as provided in paragraphs (2) and (3) of this subsection, a person, other than the owner or occupant, while hunting for any wild bird or mammal may not shoot or discharge any firearm or other deadly weapon within 150 yards, known as the “safety zone”, of a dwelling house, residence, church, or other building or camp occupied by human beings, or shoot at any wild bird or mammal while it is within this area, without the specific advance permission of the owner or occupant.

(2) A person, while hunting for any wild bird or mammal, may not shoot or discharge any firearm within 300 yards of a public or nonpublic school during school hours or at a time when a school–approved activity is taking place.

(3) (i) For archery hunters in Calvert County, Carroll County, Cecil County, Frederick County, Harford County, Montgomery County, **PRINCE GEORGE’S COUNTY**, St. Mary’s County, or Washington County, the safety zone described in

paragraph (1) of this subsection extends for 50 yards from a dwelling house, residence, church, or any other building or camp occupied by human beings.

(ii) For archery hunters in Anne Arundel County, the safety zone described in paragraph (1) of this subsection extends for 100 yards from a dwelling house, residence, church, or any other building or camp occupied by human beings.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 637 – Allegany County Delegation and Garrett County Delegation

AN ACT concerning

Allegany County and Garrett County – Archery Hunting – Safety Zone

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 639 – Delegate D.M. Davis

AN ACT concerning

Tri-County Council for Southern Maryland – Property Management – Southern Maryland Regional Agricultural Center

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 693 – Cecil County Delegation

AN ACT concerning

Cecil County – Fishing – Restrictions**HB0693/510818/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 693
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “County;” insert “prohibiting a person from placing nets or establishing a certain fishery for a certain purpose in certain waters;”; in line 11, after “4-712” insert “and 4-717”; and strike in their entirety lines 14 through 18.

AMENDMENT NO. 2

On page 2, in line 22, strike the bracket; in line 23, strike “(a)”; and in the same line, strike “set a pound net or stake net” and substitute “PLACE NETS OR ESTABLISH A HAUL SEINE FISHERY TO CATCH FISH FOR COMMERCIAL USE”.

On pages 2 and 3, strike in their entirety the lines beginning with line 25 on page 2 through line 3 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 840 – Delegate Otto

AN ACT concerning

Somerset County – Natural Resources – Sunday Hunting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 1163 – Caroline County Delegation

AN ACT concerning

Caroline County – Sunday Hunting – Deer Hunting Seasons

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 682)

ADJOURNMENT

At 4:07 P.M. on motion of Delegate Luedtke the House adjourned until 10:30 A.M. on Legislative Day March 10, 2021, Calendar Day, Monday, March 22, 2021.

