

**Journal *of* Proceedings**

**of the**

**House of Delegates**

**of**

**Maryland**

**2021 Regular Session**

**Volume IV**

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...

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**Annapolis, Maryland**  
**Legislative Day: March 10, 2021**  
**Calendar Day: Monday, March 22, 2021**  
**10:30 A.M. Session**

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The House met at 10:49 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. 683)

**EXCUSED:**

Delegate Acevero – illness  
Delegate Anderson – illness  
Delegate Cardin – late – personal  
Delegate Ciliberti – personal  
Delegate Cox – medical  
Delegate Lehman – personal

The Journal of March 9, 2021 was read and approved.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 19**

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

**House Bill 920 – Delegate Carr**

AN ACT concerning

**Open Meetings Act – Definition – Administrative Function**

Delegate Pendergrass moved the Bill be recommitted.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 684)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 88**

**House Bill 1372 – The Speaker**

**EMERGENCY BILL**

AN ACT concerning

**Blueprint for Maryland’s Future – Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94    Negative – 37    (See Roll Call No. 685)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 80**

**House Bill 83 – Delegate Queen**

AN ACT concerning

**Public and Nonpublic Schools – Electric Retractable Room Partitions –  
~~Operation Requirements~~ Review and Report**

Read the third time and passed by yeas and nays as follows:

Affirmative – 129    Negative – 0    (See Roll Call No. 686)

The Bill was then sent to the Senate.

**House Bill 301 – Delegates Shetty and R. Lewis**

AN ACT concerning

**Estates and Trusts – Maryland Revised Uniform Anatomical Gift Act – Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 129    Negative – 0    (See Roll Call No. 687)

The Bill was then sent to the Senate.

**House Bill 531 – Delegate Morgan**

AN ACT concerning

**Criminal Procedure – Sexual Offenders – Lifetime Supervision**

Read the third time and passed by yeas and nays as follows:

Affirmative – 122    Negative – 0    (See Roll Call No. 688)

The Bill was then sent to the Senate.

**House Bill 719 – Delegate Moon**

**EMERGENCY BILL**

AN ACT concerning

**Commercial Tenants – Personal Liability Clauses – Enforceability**

Read the third time and passed by yeas and nays as follows:

Affirmative – 124    Negative – 5    (See Roll Call No. 689)

The Bill was then sent to the Senate.

**House Bill 746 – Delegate Wivell**

AN ACT concerning

**Election Law – Absentee Ballot Envelopes – Party Affiliation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 0    (See Roll Call No. 690)

The Bill was then sent to the Senate.

**House Bill 1153 – Delegate Adams**

AN ACT concerning

**Names of Entities With Physician Membership – Approval Requirement –  
Exemption**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 1 (See Roll Call No. 691)

The Bill was then sent to the Senate.

**House Bill 1339 – Chair, Judiciary Committee (By Request – Departmental – Human Services)**

AN ACT concerning

**Child Support – Guidelines**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 692)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 82**

**House Bill 222 – Delegate Wilkins**

AN ACT concerning

**Value My Vote Act**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95 Negative – 39 (See Roll Call No. 693)

The Bill was then sent to the Senate.

**House Bill 790 – Delegate P. Young**

AN ACT concerning

**Procurement – Office of Small, Minority, and Women Business Affairs – Small Business Reserve Program and Veteran-Owned Small Business Enterprise Program**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 694)

The Bill was then sent to the Senate.

**House Bill 885 – Delegate R. Watson**



CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Courts of Appeals and Special Appeals – Renaming**

Read the third time and passed by yeas and nays as follows:

Affirmative – 125    Negative – 10    (See Roll Call No. 695)

The Bill was then sent to the Senate.

**House Bill 990 – Delegate Krebs**

AN ACT concerning

**Maryland Department of Emergency Management – Establishment and Transfer  
of Maryland 9–1–1 Board**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 696)

The Bill was then sent to the Senate.

**House Bill 1091 – Delegate Reznik**

AN ACT concerning

**State Procurement – Emergency and Expedited Procurements – Reform  
Revisions and Reporting**

Read the third time and passed by yeas and nays as follows:

Affirmative – 111    Negative – 24    (See Roll Call No. 697)

The Bill was then sent to the Senate.

**House Bill 1214 – Delegate Wilson**

AN ACT concerning

**Procurement – Transparency and Application to County Contracts**

Read the third time and passed by yeas and nays as follows:

Affirmative – 96    Negative – 38    (See Roll Call No. 698)

The Bill was then sent to the Senate.

### CALENDAR OF THIRD READING HOUSE BILLS NO. 85

#### House Bill 90 – Delegate Lierman

AN ACT concerning

#### State and Local Housing Programs – Affirmatively Furthering Fair Housing

Read the third time and passed by yeas and nays as follows:

Affirmative – 110    Negative – 22    (See Roll Call No. 699)

The Bill was then sent to the Senate.

#### House Bill 253 – Delegate Grammer

AN ACT concerning

#### Baltimore County – Nuisance Actions – Community Association

Read the third time and passed by yeas and nays as follows:

Affirmative – 130    Negative – 2    (See Roll Call No. 700)

The Bill was then sent to the Senate.

#### House Bill 615 – Prince George’s County Delegation

AN ACT concerning

#### Natural Resources – Sunday Deer Hunting and Archery Hunting Safety Zones – Prince George’s County

PG 402–21

Read the third time and passed by yeas and nays as follows:

Affirmative – 122    Negative – 12    (See Roll Call No. 701)

The Bill was then sent to the Senate.

#### House Bill 840 – Delegate Otto

AN ACT concerning

**Somerset County – Natural Resources – Sunday Hunting**

Read the third time and passed by yeas and nays as follows:

Affirmative – 125    Negative – 10    (See Roll Call No. 702)

The Bill was then sent to the Senate.

**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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 703)

The Bill was then sent to the Senate.

**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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 704)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 89**

**House Bill 44 – Delegate Fraser–Hidalgo**

AN ACT concerning

**Clean Cars Act of 2021**

Read the third time and passed by yeas and nays as follows:

Affirmative – 106    Negative – 29    (See Roll Call No. 705)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 78****House Bill 681 – Delegate Buckel**

AN ACT concerning

**Task Force to Study the Maryland Orphans' Courts**

Read the third time and passed by yeas and nays as follows:

Affirmative – 120    Negative – 14    (See Roll Call No. 706)

The Bill was then sent to the Senate.

**House Bill 872 – Delegate Charles**

AN ACT concerning

**Sheila E. Hixson Behavioral Health Services Matching Grant Program for  
Service Members and Veterans – Establishment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 1    (See Roll Call No. 707)

The Bill was then sent to the Senate.

**House Bill 1008 – Delegate Hill**

AN ACT concerning

**Failure to Pay Rent Proceedings – Prohibition on Rent Increases and Sealing of  
Court Records**

Read the third time and passed by yeas and nays as follows:

Affirmative – 92    Negative – 42    (See Roll Call No. 708)

The Bill was then sent to the Senate.

**House Bill 1154 – Delegate C. Jackson**

AN ACT concerning

**Labor and Employment – Economic Stabilization Act – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 111    Negative – 24    (See Roll Call No. 709)

The Bill was then sent to the Senate.

**House Bill 1178 – Delegate Brooks**

AN ACT concerning

**Income Tax – Subtraction Modification – First-Time Homebuyer Savings  
Accounts**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 710)

The Bill was then sent to the Senate.

**House Bill 1232 – Delegate Brooks**

**EMERGENCY BILL**

AN ACT concerning

**Alcoholic Beverages – Manufacturer’s Licenses and Off-Site Permits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 711)

The Bill was then sent to the Senate.

**House Bill 1248 – Delegate Washington**

AN ACT concerning

**Public Safety – ~~Law Enforcement~~ Police Officer – Data Collection and Reporting**

Read the third time and passed by yeas and nays as follows:

Affirmative – 119    Negative – 16    (See Roll Call No. 712)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 79****House Bill 89 – Delegate Wilkins**

AN ACT concerning

**Correctional Services – Diminution Credits – Education**

Read the third time and passed by yeas and nays as follows:

Affirmative – 89    Negative – 46    (See Roll Call No. 713)

The Bill was then sent to the Senate.

**House Bill 532 – Allegany County Delegation**

AN ACT concerning

**~~Allegany County~~ Gaming – Video Lottery Terminals – Payout Percentages and Distribution of Proceeds**

Read the third time and passed by yeas and nays as follows:

Affirmative – 111    Negative – 21    (See Roll Call No. 714)

The Bill was then sent to the Senate.

**House Bill 601 – Delegate Kipke**

AN ACT concerning

**Pharmacy Benefits Managers – ~~Definition of Purchaser and ERISA~~ Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 2    (See Roll Call No. 715)

The Bill was then sent to the Senate.

**House Bill 753 – Delegate Ebersole**

AN ACT concerning

**Education – Student–Organized Peaceful Demonstrations – Student Discipline  
and Policy**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97    Negative – 39    (See Roll Call No. 716)

The Bill was then sent to the Senate.

**House Bill 855 – Delegate Hartman**

AN ACT concerning

**Criminal Law – Life–Threatening Injury Involving a Motor Vehicle or Vessel  
– Criminal Negligence  
(Wade’s Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 127    Negative – 7    (See Roll Call No. 717)

The Bill was then sent to the Senate.

**House Bill 864 – Delegate Charles**

AN ACT concerning

**Income Tax – Subtraction Modification – Military Retirement Income**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 718)

The Bill was then sent to the Senate.

**House Bill 883 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Alcoholic Beverages – ~~Transfer and Auction of Licenses~~  
Class B–D Beer, Wine, and Liquor License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 1    (See Roll Call No. 719)

The Bill was then sent to the Senate.

### CALENDAR OF THIRD READING HOUSE BILLS NO. 81

#### House Bill 522 – Delegate Washington

AN ACT concerning

#### **Public Schools – School Resource Officers – ~~Prohibited Conduct~~ and School Security Employees – Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 93    Negative – 42    (See Roll Call No. 720)

The Bill was then sent to the Senate.

#### House Bill 804 – Delegate Palakovich Carr

AN ACT concerning

#### **Taxes – Whistleblower Reward Program and Statute of Limitations for Tax Collections**

Read the third time and passed by yeas and nays as follows:

Affirmative – 96    Negative – 39    (See Roll Call No. 721)

The Bill was then sent to the Senate.

#### House Bill 865 – Delegate Smith

AN ACT concerning

#### **Historic Revitalization Tax Credit – Small Commercial Projects – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 722)



The Bill was then sent to the Senate.

**House Bill 882 – Delegate Barron**

EMERGENCY BILL

AN ACT concerning

**Workgroup to Study Partial Expungement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 101    Negative – 35    (See Roll Call No. 723)

The Bill was then sent to the Senate.

**House Bill 1007 – Delegate Charkoudian**

AN ACT concerning

**Renewable Energy Portfolio Standard and Geothermal Heating and Cooling Systems**

Read the third time and passed by yeas and nays as follows:

Affirmative – 114    Negative – 21    (See Roll Call No. 724)

The Bill was then sent to the Senate.

**House Bill 1250 – Delegate Malone**

AN ACT concerning

**Task Force to Study the Laws of Intestacy in Maryland**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 725)

The Bill was then sent to the Senate.

**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)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 0    (See Roll Call No. 726)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 77**

**House Bill 23 – Delegate Stein**

AN ACT concerning

**Personal Information – State and Local Agencies – Restrictions on Access  
(Maryland Driver Privacy Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 86    Negative – 47    (See Roll Call No. 727)

The Bill was then sent to the Senate.

**House Bill 71 – Delegate Luedtke**

AN ACT concerning

**Juvenile Services Education Board and Program – Establishment, Powers, and Duties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 3    (See Roll Call No. 728)

The Bill was then sent to the Senate.

**House Bill 308 – Delegates Rosenberg and Cardin**

AN ACT concerning

**Courts – Civil Actions – Strategic Lawsuits Against Public Participation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94 Negative – 39 (See Roll Call No. 729)

The Bill was then sent to the Senate.

**House Bill 316 – Delegate Smith**

AN ACT concerning

**Conditions of Pretrial Release – Home Detention Monitoring**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94 Negative – 40 (See Roll Call No. 730)

The Bill was then sent to the Senate.

**House Bill 448 – Delegate Harrison**

AN ACT concerning

**State Government – Legal and Employee Holiday – Juneteenth National Freedom Day**

Delegate Fennell moved the previous question.

The motion was adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 112 Negative – 24 (See Roll Call No. 731)

The Bill was then sent to the Senate.

**House Bill 527 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County Human Relations Commission – Equal Treatment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 732)

The Bill was then sent to the Senate.

**House Bill 565 – Delegate Charkoudian**

AN ACT concerning

**Health Facilities – Hospitals – Medical Debt Protection**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 733)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 72**

**House Bill 299 – Delegate Carr**

AN ACT concerning

**State Board of Physicians – Genetic Counselors – Licensing**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 4    (See Roll Call No. 734)

The Bill was then sent to the Senate.

**House Bill 436 – Delegate Smith**

AN ACT concerning

**Enoch Pratt Free Library – Operating Hours and Funding**

Read the third time and passed by yeas and nays as follows:

Affirmative – 107    Negative – 26    (See Roll Call No. 735)

The Bill was then sent to the Senate.

**House Bill 456 – Delegate Jacobs**

AN ACT concerning

**Correctional Officers’ Retirement System – Kent County**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 736)

The Bill was then sent to the Senate.

**House Bill 867 – Delegate Smith**

AN ACT concerning

**Baltimore Regional Neighborhood Initiative Program Fund**

Read the third time and passed by yeas and nays as follows:

Affirmative – 105    Negative – 27    (See Roll Call No. 737)

The Bill was then sent to the Senate.

**House Bill 891 – Delegate D.M. Davis**

AN ACT concerning

**Higher Education – Hunger-Free Campus Grant Program – Established**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94    Negative – 39    (See Roll Call No. 738)

The Bill was then sent to the Senate.

**House Bill 937 – Delegate McIntosh**

AN ACT concerning

**State Lottery Fund – Maryland Humanities Council – Funding**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 739)

The Bill was then sent to the Senate.

**House Bill 1148 – Delegate Cullison**

AN ACT concerning

**Secretary of Health – School-Based Health Centers – Guidelines and Administration of Grants**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94    Negative – 40    (See Roll Call No. 740)

The Bill was then sent to the Senate.

**SPECIAL ORDER CALENDAR NO. 73**

**House Bill 1173 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Public Facilities Bond**

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. 72**

**House Bill 1069 – Delegate Stewart**

AN ACT concerning

**Water Supply – Private Well Safety Program**

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

FLOOR AMENDMENT

**HB1069/603929/1**

BY: Delegate Adams

AMENDMENT TO HOUSE BILL 1069, AS AMENDED

On page 2 of the Environment and Transportation Committee Amendments (HB1069/630819/1), in line 5 of Amendment No. 2, strike the colon; in line 6, strike “**(I)** **THE**” and substitute “**THE**”; and strike beginning with the semicolon in line 8 down through “**DEPARTMENT**” in line 10 and substitute “**, IF APPLICABLE TO PRIVATE WATER SUPPLY WELLS**”.

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

Affirmative – 42    Negative – 89    (See Roll Call No. 741)

FLOOR AMENDMENT

**HB1069/853226/1**

BY:    Delegate Mautz

AMENDMENTS TO HOUSE BILL 1069

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “well” insert “in certain counties”.

AMENDMENT NO. 2

On page 8, in line 21, after “WELL” insert “IN ANNE ARUNDEL COUNTY, CAROLINE COUNTY, CECIL COUNTY, DORCHESTER COUNTY, KENT COUNTY, QUEEN ANNE’S COUNTY, SOMERSET COUNTY, TALBOT COUNTY, WICOMICO COUNTY, OR WORCESTER COUNTY”; and in in line 22, strike “3” and substitute “5 TO 7”.

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

Affirmative – 38    Negative – 92    (See Roll Call No. 742)

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. 743)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 66**

**House Bill 226 – Delegate R. Lewis**

AN ACT concerning

**Baltimore City – Complete Streets Program Funding – Traffic and Vehicle Monitoring Systems**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 744)

The Bill was then sent to the Senate.

**House Bill 284 – Delegate R. Lewis**

AN ACT concerning

**Vehicle Laws – Dedicated Bus Lanes – Enforcement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 106    Negative – 28    (See Roll Call No. 745)

The Bill was then sent to the Senate.

**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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 2    (See Roll Call No. 746)

The Bill was then sent to the Senate.

**House Bill 564 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Automated Traffic Enforcement – Implementing Agency**

**MC 4–21**

Read the third time and passed by yeas and nays as follows:



Affirmative – 97 Negative – 39 (See Roll Call No. 747)

The Bill was then sent to the Senate.

**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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 96 Negative – 39 (See Roll Call No. 748)

The Bill was then sent to the Senate.

**House Bill 755 – Delegate Thiam**

AN ACT concerning

**Natural Resources – ~~Complimentary Angler’s License – Disabled Veterans~~  
Healing Hunting and Fishing Fund – No Cost Licenses and Stamps**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 749)

The Bill was then sent to the Senate.

**House Bill 801 – Delegate Clark**

AN ACT concerning

**Calvert County – Public Safety – Buildings Used for Agritourism**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 750)

The Bill was then sent to the Senate.

**House Bill 802 – Delegate Clark**

AN ACT concerning

**Calvert County – Sunday Hunting**

Read the third time and passed by yeas and nays as follows:

Affirmative – 125    Negative – 9    (See Roll Call No. 751)

The Bill was then sent to the Senate.

**House Bill 991 – Delegate Gilchrist**

AN ACT concerning

**Natural Resources – Forest Mitigation Banks – Qualified ~~Preservation~~  
Conservation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 127    Negative – 8    (See Roll Call No. 752)

The Bill was then sent to the Senate.

**House Bill 1117 – Delegate Arentz**

AN ACT concerning

**~~Kent Narrows Bridge – State Highway Right of Way~~ Pedestrians – Kent Island  
Drawbridge – Fishing Prohibition**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 0    (See Roll Call No. 753)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 67****House Bill 529 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Alcoholic Beverages – Distillery On-Site Consumption  
Permit**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 754)

The Bill was then sent to the Senate.

**House Bill 814 – Delegate Morgan**

**EMERGENCY BILL**

AN ACT concerning

**St. Mary’s County – Alcoholic Beverages Licenses – Annual Fees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 1    (See Roll Call No. 755)

The Bill was then sent to the Senate.

**House Bill 1240 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Stadium License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 756)

The Bill was then sent to the Senate.

**House Bill 1242 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Consumption Permits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 757)

The Bill was then sent to the Senate.

**House Bill 1270 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Barbershop and Beauty Salon Beer and Wine Licenses –**

**Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 1    (See Roll Call No. 758)

The Bill was then sent to the Senate.

**House Bill 1272 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Alcohol by Volume – Wine**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 1    (See Roll Call No. 759)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 76****House Bill 1060 – Delegate Patterson**

AN ACT concerning

**Charles County – Board of Education – Membership Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 121    Negative – 12    (See Roll Call No. 760)

The Bill was then sent to the Senate.

**House Bill 1142 – Howard County Delegation**

AN ACT concerning

**Howard County – School Redistricting – Public Testimony****Ho. Co. 07–21**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 0    (See Roll Call No. 761)

The Bill was then sent to the Senate.

**House Bill 1190 – Howard County Delegation**

AN ACT concerning

**Howard County – Board of Education – Redetermination of Geographic Attendance Area**

**Ho. Co. 05–21**

Read the third time and passed by yeas and nays as follows:

Affirmative – 130    Negative – 4    (See Roll Call No. 762)

The Bill was then sent to the Senate.

**House Bill 1343 – Delegate Kipke**

AN ACT concerning

**Anne Arundel County – Party Central Committees – Republican Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 763)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 83**

**House Bill 414 – Delegate D.M. Davis**

AN ACT concerning

**Southern Maryland Rapid Transit Project – Funding**

Read the third time and passed by yeas and nays as follows:

Affirmative – 98    Negative – 37    (See Roll Call No. 764)

The Bill was then sent to the Senate.

**House Bill 813 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary's County – Public Facilities Bond**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 0    (See Roll Call No. 765)

The Bill was then sent to the Senate.

**House Bill 862 – St. Mary's County Delegation**

AN ACT concerning

**St. Mary's County and Metropolitan Commission – Debt Limitations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 766)

The Bill was then sent to the Senate.

**House Bill 1131 – Carroll County Delegation**

AN ACT concerning

**Carroll County – Public Facilities Bond**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 767)

The Bill was then sent to the Senate.

**House Bill 1141 – Delegate Boteler**

AN ACT concerning

**Baltimore County – Public Schools – Air Quality Testing**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 768)

The Bill was then sent to the Senate.

**House Bill 1245 – Delegate Washington**

AN ACT concerning

**Guaranteed Access Grant and Next Generation Scholars of Maryland –  
Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 96    Negative – 36    (See Roll Call No. 769)

The Bill was then sent to the Senate.

**House Bill 1301 – Delegate Smith**

AN ACT concerning

**Baltimore City – Visit Baltimore – Appropriation Calculation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 770)

The Bill was then sent to the Senate.

**House Bill 1365 – Delegate Korman**

AN ACT concerning

**Nonpublic Special Education Schools – State Contribution – Increase**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 1    (See Roll Call No. 771)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 84**

**House Bill 480 – Delegate Barve**

AN ACT concerning

**Vehicle Laws – Plug-In Electric Drive Vehicles – Reserved Parking Spaces**

Read the third time and passed by yeas and nays as follows:

Affirmative – 111    Negative – 21    (See Roll Call No. 772)

The Bill was then sent to the Senate.

**House Bill 626 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Vehicle Height Monitoring Systems**

**PG 305–21**

Read the third time and passed by yeas and nays as follows:

Affirmative – 122    Negative – 11    (See Roll Call No. 773)

The Bill was then sent to the Senate.

**House Bill 941 – Delegate Wells (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City Motor Vehicles – Speed Limits – Establishment and Enforcement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 124    Negative – 11    (See Roll Call No. 774)

The Bill was then sent to the Senate.

**House Bill 967 – Delegate Bridges (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Speed Monitoring Systems – Interstate 83**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95    Negative – 39    (See Roll Call No. 775)

The Bill was then sent to the Senate.

**House Bill 971 – Delegate Mautz**

AN ACT concerning

**Talbot County Speed Monitoring Systems**



Read the third time and passed by yeas and nays as follows:

Affirmative – 100    Negative – 36    (See Roll Call No. 776)

The Bill was then sent to the Senate.

**House Bill 1114 – Delegate Arentz**

AN ACT concerning

**Illegal Dumping and Litter Control Law – Yard Waste – Disposal on Highways**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 777)

The Bill was then sent to the Senate.

**House Bill 1293 – Delegate Amprey**

AN ACT concerning

**Baltimore City – West North Avenue Development Authority**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 778)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 86**

**House Bill 444 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

~~**Maryland National Capital Park and Prince George’s County Planning Commission Board – Innovative Recreation Youth Program**~~  
**Nontraditional Recreational Opportunities – Establishment and Fund**

MC/PG 104-21

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 779)

The Bill was then sent to the Senate.

**House Bill 637 – Allegany County Delegation and Garrett County Delegation**

AN ACT concerning

**Allegany County and Garrett County – Archery Hunting – Safety Zone**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 2    (See Roll Call No. 780)

The Bill was then sent to the Senate.

**House Bill 639 – Delegate D.M. Davis**

AN ACT concerning

**Tri-County Council for Southern Maryland – Property Management – Southern  
Maryland Regional Agricultural Center**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 781)

The Bill was then sent to the Senate.

**House Bill 693 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Fishing – Restrictions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 1    (See Roll Call No. 782)

The Bill was then sent to the Senate.

**House Bill 1061 – Charles County Delegation**

AN ACT concerning

**Southern Maryland – ~~Multifamily~~ Dwelling Registration and Inspection – Fees  
and Fines**

Read the third time and passed by yeas and nays as follows:

Affirmative – 93    Negative – 38    (See Roll Call No. 783)

The Bill was then sent to the Senate.

**House Bill 1239 – Delegate Lierman**

AN ACT concerning

**Department of Housing and Community Development – Appraisal Gap From  
Historic Redlining Financial Assistance Program – Establishment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 109    Negative – 25    (See Roll Call No. 784)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 87**

**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)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 101    Negative – 35    (See Roll Call No. 785)

The Bill was then sent to the Senate.

**House Bill 485 – Delegate Solomon**

**EMERGENCY BILL**

AN ACT concerning

**Public-Private Partnerships – ~~Process and Oversight~~ and the Collection of  
Video Tolls**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97    Negative – 39    (See Roll Call No. 786)

The Bill was then sent to the Senate.

**House Bill 933 – Delegate Bartlett**

AN ACT concerning

**Anne Arundel County – Transfer Tax – Housing Trust Special Revenue Fund**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95    Negative – 39    (See Roll Call No. 787)

The Bill was then sent to the Senate.

**House Bill 1163 – Caroline County Delegation**

AN ACT concerning

**Caroline County – Sunday Hunting – Deer Hunting Seasons**

Read the third time and passed by yeas and nays as follows:

Affirmative – 126    Negative – 9    (See Roll Call No. 788)

The Bill was then sent to the Senate.

**House Bill 1207 – Delegate Bridges**

AN ACT concerning

**Environment – Commission on Environmental Justice and Sustainable  
Communities – Reform**

Read the third time and passed by yeas and nays as follows:

Affirmative – 121    Negative – 14    (See Roll Call No. 789)

The Bill was then sent to the Senate.

**House Bill 1285 – Howard County Delegation**

AN ACT concerning

**Howard County – Fee for Rental Housing Services – Established**

**Ho. Co. 15–21**

Read the third time and passed by yeas and nays as follows:

Affirmative – 96    Negative – 39    (See Roll Call No. 790)

The Bill was then sent to the Senate.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 791)

**ADJOURNMENT**

At 1:55 P.M. on motion of Delegate Luedtke the House adjourned until 1:55 P.M. on Legislative Day March 11, 2021, Calendar Day, Monday, March 22, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 11, 2021**  
**Calendar Day: Monday, March 22, 2021**  
**1:55 P.M. Session**

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The House met at 1:56 P.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 792)

**EXCUSED:**

Delegate Acevero – illness

Delegate Anderson – illness

Delegate Ciliberti – personal

Delegate Cox – medical

Delegate Lehman – personal

The Journal of March 10, 2021 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 793)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 90**

**House Bill 1173 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Public Facilities Bond**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 794)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 91**

**House Bill 1069 – Delegate Stewart**

AN ACT concerning

**Water Supply – Private Well Safety Program**

Read the third time and passed by yeas and nays as follows:

Affirmative – 89    Negative – 46    (See Roll Call No. 795)

The Bill was then sent to the Senate.

**MESSAGE FROM THE SENATE  
INTRODUCTORY SENATE BILLS NO. 24**

**Senate Bill 35 – Senator Feldman**

SECOND PRINTING

AN ACT concerning

**Procurement – Prevailing Wage – Applicability**

FOR the purpose of ~~repealing~~ altering a certain limitation on the applicability of the Prevailing Wage Law to the construction of a public work by revising a certain definition; altering the application of the Prevailing Wage Law to certain public work contracts by reducing a certain contract threshold to a certain amount; providing for the application of this Act; making conforming changes; and generally relating to the applicability of the Prevailing Wage Law.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–201 and 17–202  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 78 – Senator Waldstreicher**

AN ACT concerning

~~Public Safety – Law Enforcement and Emergency Medical Services Providers –~~  
**Administration of Ketamine**  
**Maryland Institute for Emergency Medical Services Systems – Administration**  
**of Ketamine – Data Collection**

FOR the purpose of ~~prohibiting a law enforcement officer from administering ketamine to an individual or directing an emergency medical services provider to administer ketamine; authorizing an emergency medical services provider to administer ketamine to a certain individual under certain circumstances~~ requiring the Maryland Institute for Emergency Medical Services Systems to collect certain data on the administration of ketamine to individuals by emergency medical services providers; requiring the Maryland Institute for Emergency Medical Services Systems to report certain data to the General Assembly, the President of the Senate, the Speaker of the House, and certain committees on or before a certain date and annually thereafter; providing for the termination of this Act; defining certain terms; and generally relating to law enforcement, emergency medical service providers, the Maryland Institute for Emergency Medical Services Systems and ketamine.

~~BY adding to~~

~~Article – Public Safety~~

~~Section 3-523 and 7-404~~

~~Annotated Code of Maryland~~

~~(2018 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 201 – Senators Patterson and Sydnor**

AN ACT concerning

**Criminal Procedure – Expungement of Records –~~Waiting Period~~**

FOR the purpose of ~~altering the amount of time that a person must wait before seeking expungement of certain records under certain circumstances;~~ requiring the expungement of certain records after a certain period of time under certain circumstances; requiring a court to send a certain notice under certain circumstances; requiring a court to notify a certain defendant of certain information relating to expungement; providing for notice under this Act to be made by mail under certain circumstances; requiring a court to mail a certain written form to a certain defendant; and generally relating to expungement of records.

~~BY repealing and reenacting, without amendments,~~

~~Article – Criminal Procedure~~

~~Section 10-105(a)~~

~~Annotated Code of Maryland~~

~~(2018 Replacement Volume and 2020 Supplement)~~



BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section ~~10–105(e)~~ 10–105(b)(1), (d)(1), and (f)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 10–105.1 and 10–105.2  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 202 – Senators Kelley, Carter, Smith, and Waldstreicher**

AN ACT concerning

**Correctional Services – Parole – Life Imprisonment**

FOR the purpose of altering the time period that certain inmates sentenced to life imprisonment must serve before becoming eligible for parole consideration; repealing certain provisions that provide that inmates serving a term of life imprisonment may be paroled only with the Governor’s approval, subject to certain provisions; repealing certain provisions that require certain parole decisions to be transmitted to the Governor under certain circumstances; repealing certain provisions that authorize the Governor to disapprove certain parole decisions in a certain manner; repealing certain provisions that provide that if the Governor does not disapprove a certain parole decision in a certain manner within a certain time period, the decision becomes effective; requiring certain decisions to be determined by a certain vote of the Maryland Parole Commission; and generally relating to parole.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section ~~4–305(b) and 7–301(d)~~, and 7–307  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 205 – Senator Hettleman**

AN ACT concerning

**Alcoholic Beverages – Sale or Delivery for Off–Premises Consumption**

FOR the purpose of altering the scope of a certain provision prohibiting the retail delivery to a purchaser of alcoholic beverages under certain circumstances; authorizing a county to adopt a local law or ordinance to allow the holders of certain licenses that authorize the sale of alcoholic beverages at a restaurant, bar, or tavern to sell certain alcoholic beverages for off-premises consumption or delivery under certain circumstances; prohibiting a local licensing board from charging a certain license holder an additional fee under certain circumstances; authorizing a local licensing board to limit the quantity of alcoholic beverages sold or delivered to an individual in a single transaction; requiring the Maryland Department of Health to conduct a certain study and submit a certain report to the General Assembly; providing for the termination of this Act; and generally relating to the sale of alcoholic beverages at restaurants, bars, and taverns.

BY repealing and reenacting, with amendments,  
Article – Alcoholic Beverages  
Section 4–507  
Annotated Code of Maryland  
(2016 Volume and 2020 Supplement)

BY adding to  
Article – Alcoholic Beverages  
Section 4–1107  
Annotated Code of Maryland  
(2016 Volume and 2020 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **Senate Bill 268 – Senators Bailey and West**

AN ACT concerning

#### **Criminal Law Sexual Abuse of a Minor – Crime of Violence – Definition and Lifetime Supervision**

FOR the purpose of altering a certain definition of “crime of violence” as it relates to the age of victims of certain offenses; requiring a sentence for certain persons convicted of a certain sexual abuse crime to include a term of lifetime sexual offender supervision; providing for the application of this Act; and generally relating to ~~crimes of violence~~ sexual abuse of a minor.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–602  
Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 14–101(a)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–723  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **Senate Bill 397 – Senator Carter**

AN ACT concerning

#### **Correctional Services – Diminution Credits – Education**

FOR the purpose of awarding a diminution credit to reduce the term of confinement of an inmate if the inmate successfully obtains a certain educational certificate, diploma, or degree; establishing the diminution credit that may be awarded to certain inmates; prohibiting a certain inmate from being awarded more than a certain amount of diminution credit; prohibiting a certain inmate from receiving a diminution credit under this Act; requiring the Commissioner of Correction to establish a uniform system of deductions and participation criteria for awarding a certain diminution credit; establishing a certain exception to a certain maximum deduction that may be earned by an inmate; providing for the application of this Act; and generally relating to diminution credits.

BY adding to  
Article – Correctional Services  
Section 3–706.1  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–708  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **Senate Bill 445 – Senator West**

AN ACT concerning

**Vehicle Equipment – Safety Glass – Replacement Standards**

FOR the purpose of requiring the Motor Vehicle Administration to adopt regulations establishing standards and requirements for aftermarket safety glass replacement that include certain requirements and meet or exceed the certain standards and requirements under the Automotive Glass Replacement Safety Standard established by the Auto Glass Safety Council; defining a certain term; and generally relating to standards and requirements for replacement automotive safety glass.

BY repealing and reenacting, ~~without~~ with amendments,  
 Article – Transportation  
 Section 22-406(a) and ~~(d) through (f)~~ (g)  
 Annotated Code of Maryland  
 (2020 Replacement Volume)

BY repealing and reenacting, ~~with~~ without amendments,  
 Article – Transportation  
 Section ~~22-406(g)~~ 22-406(d) through (f)  
 Annotated Code of Maryland  
 (2020 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 483 – ~~Senator Hettleman~~ Senators Hettleman, Hester, Kagan, and Pinsky**

AN ACT concerning

**Solid Waste Management – Organics Recycling and Waste Diversion – Food Residuals**

FOR the purpose of requiring a certain person that generates food residuals to separate the food residuals from other solid waste and ensure that the food residuals are diverted from final disposal in a refuse disposal system in a certain manner under certain circumstances; authorizing a certain person to apply to the Department of the Environment for a certain waiver; authorizing the Department of the Environment to grant a certain waiver under certain circumstances; requiring the Department of the Environment to establish certain procedures; establishing certain penalties for certain violations; requiring certain penalties to be distributed to a special fund for certain purposes; requiring, on or before a certain date and each year thereafter, the Department of the Environment to report to the General Assembly on the implementation of this Act; providing that this Act may not be construed to preempt or prevail over any ordinance, resolution, law, or rule more stringent than this Act; requiring the Department of the Environment to establish certain guidelines, develop certain mapping, develop a certain plan and, on or before a certain date,

report to the General Assembly on a certain plan; ~~requiring, on or before a certain date, the Department of the Environment, in conjunction with the Department of General Services and the Department of Natural Resources, to provide a certain report to the General Assembly;~~ requiring the Department of Commerce to report certain recommendations to the General Assembly on or before a certain date; providing for the application of this Act; defining certain terms; and generally relating to organics recycling and waste diversion.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–201(a) and (e) and 9–1701(a), (b), (d), (n), (o), and (q)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – Environment

Section 9–1701(i–1) and (r–1) and 9–1724.1

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 608 – Senator Jackson**

AN ACT concerning

### **Public Safety – Maryland Police Training and Standards Commission**

FOR the purpose of altering a certain provision of law authorizing a member of the Maryland Police Training and Standards Commission to designate a certain representative to act at a certain meeting to the same effect as if the member were personally present to require that the designation be made in writing; providing that the Secretary of State Police is the chair of the Commission; requiring the Commission to conduct certain job task analyses at certain intervals; altering and reorganizing provisions of law relating to the powers and duties of the Commission; altering provisions of law that require the Commission to develop certain standards, programs, best practices, systems, and regulations to instead require the Commission to maintain certain standards, programs, best practices, systems, and regulations; requiring the Commission to post certain information on its website; providing that a law enforcement agency may employ an individual as a police officer for a certain period only if the individual is certified by the Commission; providing that a law enforcement agency may employ an individual as a police officer for a certain period only if the individual is provisionally certified by the Commission; requiring a certain individual to submit to a medical evaluation to be certified as a police officer; substituting the term “certification card” for “certificate”; altering a provision of law providing for the submission of fingerprints to the Criminal Justice Information System Central Repository as part of an application for certification as

a police officer; altering a provision of law relating to the lapse of a police officer's certification from the Commission; requiring the Commission to hold a certain hearing within a certain period of time after receiving a request for a hearing by a certain police officer; repealing a requirement that the Commission follow certain procedures and that a police officer is entitled to certain rights during a certain hearing; repealing a requirement that the Commission order a certain law enforcement agency to pay certain costs and fees; authorizing the Commission to suspend or revoke the certification of a police officer if the police officer has been convicted of certain crimes; altering a provision of law relating to the recall of the certification card of a police officer by the Commission; altering a provision of law relating to the recertification of a police officer whose certification has been revoked; repealing certain provisions relating to certification of nonfull-time police officers; making clarifying changes; altering certain definitions; defining a certain term; making conforming and stylistic changes; and generally relating to the Maryland Police Training and Standards Commission.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 3–201(a) and (b) and 3–202  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Public Safety  
Section 3–201(e)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–201(e) through (g), 3–203(c), 3–204, 3–207, 3–209, 3–209.1, and 3–211  
through 3–215  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY repealing  
Article – Public Safety  
Section 3–210 and 3–216  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 625 – Senator Carter**

AN ACT concerning

### Courts – Jury Service – Disqualification

FOR the purpose of altering certain circumstances under which an individual who has been convicted of a crime is not qualified for jury service; repealing a provision ~~specifying that an individual is not qualified for jury service if the individual has a certain charge pending for a certain crime~~ made obsolete by this Act; and generally relating to jury service.

BY repealing and reenacting, with amendments,  
 Article – Courts and Judicial Proceedings  
 Section 8–103  
 Annotated Code of Maryland  
 (2020 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 741 – Senators Rosapepe, Beidle, Augustine, King, ~~and Waldstreicher~~  
Waldstreicher, and Benson**

#### EMERGENCY BILL

AN ACT concerning

#### **COVID–19 Testing, Contact Tracing, and Vaccination Act of 2021**

FOR the purpose of requiring, on or before a certain date, the Maryland Department of Health, in collaboration with local health departments in the State, to adopt and implement a certain plan to respond to the outbreak of COVID–19; establishing certain requirements for the plan; requiring the Department, in collaboration with local health departments and other persons, to include in the plan the establishment of a Maryland Public Health Jobs Corps; establishing certain requirements for the Corps; requiring the Department to submit the plan to the General Assembly on or before a certain date; requiring the Department to provide in certain fiscal years certain funding in grants to local jurisdictions for certain purposes; authorizing a local jurisdiction to use certain grant funding for a certain purpose; establishing certain formulas for the allocation of certain funding to local jurisdictions; ~~requiring~~ authorizing the Department to ~~first~~ only certain federal funding to provide certain funding to local jurisdictions; ~~requiring the Department to use general funds to provide certain funding to local jurisdictions under certain circumstances;~~ requiring the Department, on or before a certain date and with input from certain persons, to develop and submit to the General Assembly a certain plan for vaccinating residents of the State against COVID–19; requiring that the plan include certain information and elements; requiring the Department to provide to the General Assembly, for the duration of a certain calendar year, certain weekly progress reports on implementation of the plan; requiring the reports to be submitted to the General Assembly in a certain manner; requiring the Department to convene a Maryland Public Health Infrastructure Modernization Workgroup; providing for

the composition of the Workgroup; requiring the Workgroup to conduct a certain assessment and make certain recommendations; requiring the Workgroup to submit a certain report to the General Assembly on or before a certain date; requiring, for a certain calendar year, certain institutions of higher education in the State to adopt and implement ~~establish~~ a certain COVID–19 ~~testing security~~ plan; requiring that the COVID–19 ~~testing security plan adopted and implemented~~ established by certain institutions of higher education include a certain requirement be posted on a certain website and made available to the public; requiring home health agencies to adopt and implement a certain COVID–19 infection control and prevention plan and provide the plan to certain individuals; requiring home health agencies, nursing homes, and assisted living programs to adopt and implement COVID–19 testing plans; establishing certain requirements for the COVID–19 testing plans; requiring the Department to adopt certain regulations; requiring the Department, to the extent practicable, to provide certain grant funding to home health agencies and assisted living facilities in certain years to cover the cost of certain COVID–19 testing; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain COVID–19 tests and ~~associated costs~~ related items and services for the administration of the tests; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from requiring a member to obtain a certain determination as a condition for the coverage; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from applying a copayment, coinsurance requirement, or deductible to the coverage; stating the intent of the General Assembly; providing that any funding appropriate for the implementation of this Act may consist only of certain federal funds; defining certain terms; providing for the application of certain provisions of this Act; making this Act an emergency measure; providing for the termination of certain provisions of this Act; and generally relating to public health and testing, contact tracing, and vaccination for COVID–19.

BY adding to

Article – Health – General

Section 16–201.5; 18–9A–01 through 18–9A–04 to be under the new subtitle “Subtitle 9A. COVID–19 Testing, Contact Tracing, and Vaccination Act”; 19–411; 19–14C–01 and 19–14C–02 to be under the new subtitle “Subtitle 14C. COVID–19 Testing Plan”; and 19–1814

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – Education

Section 11–1701 and 11–1702 to be under the new subtitle “Subtitle 17. COVID–19 Testing Plan”

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to



Article – Insurance  
Section 15–856  
Annotated Code of Maryland  
(2017 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 752 – Senator Hayes**

AN ACT concerning

**Baltimore City – Police Officers – Promotional Appointments**

FOR the purpose of altering the procedures used by the Police Commissioner of Baltimore City to award promotional appointments; authorizing the Commissioner to remove certain applicants from the list of eligible appointees if the Civilian Review Board or the Baltimore City Police Department’s Disciplinary Review Committee has sustained a certain complaint against the applicant during a certain time period; and generally relating to promotional appointments for police officers in Baltimore City.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Baltimore City  
Section 16–10(c)  
Article 4 – Public Local Laws of Maryland  
(1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 820 – Senator West**

AN ACT concerning

**Wills, Powers of Attorney, and Advance Directives – Electronic Execution**

FOR the purpose of altering certain provisions of law related to the execution of wills to authorize a person to electronically execute a will under certain circumstances; requiring a certain testator, witnesses, and supervising attorney to be in certain physical or electronic presence of one another at a certain time under certain circumstances; authorizing a supervising attorney to be a certain witness to the execution of certain instruments under certain circumstances; establishing certain residency, presence, and signature requirements for a certain testator and certain witnesses under certain circumstances; requiring a supervising attorney to create a certain certified will under certain circumstances; requiring a testator to create a certain certified will under certain circumstances; providing that a certain certified will shall be deemed the original will of the testator under certain circumstances; establishing a certain date of execution for a certain certified will; altering certain

provisions of law related to the proper execution of a will outside of the State; altering certain provisions of law related to the execution of a power of attorney to authorize a person to electronically execute a power of attorney if certain requirements are satisfied, subject to a certain exception; requiring a certain principal, witnesses, and supervising attorney to be in certain physical or electronic presence of one another at a certain time under certain circumstances; establishing certain residency, presence, and signature requirements for a certain principal and certain witnesses under certain circumstances; requiring a supervising attorney to create a certain certified power of attorney under certain circumstances; providing that a certain certified power of attorney shall be deemed the original power of attorney of a certain principal under certain circumstances; establishing a certain date of execution for a certain certified power of attorney; altering certain provisions of law related to the execution of advance directives to authorize certain witnesses to sign an advance directive in either certain physical or electronic presence of the declarant; providing that a will, a power of attorney, a notarization of a power of attorney, or an advance directive executed in conformance with the provisions of certain executive orders shall be deemed to satisfy certain requirements under this Act; 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; altering certain definitions; defining certain terms; making certain clarifying changes; providing for the retroactive application of this Act in certain circumstances; and generally relating to the execution of wills, powers of attorney, and advance directives.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 1–101(w), 4–102, 4–104, 17–101, and 17–110  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)

BY repealing  
Article – Estates and Trusts  
Section 4–101  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Estates and Trusts  
Section 4–101  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–601 and 5–602(c)  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 5–602(a)  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 4–109  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 841 – Senators Hershey, Feldman, and Guzzone**

AN ACT concerning

**Property Tax – Community Solar Energy Generating Systems**

FOR the purpose of establishing certain ~~solar energy property~~ community solar energy generating systems as a subclass of personal property; providing that the county tax rate applicable to certain ~~solar energy property~~ community solar energy generating systems may be a different rate from the county tax rate applicable to other personal property, subject to a certain limitation; ~~exempting~~ authorizing the governing body of a county or municipal corporation to exempt, by law, personal property that is a certain community solar energy generating system from a county or municipal corporation property tax under certain circumstances; prohibiting the supervisor of assessments for a county, when valuing income producing real property, from considering the value of certain income attributable to the installation of a certain community solar energy generating system; defining a certain term; providing for the application of this Act; and generally relating to property taxes and solar energy systems.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–306.2(a)(1) and (3)  
Annotated Code of Maryland  
(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 6–302(b)(1) and 8–101(c)  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – Tax – Property

Section ~~7-402~~ 7-522 and 8-105(a)(4)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 8-101(a) and 8-105(a)(1)

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 901 – ~~Senator Hester~~ Senators Hester, Guzzone, Rosapepe, Carozza, Corderman, Eckardt, Edwards, Elfreth, Griffith, King, McCray, Peters, Salling, Young, and Zucker**

AN ACT concerning

**Public Safety – Emergency Management – Resilient Maryland Revolving Loan Fund**

FOR the purpose of establishing the Resilient Maryland Revolving Loan Fund as a special, nonlapsing fund; establishing the purpose of the Fund; authorizing uses for the Fund; requiring certain loans to be for a fixed period; requiring the Maryland Emergency Management Agency (MEMA) to administer the Fund; requiring MEMA to prioritize making loans to certain projects; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; requiring investment of the money 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; specifying that money expended from the Fund is supplemental to certain other funds; authorizing loans from the Fund to be used to satisfy the nonfederal match for federal mitigation grants; requiring MEMA to establish application procedures and certain eligibility criteria for loans from the Fund; ~~requiring the Governor to include a certain amount in the annual budget bill beginning in a certain fiscal year for the Fund;~~ specifying the intent of the General Assembly that MEMA apply to the Federal Emergency Management Agency for certain funding; requiring MEMA to grant loans to local jurisdictions, at least in part, to meet certain federal matching requirements; defining a certain term; and generally relating to the Resilient Maryland Revolving Loan Fund.

BY adding to

Article – Public Safety

Section 14-110.4

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)

Read the first time and referred to the Committee on Appropriations and the Committee on Environment and Transportation.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 796)

**RECESS**

At 2:16 P.M. on motion of Delegate Luedtke the House recessed until 10:00 A.M. on Legislative Day, March 11, 2021, Calendar Day, Wednesday, March 24, 2021.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: March 11, 2021**  
**Calendar Day: Wednesday, March 24, 2021**

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At 10:06 A.M. the House resumed its session and pledged Allegiance to the Flag.

**QUORUM CALL**

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

(See Roll Call No. 797)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Belcastro – personal  
Delegate Carr – personal  
Delegate Cox – illness  
Delegate Grammer – personal  
Delegate Impallaria – personal  
Delegate R. Jones – late – illness  
Delegate Lehman – personal  
Delegate Lisanti – late – personal  
Delegate Parrott – business

**MESSAGE FROM THE SENATE**  
**INTRODUCTORY SENATE BILLS NO. 25**

**Senate Bill 17 – Senators Carozza and West**

AN ACT concerning

**Criminal Law – Life-Threatening Injury Involving a Motor Vehicle or Vessel**  
**– Criminal Negligence**  
**(Wade’s Law)**

FOR the purpose of prohibiting a person from driving, operating, or controlling a motor vehicle or vessel in a criminally negligent manner that results in a life-threatening injury to another; providing that certain conduct does not constitute a violation of this Act; establishing penalties for a violation of this Act; defining certain terms; and generally relating to life-threatening injuries involving a motor vehicle or vessel.

BY adding to

Article – Criminal Law  
Section 3–212.1  
Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **Senate Bill 105 – Senator Sydnor**

AN ACT concerning

#### **Peace Orders – Workplace Violence**

FOR the purpose of specifying that certain provisions of law relating to peace orders may not be interpreted to create or impose a duty on a certain employer to file a petition on behalf of a certain employee; making certain provisions of law relating to the filing, issuance, and modification of certain peace orders and to the shielding of certain court records of certain peace order proceedings apply to certain peace orders filed by certain employers on the basis of certain acts committed against certain employees under certain circumstances; requiring an employer to notify an employee before an employer files a certain petition; ~~providing certain immunity from certain liability to a certain employer under certain circumstances;~~ prohibiting an employer from retaliating against an employee under certain circumstances; making certain conforming changes; defining certain terms; providing for the application of a certain provision of this Act; and generally relating to peace orders.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1501, 3–1502, 3–1503, 3–1503.1, 3–1504, 3–1505, 3–1506, and 3–1510  
Annotated Code of Maryland  
(2020 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

### **Senate Bill 133 – Senator Rosapepe**

AN ACT concerning

#### **Local Tax Relief for Working Families Act of 2021**

FOR the purpose of altering the calculation of a certain grant to certain counties under certain circumstances; altering the minimum tax rate that a county is required to impose on an individual's Maryland taxable income; ~~altering the maximum tax rate a county may impose on an individual's Maryland taxable income;~~ authorizing a county to impose the county income tax on an income bracket basis under certain circumstances; requiring a county that imposes the county income tax on an income bracket basis to set, by ordinance or resolution, certain income brackets; providing

that the income brackets may differ from the income brackets to which the State income tax applies; prohibiting a county that imposes the county income tax on an income tax bracket basis from setting a minimum income tax rate less than a certain amount; prohibiting a county from applying an income tax rate to a certain income bracket that is less than a certain rate ~~or from imposing an income tax rate that is greater than a certain rate except under certain circumstances~~; authorizing a county to request certain information from the Comptroller for a certain purpose; making a conforming change; repealing certain obsolete language; providing for the application of this Act; and generally relating to the county income tax.

BY repealing and reenacting, with amendments,

Article – Local Government

Section 16–501

Annotated Code of Maryland

(2013 Volume and 2020 Supplement)

(As enacted by Chapter 26 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–106

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 250 – Senators Lee and Waldstreicher**

AN ACT concerning

**Criminal Law – Sexual Crimes – ~~Repeal of Fourth Degree Sexual Offense and Spousal Defense~~**

**(~~Love Is No Defense to Sexual Crimes~~)**

FOR the purpose of altering the definition of “sexual contact”; repealing a certain prohibition on prosecuting a person for rape or a certain sexual offense against a victim who was the person’s legal spouse at the time of the alleged rape or sexual offense; and generally relating to sexual crimes.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–301(e)

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 3–308(b)(1)



Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

BY repealing

Article – Criminal Law

Section 3–318

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 360 – Senator Rosapepe**

AN ACT concerning

**State Government – Notaries Public – Notary Public Fund and Remote Notarial Acts**

FOR the purpose of establishing the Notary Public Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of State 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 of State money to accrue to the General Fund of the State; requiring the Secretary of State to distribute certain fees to the Fund; defining a certain term; and generally relating to notaries public.

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 18–103(e) and 18–108  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

BY adding to  
Article – State Government  
Section 18–109  
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 369 – Senator Peters**

AN ACT concerning

**Child Abuse and Neglect – Memorandum of Understanding With Military  
Family Advocacy Program**

FOR the purpose of requiring certain local departments of social services to enter into a memorandum of understanding with a certain military family advocacy program; establishing certain requirements for a memorandum of understanding under this Act; defining a certain term; and generally relating to child abuse and neglect.

BY adding to  
Article – Family Law  
Section 5–705.5  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 370 – ~~Senator Peters~~ Senators Peters, Corderman, Eckardt, Edwards,  
Elfreth, Griffith, Guzzone, King, McCray, Rosapepe, Salling, Young, and  
Zucker**

AN ACT concerning

**Income Tax Subtraction Modification – Military and Public Safety Retirement  
Income**

FOR the purpose of increasing the amount of a subtraction modification under the Maryland income tax for certain military retirement income for individuals who are at least a certain age; increasing the amount of a subtraction modification under the Maryland income tax for certain retirement income attributable to a resident's

employment as a correctional officer, a law enforcement officer, or a fire, rescue, or emergency services personnel; altering a certain limitation on the amount of a subtraction modification under the Maryland income tax for certain retirement income attributable to a resident's employment as a correctional officer, a law enforcement officer, or a fire, rescue, or emergency services personnel; defining certain terms; making conforming changes; providing for the application of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to subtraction modifications under the Maryland income tax for certain retirement income.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(q) and 10–209  
Annotated Code of Maryland  
(2016 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Tax – General  
Section 10–207(jj)  
Annotated Code of Maryland  
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(jj) and 10–209  
Annotated Code of Maryland  
(2016 Replacement Volume and 2020 Supplement)  
(As enacted by Section 2 of this Act)

Read the first time and referred to the Committee on Ways and Means.

### **Senate Bill 484 – Senator Hettleman**

AN ACT concerning

#### **Criminal Procedure – Victims of Crime – Private Room**

FOR the purpose of requiring the State Board of Victim Services to develop a certain poster to notify a victim of the right to request a certain private room when reporting a certain crime; requiring a certain law enforcement agency to display a certain poster; requiring a certain law enforcement agency to provide a certain private room to a

certain victim under certain circumstances; defining a certain term; and generally relating to victims of crime.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–911  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–914  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 11–1002(d)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **Senate Bill 535 – Senator King**

AN ACT concerning

#### **Condominiums and Homeowners Associations – Meeting Requirements**

FOR the purpose of making clarifying changes to certain additional meeting requirements for a council of unit owners; requiring notice of an initial properly called meeting of a council of unit owners to include certain information under certain circumstances; requiring an additional meeting of a council of unit owners to be held not earlier than a certain time; requiring a certain notice of an additional meeting of the council of unit owners to be delivered, advertised, or posted in a certain manner; authorizing an additional meeting of lot owners to be held under certain circumstances; requiring notice of an initial properly called meeting of the lot owners of a homeowners association to include certain information under certain circumstances; requiring an additional meeting of lot owners to be held not earlier than a certain time; requiring a certain notice of an additional meeting of the lot owners to be delivered, advertised, or posted in a certain manner; establishing certain quorum and approval requirements for an additional meeting of lot owners under certain circumstances; providing for the construction of certain provisions of this Act; and generally relating to meeting requirements in condominiums and homeowners associations.

BY repealing and reenacting, with amendments,  
Article – Real Property

Section 11–109(c)(8) and 11B–111(4) and (5)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Real Property  
Section 11B–111(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 548 – Senator Augustine**

AN ACT concerning

#### **Public Schools – Centers for Disease Control and Prevention Surveys – Revisions**

FOR the purpose of requiring the State Department of Education, in coordination with the Maryland Department of Health, to establish procedures for the administration of certain Centers for Disease Control and Prevention surveys to certain students; ~~repealing the authority of the State Department of Education to omit a certain amount of survey questions under certain circumstances;~~ requiring that certain actions taken by the State Department of Education be taken in coordination with the Maryland Department of Health; requiring the State Department of Education, in coordination with the Maryland Department of Health, to include in the survey ~~certain tiers and~~ at least a certain number of certain questions; ~~requiring, within a certain period of time, the Maryland Department of Health to publish a certain data summary and trends report on certain data~~ requiring that a certain report submitted by the Maryland Department of Health to the Governor and the General Assembly by a certain date in certain years include, beginning in a certain year, a certain data summary and trends report on certain data; requiring the Maryland Department of Health to publish a certain data summary and trends report on certain data on or before a certain date; defining a certain term; making a technical change; and generally relating to Centers for Disease Control and Prevention surveys.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–420  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 13–1004  
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 587 – Senator Sydnor**

AN ACT concerning

### **Task Force on Facial Recognition Privacy Protection Act**

FOR the purpose of ~~requiring certain governmental units to produce and update certain reports relating to the development, procurement, or use of facial recognition services at certain intervals through a certain process; requiring certain governmental units to communicate certain information to the public by certain deadlines, post certain reports on certain websites, and submit certain reports to the Department of Information Technology; requiring certain governmental units to ensure that certain decisions are subject to certain review; requiring certain governmental units to perform certain testing of a facial recognition service before deploying the facial recognition service; requiring a provider of a certain facial recognition service to make available a certain application programming interface for certain testing of the service; requiring a provider of a certain facial recognition service to develop and implement a certain plan under certain circumstances; requiring certain governmental units to conduct certain training; prohibiting certain governmental units from using a facial recognition service for certain purposes under certain circumstances; authorizing a court to issue a certain order under certain circumstances; prohibiting certain governmental units from applying a facial recognition service to an individual on certain bases; requiring certain governmental units to disclose the use of facial recognition services to certain individuals in a certain manner under certain circumstances; requiring certain governmental units to maintain certain records; requiring certain judges to report certain information to the Court of Appeals on or before a certain date each year; declaring certain findings of the General Assembly; defining certain terms; providing for the application and effect of this Act; establishing the Task Force on Facial Recognition Privacy Protection; 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 facial recognition services~~ the Task Force on Facial Recognition Privacy Protection.

~~BY adding to~~

~~Article — State Government~~

~~Section 10-1701 through 10-1711 to be under the new subtitle “Subtitle 17. Facial Recognition Services”~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 607 – Senator Jackson**

AN ACT concerning

**Criminal Law – Harm to Service Animals**

FOR the purpose of prohibiting a person from ~~intentionally or recklessly killing,~~ killing or injuring, ~~or interfering with the use of~~ a certain service animal in a certain manner, or allowing a certain animal to kill, ~~injure, or interfere with the use of~~ or injure a certain service animal in a certain manner; establishing penalties for a violation of this Act; ~~requiring~~ authorizing a court to order a certain defendant to pay certain restitution as a condition of sentencing; providing for the application of this Act; and generally relating to harmful acts committed against service animals.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10–603

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

BY adding to

Article – Criminal Law

Section 10–626

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Human Services

Section 7–701(a) and (g)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 631 – Senators Kagan, Reilly, and Jackson**

AN ACT concerning

~~Public Safety~~ **Workgroup to Study and Implement a Statewide 3–1–1  
Nonemergency Telephone System**

FOR the purpose of ~~recognizing the importance and certain benefits of a statewide integrated telephone system for nonemergency information, services, and referral to~~

~~State or local agencies, programs, and departments; specifying the purposes of certain provisions of this Act; establishing a statewide 3-1-1 system under the Maryland Emergency Management Agency (MEMA); requiring that 3-1-1 nonemergency government answering points be located in certain areas; requiring that a 3-1-1 system provide certain services; providing for a primary and backup nonemergency telephone number in the 3-1-1 system; requiring that certain educational information made available by a 3-1-1 nonemergency government answering point designate 3-1-1 as the primary nonemergency telephone number; requiring a 3-1-1 nonemergency government answering point to notify certain agencies, programs, or departments of requests for services, resources, or other information; requiring that certain guidelines be developed to govern the referral of requests for nonemergency services to certain agencies, programs, or departments; requiring certain agencies, programs, and departments with concurrent jurisdiction to have written agreements to ensure requests for nonemergency services, resources, or other information are referred to a certain agency, program, or department; requiring the 3-1-1 system to employ certain standards-based protocols; requiring MEMA to ensure that certain 3-1-1 specialists have certain certifications; authorizing MEMA to establish a certain telecommunicator response team; requiring MEMA to submit, on or before a certain date each year, a certain report that includes certain information to certain committees of the General Assembly; defining certain terms; and generally relating to a statewide integrated telephone system for nonemergency government services, resources, and information~~

establishing the Workgroup to Study and Implement a Statewide 3-1-1 Nonemergency Telephone System; 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 develop a plan regarding implementing a statewide 3-1-1 nonemergency telephone system; 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 to Study and Implement a Statewide 3-1-1 Nonemergency Telephone System.

BY repealing and reenacting, without amendments,  
 Article – Public Safety  
 Section 1-301(a) and (t)  
 Annotated Code of Maryland  
 (2018 Replacement Volume and 2020 Supplement)

~~BY adding to~~  
~~Article – Public Safety~~  
~~Section 14-1101 through 14-1105 to be under the new subtitle “Subtitle 11.3-1-1 Nonemergency Telephone System”~~  
 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 637 – Senator Hayes**

AN ACT concerning

**Community Development Administration – Live Near Your School Program –  
Establishment**

FOR the purpose of ~~requiring~~ authorizing the Community Development Administration in the Department of Housing and Community Development to administer a home buyer assistance program that assists certain individuals with receiving certain low-interest mortgages for the purchase of homes near the individuals' schools; ~~requiring~~ authorizing the Administration to coordinate with, and match where appropriate, similar other programs under certain circumstances; requiring the Administration to allow public institutions of higher education to provide certain matching funds; requiring the Administration to utilize available funding sources for a certain home buyer assistance program; requiring the Administration to facilitate the marketing of a certain home buyer assistance program with certain persons and to utilize certain funding under certain circumstances; requiring the Department to report to the General Assembly on a certain home buyer assistance program on or before a certain date each year; requiring the Administration to administer certain community development projects to provide certain individuals with certain financial assistance to buy homes near the individuals' schools under certain circumstances; exempting certain community development projects from certain requirements regarding income; designating certain community development projects as the Live Near Your School program; requiring the Administration to adopt certain regulations; defining certain terms; providing for the termination of this Act; and generally relating to the Live Near Your School program.

BY adding to

Article – Housing and Community Development  
Section 4-215.1 and 4-217(e)  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Housing and Community Development  
Section 4-217(a) and (b)  
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 750 – Charles County Senators**

AN ACT concerning

**Charles County – Community Service and Pretrial Release Programs –  
Authorization**

FOR the purpose of authorizing the Charles County Board of County Commissioners to establish and provide for the administration of a certain community service program in Charles County; ~~authorizing the Board to enact certain local laws and ordinances;~~ providing that a court may order a person to participate in the community service program under certain circumstances; providing for a certain fee to be charged; providing for the waiver by a court of a certain fee; requiring staff for the community service program to report certain information to a court; authorizing the Board to establish and provide for the administration of a pretrial release program in Charles County; providing for a court to order a person to participate in the pretrial release program under certain circumstances; ~~establishing certain requirements for the program;~~ requiring staff for the pretrial release program to take certain actions with respect to the program; authorizing the Board and the Charles County Sheriff to enter into a certain agreement; requiring ~~the Sheriff to notify staff for the pretrial release program of~~ staff of the pretrial release program to immediately report to the court certain information; providing that a certain person who violates a certain condition is subject to removal from the pretrial release program; and generally relating to the establishment of community service and pretrial release programs in Charles County.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–710  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 885 – Senator Hester**

AN ACT concerning

**Economic and Community Development – Income Tax Credit for Catalytic  
Revitalization Projects**

FOR the purpose of allowing an individual, a nonprofit organization, or a business entity to claim a credit against the State income tax for certain ~~rehabilitation expenses~~ new construction costs and rehabilitation costs for certain catalytic revitalization projects in the State; prohibiting the Comptroller and the Secretary of Housing and Community Development from recapturing the credit under certain circumstances; requiring the Secretary ~~of Housing and Community Development~~, on application by an individual, a nonprofit organization, or a business entity, to issue tax credit certificates for a certain amount, subject to certain limitations; prohibiting the Secretary from awarding a credit certificate for more than one catalytic revitalization

project within a certain number of years and from issuing tax credit certificates for credit amounts in the aggregate that exceed a certain amount; allowing an individual, a nonprofit organization, or a business entity to claim a refund of the credit, allocate the credit, carry forward the credit, and transfer the credit under certain circumstances; requiring the Secretary, in consultation with the Department of Commerce, to adopt certain regulations; requiring a certain steering committee established under certain provisions of law to continue certain work, coordinate with the Secretary for certain purposes, and report to the Department of Housing and Community Development and the Department of Commerce on or before a certain date; defining certain terms; providing for the application and termination of certain provisions of this Act; and generally relating to the catalytic revitalization project tax credit.

BY repealing and reenacting, without amendments,  
Article – Housing and Community Development  
Section 1–101(a), (g), 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. Catalytic Revitalization Project Tax Credit”  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Tax – General  
Section 10–751  
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 909 – ~~Senator Smith~~ Senators Smith, Corderman, Eckardt, Edwards, Elfreth, Griffith, Guzzone, King, McCray, Peters, Rosapepe, Salling, Young, and Zucker**

AN ACT concerning

### **Capital Projects – Minority Business Enterprise Goals**

FOR the purpose of requiring the Governor’s Office of Small, Minority, and Women Business Affairs, prior to the release of State funds for a certain capital project, to review the project for subcontracting opportunities under the State Minority Business Enterprise Program and, if practicable, establish minority business enterprise subgoals for the project; requiring the Governor’s Office of Small,

Minority, and Women Business Affairs to consider minority business enterprises when setting certain subgoals; requiring the recipient of the State funds, if subgoals are established for the project, to make a certain certification to the Department of General Services or to request a certain waiver from the Governor’s Office of Small, Minority, and Women Business Affairs; requiring the Governor’s Office of Small, Minority, and Women Business Affairs to review a request for a waiver and report the revised subgoals to the Department; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date each year; requiring the Special Secretary for the Office of Small, Minority, and Women Business Affairs, in consultation with the Secretary of Transportation and the Attorney General, to establish policies and guidelines for the implementation of this Act on or before a certain date; requiring the Governor’s Office of Small, Minority, and Women Business Affairs to report to the General Assembly on the establishment of certain minority business enterprise subgoals on or before a certain date; providing for the construction of this Act; providing for a delayed effective date for certain provisions of this Act; defining a certain term; and generally relating to the application of minority business subcontracting goals to capital projects.

BY adding to

Article – State Finance and Procurement  
Section 3–610  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Appropriations.

**Senate Bill 946 – ~~Senator Bailey~~ Senators Bailey, Carozza, and Simonaire**

AN ACT concerning

**Historic St. Mary’s City Fort to 400 Commission**

FOR the purpose of establishing the Historic St. Mary’s City Fort to 400 Commission for a certain purpose; providing for the membership, 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 Governor to fill a certain vacancy on the Commission under certain circumstances; providing for the duties of the Commission; requiring the Commission to establish certain advisory committees; requiring the Commission to meet at certain times; requiring the Commission to submit certain reports to the Governor and the General Assembly at certain times; defining a certain term; providing for the termination of this Act; and generally relating to the Historic St. Mary’s City Fort to 400 Commission.

BY adding to

Article – State Government  
Section 9–3301 through 9–3307 to be under the new subtitle “Subtitle 33. Historic

St. Mary’s City Fort to 400 Commission”  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**APPROPRIATIONS COMMITTEE REPORT NO. 14**

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 590 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2021,  
and the Maryland Consolidated Capital Bond Loans of 2012, 2013, 2014, 2015,  
2016, 2017, 2018, 2019, and 2020**

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE  
TO THE MARYLAND HOUSE OF DELEGATES – 2021 SESSION –  
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION  
PERTAINING TO HOUSE BILL 590 – THE CAPITAL BUDGET

(See Exhibit L of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPRINT TO  
HOUSE BILL 590 – THE CAPITAL BUDGET

(See Exhibit M of Appendix II)

Committee amendment 1 was read and adopted.

Committee amendments 2 through 6 were read and adopted.

Committee amendments 7 through 11 were read and adopted.

Committee amendments 12 through 17 were read and adopted.

Committee amendments 18 through 22 were read and adopted.

Committee amendments 23 through 26 were read and adopted.

Committee amendments 27 through 31 were read and adopted.

Committee amendments 32 through 38 were read and adopted.

Committee amendments 39 through 41 were read and adopted.

Committee amendments 42 through 105 were read and adopted.

Committee amendments 106 through 107 were read and adopted.

Committee amendments 108 through 124 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 1341 – Chair, Appropriations Committee (By Request – Departmental  
– University System of Maryland)**

AN ACT concerning

**University System of Maryland – Academic Facilities Bonding Authority**

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 1374 – Delegate B. Barnes**

AN ACT concerning

**Prior Authorizations of State Debt – Alterations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**APPROPRIATIONS COMMITTEE REPORT NO. 15**

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**Senate Bill 433 – Senator King**

AN ACT concerning

~~Community Colleges~~ Institutions of Higher Education – State Funding –  
Revision

SB0433/904660/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 433

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “requiring the University of Maryland School of Medicine to provide clinical care at the University of Maryland Capital Region Medical Center by assigning certain faculty to the Center who specialize in certain areas; requiring the Governor, for certain fiscal years, to include in the annual budget bill an appropriation to implement certain requirements regarding the provision of clinical care; providing that certain funding is supplemental and may not supplant existing funds;”; and after line 10, insert:

“BY adding to

Article – Education

Section 12–120

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“12–120.

(A) THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE SHALL PROVIDE CLINICAL CARE AT THE UNIVERSITY OF MARYLAND CAPITAL REGION MEDICAL CENTER BY ASSIGNING TO THE CENTER FACULTY WHO SPECIALIZE IN THE FOLLOWING:

(1) NEUROSCIENCE;

**(2) OBSTETRICS AND GYNECOLOGY;**

**(3) ONCOLOGY; AND**

**(4) VASCULAR NEUROLOGY.**

**(B) (1) FOR FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$5,000,000 TO IMPLEMENT THE PROVISIONS OF THIS SECTION.**

**(2) FUNDS PROVIDED IN ACCORDANCE WITH THIS SUBSECTION SHALL SUPPLEMENT AND MAY NOT SUPPLANT ANY OTHER FUNDING PROVIDED TO THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE.”.**

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. 33**

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

**House Bill 831 – Delegate Charkoudian**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Food System Resiliency Council**

**HB0831/530614/1**

BY: Environment and Transportation Committee

**AMENDMENT TO HOUSE BILL 831**

**(First Reading File Bill)**



On page 2, strike line 19 in its entirety; and in lines 20, 22, 24, and 27, strike “(7)”, “(8)”, “(9)”, and “(10)”, respectively, and substitute “(6)”, “(7)”, “(8)”, and “(9)”, respectively.

On page 3, in line 1, strike “(11)” and substitute “(10)”.

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 964 – Delegate Parrott**

AN ACT concerning

#### **Vehicle Laws – Driving in Right-Hand Lanes – Interstate Highways in Rural Areas**

**HB0964/500112/1**

BY: Environment and Transportation Committee

#### AMENDMENTS TO HOUSE BILL 964

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 11, after “Assembly;” insert “prohibiting the issuance of a citation for a violation of this Act; providing for the construction of this Act;”.

#### AMENDMENT NO. 2

On page 2, in line 24, after “(II)” insert “1.”; and after line 27, insert:

**“2. THIS PARAGRAPH ESTABLISHES THE POLICY OF THE STATE AND GUIDANCE WITH RESPECT TO THE RULES OF THE ROAD AND A PERSON MAY NOT BE ISSUED A CITATION FOR A VIOLATION OF THIS PARAGRAPH.”**

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 1098 – Delegate M. Fisher**

AN ACT concerning

**Elected Officials – State–Owned Electric Vehicle Charging Stations –  
Reimbursement**

**HB1098/260117/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1098

(First Reading File Bill)

AMENDMENT NO. 1

In line 2, strike “**Elected Officials**” and substitute “**State Employees and General Assembly Members**”; in line 4, after “of” insert “establishing that a State employee who uses a certain State–owned electric vehicle charging station to charge a personal electric vehicle may not be subject to reimbursement;”; in the same line, strike “certain State and local elected officials” and substitute “members of the General Assembly”; in line 6, after “expenses;” insert “declaring the intent of the General Assembly; providing for the termination of certain provisions of this Act; providing for the effective dates of this Act;”; and in line 10, after “Section” insert “and 2–1805 and”.

AMENDMENT NO. 2

After line 16, insert:

**“(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A STATE EMPLOYEE WHO USES A STATE–OWNED ELECTRIC VEHICLE CHARGING STATION LOCATED AT THE EMPLOYEE’S PLACE OF EMPLOYMENT TO CHARGE A PERSONAL ELECTRIC VEHICLE MAY NOT BE SUBJECT TO REIMBURSEMENT TO THE STATE FOR THE ELECTRICITY USED.”;**

in line 17, before “ANY” insert “(B)”; in the same line, strike “STATE OR LOCAL ELECTED OFFICIAL” and substitute “MEMBER OF THE GENERAL ASSEMBLY”; after line 19, insert:

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

Article – State Government

2-1805.

ANY MEMBER OF THE GENERAL ASSEMBLY WHO USES A STATE-OWNED ELECTRIC VEHICLE CHARGING STATION TO CHARGE A PERSONAL ELECTRIC VEHICLE SHALL REIMBURSE THE STATE FOR THE ELECTRICITY USED.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly to promote and facilitate the purchase and use of electric vehicles by State employees to the maximum extent feasible.”;

in line 20, strike “2.” and substitute “4.”; in the same line, after “That” insert “Section 1 of”; and in line 21, after “2021.” insert “It shall remain effective for a period of 9 years and, at the end of September 30, 2030, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”

SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect September 30, 2030, the termination date of Section 1 of this Act. This section may not be interpreted to have any effect on that termination provision.

SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions of Sections 4 and 5 of this Act, this Act shall take effect October 1, 2021.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB1098/773729/1**

BY: Delegate M. Fisher

AMENDMENTS TO HOUSE BILL 1098, AS AMENDED  
(First Reading File Bill)

AMENDMENT NO. 1

Strike the Environment and Transportation Committee Amendments (HB1098/260117/1) in their entirety.

AMENDMENT NO. 2

In line 2 of the bill, after “**Officials**” insert “**and State Employees**”; in line 4, after “officials” insert “**and State employees**”; and in line 17, after “**OFFICIAL**” insert “**OR STATE EMPLOYEE**”.

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

Affirmative – 47    Negative – 80    (See Roll Call No. 798)

Read the second time and ordered prepared for Third Reading.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 34**

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

**House Bill 636 – Delegate Solomon**

AN ACT concerning

**School Buildings – Drinking Water Outlets – Elevated Level of Lead  
(Safe School Drinking Water Act)**

**HB0636/120218/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 636  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “changes;” insert “**providing for the construction of this Act;**”.

AMENDMENT NO. 2

On page 5, after line 23, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to alter the priority in awarding grants under the Healthy School Facility Fund established under § 5–322 of the Education Article.”;

and in line 24, 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.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 799)

**ADJOURNMENT**

At 11:05 A.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 12, 2021, Calendar Day, Thursday, March 25, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 12, 2021**  
**Calendar Day: Thursday, March 25, 2021**  
**10:00 A.M. Session**

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 122 Members present.

(See Roll Call No. 800)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Clark – personal  
Delegate D.E. Davis – medical  
Delegate Ghrist – personal  
Delegate Grammer – medical  
Delegate Lehman – personal

The Journal of March 11, 2021 was read and approved.

**MESSAGE FROM THE SENATE**  
**INTRODUCTORY SENATE BILLS NO. 26**

**Senate Bill 420 – Senator Carter**

AN ACT concerning

**Criminal Law – Drug Paraphernalia for Administration – Decriminalization**

FOR the purpose of repealing the prohibition against a person using or possessing with intent to use drug paraphernalia to inject, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance; ~~repealing the prohibition against a person delivering or selling, or manufacturing or possessing with intent to deliver or sell drug paraphernalia under certain circumstances;~~ altering a prohibition against a person possessing or distributing controlled paraphernalia under circumstances which reasonably indicate an intention to use the controlled paraphernalia for certain purposes; altering a list of certain items that indicate intent to use certain controlled paraphernalia for certain purposes; altering penalties for a violation of certain provisions relating to drug paraphernalia; altering a certain definition; and generally relating to drug paraphernalia.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–101(h), 5–619(c) and (d), and 5–620(a), (b), and (d)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 801)

### CALENDAR OF THIRD READING SENATE BILLS NO. 3

#### Senate Bill 433 – Senator King

AN ACT concerning

#### ~~Community Colleges~~ Institutions of Higher Education – State Funding – Revision

FLOOR AMENDMENT

**SB0433/543722/1**

BY: Delegate Jacobs

#### AMENDMENTS TO SENATE BILL 433, AS AMENDED

##### AMENDMENT NO. 1

On page 1 of the Appropriations Committee Amendments (SB0433/904660/1), in line 2 of Amendment No. 1, after “provide” insert “certain”; in line 3, in each instance, after “Center” insert “and certain rural hospitals”; in line 5, after “of” insert “certain”; and in line 10, after “12–120” insert “and 12–121”.

##### AMENDMENT NO. 2

On page 2 of the Appropriations Committee Amendments, in line 9 of Amendment No. 2, after “MEDICINE” insert “.”

12-121.

**(A) THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE SHALL PROVIDE SPECIALIZED CLINICAL CARE AT RURAL HOSPITALS OPERATED BY THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM BY ASSIGNING FACULTY WHO SPECIALIZE IN ESSENTIAL AREAS TO EACH RURAL HOSPITAL.**

**(B) (1) FOR FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$2,000,000 TO IMPLEMENT THE PROVISIONS OF THIS SECTION.**

**(2) FUNDS PROVIDED IN ACCORDANCE WITH THIS SUBSECTION SHALL SUPPLEMENT AND MAY NOT SUPPLANT ANY OTHER FUNDING PROVIDED TO THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE”.**

The preceding 2 amendments were read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 802)

The Bill was then returned to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 92

### House Bill 590 – The Speaker (By Request – Administration)

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2021,  
and the Maryland Consolidated Capital Bond Loans of 2012, 2013, 2014, 2015,  
2016, 2017, 2018, 2019, and 2020**

Read the third time and passed by yeas and nays as follows:

Affirmative – 129    Negative – 2    (See Roll Call No. 803)

The Bill was then sent to the Senate.

### House Bill 636 – Delegate Solomon

AN ACT concerning



**School Buildings – Drinking Water Outlets – Elevated Level of Lead  
(Safe School Drinking Water Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 1    (See Roll Call No. 804)

The Bill was then sent to the Senate.

**House Bill 831 – Delegate Charkoudian**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Food System Resiliency Council**

Read the third time and passed by yeas and nays as follows:

Affirmative – 98    Negative – 34    (See Roll Call No. 805)

The Bill was then sent to the Senate.

**House Bill 964 – Delegate Parrott**

AN ACT concerning

**Vehicle Laws – Driving in Right-Hand Lanes – Interstate Highways in Rural  
Areas**

Read the third time and passed by yeas and nays as follows:

Affirmative – 130    Negative – 2    (See Roll Call No. 806)

The Bill was then sent to the Senate.

**House Bill 1098 – Delegate M. Fisher**

AN ACT concerning

**~~Elected Officials~~ State Employees and General Assembly Members –  
State-Owned Electric Vehicle Charging Stations – Reimbursement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 89    Negative – 40    (See Roll Call No. 807)

The Bill was then sent to the Senate.

**House Bill 1341 – Chair, Appropriations Committee (By Request – Departmental  
– University System of Maryland)**

AN ACT concerning

**University System of Maryland – Academic Facilities Bonding Authority**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 808)

The Bill was then sent to the Senate.

**House Bill 1374 – Delegate B. Barnes**

AN ACT concerning

**Prior Authorizations of State Debt – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 809)

The Bill was then sent to the Senate.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 25**

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

**House Bill 97 – Delegates Lierman, Attar, Bridges, Henson, D. Jones, Rosenberg,  
and Smith**

AN ACT concerning

**Department of Housing and Community Development – Office of Digital  
Inclusion – Established  
(Digital Connectivity Act of 2021)**

**HB0097/703494/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 97

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in lines 2 and 3, strike “**Digital Inclusion**” and substitute “**Statewide Broadband**”; in line 5, strike “Digital Inclusion” and substitute “Statewide Broadband”; strike beginning with “repealing” in line 19 down through “Board;” in line 20 and substitute “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 Rural Broadband Assistance Fund, the Digital Inclusion Fund, and the Digital Connectivity 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 Office;”; and in line 22, strike “Digital Inclusion” and substitute “Statewide Broadband”.

On page 2, in line 5, after “purpose;” insert “defining certain terms; making conforming changes; providing for the construction of this Act; making this Act an emergency measure;”; in line 7, strike “Digital Inclusion” and substitute “Statewide Broadband”; strike in their entirety lines 8 through 14, inclusive, and substitute:

“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 6.5–107

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 13–504  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)”;

in line 17, strike “6.5–104” and substitute “6.5–107”; in lines 17 and 18, strike “Digital Inclusion” and substitute “Statewide Broadband”; after line 20, 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)

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)”;

and in line 33, after “infrastructure” insert “by encouraging continued private investment and where necessary,”.

On page 3, in line 2, after “the” insert “acquisition of”; in line 3, strike “growing”; and strike beginning with “That” in line 15 down through “ENACTED,” in line 19.

## AMENDMENT NO. 2

On page 3, after line 20, insert:

**“Article – Economic Development**

13–504.

The Board shall:

(1) assist in the deployment of broadband communication infrastructure in rural and underserved areas of the State;

(2) cooperate with public, private, and nonprofit entities to obtain, coordinate, and disseminate resources for the establishment of broadband communication services in rural and underserved areas of the State;

(3) review and approve the disbursement of funds under the Rural Broadband Assistance Fund under [§ 5–1102 of this article] § 6.5–107 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE and any other federal, State, and private financial resources that may be provided to assist the establishment of broadband communication services in rural and underserved areas of the State; and

(4) perform other functions that are consistent with the intent of this subtitle.”;

in lines 22, 28, and 30, in each instance, strike “**DIGITAL INCLUSION**” and substitute “**STATEWIDE BROADBAND**”; and in lines 26 and 27, strike “**DIGITAL INCLUSION**” and substitute “**STATEWIDE BROADBAND**”.

On page 4, in line 22, strike “**AND**”; in line 24, after “**INFRASTRUCTURE;**” insert “**AND**”

**(III) ARE NOT AT ODDS WITH DEFINITIONS AND STANDARDS ADOPTED BY THE FEDERAL COMMUNICATIONS COMMISSION;**”;

in line 25, after “**(2)**” insert “**(I)**”; in the same line, after “**COLLECT**” insert “**PROMOTIONAL AND**”; in the same line, after “**DATA**” insert “**DIRECTLY**”; and in line 26, after “**PROVIDERS;**” insert “**AND**”

**(II) ASSESS THE ACTUAL UPLOAD AND DOWNLOAD SPEEDS EXPERIENCED BY CONSUMERS;**”.

On page 5, in line 7, after “**EVALUATION**” insert “**, USING A VARIETY OF DATA COLLECTION METHODS INCLUDING COMMUNITY SURVEYS AND TARGETED OUTREACH TO TRADITIONALLY UNDERREPRESENTED COMMUNITIES,**”; in line 12, strike “**PUBLIC MAP THAT SHOWS, WITH GRANULARITY**” and substitute “**WEBSITE**”

THAT HOUSES A PUBLICLY ACCESSIBLE MAP THAT ALLOWS USERS TO OVERLAY GIS HEAT MAPPING COMMENTS, BASED ON AND INCORPORATING DATA AND INFORMATION FROM THE FEDERAL COMMUNICATIONS COMMISSION, THAT SHOWS, IN ADDITION TO ANY INFORMATION PROVIDED BY THE FEDERAL COMMUNICATIONS COMMISSION"; in line 13, strike "RESIDENTS" and substitute "RESIDENCES"; in the same line, after "HAVE" insert "ACCESS TO"; in line 14, strike "AND"; in line 15, after "PRICES" insert "AND PLANS AVAILABLE"; in line 16, after "AREAS;" insert "AND

(III) OTHER AVAILABLE STATE GEOGRAPHIC AND DEMOGRAPHIC DATA;;

in line 21, strike "AND"; in line 24, after "COUNTY;" insert "AND

(III) DATA REGARDING INVESTMENTS IN EXPANDING INTERNET INFRASTRUCTURE, ADOPTION, AND SPEED INCREASES;;

and after line 31, insert:

"(8) ESTIMATE AND IDENTIFY THE AMOUNT AND TYPE OF FUNDING NEEDED TO CONNECT RESIDENTS TO AFFORDABLE HIGH-SPEED INTERNET;".

On page 6, in lines 1, 8, 10, 13, 16, 20, and 22, strike "(8)", "(9)", "(10)", "(11)", "(12)", "(13)", and "(14)", respectively, and substitute "(9)", "(11)", "(12)", "(13)", "(14)", "(15)", and "(16)", respectively; in line 5, strike "AND"; in line 7, after "INTERNET;" insert "AND

(III) IDENTIFYING AND SHARING DATA REGARDING LOCAL, STATE, AND FEDERAL FUNDS ALLOCATED OR RECEIVED THROUGH GRANTS AND PRIVATE SECTOR INVESTMENT FOR INVESTMENT IN EXPANDING INTERNET INFRASTRUCTURE, ADOPTION, AND SPEED INCREASES;

(10) REQUEST INFORMATION REGARDING TOTAL DOLLAR INVESTMENTS IN HIGH-SPEED INTERNET FROM LOCAL JURISDICTIONS, PRIVATE COMPANIES, AND ORGANIZATIONS;;

in line 8, strike "AND" and substitute a comma; in the same line, after "IDENTIFY" insert ", AND EVALUATE"; in line 18, strike "DEEMS" and substitute "CONSIDERS"; in line 21,

after “RESIDENTS” insert “, NONPROFIT ORGANIZATIONS,”; in line 24, after “INTERNET” insert “THAT ALLOWS FOR FULL ENGAGEMENT IN REMOTE LEARNING WITHOUT DISRUPTIVE LAGGING AND PERIODIC DISCONNECTION”; in line 28, after “ENTITIES” insert “:

(I)”;

and in line 28, after “OPPORTUNITIES” insert “; AND

(II) PLAN, DESIGN, AND CONSTRUCT BROADBAND INFRASTRUCTURE”.

### AMENDMENT NO. 3

On page 7, in line 1, after “TO” insert “:

1.”;

in the same line, after “ENSURE” insert “98% CONNECTIVITY TO UNIVERSAL, AFFORDABLE, RELIABLE BROADBAND INTERNET BY A DATE NOT LATER THAN DECEMBER 31, 2025;

2. ENSURE”;

in line 3, after “INTERNET” insert “THAT EXCEEDS THE FEDERAL COMMUNICATIONS COMMISSION STANDARD FOR UPLOAD AND DOWNLOAD SPEEDS”; in line 4, strike “2029, AS DETERMINED BY THE OFFICE” and substitute “2026; AND

3. ESTABLISH KEY PERFORMANCE INDICATORS RELATING TO INFRASTRUCTURE, ADOPTION, AND SPEED”;

in line 8, strike “THE” and substitute “IN PREPARING THE PLAN REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE”; in the same line, after “SHALL” insert “:

(I)”;

in line 9, after “STAKEHOLDERS” insert “, INCLUDING LIBRARIES AND WORKFORCE DEVELOPMENT BOARDS”; in the same line, strike “IN PREPARING THE PLAN REQUIRED UNDER THIS SUBSECTION” and substitute “;

(II) CONSULT WITH LOCAL GOVERNMENTS, FEDERAL REGULATORS, INTERNET SERVICE PROVIDERS, AND NONGOVERNMENTAL ORGANIZATIONS INVOLVED IN AND WORKING IN THE FIELD OF CONNECTING COMMUNITIES TO HIGH-SPEED INTERNET AND DIGITAL LITERACY;

(III) HOLD AT LEAST TWO ONLINE LISTENING SESSIONS; AND

(IV) RECEIVE WRITTEN STATEMENTS FROM STAKEHOLDERS AT A TIME THE OFFICE DETERMINES”;

in line 10, strike “THE PROVISIONS OF”; in line 11, after “SHALL” insert “MEET QUARTERLY TO”; in line 13, after “TRANSPORTATION,” insert “THE MARYLAND STATE LIBRARY, THE DEPARTMENT OF COMMERCE, THE DEPARTMENT OF AGRICULTURE, THE MARYLAND DEPARTMENT OF HEALTH,”; in line 15, after “GOVERNMENT” insert “, INCLUDING THE MARYLAND ASSOCIATION OF COUNTIES AND THE MARYLAND MUNICIPAL LEAGUE,”; in line 17, after “(E)” insert “(1)”; in line 19, after “ON” insert “;

(I)”;

in lines 21, 23, and 25, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; in line 24, after “STATE” insert “WITH SPECIFIC REPORTING ON IMPROVEMENTS TO INFRASTRUCTURE, ADOPTION, AND SPEEDS”; in the same line, strike “AND”; and in line 25, after “STATE” insert “;AND

4. INCREASE SPEEDS TO MEET OR EXCEED THE FEDERAL COMMUNICATIONS COMMISSION STANDARD FOR UPLOAD AND DOWNLOAD SPEEDS;

(II) THE EXISTING GAPS IN CONNECTIVITY AND THE STATE’S PROGRESS TOWARD CLOSING THOSE GAPS;



(III) THE IMPACT THAT GAPS IN INTERNET SERVICE HAVE ON THE WORKFORCE AND STATE AND LOCAL ECONOMIES;

(IV) INFORMATION FROM LOCAL EDUCATION AGENCIES ON THE IMPACT OF INTERNET SERVICE QUALITY ON STUDENT ACHIEVEMENT AND ACCESS TO 21ST CENTURY OPPORTUNITIES;

(V) DEMOGRAPHIC DATA ON LOCATIONS WITH GAPS IN SERVICES; AND

(VI) THE ALLOCATION OF MONEY FROM, AND PROGRAMS SUPPORTED BY, THE DIGITAL INCLUSION FUND, THE DIGITAL CONNECTIVITY FUND, AND THE RURAL BROADBAND ASSISTANCE FUND IN THE PRECEDING FISCAL YEAR.

(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PUBLISHED ON THE WEBSITE ESTABLISHED UNDER SUBSECTION (A)(4) OF THIS SECTION”.

AMENDMENT NO. 4

On page 7, after line 25, insert:

“6.5-105.

(A) IN THIS SECTION, “FUND” MEANS THE DIGITAL INCLUSION FUND.

(B) THERE IS A DIGITAL INCLUSION FUND.

(C) THE PURPOSE OF THE FUND IS TO PROVIDE A COMPETITIVE GRANT PROGRAM TO SUPPORT CAPACITY BUILDING FOR LOCAL GOVERNMENTS AND NONPROFIT ORGANIZATIONS SEEKING TO CLOSE THE DIGITAL DIVIDE IN MARYLAND BY FURTHERING ACCESS TO HIGH-SPEED INTERNET AND TO IMPLEMENT PROGRAMS TO EXPAND DIGITAL LITERACY.

(D) (1) THE OFFICE SHALL ADMINISTER THE FUND.

(2) THE OFFICE SHALL WORK WITH OTHER OFFICES WITHIN THE DEPARTMENT AND THE DEPARTMENT OF COMMERCE TO ADOPT REGULATIONS SPECIFYING:

(I) PROCEDURES FOR APPLYING FOR FINANCIAL ASSISTANCE;  
AND

(II) PRIORITIES FOR ALLOCATING, SELECTING, AND DISTRIBUTING FINANCIAL ASSISTANCE FROM THE FUND.

(E) (1) THE FUND IS A CONTINUING, NONLAPSING SPECIAL 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 BY THE STATE TO THE FUND;

(2) FINANCIAL ASSISTANCE PROVIDED TO THE STATE BY THE FEDERAL GOVERNMENT FOR THE FUND;

(3) INTEREST EARNINGS; AND

(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) (1) THE FUND MAY BE USED ONLY TO DISTRIBUTE GRANTS NOT TO EXCEED \$500,000 TO LOCAL GOVERNMENTS AND NONPROFIT CORPORATIONS THAT ARE WORKING TO FURTHER THE GOALS OF THE OFFICE, INCLUDING:

(I) PROVIDING TRAINING TO RESIDENTS IN THE USE OF DIGITAL TOOLS;

(II) ENHANCING THE CAPACITY OF COMMUNITIES TO ACCESS GOVERNMENT SERVICES, PARTICIPATE IN CIVIC MATTERS, AND PURSUE EDUCATIONAL OPPORTUNITIES;

(III) RESEARCHING POPULATIONS WITH LOW ADOPTION RATES FOR HOME INTERNET AND COMPUTERS; AND

(IV) OTHER DIGITAL INCLUSION OR EQUITY GOALS IDENTIFIED IN THE STATEWIDE PLAN.

(2) MONEY IN THE FUND MAY NOT BE USED FOR INCREASING BROADBAND INTERNET INFRASTRUCTURE.

(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 BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

6.5-106.

(A) IN THIS SECTION, "FUND" MEANS THE DIGITAL CONNECTIVITY FUND.

(B) THERE IS A DIGITAL CONNECTIVITY FUND.

(C) THE PURPOSE OF THE FUND IS TO ASSIST IN THE ESTABLISHMENT AND EXPANSION OF AFFORDABLE BROADBAND COMMUNICATION SERVICES IN DISCONNECTED AREAS AND COMMUNITIES IN THE STATE.

(D) (1) THE OFFICE SHALL ADMINISTER THE FUND.

(2) THE OFFICE SHALL ADOPT APPLICATION PROCEDURES FOR GRANTS DISTRIBUTED FROM THE FUND.

(3) THE OFFICE SHALL WORK WITH OTHER OFFICES WITHIN THE DEPARTMENT AND THE DEPARTMENT OF COMMERCE TO ADOPT REGULATIONS SPECIFYING:

(I) PROCEDURES FOR APPLYING FOR FINANCIAL ASSISTANCE;  
AND

(II) PRIORITIES FOR ALLOCATING, SELECTING, AND DISTRIBUTING FINANCIAL ASSISTANCE FROM THE FUND.

(E) (1) THE FUND IS A CONTINUING, NONLAPSING SPECIAL 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 BY THE STATE TO THE FUND;

(2) FINANCIAL ASSISTANCE PROVIDED TO THE STATE BY THE FEDERAL GOVERNMENT FOR THE FUND;

(3) INTEREST EARNINGS; AND

(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE FUND MAY BE USED ONLY TO DISTRIBUTE COMPETITIVE GRANTS:

(1) FOR PLANNING, CONSTRUCTION, AND MAINTENANCE OF BROADBAND COMMUNICATION SERVICES, EQUIPMENT, AND ACTIVITIES; AND

(2) TO PROVIDE FINANCIAL ASSISTANCE TO LOCAL GOVERNMENTS TO EXPAND HIGH-SPEED INTERNET ACCESS IN DISCONNECTED COMMUNITIES IN THE STATE.

(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 BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

[5-1102.] 6.5-107.

(a) There is a Rural Broadband Assistance Fund in the Department.

(b) The purpose of the Fund is to assist in the establishment of broadband communication services in rural and underserved areas of the State.

(c) The [Department] OFFICE shall administer the Fund.

(d) (1) The Fund is a special, nonlapsing fund that is not subject to [reversion under] § 7-302 of the State Finance and Procurement Article.

(2) The Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(e) The Fund consists of:

(1) money appropriated in the State budget to the Fund;

(2) money appropriated in the State budget to the Maryland Economic Development Assistance Fund under [Subtitle 3 of this title] TITLE 5, SUBTITLE 3 OF THE ECONOMIC DEVELOPMENT ARTICLE for the purpose of assisting in the establishment of broadband communication services in rural and underserved areas of the State;

(3) federal money allocated or granted to the Fund;

(4) INTEREST EARNINGS; and

~~[(4)]~~ (5) any other money from any source accepted for the benefit of the Fund.

(f) The Fund may be used only for planning, construction, and maintenance of broadband communication services and equipment in rural and underserved areas and related activities.

(g) (1) The Treasurer shall invest the money in the Fund in the same manner as other State money may be invested.

(2) Any [investment] INTEREST earnings of the Fund shall be credited to the [General] Fund [of the State].

(h) The [Department] OFFICE shall make payments from the Fund within 30 days after notice of a decision of the MARYLAND RURAL BROADBAND COORDINATION Board under § 13–504(3) of [this article] THE ECONOMIC DEVELOPMENT ARTICLE.

### 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;

**130. THE RURAL BROADBAND ASSISTANCE FUND;****131. THE DIGITAL INCLUSION FUND; AND****132. THE DIGITAL CONNECTIVITY FUND.**

SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act shall be construed to preclude the Governor from developing a commission to coordinate efforts to establish high-speed Internet for all Marylanders.”;

and in lines 29 and 30, in each instance, strike “Digital Inclusion” and substitute “Statewide Broadband”.

On page 8, in lines 9, 18, 25, 30, and 35, strike “5.”, “6.”, “7.”, “8.”, and “9.”, respectively, and substitute “6.”, “7.”, “8.”, “9.”, and “10.”, respectively; after line 8, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That nothing in this Act shall be construed to reduce the annual allocation of funds for rural broadband infrastructure expansion under the Office of Statewide Broadband.”;

in line 27, strike “Digital Inclusion” and substitute “Statewide Broadband”; in lines 32 and 33, strike “Digital Inclusion” and substitute “Statewide Broadband”; and strike beginning with “shall” in line 35 down through “2021” in line 36 and substitute “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. It shall remain effective through June 30, 2030, and, at the end of June 30, 2030, 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.

Delegate Kipke 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 with amendments:

**House Bill 625 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Alcohol Density Zones and Licenses**

**PG 307–21**

**HB0625/573696/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 625

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 5 down through “county;” in line 8; in line 12, strike “making a conforming change;”; in line 16, strike “4–205 and”; and in line 21, strike “26–101, 26–801, 26–804, 26–901,” and substitute “26–101”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 11, inclusive.

On pages 3 and 4, strike in their entirety the lines beginning with line 2 on page 3 through line 22 on page 4, 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:

**Senate Bill 141 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Labor)**

AN ACT concerning



**State Board of Public Accountancy – Education Requirements – Obsolete  
References**

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:

**Senate Bill 610 – Senator Cassilly**

AN ACT concerning

**Lodging Establishments – Accessible Rooms for Individuals With Disabilities –  
Deadlines**

Favorable report adopted.

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

The motion was adopted.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 20  
CONSENT NO. 50**

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

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BILL NO.	REPORT	SPONSOR	CONTENT
<b><u>FAVORABLE</u></b>			
SB 12	FAV	Sen. Hettleman	Maryland Office of the Inspector General for Health
SB 34	FAV	Sen. Lam	State Board of Physicians – Genetic Counselors – Licensing
SB 164	FAV	Sen. Simonaire	Veterans – Behavioral Health Services – Mental Health First Aid

BILL NO.	REPORT	SPONSOR	CONTENT
SB 180	FAV	Sen. Simonaire	Funeral Establishments and Crematories – Unclaimed Remains of Veterans – Notification, Disposition, and Reporting
SB 215	FAV	Sen. Kelley	Maryland Department of Health – Birth Registration – Gestational Carriers
SB 236	FAV	Sen. Hettleman	Maryland Commission on Civil Rights – Employment Discrimination – Reporting
SB 262	FAV	Sen. Eckardt	Department of Information Technology – Study of a Common Information Technology Platform for Health Occupations Boards
SB 275	FAV	Sen. Hester	Maryland Department of Health – Residential Service Agencies – Training Requirements
SB 313	FAV	Sen. Washington	Maryland Department of Health – Public Health Outreach Programs – Cognitive Impairment, Alzheimer's Disease, and Other Types of Dementia
SB 466	FAV	Sen. West	Mental Health – Assent to and Certificates for Admission – Licensed Certified Social Worker–Clinical and Licensed Clinical Prfsnl Cnslr
SB 476	FAV	Sen. Eckardt	Health Occupations – Nurses – Delegation of Tasks
SB 485	FAV	Sen. Augustine	Maryland Medical Assistance Program – Dental Prophylaxis Care and Oral Health Exams

BILL NO.	REPORT	SPONSOR	CONTENT
SB 520	FAV	Sen. Klausmeier	Behavioral Health Services and Voluntary Placement Agreements – Children and Young Adults – Report Modifications
SB 571 (Emerg)	FAV	The President	Interstate Licensed Professional Counselors Compact
SB 597	FAV	Sen. Washington	State Board of Social Work Examiners – Revisions
SB 598	FAV	Sen. Smith	Prermnt – Ofc of Sml, Mnrtty, & Wmn Bsns Affairs – Sml Bsns Reserve Prgrm & Vet–Ownd Sml Bsns Entrprs Prgrm
SB 646	FAV	Sen. Carozza	Alcohol and Drug Counseling – Alcohol and Drug Trainees – Practice Through Telehealth
SB 704	FAV	Sen. Beidle	Nursing Homes – Transfer of Ownership – Surveys
SB 719	FAV	Sen. Zucker	2–1–1 Maryland – Mental Health Services Phone Call Program (The Thomas Bloom Raskin Act)
SB 748	FAV	Sen. Beidle	Public Health – State Designated Exchange – Clinical Information
SB 804	FAV	Sen. Edwards	Garrett County – Memorial Hospital – Board Membership and Meetings

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. 21

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

**House Bill 1375 – Delegate Kelly**

AN ACT concerning

**Health Information Exchanges – Electronic Health Information – Sharing and Disclosure****HB1375/276984/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1375

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “altering the laws with which certain regulations adopted by the Maryland Health Care Commission must comply;”; in lines 4 and 5, strike “Maryland Health Care”; in line 6, after “application” insert “, subject to certain laws,”; in line 7, strike “providing” and substitute “requiring”; in the same line, after “that” insert “, subject to certain laws,”; strike beginning with “may” in line 7 down through the second “of” in line 8 and substitute “allow certain entities to use”; in line 8, after “information” insert “for certain purposes; excluding, rather than including, certain payors from the application of certain provisions of law governing health information exchanges”; in line 9, strike “, to the extent authorized under certain laws,”; in line 10, strike “and payors”; in line 11, after “information” insert “in a certain manner under certain circumstances; requiring, rather than authorizing, the Commission to adopt certain regulations”; and in line 13, after “information;” insert “providing that the General Assembly recognizes certain information; requiring the Commission, in consultation with its Health Information Exchange Policy Board and other relevant stakeholders, to make a certain recommendation; requiring the Commission to report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 2, strike lines 28 and 29 in their entirety; in line 30, strike the brackets; and in the same line, strike “(I)”.

On page 3, in line 13, strike both sets of brackets; in the same line, strike “(J)”;

and strike beginning with “:” in line 13 down through “PURPOSE” in line 24 and substitute “OR GOVERNS ORGANIZATIONAL AND TECHNICAL PROCESSES FOR THE MAINTENANCE, TRANSMITTAL, ACCESS, OR DISCLOSURE OF ELECTRONIC HEALTH CARE”.

**INFORMATION BETWEEN OR AMONG HEALTH CARE PROVIDERS OR ENTITIES THROUGH AN INTEROPERABLE SYSTEM**”.

On page 4, in line 3, strike the brackets; in the same line, strike “(K)”; in line 23, strike the brackets; in the same line, strike “(L)”; in line 29, strike the brackets; and in the same line, strike “(M)”.

On page 5, in line 1, strike the brackets; in the same line, strike “(N)”; in line 20, strike the brackets; in the same line, strike “(O)”; in line 25, strike the brackets; in the same line, strike “(P)”; in line 28, strike the brackets; in the same line, strike “(Q)”; and in line 30, strike “(R)” and substitute “(Q)”.

On page 6, in line 10, strike the second “and” and substitute a comma; in line 11, after “Act” insert “, **THE FEDERAL 21ST CENTURY CURES ACT, AND TITLE 21, SUBTITLE 2A OF THIS ARTICLE**”; in line 15, after “APPLICATION” insert “, **SUBJECT TO STATE AND FEDERAL LAW,**”; after line 19, insert:

**“2. INFORMS THE PERSON IN INTEREST OF THE ELECTRONIC HEALTH INFORMATION THAT MAY BE SHARED OR DISCLOSED NOTWITHSTANDING THE CHOICE TO OPT OUT;”**;

and in lines 20, 25, and 30, strike “2.”, “3.”, and “4.”, respectively, and substitute “**3.**”, “**4.**”, and “**5.**”, respectively.

On page 7, strike beginning with “MAY” in line 10 down through the second “COMMISSION” in line 17 and substitute “**SHALL, SUBJECT TO STATE AND FEDERAL LAW, ALLOW THE DEPARTMENT, THE MARYLAND HEALTH CARE COMMISSION, AND THE HEALTH SERVICES COST REVIEW COMMISSION TO USE ELECTRONIC HEALTH INFORMATION FOR PLANNING ACTIVITIES AND PUBLIC HEALTH FUNCTIONS**”.

On page 8, in line 7, strike “(1)”; in line 9, after “shall” insert “:

**(1)**;

in the same line, strike “respond” and substitute “**RESPOND**”; in line 10, strike the period and substitute “; **AND**”; strike beginning with “TO” in line 11 down through “SECTION” in line 15 and substitute “**TRANSMIT THE RESPONSE TO THE STATE-DESIGNATED**

HEALTH INFORMATION EXCHANGE IN THE MANNER SPECIFIED IN THE REGULATIONS ADOPTED UNDER SUBSECTION (G) OF THIS SECTION"; in line 21, strike "May" and substitute "SHALL"; and in line 27, strike "may" and substitute "SHALL".

On page 12, after line 16, insert:

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

(a) The General Assembly recognizes that:

(1) the definition of "health information exchange" should be updated to accommodate changing technology, functionality, and innovation; and

(2) the definition of "health information exchange" in regulations adopted by the Office of the National Coordinator at 45 C.F.R. § 171.102 offers a model that the State could consider more closely aligning to, and definitions of "health information exchange" in other states and federal laws may also offer models for the State to consider.

(b) The Maryland Health Care Commission, in consultation with its Health Information Exchange Policy Board and other relevant stakeholders, shall make a recommendation on an updated statutory definition of "health information exchange" that addresses changing technology and functionality, the need to coordinate care, and the needs to address patient privacy and access.

(c) On or before December 1, 2021, the Maryland Health Care Commission shall report its recommendation made under subsection (b) 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.";

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

**Senate Bill 8 – Senator Kagan**

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:

**Senate Bill 282 – Senator Lam**

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:

**Senate Bill 499 – Senator Lam**

AN ACT concerning

**Prohibition on Vending Machine Sales of Drugs and Medicines – 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:

**Senate Bill 729 – Senator Feldman**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **SPECIAL ORDER CALENDAR NO. 9**

VETOED HOUSE BILLS AND MESSAGES – 2020 REGULAR SESSION

(See Exhibit A of Appendix II)

**House Bill 1260 – The Speaker and Delegates Sample–Hughes, D. Barnes, Haynes, Anderson, Boyce, Conaway, Holmes, McIntosh, Mosby, Valentino–Smith, Wells, and Fennell**

AN ACT concerning

**Historically Black Colleges and Universities – Funding**

STATUS OF BILL: 2020 VETOED BILL. CONSIDERATION TO OVERRIDE THE GOVERNOR’S VETO.

The Speaker put the following question: “Shall the above Bills pass, notwithstanding the objections of the Governor?”

The veto was sustained by roll call vote as follows:

Affirmative – 0    Negative – 131    (See Roll Call No. 810)

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 811)

### **ADJOURNMENT**

At 10:24 A.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 13, 2021, Calendar Day, Friday, March 26, 2021.



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**Annapolis, Maryland**  
**Legislative Day: March 13, 2021**  
**Calendar Day: Friday, March 26, 2021**  
**10:00 A.M. Session**

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 110 Members present.

(See Roll Call No. 812)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Anderton – illness  
Delegate Bartlett – personal  
Delegate Carr – personal  
Delegate Clark – personal  
Delegate Grammer – medical  
Delegate Hartman – business  
Delegate Hill – business  
Delegate Impallaria – personal  
Delegate Krebs – business  
Delegate Lehman – personal  
Delegate Patterson – personal  
Delegate Shoemaker – business  
Delegate Walker – business  
Delegate Wells – medical

The Journal of March 12, 2021 was read and approved.

**MESSAGE FROM THE SENATE**  
**INTRODUCTORY SENATE BILLS NO. 27**

**Senate Bill 138 – Senator Hettleman**

AN ACT concerning

**Education – Baltimore County Public Library – Collective Bargaining**

FOR the purpose of authorizing employees of the Baltimore County Public Library to form, join, and participate in an employee organization and engage in certain other activities related to collective bargaining; 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 and requiring the nature of certain work be considered in a certain determination; specifying the responsibilities of the library and the certified exclusive representative; stating the goal of collective bargaining; requiring the library to recognize certain rights of the certified exclusive representative; requiring the certified exclusive representative to serve as the sole agent for the unit in collective bargaining and represent employees in a certain manner; 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; requiring the library and the certified exclusive representative to enter into a collective bargaining agreement that contains certain provisions; requiring the library to make certain payroll deductions under certain circumstances; requiring that certain dues be remitted to the certified exclusive representative; requiring the library to stop making certain payroll deductions under certain circumstances; specifying when a collective bargaining agreement is effective and when it expires; requiring the library and the certified representative to reach an agreement by a certain date except under certain circumstances; specifying the conditions under which an impasse is reached in collective bargaining negotiations; specifying the procedures, including for mediation, to be followed if an impasse is reached in collective bargaining negotiations; requiring the library, under certain circumstances, to submit certain terms of the collective bargaining agreement to the Baltimore County Public Library Board of Trustees for its acceptance or rejection to submit a certain term and a certain recommendation to the County Executive under certain circumstances; requiring the Board to take certain action regarding the terms submitted to it for review; requiring the library and the certified exclusive representative to take certain action if the Board rejects a term; requiring the Board to take certain action if it accepts a term; authorizing the Baltimore County Executive and Baltimore County Council to take certain action regarding certain requests submitted to them for approval; requiring the Baltimore County Executive to take certain action if the Baltimore County Executive accepts a certain request; requiring that the ~~entire collective bargaining agreement~~ request be returned to the library system and the certified exclusive representative for renegotiation within certain limits under certain circumstances; requiring that a certain renegotiation be completed within a certain timeline; providing that an employer and a certified exclusive representative have certain mutual obligations; prohibiting an employer and an employee organization from taking certain actions regarding collective bargaining; 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; authorizing the employer to take certain actions subject to certain provisions of law; requiring that certain provisions of law be deemed to be part of certain agreements;

prohibiting certain persons from taking certain actions related to strikes, work stoppages, and secondary boycotts; providing for certain penalties for certain violations of this Act; providing that this Act and a collective bargaining agreement entered into under this Act supersede certain provisions of law under certain circumstances; providing for the construction of certain provisions of this Act; defining certain terms; and generally relating to collective bargaining for employees of the Baltimore County Public Library.

BY adding to

Article – Education

Section 23–701 through ~~23–709~~ 23–712 to be under the new subtitle “Subtitle 7.

Baltimore County Public Library – Collective Bargaining”

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 514 – Senators Feldman, Augustine, Carter, Hettleman, Kelley, Lee, ~~and Pinsky~~ Pinsky, Benson, Hayes, Hershey, and Jennings**

AN ACT concerning

### **Health Facilities – Hospitals – Medical Debt Protection**

FOR the purpose of specifying the method for calculating family income to be used for certain purposes under a certain hospital financial assistance policy; requiring that the description of a hospital’s financial assistance policy that is included on a certain information sheet include a certain section; requiring a hospital to submit annually a certain report to the Health Services Cost Review Commission at a certain time; requiring the Health Services Cost Review Commission to post certain information on its website; altering the required contents of a hospital’s policy on the collection of debts owed by patients; ~~requiring a hospital to provide a refund of certain amounts collected from a patient or the guarantor of a patient who was found eligible for reduced cost care on the date of service; establishing certain prohibitions on hospitals that charge interest fees on hospital bills;~~ prohibiting a hospital from charging interest or fees on certain debts incurred by certain patients; requiring a hospital to provide in writing to certain patients information about the availability of a certain installment payment plan; requiring a hospital to provide certain information to a patient, the patient’s family, an authorized representative, or the patient’s legal guardian at certain times; ~~prohibiting a certain payment plan from requiring a patient to make certain monthly payments and imposing certain penalties; requiring a hospital to determine certain adjusted monthly income in a certain manner under certain circumstances; requiring a certain payment plan to have a certain repayment period;~~ 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;

establishing that certain patients are deemed to be compliant with a certain payment plan under certain circumstances; 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; requiring a hospital to demonstrate that it attempted in good faith to meet certain requirements and guidelines before the hospital takes certain actions; providing that certain provisions of this Act do not prohibit a hospital from using a certain vendor for a certain purpose; altering and specifying certain time periods during which and the circumstances under which a hospital is prohibited from taking a certain action; prohibiting a hospital from reporting certain information about certain patients to a consumer reporting agency; prohibiting a hospital from taking certain actions against certain patients under certain circumstances; requiring a hospital to provide certain instructions to a consumer reporting agency under certain circumstances; repealing a certain authorization for a hospital to hold a certain lien; prohibiting a hospital from requesting a certain lien in a certain action; prohibiting a hospital from filing an action or giving a certain notice to a patient for nonpayment of debt until after a certain time period; prohibiting a hospital from taking certain actions if the hospital files a certain action; ~~prohibiting a hospital from requesting a certain writ to garnish certain wages or filing a certain action under certain circumstances; prohibiting a hospital from filing a certain action if a certain debt is below a certain amount;~~ prohibiting a hospital from making a certain claim against an estate of a deceased patient under certain circumstances; authorizing a hospital to offer the family of a certain patient the ability to apply for financial assistance; prohibiting a hospital from filing a certain action ~~against a certain patient or~~ until certain conditions are met; ~~prohibiting a hospital from delegating certain collection activity to a debt collector to collect a certain amount of debt;~~ prohibiting certain individuals from being held liable for a certain debt; authorizing a certain individual to consent to assume a certain liability under certain circumstances; requiring a hospital to send a certain written notice of intent at least a certain period of time before filing a certain action; providing for the manner of delivery, content, and structure of a certain notice of intent; requiring a certain complaint to include a certain affidavit and be accompanied by certain documents; requiring that a hospital require a debt collector to have certain responsibility for meeting certain requirements under certain circumstances; requiring the Health Services Cost Review Commission, on or before a certain date, to compile certain information and prepare a certain annual report; requiring that a certain report be made available to the public in a certain manner and submitted to certain committees of the General Assembly; altering certain references by changing “outside collection agency” to “debt collector”; making conforming changes; 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 generally relating to hospital debt collection policies.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–214.1(b)(1)  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–214.1(b)(2)(i) and (ii) and (f)(1)(i) and 19–214.2  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**AMENDED IN THE SENATE**

**House Bill 588 – The Speaker (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2022)**

Delegate McIntosh moved that the House not concur in the Senate amendments.

Senate Budget and Taxation Committee Reprint to  
House Bill 588 - The Budget Bill

(See Exhibit N of Appendix II)

The preceding amendments were read and not concurred in.

**HB0588/653427/1**

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 588  
(Third Reading File Bill – Committee Reprint)

On page 327, under

Heading: State Department of Education

Program: R00A08.01

Entitled: Office of the Inspector General

In in line 20 strike “-163,079” and substitute “-193,079”; in line 23, strike “646,671” and substitute “616,671”; and in lines 35 and 36, in each instance, strike “951,760” and substitute “921,760”.

The preceding amendment was read and not concurred in.

**HB0588/523120/1**

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 588  
(Third Reading File Bill – Committee Reprint)

On page 343, under:

Heading: Higher Education

Program: R75T00.01

Entitled: Support for State Operated Institutions of Higher Education

In line 14, after “Appropriation” insert “, provided that \$100,000 of this appropriation may not be expended until the University System of Maryland Office submits a report on the impact funding will have on health profession and public health programs at each institution receiving funds. The report shall be submitted by September 15, 2021, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of the 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 not concurred in.

**MESSAGE TO THE SENATE**

BILL: HB0588  
SPONSOR: Speaker  
SUBJECT: Budget Bill (Fiscal Year 2022)

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate McIntosh, Chair  
Delegate Chang  
Delegate Beitzel  
Delegate Haynes  
Delegate Reznik

In addition, the House has appointed in advisory capacity: Delegates Korman and B. Barnes.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### AMENDED IN THE SENATE

#### House Bill 589 – The Speaker (By Request – Administration)

AN ACT concerning

#### **Budget Reconciliation and Financing Act of 2021**

Delegate McIntosh moved that the House not concur in the Senate amendments.

**HB0589/243724/1**

BY: Budget and Taxation Committee

#### AMENDMENTS TO HOUSE BILL 589

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering the source of funding for certain required appropriations;”; strike beginning with “requiring” in line 14 down through “program” in line 16; in line 18, strike “each” and substitute “for a certain”; in line 19, strike “each” and substitute “for a certain”; in the same line, after “year” insert “and a certain amount for each following fiscal year”; and in line 22, after “program;” insert “expanding the purpose of a certain fund;”.

On page 2, in line 16, after “fund;” insert “altering the amount of a required appropriation from the Transportation Trust Fund for the operation of the Maryland Transit Administration for a certain fiscal year;”; in line 20, after “funds;” insert “authorizing certain State agencies to temporarily charge certain expenditures to a certain account; providing a process to reimburse a certain account for certain charged expenditures;”; in line 29, after “limitation;” insert “requiring certain employees in positions in certain Department of Public Safety and Correctional Services facilities to be transferred to certain vacancies in certain other facilities;”;

and after line 38, insert:

“BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–4104(a)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2020 Supplement)”.

On pages 3 and 4, strike in their entirety the lines beginning with line 34 on page 3 through line 4 on page 4, inclusive.

On page 4, in line 22, after “(e),” insert “31–107(b) and (f).”; and after line 24, insert:

“BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 31–107(a) and (e)  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)”.

On page 5, after line 16, insert:

“BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 7–205  
Annotated Code of Maryland  
(2020 Replacement Volume)”.

On page 42, in lines 6, 16, and 21, strike “6.”, “7.”, and “8.”, respectively, and substitute “7.”, “8.”, and “9.”, respectively.

On page 43, in lines 12, 16, 24, 28, 33, and 38, strike “10.”, “11.”, “13.”, “14.”, “15.”, and “16.”, respectively, and substitute “11.”, “12.”, “13.”, “14.”, “15.”, and “16.”, respectively.

## AMENDMENT NO. 2

On page 6, after line 5, insert:

“Article – Commercial Law



14-4104.

(a) (1) For fiscal year [2020] 2022 and each fiscal year thereafter, the Governor shall include an appropriation of at least [\$700,000] \$350,000 IN GENERAL FUNDS AND \$350,000 in [general] SPECIAL funds in the State budget for the Office for the purposes of enforcement of:

- (i) Consumer protection laws under this title;
- (ii) Consumer protection laws under Title 13 of this article; and
- (iii) Financial consumer protection laws.

(2) The Office shall use the funds under paragraph (1) of this subsection for:

- (i) Staffing costs associated with hiring new employees; and
- (ii) Investigations of alleged violations of consumer protection laws in the State.”.

#### AMENDMENT NO. 3

On page 18, strike in their entirety lines 5 through 22, inclusive.

#### AMENDMENT NO. 4

On page 20, in lines 1 and 2, strike “AND EACH FISCAL YEAR THEREAFTER”; and in line 6, strike “EACH” and substitute “THAT”.

On page 21, after line 25, insert:

**“(2) AT THE BEGINNING OF EACH OF FISCAL YEARS 2023 AND 2024, THE GOVERNOR SHALL TRANSFER THE FIRST \$8,000,000 OF THE FUNDS COLLECTED FROM THE ASSESSMENT REQUIRED UNDER THIS SECTION TO THE COMMUNITY HEALTH RESOURCES COMMISSION.”;**

in line 26, strike “(2)” and substitute “(3)”; and in line 28, strike “PARAGRAPH (1)” and substitute “PARAGRAPHS (1) AND (2)”.

On page 22, in line 22, strike the brackets; strike beginning with “SUBJECT” in line 22 down through “THE” in line 23; in line 27, strike “2021” and substitute “2022”; and strike in their entirety lines 28 through 30, inclusive.

On page 23, in line 12, strike “BE LESS THAN” and substitute “EXCEED”; in the same line, strike “\$11,500,000;” and substitute “\$14,000,000; AND”; strike in their entirety

lines 13 and 14; in line 15, strike “(5)” and substitute “(4)”; in the same line, after “year” insert “AFTER FISCAL YEAR 2022”; and after line 16, insert:

“31–107.

(a) There is a Maryland Health Benefit Exchange Fund.

(b) (1) The purpose of the Fund is to:

(i) provide funding for the operation and administration of the Exchange in carrying out the purposes of the Exchange under this subtitle; [and]

(ii) provide funding for the establishment and operation of the State Reinsurance Program authorized under this subtitle; AND

**(III) PROVIDE FUNDING FOR THE MEDICAL ASSISTANCE PROGRAM AND THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM.**

(2) The operation and administration of the Exchange and the State Reinsurance Program may include functions delegated by the Exchange to a third party under law or by contract.

(e) The Fund consists of:

(1) any user fees or other assessments collected by the Exchange;

(2) all revenue deposited into the Fund that is received from the distribution of the premium tax under § 6–103.2 of this article;

(3) income from investments made on behalf of the Fund;

(4) interest on deposits or investments of money in the Fund;

(5) money collected by the Board as a result of legal or other actions taken by the Board on behalf of the Exchange or the Fund;

(6) money donated to the Fund;

(7) money awarded to the Fund through grants;

(8) any pass-through funds received from the federal government under a waiver approved under § 1332 of the Affordable Care Act;

(9) any funds designated by the federal government to provide reinsurance to carriers that offer individual health benefit plans in the State;

(10) any funds designated by the State to provide reinsurance to carriers that offer individual health benefit plans in the State;

(11) any federal funds received in accordance with § 31–121 of this subtitle for the administration of small business tax credits; and

(12) any other money from any other source accepted for the benefit of the Fund.

(f) The Fund may be used only:

(1) for the operation and administration of the Exchange in carrying out the purposes authorized under this subtitle; [and]

(2) for the establishment and operation of the State Reinsurance Program;

**(3) IN FISCAL YEARS 2021 AND 2022, FOR THE MEDICAL ASSISTANCE PROGRAM WITHIN THE MEDICAL CARE PROGRAMS ADMINISTRATION OF THE MARYLAND DEPARTMENT OF HEALTH; AND**

**(4) IN FISCAL YEAR 2022, FOR THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER TITLE 15, SUBTITLE 10 OF THE HEALTH – GENERAL ARTICLE.”**

#### AMENDMENT NO. 5

On page 40, after line 8, insert:

#### **“Article – Transportation**

7–205.

(a) For fiscal year 2020, the Governor shall include in the State budget an appropriation from the Transportation Trust Fund for the operation of the Administration that is equal to the appropriation for the operation of the Administration in the fiscal year 2019 State budget as introduced, increased by at least 4.4%.

(b) For [each of fiscal years] FISCAL YEAR 2021 [and 2022], the Governor shall include in the State budget an appropriation from the Transportation Trust Fund for the operation of the Administration that is equal to the appropriation for the operation of the Administration in the State budget for the immediately preceding fiscal year, increased by at least 4.4%.

**(c) FOR FISCAL YEAR 2022, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FROM THE TRANSPORTATION TRUST FUND FOR THE**

OPERATION OF THE ADMINISTRATION THAT MAY NOT BE LESS THAN THE FISCAL YEAR 2021 APPROPRIATION FOR THE OPERATION OF THE ADMINISTRATION.

[(c)] (D) (1) For each of fiscal years 2020 through 2022, the Governor shall include in the State budget an appropriation for the capital needs of the Administration of at least \$29,100,000 from the revenues available for the State capital program in the Transportation Trust Fund.

(2) The appropriation required under paragraph (1) of this subsection may not supplant any other capital funding otherwise available for the Administration.”.

AMENDMENT NO. 6

On page 41, in line 16, strike “\$2,000,000” and substitute “\$1,500,000”.

AMENDMENT NO. 7

On page 41, in line 21, strike “\$3,000,000” and substitute “\$2,000,000”.

AMENDMENT NO. 8

On page 42, after line 5, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law under § 2–606 of the Tax – General Article:

(a) The Maryland Department of Health and other appropriate State agencies are authorized to temporarily charge expenditures related to the Coronavirus Disease 2019 (COVID–19) response that are eligible for reimbursement from the Federal Emergency Management Agency’s Public Assistance process to the Local Reserve Account established to comply with § 2–606 of the Tax – General Article.

(b) Once reimbursement is received from the Federal Emergency Management Agency’s Public Assistance process, the revenue shall be used to offset the eligible expenditures authorized under subsection (a) of this section to reimburse the Local Reserve Account.

(c) Any charges against the Local Reserve Account that are not fully reimbursed under subsection (b) of this section shall be reimbursed by the General Fund at the Maryland General Assembly session following a determination by the Federal Emergency Management Agency to ensure the Local Reserve Account is fully reimbursed for the temporary charges made under subsection (a) of this section.

(d) This provision shall be in effect until June 30, 2022, or until the Federal Emergency Management Agency has made a final determination on all expenditures that are temporarily charged under subsection (a) of this section. On the effective date of this Act, the Department of Budget and Management may appropriate these funds through the budget amendment process, as needed.”.

AMENDMENT NO. 9

On page 43, after line 6, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, employees in positions at Department of Public Safety and Correctional Services facilities that are closed effective June 30, 2021, shall be transferred to existing vacancies in comparable job classifications within other Department of Public Safety and Correctional Services facilities. These transfers shall be effective not later than July 1, 2021, and shall be made without any loss of status, compensation, or benefits.”.

AMENDMENT NO. 10

On page 43, strike in their entirety lines 7 through 11, inclusive.

AMENDMENT NO. 11

On page 43, strike in their entirety lines 20 through 23, inclusive.

The preceding 11 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

BILL: HB0589  
SPONSOR: Speaker  
SUBJECT: Budget Reconciliation and Financing Act of 2021

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate McIntosh, Chair  
Delegate Chang  
Delegate Beitzel  
Delegate Haynes  
Delegate Reznik

In addition, the House has appointed in advisory capacity: Delegates Korman and B. Barnes.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 117 Members present.

(See Roll Call No. 813)

### **RECESS**

At 10:11 A.M. on motion of Delegate Luedtke the House recessed until 5:00 P.M. on Legislative Day, March 13, 2021, Calendar Day, Monday, March 29, 2021.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: March 13, 2021**  
**Calendar Day: Monday, March 29, 2021**

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At 5:04 P.M. the House resumed its session and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 118 Members present.

(See Roll Call No. 814)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Anderton – illness  
Delegate Barve – personal  
Delegate Ciliberti – personal  
Delegate Kittleman – business  
Delegate Krimm – personal  
Delegate Love – personal  
Delegate C. Watson – late – personal

**MESSAGE FROM THE SENATE**  
**INTRODUCTORY SENATE BILLS NO. 28**

**Senate Bill 187 – Senator Sydnor**

AN ACT concerning

**Criminal Procedure – Forensic Genetic Genealogical DNA Analysis, Searching,  
Regulation, and Oversight**

FOR the purpose of establishing that a certain forensic genetic genealogical DNA analysis and search may not be initiated without certifying certain information before a court and obtaining a certain authorization; 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; prohibiting certain biological samples subjected to certain forensic genetic genealogical profile analysis to be used to determine certain information about a certain donor; providing that a certain forensic genetic genealogical DNA analysis and search shall only be conducted under certain circumstances; requiring that the laboratory conducting certain single-nucleotide polymorphisms or other sequencing-based testing has a certain

license; requiring certain informed consent in writing to be obtained from a certain third party under certain circumstances; requiring that a person obtaining a certain informed consent have certain training within a certain period of time; requiring that a third party be informed of certain information before giving certain informed consent; prohibiting law enforcement from collecting a certain DNA sample if a third party does not consent to providing the DNA sample; providing that if investigators determine that certain persons may be certain putative perpetrators then a certain DNA sample shall be collected under certain circumstances; providing that on the completion of a certain investigation, certain criminal sentencing, or certain prosecution the court shall issue a certain order; 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; prohibiting the disclosure of certain data, profiles, and samples under certain circumstances; establishing penalties for certain violations of this Act; prohibiting a person from willfully failing to destroy certain data, profiles, or samples; providing that if certain information, profiles, or samples relating to a person are wrongfully disclosed, collected, or maintained a person may bring a certain cause of action; authorizing a prosecutor in a certain case to file a certain appeal under certain circumstances; providing that a certain defendant may seek judicial authorization for a certain forensic genetic genealogical DNA analysis and search by filing a certain affidavit; providing that certain provisions of this Act apply to any forensic genetic genealogical DNA analysis and search conducted under certain circumstances; providing that a court considering an application for a certain forensic genetic genealogical DNA analysis and search from a certain defendant shall issue a certain order under certain circumstances; providing that a certain court order issued under this Act shall contain certain information; requiring the Office of Health Care Quality to establish certain ~~criteria to satisfy certain requirements~~; 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; requiring the ~~Department of Public Safety and Correctional Services~~ Governor's Office of Crime Prevention, Youth, and Victim Services to produce a certain annual report; requiring a certain panel with certain members to review a certain annual report and make policy recommendations; defining certain terms; and generally relating to forensic genetic genealogical DNA.

BY adding to

Article – Criminal Procedure

Section 17–101 through 17–105 to be under the new title “Title 17. Forensic Genealogy”

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)



Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 261 – Senator Simonaire**

AN ACT concerning

**Anne Arundel County – Property Tax Credit for Business Entities – State of  
Emergency**

FOR the purpose of authorizing the governing body of Anne Arundel County to grant, by law, a tax credit against the county property tax imposed on real or personal property owned or leased by a business entity affected by a certain state of emergency; authorizing the governing body of Anne Arundel County to provide, by law, for the amount and duration of the credit, the eligibility criteria, the regulations and application process for the credit, and any other provision necessary to administer the credit; providing for the application of this Act; and generally relating to a property tax credit in Anne Arundel County for business entities.

BY adding to

Article – Tax – Property  
Section 9–303(b)(8)  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 469 – Senator Washington**

AN ACT concerning

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

FOR the purpose of prohibiting the Maryland Department of Health from conditioning reimbursement of applied behavior analysis services provided to Maryland Medical Assistance Program recipients on the presence or availability of certain individuals in a certain setting; 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; providing for the application of this Act; defining certain terms; and generally relating to the Maryland Medical Assistance Program and reimbursement of applied behavior analysis services.

BY adding to

Article – Health – General  
Section 15–149

Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 569 – The President (By Request – Administration)**

AN ACT concerning

**Driver’s Licenses, Learner’s Instructional Permits, and Identification Cards –  
Applications and Renewals**

FOR the purpose of authorizing the Motor Vehicle Administration to extend the period of time that an identification card remains effective by a certain amount under certain circumstances; altering the documentation that certain applicants for a learner’s instructional permit are required to present to the Administration; altering the time period before expiration within which a driver’s license is renewable; altering the standards for determining whether an individual is required to appear in person to renew the individual’s driver’s license; altering the time period within which a certain visual test is required to take place before application for driver’s license renewal; and generally relating to applications and renewals for driver’s licenses, learner’s instructional permits, and identification cards.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 12–301(a) and 16–115(a)(1) and (2) and (i)(1)

Annotated Code of Maryland

(2020 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12–301(i), 16–105(a), and 16–115(a)(3) and (4) and (i)(2)

Annotated Code of Maryland

(2020 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 666 – Senator Peters**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Courts of Appeals and Special Appeals – Renaming**

FOR the purpose of proposing an amendment to the Maryland Constitution to change the name of the Court of Appeals to be the Supreme Court of Maryland, to change the

name of the Court of Special Appeals to be the Appellate Court of Maryland, to change the name of a Judge of the Court of Appeals to be a Justice of the Supreme Court of Maryland, and to change the name of the Chief Judge of the Court of Appeals to be the Chief Justice of the Supreme Court of Maryland; providing that the Supreme Court of Maryland is the successor to the Court of Appeals; providing that the Appellate Court of Maryland is the successor to the Court of Special Appeals; providing that a Justice of the Supreme Court of Maryland is the successor to a Judge of the Court of Appeals; providing that the Chief Justice of the Supreme Court of Maryland is the successor to the Chief Judge of the Court of Appeals; providing that the Chief Judge of the Appellate Court of Maryland is the successor to the Chief Judge of the Court of Special Appeals; providing that a Judge of the Appellate Court of Maryland is the successor to a Judge of the Court of Special Appeals; providing that the Clerk of the Supreme Court of Maryland is the successor the Clerk of the Court of Appeals; providing that the Clerk of the Appellate Court of Maryland is the successor to the Clerk of the Court of Special Appeals; providing that certain names and titles of a certain unit and officials in laws and other documents mean the names and titles of the successor unit and officials; providing for the continuity of certain matters and persons; providing that letterhead, business cards, and other documents reflecting the renaming of the Court of Appeals, the Court of Special Appeals, a Judge of the Court of Appeals, and the Chief Judge of the Court of Appeals may not be used until all letterhead, business cards, and other documents already in print and reflecting the name of the Court of Appeals, the Court of Special Appeals, a Judge of the Court of Appeals, and the Chief Judge of the Court of Appeals before the effective date of this Act are used; changing references to the Court of Appeals, the Court of Special Appeals, a Judge of the Court of Appeals, and the Chief Judge of the Court of Appeals in the Annotated Code of Maryland to the Supreme Court of Maryland, the Appellate Court of Maryland, a Justice of the Supreme Court of Maryland, and the Chief Justice of the Supreme Court of Maryland, respectively, on the passage and ratification of a certain constitutional amendment; making stylistic changes; 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; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article II – Executive Department  
Section 6

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 5, 30, and 52

BY proposing an amendment to the Maryland Constitution  
Article IV – Judiciary Department  
Section 1, 3, 3A, 4B, 5A, 10, 14, 15, 16, 17, 18, 22, and 41E

BY proposing an amendment to the Maryland Constitution  
Article V – Attorney–General and State’s Attorneys  
Section 6

BY proposing an amendment to the Maryland Constitution  
Article XVII – Quadrennial Elections  
Section 3

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 681 – Senator Ready**

AN ACT concerning

**Motor Vehicles – Inspection Certificates – Exception**

FOR the purpose of exempting the transfer of a used vehicle from a business entity to ~~an individual who wholly or partly owns the business entity~~ a majority owner of the business entity from the requirement to obtain a motor vehicle safety inspection certificate under certain circumstances; and generally relating to the inspection and transfer of used vehicles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 23–106(a)(8) and (9)  
Annotated Code of Maryland  
(2020 Replacement Volume)

BY adding to  
Article – Transportation  
Section 23–106(a)(10)  
Annotated Code of Maryland  
(2020 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 23–106(b) and 23–107(a)(1)  
Annotated Code of Maryland  
(2020 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 691 – Senator Hettleman**

AN ACT concerning

**Real Property – Landlord and Tenant – Reusable Tenant Screening Reports**

FOR the purpose of requiring that a reusable tenant screening report contain certain information regarding a prospective tenant of residential property; ~~requiring a landlord that does not accept a reusable tenant screening report to notify prospective tenants in a certain manner; requiring a landlord that maintains a website for certain purposes to state on the homepage of the website whether the landlord accepts reusable tenant screening reports; requiring a landlord to provide certain notice to prospective tenants regarding whether or not the landlord accepts reusable tenant screening reports;~~ prohibiting a landlord that accepts a reusable tenant screening report from a prospective tenant from assessing certain fees to the prospective tenant; 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; defining a certain term; and generally relating to reusable tenant screening reports.

BY adding to

Article – Real Property

Section ~~8-119~~ 8-218

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 700 – Senator West**

AN ACT concerning

**Estates and Trusts – Wills – Custodianship**

FOR the purpose of requiring a person having custody of a will to maintain custody of the will except under certain circumstances; prohibiting the custodian of a will from taking certain actions related to the will except under certain circumstances; authorizing the custodian of a will to deposit the will for safekeeping with a certain register of wills under certain circumstances; requiring the custodian of a will to deliver the will to certain persons under certain circumstances; establishing the liability of certain custodians of a will for failure or refusal to deliver a will under certain circumstances; authorizing a certain attorney to dispose of a will in a certain manner under certain circumstances; requiring a register of wills to maintain an electronic copy of a will if the register destroys the will under certain circumstances; authorizing an attorney to destroy a will under certain circumstances; providing that the disposal or destruction of a will by an attorney in accordance with this Act may not be construed as a revocation of the will and authorizing the contents of the will to be proven by other types of evidence; establishing the liability of certain persons for certain violations under this Act; providing that certain persons who dispose of a will in accordance with this Act are not liable for certain damages under certain circumstances; altering a certain statutory form for a power of attorney relating to

authority of an agent to demand delivery of the principal's will; making stylistic changes; and generally relating to the custodianship of wills.

BY adding to

Article – Estates and Trusts

Section 4–201, 4–204, and 4–205 to be under the amended subtitle “Subtitle 2.  
Custodianship, Deposit, and Disposal of Wills”

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 4–201 through 4–203 and 17–203

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB0588  
SPONSOR: Speaker  
SUBJECT: Budget Bill (Fiscal Year 2022)

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate McIntosh, Chairman  
Delegate Chang  
Delegate Beitzel  
Delegate Haynes  
Delegate Reznik.

In addition, the House has appointed in advisory capacity: Delegates Korman and B. Barnes.

The Senate appoints:

Senator Guzzone, Chair  
Senator Edwards  
Senator Rosapepe

Senator Zucker  
Senator Griffith

In addition, the Senate has appointed in advisory capacity: Senators King, Eckardt and McCray.

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

BILL: HB0589  
SPONSOR: Speaker  
SUBJECT: Budget Reconciliation and Financing Act of 2021

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate McIntosh, Chairman  
Delegate Chang  
Delegate Beitzel  
Delegate Haynes  
Delegate Reznik.

In addition, the House has appointed in advisory capacity: Delegates Korman and B. Barnes.

The Senate appoints:

Senator Guzzone, Chair  
Senator Edwards  
Senator McCray  
Senator Zucker  
Senator Griffith

In addition, the Senate has appointed in advisory capacity: Senators Rosapepe, Young and Elfreth.

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

### **ECONOMIC MATTERS COMMITTEE REPORT NO. 26**

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

#### **Senate Bill 35 – Senator Feldman**

SECOND PRINTING

AN ACT concerning

#### **Procurement – Prevailing Wage – Applicability**

**SB0035/533794/1**

BY: Economic Matters Committee

#### AMENDMENT TO SENATE BILL 35

(Third Reading File Bill)

On page 4, strike beginning with “A” in line 21 down through “2.” in line 22; and in line 23, strike “3.” and substitute “2.”.

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:

#### **Senate Bill 771 – Senators Hester and Rosapepe**



EMERGENCY BILL

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Carey moved to put Senate Bill 771 on Third Reading on the same day in compliance with the Constitution.

The motion was adopted by a roll call vote as follows:

Affirmative – 111    Negative – 13    (See Roll Call No. 815)

Two-thirds of the Delegates elected having voted in the affirmative, Senate Bill 771 was placed on Third Reading.

**Senate Bill 771 – Senators Hester and Rosapepe**

EMERGENCY BILL

AN ACT concerning

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

STATUS OF BILL: BILL ON 3RD READING.

Read the third time and passed by yeas and nays as follows:

Affirmative – 108    Negative – 15    (See Roll Call No. 816)

The Bill was then returned to the Senate.

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

**Senate Bill 816 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)**

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Employer Contributions – ~~Payment Plans~~**

**SB0816/573793/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 816

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Contributions**” insert “**and Reimbursement Payments**”; and, in line 15, after “circumstances;” insert “altering the nonprofit organizations and governmental entities that may elect to defer payments of reimbursement bills for a certain calendar year.”.

On page 2, after line 6, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–620(a)(1) and (2)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

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

and in line 9, strike “8–626” and substitute “8–620(a)(3), 8–626.”.

AMENDMENT NO. 2

On page 4, after line 22, insert:

“8–620.

(a) (1) Reimbursement payments shall be made in accordance with this section.

(2) Except as provided in paragraphs (3) and (4) of this subsection, unless there is an application for review and redetermination of a bill under § 8–621 of this subtitle, a nonprofit organization or governmental entity shall pay the bill under this

section within 30 days after the Secretary mailed the bill to the last known address of the nonprofit organization or governmental entity or otherwise delivered the bill to it.

(3) (i) For calendar year 2021, a nonprofit organization or governmental entity that employs fewer than 50 individuals may elect to defer payment of the bills under this section for the calendar quarters ending on March 31, June 30, and September 30.

(ii) FOR CALENDAR YEAR 2021, IF THE FEDERAL GOVERNMENT IS NOT PROVIDING EMERGENCY UNEMPLOYMENT RELIEF FOR NONPROFIT ORGANIZATIONS AND GOVERNMENTAL ENTITIES FOR THE ENTIRETY OF THE CALENDAR QUARTER ENDING SEPTEMBER 30, A NONPROFIT ORGANIZATION OR GOVERNMENTAL ENTITY THAT EMPLOYS 50 OR MORE INDIVIDUALS MAY ELECT TO DEFER PAYMENT OF THE BILLS UNDER THIS SECTION FOR THE CALENDAR QUARTER ENDING SEPTEMBER 30.

(III) A nonprofit organization or governmental entity that elects to defer the payment of a bill as authorized under subparagraph (i) OR (II) of this paragraph:

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

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

3. notwithstanding § 8-622 of this subtitle, may not be considered delinquent in making the payment during the period for which the payment is deferred; and

4. may not be assessed interest that accrues under § 8-628 of this subtitle for the period for which the payment is deferred.”.

On page 6, in line 6, after “contributions” insert “and reimbursement”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Carey moved to put Senate Bill 816 on Third Reading on the same day in compliance with the Constitution.

The motion was adopted by a roll call vote as follows:

Affirmative – 126    Negative – 1    (See Roll Call No. 817)

Two-thirds of the Delegates elected having voted in the affirmative, Senate Bill 816 was placed on Third Reading.

**Senate Bill 816 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)**

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Employer Contributions – ~~Payment Plans~~**

STATUS OF BILL: BILL ON 3RD READING.

Read the third time and passed by yeas and nays as follows:

Affirmative – 125    Negative – 0    (See Roll Call No. 818)

The Bill was then returned to the Senate.

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

**Senate Bill 817 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)**

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Study on System Reforms**

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:

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Carey moved to put Senate Bill 818 on Third Reading on the same day in compliance with the Constitution.

The motion was adopted by a roll call vote as follows:

Affirmative – 99    Negative – 27    (See Roll Call No. 819)

Two-thirds of the Delegates elected having voted in the affirmative, Senate Bill 818 was placed on Third Reading.

**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**

STATUS OF BILL: BILL ON 3RD READING.

Read the third time and passed by yeas and nays as follows:

Affirmative – 98    Negative – 27    (See Roll Call No. 820)

The Bill was then returned to the Senate.

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

**Senate Bill 819 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)**

## EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Weekly Benefit Amount – Income Disregard**

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:

**Senate Bill 893 – Senator Rosapepe**

## EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Insurance Revisions and Required Study and  
Special Enrollment Period for Health Benefits**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## JUDICIARY COMMITTEE REPORT NO. 34

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

**Senate Bill 14 – Senators Kelley, Smith, and Waldstreicher  
Carter, Cassilly, Hettleman, Jackson, Lee, Smith, Sydnor, Waldstreicher, and West**

AN ACT concerning

**Compensation to Individual Erroneously Convicted, Sentenced, and Confined  
(The Walter Lomax Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## JUDICIARY COMMITTEE REPORT NO. 35

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

**Senate Bill 202 – Senators Kelley, Carter, Smith, and Waldstreicher**

AN ACT concerning

**Correctional Services – Parole – Life Imprisonment**

**SB0202/702811/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 202

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 12 down through “Commission” in line 13; in line 17, strike the first comma and substitute “and”; and in the same line, strike “, and 7–307”.

AMENDMENT NO. 2

On page 2, in line 13, after “YEARS” insert “OR THE EQUIVALENT OF 20 YEARS WHEN CONSIDERING ALLOWANCES FOR DIMINUTION OF THE INMATE’S PERIOD OF CONFINEMENT AS PROVIDED UNDER TITLE 3, SUBTITLE 7 OF THIS ARTICLE AND § 6–218 OF THE CRIMINAL PROCEDURE ARTICLE”.

On page 3, in line 9, after “YEARS” insert “OR THE EQUIVALENT OF 20 YEARS CONSIDERING THE ALLOWANCES FOR DIMINUTION OF THE INMATE’S TERM OF CONFINEMENT UNDER § 6–218 OF THE CRIMINAL PROCEDURE ARTICLE AND TITLE 3, SUBTITLE 7 OF THIS ARTICLE”.

On pages 3 and 4, strike in their entirety the lines beginning with line 34 on page 3 through line 25 on page 4, inclusive.

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. 36**

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

**House Bill 409 – Delegate J. Lewis**

AN ACT concerning

**Juveniles Convicted as Adults – Sentencing – Limitations and Reduction  
(Juvenile Restoration Act)**

**HB0409/622815/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 409

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “conference;” insert “authorizing a certain individual to introduce evidence in support of a certain motion at a certain hearing; authorizing the State to introduce evidence in support of or in opposition to a certain motion at a certain hearing; requiring that notice of a certain hearing be given to a certain victim or victim’s representative in a certain manner;”; in line 20, after “sentence;” insert “providing for the application of a certain provision of this Act;”; and in line 21, after “minors” insert “and the reduction of the duration of certain sentences”.

AMENDMENT NO. 2

On page 2, after line 9, insert:

**“(A) THIS SECTION APPLIES ONLY TO AN INDIVIDUAL WHO:**

**(1) WAS CONVICTED AS AN ADULT FOR AN OFFENSE COMMITTED WHEN THE INDIVIDUAL WAS A MINOR;**

**(2) WAS SENTENCED FOR THE OFFENSE BEFORE OCTOBER 1, 2021;**

**AND**



**(3) HAS BEEN IMPRISONED FOR AT LEAST 20 YEARS FOR THE OFFENSE.**;

in lines 10 and 21, strike “(A)” and “(B)”, respectively, and substitute “(B)” and “(C)”, respectively; strike beginning with “CONVICTED” in line 10 down through “MINOR” in line 11 and substitute “**DESCRIBED IN SUBSECTION (A) OF THIS SECTION**”; in line 19, after “(4)” insert “(I)”; after line 20, insert:

**“(II) THE STATE MAY INTRODUCE EVIDENCE IN SUPPORT OF OR IN OPPOSITION TO THE MOTION AT THE HEARING.**

**(5) NOTICE OF THE HEARING UNDER THIS SUBSECTION SHALL BE GIVEN TO THE VICTIM OR THE VICTIM’S REPRESENTATIVE AS PROVIDED IN §§ 11-104 AND 11-503 OF THIS ARTICLE.**;

in line 22, strike “(A)” and substitute “(B)”; strike beginning with the colon in line 24 down through “(2)” in line 27; and in line 28, strike “(I)” and substitute “(1)”.

On page 3, in line 1, strike “(II)” and substitute “(2)”; in lines 3 and 29, strike “(C)” and “(D)”, respectively, and substitute “(D)” and “(E)”, respectively; and in line 18, after “PHYSICAL” insert “**, MENTAL,**”.

On page 4, in line 2, strike “(C)” and substitute “(D)”; and in line 3, strike “(E)” and substitute “(F)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

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

**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)**

**SB0494/232214/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 494  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 12 down through “hearing;” in line 15 and substitute “authorizing a certain individual to introduce evidence in support of a certain motion at a certain hearing; authorizing the State to introduce evidence in support of or in opposition to a certain motion at a certain hearing; requiring that notice of a certain hearing be given to a certain victim or victim’s representative in a certain manner;”; strike beginning with “authorizing” in line 21 down through “individual;” in line 23; in line 24, after “sentence;” insert “providing for the application of a certain provision of this Act;”; and in the same line, after “minors” insert “and the reduction of the duration of certain sentences”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

**“(A) THIS SECTION APPLIES ONLY TO AN INDIVIDUAL WHO:**

**(1) WAS CONVICTED AS AN ADULT FOR AN OFFENSE COMMITTED WHEN THE INDIVIDUAL WAS A MINOR;**

**(2) WAS SENTENCED FOR THE OFFENSE BEFORE OCTOBER 1, 2021;**  
**AND**

**(3) HAS BEEN IMPRISONED FOR AT LEAST 20 YEARS FOR THE OFFENSE.”;**

in line 17, strike “(A)” and substitute “(B)”; and strike beginning with “CONVICTED” in line 17 down through “MINOR” in line 18 and substitute “**DESCRIBED IN SUBSECTION (A) OF THIS SECTION**”.

On page 3, strike beginning with “THE” in line 1 down through “4-345” in line 9 and substitute “NOTICE OF THE HEARING UNDER THIS SUBSECTION SHALL BE GIVEN TO THE VICTIM OR THE VICTIM’S REPRESENTATIVE AS PROVIDED IN §§ 11-104 AND 11-503 OF THIS ARTICLE”; in line 10, strike “(B)” and substitute “(C)”; in line 11, strike “(A)” and substitute “(B)”; strike beginning with the colon in line 13 down through “(2)” in line 16; in line 17, strike “(I)” and substitute “(1)”; in the same line, after “PUBLIC;” insert “AND”; in line 18, strike “(II)” and substitute “(2)”; strike beginning with “;” in line 19 down through “SECTION” in line 22; and in line 23, strike “(C)” and substitute “(D)”.

On page 4, in line 6, after “PHYSICAL” insert “, MENTAL,”; in line 9, strike “THE INDIVIDUAL’S” and substitute “ANY”; in lines 17 and 21, strike “(D)” and “(E)”, respectively, and substitute “(E)” and “(F)”, respectively; and in line 20, strike “(C)” and substitute “(D)”.

On page 5, strike in their entirety lines 1 through 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.

#### SPECIAL ORDER CALENDAR NO. 74

**House Bill 97 – Delegates Lierman, Attar, Bridges, Henson, D. Jones, Rosenberg, and Smith**

AN ACT concerning

**Department of Housing and Community Development – Office of Digital  
Inclusion – Established  
(Digital Connectivity Act of 2021)**

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. 75****Senate Bill 610 – Senator Cassilly**

AN ACT concerning

**Lodging Establishments – Accessible Rooms for Individuals With Disabilities –  
Deadlines**

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

Delegate Wilson moved the Bill be recommitted.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 821)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 93****House Bill 625 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Alcohol Density Zones and  
Licenses**

**PG 307–21**

Read the third time and passed by yeas and nays as follows:

Affirmative – 128    Negative – 1    (See Roll Call No. 822)

The Bill was then sent to the Senate.

**House Bill 1375 – Delegate Kelly**

AN ACT concerning

**Health Information Exchanges – Electronic Health Information – Sharing and  
Disclosure**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 823)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 4**

**Senate Bill 12 – Senator Hettleman**

AN ACT concerning

**Maryland Office of the Inspector General for Health**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 824)

The Bill was then returned to the Senate.

**Senate Bill 34 – Senator Lam**

AN ACT concerning

**State Board of Physicians – Genetic Counselors – Licensing**

Read the third time and passed by yeas and nays as follows:

Affirmative – 119    Negative – 13    (See Roll Call No. 825)

The Bill was then returned to the Senate.

**Senate Bill 141 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Labor)**

AN ACT concerning

**State Board of Public Accountancy – Education Requirements – Obsolete  
References**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 826)

The Bill was then returned to the Senate.

**Senate Bill 164 – Senator Simonaire**

AN ACT concerning

**Veterans – Behavioral Health Services – Mental Health First Aid**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 0    (See Roll Call No. 827)

The Bill was then returned to the Senate.

**Senate Bill 180 – Senator Simonaire**

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 – 131    Negative – 0    (See Roll Call No. 828)

The Bill was then returned to the Senate.

**Senate Bill 215 – Senator Kelley**

AN ACT concerning

**Maryland Department of Health – Birth Registration – Gestational Carriers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 829)

The Bill was then returned to the Senate.

**Senate Bill 236 – Senator Hettleman**

AN ACT concerning

**Maryland Commission on Civil Rights – Employment Discrimination –  
Reporting**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 830)

The Bill was then returned to the Senate.

**Senate Bill 262 – Senator Eckardt**

AN ACT concerning

**Department of Information Technology – Study of a Common Information  
Technology Platform for Health Occupations Boards**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 831)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 5**

**Senate Bill 275 – Senators Hester ~~and Hayes~~, Hayes, and Ready**

AN ACT concerning

**Maryland Department of Health – Residential Service Agencies – Training  
Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 832)

The Bill was then returned to the Senate.

**Senate Bill 313 – Senator Washington**

AN ACT concerning

**Maryland Department of Health – Public Health Outreach Programs – Cognitive  
Impairment, Alzheimer’s Disease, and Other Types of Dementia**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 833)

The Bill was then returned to the Senate.

**Senate Bill 466 – Senator West**

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 – 132    Negative – 0    (See Roll Call No. 834)

The Bill was then returned to the Senate.

**Senate Bill 476 – Senator Eckardt**

AN ACT concerning

**Health Occupations – Nurses – Delegation of Tasks**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 835)

The Bill was then returned to the Senate.

**Senate Bill 485 – Senator Augustine**

AN ACT concerning

**Maryland Medical Assistance Program – Dental Prophylaxis Care and Oral Health Exams**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 836)

The Bill was then returned to the Senate.

**Senate Bill 520 – Senator Klausmeier**

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 – 133 Negative – 0 (See Roll Call No. 837)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 6**

**Senate Bill 571 – The President (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 – 132 Negative – 0 (See Roll Call No. 838)

The Bill was then returned to the Senate.

**Senate Bill 597 – Senator Washington**

AN ACT concerning

**State Board of Social Work Examiners – Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 0 (See Roll Call No. 839)

The Bill was then returned to the Senate.

**Senate Bill 598 – ~~Senator Smith~~ Senators Smith and Carozza**

AN ACT concerning

**Procurement – Office of Small, Minority, and Women Business Affairs – Small Business Reserve Program and Veteran-Owned Small Business Enterprise Program**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 840)

The Bill was then returned to the Senate.

**Senate Bill 646 – Senators Carozza and Kagan**

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 – 133    Negative – 0    (See Roll Call No. 841)

The Bill was then returned to the Senate.**Senate Bill 704 – Senators Beidle, Augustine, and Hershey**

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. 842)

The Bill was then returned to the Senate.**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)**Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 843)

The Bill was then returned to the Senate.**CALENDAR OF THIRD READING SENATE BILLS NO. 7****Senate Bill 8 – Senator Kagan**

AN ACT concerning

**General Provisions – State Song – Repeal**

## FLOOR AMENDMENT

SB0008/373127/1

BY: Delegate Shoemaker

AMENDMENTS TO SENATE BILL 8

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Repeal**” insert “**and Replace**”; in line 3, after “repealing” insert “**and replacing**”; in line 4, after “repealing” insert “**and reenacting, with amendments,**”; and strike in their entirety lines 9 through 14, inclusive.

AMENDMENT NO. 2

On page 1, in line 18, strike the bracket.

On page 2, strike in their entirety lines 1 and 2 and substitute:

**“(A) THE SONG “THE STAR-SPANGLED BANNER”, FROM THE POEM “DEFENSE OF FORT MCHENRY”, WRITTEN BY FRANCIS SCOTT KEY ON SEPTEMBER 14, 1814, AFTER WITNESSING THE BOMBARDMENT OF FORT MCHENRY BY BRITISH SHIPS OF THE ROYAL NAVY IN BALTIMORE HARBOR DURING THE BATTLE OF BALTIMORE IN THE WAR OF 1812, IS THE STATE SONG.”.**

On pages 2 through 4, strike in their entirety the lines beginning with line 4 on page 2 through line 3 on page 4, inclusive, and substitute:

**“O SAY CAN YOU SEE, BY THE DAWN’S EARLY LIGHT,  
WHAT SO PROUDLY WE HAILED AT THE TWILIGHT’S LAST GLEAMING,  
WHOSE BROAD STRIPES AND BRIGHT STARS THROUGH THE PERILOUS FIGHT,  
O’ER THE RAMPARTS WE WATCHED, WERE SO GALLANTLY STREAMING?**

**AND THE ROCKET’S RED GLARE, THE BOMBS BURSTING IN AIR,  
GAVE PROOF THROUGH THE NIGHT THAT OUR FLAG WAS STILL THERE;  
O SAY DOES THAT STAR-SPANGLED BANNER YET WAVE**

**O’ER THE LAND OF THE FREE AND THE HOME OF THE BRAVE?”.**

**AMENDMENT NO. 3**

On page 4, in line 4, strike “3.” and substitute “2.”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 43    Negative – 89    (See Roll Call No. 844)

Read the third time and passed by yeas and nays as follows:

Affirmative – 95    Negative – 38    (See Roll Call No. 845)

The Bill was then returned to the Senate.

**Senate Bill 282 – Senator Lam**

AN ACT concerning

**Public Health – Prohibition on Testing Cosmetics on Animals**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94    Negative – 38    (See Roll Call No. 846)

The Bill was then returned to the Senate.

**Senate Bill 499 – Senator Lam**

AN ACT concerning

**Prohibition on Vending Machine Sales of Drugs and Medicines – Repeal**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97    Negative – 36    (See Roll Call No. 847)

The Bill was then returned to the Senate.

**Senate Bill 729 – Senator Feldman**

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 – 97    Negative – 36    (See Roll Call No. 848)

The Bill was then returned to the Senate.

**Senate Bill 748 – Senator Beidle**

AN ACT concerning

**Public Health – State Designated Exchange – Clinical Information**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 2    (See Roll Call No. 849)

The Bill was then returned to the Senate.

**Senate Bill 804 – Senator Edwards**

AN ACT concerning

**Garrett County – Memorial Hospital – Board Membership and Meetings**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 0    (See Roll Call No. 850)

The Bill was then returned to the Senate.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 851)

**ADJOURNMENT**

At 5:49 P.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 14, 2021, Calendar Day, Tuesday, March 30, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 14, 2021**  
**Calendar Day: Tuesday, March 30, 2021**  
**10:00 A.M. Session**

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The House met at 10:40 A.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 852)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Barron – left early – personal  
Delegate Ciliberti – personal  
Delegate Cullison – personal  
Delegate Fraser–Hidalgo – late – doctor’s appointment  
Delegate Malone – late – business  
Delegate Valentino–Smith – personal

The Journal of March 13, 2021 was read and approved.

**YEAS AND NAYS NO. 1**  
**HOUSE BILLS PASSED IN THE SENATE**

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NUMBER	SPONSOR	CONTENT
HB 5	Del. Krebs	Cemeteries – Perpetual Care – Distribution From Perpetual Care Trust Fund
HB 56	Del. Boyce	Labor and Employment – Leave With Pay – Bereavement Leave
HB 78	Del. Pena–Melnyk	Public Health – Maryland Commission on Health Equity (The Shirley Nathan–Pulliam Health Equity Act of 2021)

NUMBER	SPONSOR	CONTENT
HB 85	Del. Bhandari	Baltimore County – Workers’ Compensation – Permanent Partial Disability – Detention and Correctional Officers
HB 101	Del. Charkoudian	Hmn Services – Supplemental Nutrition Assistance Program – Heat and Eat Program and Study on Md Energy Assistance Program Eligibility
HB 107	Del. R. Lewis	Prohibition on Vending Machine Sales of Drugs and Medicines – Repeal
HB 174	Del. Brooks	Public Utilities – Investor–Owned Utilities – Prevailing Wage
HB 298	Del. Charkoudian	Utility Regulation – Consideration of Climate and Labor
HB 345	Del. Charkoudian	Public Utilities – Gas Service Regulator Safety (Flower Branch Act)
HB 368	Del. Bagnall	Task Force on Oral Health in Maryland
HB 376	Del. Mautz	Renewable Energy Portfolio Standard – Municipal Electric Utilities
HB 393	Del. Barron	Maryland Office of the Inspector General for Health
HB 471	Del. C. Watson	Financial Institutions – Security Questions and Measures
HB 473	Del. Dumais	Electricity – Change of Address – Maintenance of Subscriptions and Contracts
HB 484	Del. Cullison	Health Care Facilities – Dialysis Treatment Services – Training (David Selby Dialysis Parity Act)
HB 504	Del. Dumais	Insurance – Impaired Entities – Delinquency Proceedings
HB 547	Del. R. Lewis	Maryland Medical Assistance Program – Dental Prophylaxis Care and Oral Health Exams

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NUMBER	SPONSOR	CONTENT
HB 549	Del. Pena–Melnyk	Maryland Department of Health – Birth Registration – Gestational Carriers
HB 598	Del. Kelly	Maryland Medical Assistance Program – Applied Behavior Analysis Services – Reimbursement
HB 605	Del. Kipke	Veterans – Behavioral Health Services – Mental Health First Aid
HB 611	Del. Hill	Public Health – Prohibition on Testing Cosmetics on Animals
HB 639	Del. D.M. Davis	Tri–County Council for Southern Maryland – Property Management – Southern Maryland Regional Agricultural Center
HB 648	Del. Wilson	Electric Cooperatives – Meetings – Alterations
HB 673 (Emerg)	Del. Valentino–Smith	State Health Care Facilities – Employees – Alternative Workweeks
HB 689	Del. McComas	Mental Health – Assent to and Certificates for Admission – Licensed Certified Social Worker–Clinical and Licensed Clinical Prfsnl Cnslr
HB 780	Del. Kerr	Maryland Health Benefit Exchange – State–Based Young Adult Health Insurance Subsidies Pilot Program
HB 812	Del. Cullison	2–1–1 Maryland – Mental Health Services Phone Call Program (The Thomas Bloom Raskin Act)
HB 842	Del. Howard	Electric Companies – Billing Information
HB 894	Del. Haynes	Education – Community Colleges – Collective Bargaining
HB 907 (Emerg)	Del. Carey	Unemployment Insurance – Study on System Reforms



NUMBER	SPONSOR	CONTENT
HB 919 (Emerg)	Del. Bagnall	Maryland Insurance Commissioner – Specialty Mental Health Services and Payment of Claims – Enforcement
HB 945	Del. Carey	Human Services – Critical Medical Needs Program – Application for Assistance
HB 969	Del. Carey	Home Energy Assistance – Critical Medical Needs Program – Power to the People Pilot Program
HB 1022	Del. Pendergrass	Public Health – State Designated Exchange – Clinical Information
HB 1139 (Emerg)	Del. Carey	Unemployment Insurance – Weekly Benefit Amount – Income Disregard
HB 1143 (Emerg)	Del. Carey	Unemployment Insurance – Work Sharing (Work Share Expansion Act of 2021)
HB 1148	Del. Cullison	Secretary of Health – School–Based Health Centers – Guidelines and Administration of Grants
HB 1243	Del. Sample– Hughes	Behavioral Health Services and Voluntary Placement Agreements – Children and Young Adults – Report Modifications

Read and ordered journalized.

**MESSAGE FROM THE SENATE  
INTRODUCTORY SENATE BILLS NO. 29**

**Senate Bill 172 – Senators Hayes, Beidle, Benson, Ellis, Feldman, Kramer, Lee, Sydnor, Waldstreicher, Washington, ~~and Young Young, Augustine, Corderman, Eckardt, Edwards, Elfreth, Griffith, Guzzone, Hershey, Jennings, Kelley, King, Klausmeier, McCray, Peters, Rosapepe, Salling, and Zucker~~**

EMERGENCY BILL

AN ACT concerning

**Maryland Health Equity Resource Act**

FOR the purpose of 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 the Commission to give certain consideration to certain proposals; requiring certain staff support for the Commission; requiring the Commission to report to 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 which the Fund may be used; altering the purposes of the Maryland Health Benefit Exchange Fund; altering the purposes for which the Maryland Health Benefit Exchange Fund may be used; requiring the Governor to transfer and appropriate a certain amount to the Health Equity Resource Community Reserve Fund in certain fiscal years; requiring the ~~Secretary of Health~~ Community Health Resources Commission to designate certain areas as Health Equity Resource Communities in a certain manner; specifying the purpose of establishing Health Equity Resource Communities; authorizing, beginning on a certain date, the ~~Secretary~~ Commission to adopt certain regulations; requiring the ~~Secretary to consult with the~~ Office of Minority Health and Health Disparities to provide certain technical assistance in implementing certain provisions of this Act; requiring any other unit in the Maryland Department of Health to provide certain assistance at the request of the Commission in implementing certain provisions of this Act; ~~requiring the Secretary to allocate staff and resources to carry out certain provisions of this Act;~~ requiring the ~~Secretary~~ Commission to establish a Health Equity Resource Community Advisory Committee on or before a certain date; establishing the duties of the Advisory Committee; providing for the composition, ~~co~~chair, and meetings of the Advisory Committee; specifying the terms and conditions for the removal of Advisory Committee members; prohibiting a member of the Advisory Committee from receiving certain compensation, but authorizing the reimbursement of certain expenses; authorizing the Commission to convene certain working and advisory groups; authorizing federally qualified health centers, nonprofit community-based organizations, nonprofit hospitals, institutions of higher education, and local government agencies to apply to the ~~Secretary~~ Commission on behalf of certain areas for designation as Health Equity Resource Communities; establishing certain procedures and requirements in connection with the application process; ~~authorizing~~ requiring an application to include certain elements; requiring the application to allocate certain funding to cover certain costs for a certain employee; authorizing nonprofit community-based organizations, nonprofit hospitals, institutions of higher education, federally qualified health centers, and local government agencies to contract with a historically black college or university in the State to provide certain services under certain circumstances; requiring the ~~Secretary~~ Commission to consider certain factors and prioritize certain applications when designating areas as Health Equity Resource Communities; authorizing the

~~Secretary Commission~~ to conduct certain outreach for a certain purpose; establishing certain requirements for an employee to be designated as an evaluator; establishing that the ~~Secretary's Commission's~~ decision to designate an area as a Health Equity Resource Community is final; authorizing certain health care providers who practice in Health Equity Resource Communities to receive certain ~~tax credits~~, assistance, and grants; authorizing certain nonprofit community-based organizations, nonprofit hospitals, institutions of higher education, and local government agencies to receive certain grants; establishing a Health Equity Resource Community Reserve Fund; establishing the purpose and contents of the Fund; requiring the ~~Secretary Commission~~ to administer the Fund; ~~requiring the Fund to provide certain money to the Maryland Department of Health to supplement and not supplant existing funding for certain programs~~; requiring the State Treasurer to invest the money of the Fund in a certain manner; requiring the 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; requiring certain nonprofit community-based organizations, nonprofit hospitals, institutions of higher education, federally qualified health centers, and local government agencies to submit certain reports; authorizing the ~~Secretary Commission~~ to revoke a designation of an area as a Health Equity Resource Community under certain circumstances; requiring the ~~Secretary Commission~~ to submit certain reports; establishing that a designation of an area as a Health Equity Resource Community has a term of a certain length and may be renewed in a certain manner; ~~authorizing certain credits against the State income tax for certain health care providers and organizations under certain circumstances; authorizing certain nonprofit community-based organizations, nonprofit hospitals, institutions of higher education, and local government agencies to apply for certain tax credits under certain circumstances for certain health care providers; authorizing a health care practitioner or community-based organization to claim a certain refundable tax credit, under certain circumstances; establishing certain procedures and requirements for certifying certain tax credits; establishing a certain limit on the amount of certain tax credits allowed for a fiscal year; requiring the Secretary, in consultation with the Comptroller, to adopt certain regulations; altering the sales and use tax rate for the sale of certain alcoholic beverages; requiring a certain percentage of revenues generated from a certain tax to be credited to the Fund; defining certain terms; providing for the construction of certain provisions of this Act; making this Act an emergency measure; providing for the termination of certain provisions of this Act;~~ and generally relating to health improvement and the reduction of health disparities.

BY adding to

Article – Health – General

Section 19-2112; and 20-1401 through 20-1408 to be under the new subtitle

“Subtitle 14. Health Equity Resource Communities”

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 31–107(a)  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 31–107(b) and (f)  
Annotated Code of Maryland  
(2017 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 adding to~~  
~~Article – Tax – General~~  
~~Section 10–731~~  
~~Annotated Code of Maryland~~  
~~(2016 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,~~  
~~Article – Tax – General~~  
~~Section 11–104(g)~~  
~~Annotated Code of Maryland~~  
~~(2016 Replacement Volume and 2020 Supplement)~~

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 199 – Senators McCray and Zucker**

AN ACT concerning

Transportation – Maryland Transit Administration – ~~Funding~~ Funding and  
MARC Rail Extension Study  
(Transit Safety and Investment Act)

FOR the purpose of 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; requiring the Governor to include certain appropriations in the State budget from the Transportation Trust Fund to the ~~Maryland Transit~~ Administration for certain operating and capital needs of the Administration in certain fiscal years; authorizing the reduction of certain appropriations under certain circumstances; requiring that certain capital appropriations to the Administration be in addition to any funds appropriated for the capital needs of a certain transit project; providing that a certain provision of law may not be construed to limit the authority of the Administrator to use certain funds to increase the State investment in certain transit systems for a certain purpose; requiring the Administration to submit a report each year on the planning and use of capital funds for certain capital projects in the prior fiscal year; altering the termination date for certain provisions of law concerning funding for the Administration; declaring the intent of the General Assembly; requiring the Department of Transportation to conduct a study on extending Maryland Area Regional Commuter (MARC) rail service to western Maryland; requiring the Department of Transportation to study and make recommendations regarding certain matters; requiring the Administration to incorporate certain recommendations into the Statewide Transit Plan; requiring the Department of Transportation to complete the study notwithstanding any alteration or postponement of the Statewide Transit Plan; requiring the Department of Transportation to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; making conforming changes; defining a certain ~~term~~ terms; and generally relating to funding for the Maryland Transit Administration, the Statewide Transit Plan, and a study on extending MARC rail service to western Maryland.

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)

BY repealing and reenacting, with amendments,  
 Article – Transportation  
 Section 2–103.1(c)(4)(vi) and (vii), 7–205<sub>1</sub>, and 7–309  
 Annotated Code of Maryland  
 (2020 Replacement Volume)

BY adding to  
Article – Transportation  
Section 2–103.1(c)(4)(vii)  
Annotated Code of Maryland  
(2020 Replacement Volume)

BY repealing and reenacting, with amendments,  
 Chapter 351 of the Acts of the General Assembly of 2018  
 Section 9

BY repealing and reenacting, with amendments,  
 Chapter 352 of the Acts of the General Assembly of 2018  
 Section 9

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **Senate Bill 740 – Senator Rosapepe**

#### EMERGENCY BILL

AN ACT concerning

#### **Economic Development – COVID–19 Small Business Grant Program (COVID–19 Crisis Small Business Survival Program Act of 2021)**

FOR the purpose of establishing the Maryland COVID–19 Small Business Grant Program in the Department of Commerce; establishing the purpose of the Program; requiring the Department, subject to certain circumstances, to distribute to each county certain funds in a certain manner for the purpose of providing grants to certain eligible small businesses located in the county; authorizing a county to apply to the Department for a distribution of funds in accordance with this Act; authorizing a county to designate a certain entity to receive and distribute certain funds; authorizing a county, subject to a certain condition, to establish certain criteria with respect to grants issued in accordance with this Act; requiring a grant under the Program to be funded in a certain manner; ~~declaring the intent of the General Assembly~~; requiring the Department to report certain information to the General Assembly on or before a certain date; defining certain terms; making this Act an emergency measure; providing for the termination of this Act; and generally relating to COVID–19 relief for small businesses.

BY repealing and reenacting, without amendments,  
 Article – Economic Development  
 Section 1–101(a) and (c)  
 Annotated Code of Maryland  
 (2018 Replacement Volume and 2020 Supplement)

BY adding to  
 Article – Economic Development  
 Section 5–1701 through 5–1704 to be under the new subtitle “Subtitle 17. Maryland  
 COVID–19 Small Business Grant Program”  
 Annotated Code of Maryland  
 (2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **ECONOMIC MATTERS COMMITTEE REPORT NO. 31 CONSENT NO. 55**

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>			
SB 181	FAV	Chair, Judicial Proceedings Committee	Corporations and Associations – Trade Name Certificates – Requirements
SB 185	FAV	Sen. Kagan	Financial Institutions – Security Questions and Measures
SB 219	FAV	Chair, Finance Committee	Financial Institutions – Commissioner of Financial Regulation – Money Transmissions
SB 251	FAV	Chair, Finance Committee	Commissioner of Financial Regulation – Licensing of Nondepository Institutions – Elimination of Paper License Requirements

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BILL NO.	REPORT	SPONSOR	CONTENT
SB 281	FAV	Chair, Finance Committee	Office of the Commissioner of Financial Regulation – Sunset Extension

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. 27 CONSENT NO. 51**

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

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BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
SB 38	FAV	Sen. West	Baltimore County – Alcoholic Beverages – Board of License Commissioners – Qualifications
SB 424	FAV	Sen. Salling	Baltimore County – Alcoholic Beverages – Class D Beer, Wine, and Liquor License
SB 426	FAV	Sen. Ferguson	Baltimore City – 46th District – Alcoholic Beverages Licenses
SB 472 (Emerg)	FAV	Sen. Washington	Baltimore City – Alcoholic Beverages Districts – Legislative Districting Plan References
SB 547	FAV	Sen. McCray	Baltimore City – 45th District – Alcoholic Beverages – Class B–D–7 License

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. 28 CONSENT NO. 52**

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>			
SB 386	FAV	Harford County Senators	Harford County – Alcoholic Beverages – Assisted Living Program License
SB 390	FAV	Sen. Gallion	Harford County – Alcoholic Beverages – Gift Basket Permit
SB 715	FAV	Sen. Carozza	Wicomico County – Alcoholic Beverages – License Alterations
SB 854	FAV	Sen. Hershey	Queen Anne’s County – Alcoholic Beverages – Unannounced Visits by Inspectors
SB 855	FAV	Sen. Hershey	Queen Anne’s County – Alcoholic Beverages – Repeal of Place of Worship Prohibition

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. 29 CONSENT NO. 53**

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>			

BILL NO.	REPORT	SPONSOR	CONTENT
SB 693	FAV	Sen. Young	Frederick County – Alcoholic Beverages – Stadium License
SB 694	FAV	Sen. Young	Frederick County – Barbershop and Beauty Salon Beer and Wine Licenses – Alterations
SB 739	FAV	Sen. Rosapepe	Prince George’s County – Alcoholic Beverages – BLX License
SB 792	FAV	Sen. Young	Frederick County – Alcoholic Beverages – Alcohol by Volume – Wine
SB 833	FAV	Charles County Senators	Charles County – Alcoholic Beverages – Class 4 Limited Winery License

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. 30 CONSENT NO. 54**

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>			
SB 451	FAV	Sen. Edwards	Garrett County – Alcoholic Beverages Act of 2021
SB 679 (Emerg)	FAV	Sen. Edwards	Allegany County – Alcoholic Beverages Licenses – Annual Fees
SB 731	FAV	Sen. Edwards	Allegany and Garrett Counties – Alcoholic Beverages – Gift Basket Permits

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. 32 CONSENT NO. 56**

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>			
SB 110	FAV	Chair, Finance Committee	Private Passenger Motor Vehicle Liability Insurance – Notices – Alteration of Requirements
SB 226	FAV	Chair, Finance Committee	Maryland Insurance Administration – Delivery of Notices and Other Communications by Electronic Means
SB 458	FAV	Sen. Feldman	Insurance – Impaired Entities – Delinquency Proceedings

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. 33 CONSENT NO. 57**

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>			

BILL NO.	REPORT	SPONSOR	CONTENT
SB 153	FAV	Sen. Eckardt	Renewable Energy Portfolio Standard – Municipal Electric Utilities
SB 428	FAV	Sen. Kelley	Public Utilities – Annual Reports
SB 429	FAV	Sen. Kelley	For–Hire Driving and Vehicles – Requirements
SB 430 (Emerg)	FAV	Sen. Kelley	Public Service Commission – Virtual Public Hearings
SB 561	FAV	Sen. Hershey	Electric Cooperatives – Meetings – Alterations
SB 907	FAV	Sen. Benson	Human Services – Critical Medical Needs Program – Application for Assistance

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. 34**

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

#### **Senate Bill 263 – Senators West and Waldstreicher**

AN ACT concerning

#### **Corporations and Real Estate Investment Trusts – Miscellaneous**

**SB0263/873899/1**

BY: Economic Matters Committee

#### AMENDMENT TO SENATE BILL 263

(Third Reading File Bill)

On page 1, in line 5, strike “obsolete language on”.

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:

**Senate Bill 320 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Assessments and Taxation)**

AN ACT concerning

**Foreign Corporations – Resident Agents – State Department of Assessments and  
Taxation**

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:

**Senate Bill 444 – Senator West**

AN ACT concerning

**Transforming Manufacturing in a Digital Economy Workgroup  
(Making It in Maryland)**

**SB0444/533093/1**

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 444

(Third Reading File Bill)

On page 3, in line 15, after “AFL–CIO;” insert “and”; and strike beginning with the  
semicolon in line 18 down through “Center” in line 25.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 35**

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

**Senate Bill 79 – Senator Kramer**

AN ACT concerning

**Electricity – Change of Address – Maintenance of Subscriptions and Contracts**

**SB0079/493591/1**

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 79

(Third Reading File Bill)

On page 1, in line 19, after “(7)” insert “and (d)(1)(i)”.

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:

**Senate Bill 149 – Senator Kelley**

AN ACT concerning

**Insurance – Application of Premium Tax – Continued Exclusion of Maryland  
Automobile Insurance Fund**

**SB0149/793695/1**

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 149  
(Third Reading File Bill)

On page 2, in line 21, strike “or” and substitute “and”; and in line 24, strike “OR” and substitute “AND”.

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:

**Senate Bill 407 – Senator Kramer**

AN ACT concerning

**Electricity – Net Energy Metering – Limit**

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:

**Senate Bill 846 – Senator Benson**

AN ACT concerning

**Home Energy Assistance – Critical Medical Needs Program – Power to the People Pilot Program**

**SB0846/443492/1**

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 846  
(Third Reading File Bill)

On page 4, in lines 26 and 28, in each instance, strike “PART-TIME” and substitute “FULL-TIME”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

#### **RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 5**

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 1348 – Delegate Sample–Hughes**

AN ACT concerning

##### **Procurement – Department of General Services – MBE Program Compliance Officer**

The Bill was re-referred to the Committee on Health and Government Operations.

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

##### **Senate Bill 138 – Senator Hettleman**

AN ACT concerning

##### **Education – Baltimore County Public Library – Collective Bargaining**

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 Health and Government Operations:

##### **Senate Bill 514 – Senators Feldman, Augustine, Carter, Hettleman, Kelley, Lee, ~~and Pinsky~~ Pinsky, Benson, Hayes, Hershey, and Jennings**

AN ACT concerning

##### **Health Facilities – Hospitals – Medical Debt Protection**

The Bill was re-referred to the Committee on Health and Government Operations.



**QUORUM CALL**

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 853)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 94**

**House Bill 97 – Delegates Lierman, Attar, Bridges, Henson, D. Jones, Rosenberg, and Smith**

**EMERGENCY BILL**

AN ACT concerning

**Department of Housing and Community Development – Office of ~~Digital~~  
~~Inclusion~~ Statewide Broadband – Established  
(Digital Connectivity Act of 2021)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 115    Negative – 19    (See Roll Call No. 854)

The Bill was then sent to the Senate.

**SPECIAL ORDER CALENDAR NO. 76**

**House Bill 409 – Delegate J. Lewis**

AN ACT concerning

**Juveniles Convicted as Adults – Sentencing – Limitations and Reduction  
(Juvenile Restoration Act)**

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

FLOOR AMENDMENT

**HB0409/103128/1**

BY: Delegate Szeliga

AMENDMENT TO HOUSE BILL 409, AS AMENDED

On page 1 of the House Judiciary Committee Amendments (HB0409/622815/1), in line 2 of Amendment No. 2, after “**(A)**” insert “**(1)**”; in lines 3, 5, and 7, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; and in line 8, after “**OFFENSE**” insert “.

**(2) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO WAS CONVICTED FOR THE MURDER OF A POLICE OFFICER, AS DEFINED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE**”.

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

Affirmative – 52    Negative – 82    (See Roll Call No. 855)

FLOOR AMENDMENT

**HB0409/443920/1**

BY: Delegate Buckel

AMENDMENTS TO HOUSE BILL 409, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with “prohibiting” in line 5 down through “minor;” in line 7.

AMENDMENT NO. 2

On page 2 of the bill, strike beginning with the colon in line 4 down through “**(1)**” in line 5; and strike beginning with the semicolon in line 6 down through “**RELEASE**” in line 8.

On page 1 of the House Judiciary Committee Amendments (HB0409/622815/1), in line 2 of Amendment No. 2, after “**(A)**” insert “**(1)**”; in lines 3, 5, and 7, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; and in line 8, after “**OFFENSE**” insert “.

**(2) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL CONVICTED AS AN ADULT FOR AN OFFENSE COMMITTED WHEN THE INDIVIDUAL WAS A MINOR WHO**

WAS SENTENCED TO IMPRISONMENT FOR LIFE WITHOUT THE POSSIBILITY OF PAROLE”.

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

Affirmative – 53    Negative – 82    (See Roll Call No. 856)

FLOOR AMENDMENT

**HB0409/453523/1**

BY: Delegate Hornberger

AMENDMENT TO HOUSE BILL 409, AS AMENDED

On page 1 of the House Judiciary Committee Amendments (HB0409/622815/1), in line 2 of Amendment No. 2, after “**(A)**” insert “**(1)**”; in lines 3, 5, and 7, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; and in line 8, after “**OFFENSE**” insert “.

**(2) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO WAS CONVICTED OF A CRIME INVOLVING THE POSSESSION OR DISCHARGE OF A FIREARM INSIDE A SCHOOL BUILDING OR A CONSPIRACY TO COMMIT A CRIME INVOLVING A FIREARM INSIDE A SCHOOL BUILDING”.**

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

Affirmative – 51    Negative – 83    (See Roll Call No. 857)

FLOOR AMENDMENT

**HB0409/613727/1**

BY: Delegate Chisholm

AMENDMENTS TO HOUSE BILL 409, AS AMENDED

On page 1 of the House Judiciary Committee Amendments (HB0409/622815/1), in line 2 of Amendment No. 2, after “**(A)**” insert “**(1)**”; in lines 3, 5, and 7, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; and in line 8, after “**OFFENSE**” insert “.

**(2) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO WAS CONVICTED FOR A VIOLATION OF § 2-201 OF THE CRIMINAL LAW ARTICLE AND A VIOLATION OF TITLE 10, SUBTITLE 3 OF THE CRIMINAL LAW ARTICLE ARISING OUT OF THE SAME INCIDENT**”.

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

Affirmative – 53    Negative – 78    (See Roll Call No. 858)

FLOOR AMENDMENT

**HB0409/813928/1**

BY: Delegate Impallaria

**AMENDMENT TO HOUSE BILL 409, AS AMENDED**

On page 1 of the House Judiciary Committee Amendments (HB0409/622815/1), in line 2 of Amendment No. 2, after “**(A)**” insert “**(1)**”; in lines 3, 5, and 7, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; and in line 8, after “**OFFENSE**” insert “.

**(2) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL CONVICTED AS AN ADULT FOR ONE OF THE FOLLOWING OFFENSES COMMITTED WHEN THE INDIVIDUAL WAS A MINOR:**

**(I) THE MURDER OF A MINOR; OR**

**(II) A VIOLATION OF § 3-309 OF THE CRIMINAL LAW ARTICLE**”.

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

Affirmative – 52    Negative – 81    (See Roll Call No. 859)

FLOOR AMENDMENT

**HB0409/263925/1**

BY: Delegate Reilly

**AMENDMENT TO HOUSE BILL 409, AS AMENDED**

On page 1 of the House Judiciary Committee Amendments (HB0409/622815/1), in line 2 of Amendment No. 2, after “**(A)**” insert “**(1)**”; in lines 3, 5, and 7, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; and in line 8, after “**OFFENSE**” insert “.

**(2) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO WAS CONVICTED AS AN ADULT FOR ONE OF THE FOLLOWING OFFENSES COMMITTED WHEN THE INDIVIDUAL WAS A MINOR:**

**(I) THE MURDER OF A VULNERABLE ADULT; OR**

**(II) A VIOLATION OF § 3-303 OF THE CRIMINAL LAW ARTICLE INVOLVING A VICTIM WHO WAS A VULNERABLE ADULT”.**

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

Affirmative – 54    Negative – 77    (See Roll Call No. 860)

FLOOR AMENDMENT

**HB0409/273721/1**

BY: Delegate Mangione

**AMENDMENT TO HOUSE BILL 409, AS AMENDED**

On page 1 of the House Judiciary Committee Amendments (HB0409/622815/1), in line 2 of Amendment No. 2, after “**(A)**” insert “**(1)**”; in lines 3, 5, and 7, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; and in line 8, after “**OFFENSE**” insert “.

**(2) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO WAS CONVICTED AS AN ADULT FOR MORE THAN ONE MURDER COMMITTED WHEN THE INDIVIDUAL WAS A MINOR”.**

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

Affirmative – 54    Negative – 79    (See Roll Call No. 861)

Read the second time and ordered prepared for Third Reading.

#### **RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 4**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably with amendments:

#### **House Bill 1364 – Delegate Crosby**

AN ACT concerning

#### **Historic St. Mary’s City Fort to 400 Commission**

**HB1364/873026/1**

BY: Rules and Executive Nominations Committee

#### AMENDMENTS TO HOUSE BILL 1364

(First Reading File Bill)

On page 2, strike in their entirety lines 23 and 24; and in lines 25 and 27, in each instance, strike “**ONE MEMBER**” and substitute “**TWO MEMBERS**”.

On page 3, strike line 16 in its entirety.

On page 2 in lines 25 and 27, and on page 3 in lines 1, 3, 5, 7, 8, 10, 12, 14, 17, and 19, strike “**(3)**”, “**(4)**”, “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, “**(12)**”, “**(14)**”, and “**(15)**”, respectively, and substitute “**(1)**”, “**(2)**”, “**(3)**”, “**(4)**”, “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, and “**(12)**”, respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

#### **Senate Bill 877 – The President (By Request – Department of Legislative Services)**

EMERGENCY BILL

AN ACT concerning

**Annual Corrective Bill**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

**Senate Bill 878 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Curative Bill**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE SENATE  
INTRODUCTORY SENATE BILLS NO. 30**

**Senate Bill 449 – Senator Kagan**

AN ACT concerning

**Public Information Act – Revisions  
(Equitable Access to Records Act)**

FOR the purpose of requiring each official custodian to adopt a certain policy of proactive disclosure; providing that the policy may vary in a certain manner and include the publication of certain records, to the extent practicable, or certain information; ~~requiring each official custodian to publish a certain annual report on a certain website, to the extent practicable or, under certain circumstances, store the report in a certain manner; requiring the report of an official custodian to include certain information;~~ requiring a certain member of the Public Information Act Compliance Board to have served as a custodian, rather than an official custodian, in the State; requiring that two members of the Board, rather than one member, be attorneys; requiring that one member of the Board be knowledgeable about electronic records; requiring the Office of the Attorney General to provide at least a certain number of staff members to assist the Board and requiring the Office of the Public Access Ombudsman to carry out certain duties; requiring the Board to receive, review, and

resolve certain complaints from applicants and applicants' designated representatives and certain complaints from a custodian; altering the minimum fee charged under which the Board is required to take certain actions with regard to a complaint; requiring the Board to order a custodian to take certain actions under certain circumstances; requiring the Board to issue an order authorizing a custodian to take certain actions under certain circumstances; requiring the Board to adopt certain regulations; altering the circumstances under which an applicant or an applicant's designated representative is authorized to file a certain written complaint; authorizing a custodian to file a certain complaint under certain circumstances; altering the time period within which a certain complaint must be filed; altering the time period within which a certain response must be filed; requiring a custodian to provide certain information to the Board on request; 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; requiring a custodian or an applicant, on request of the Board, to provide a certain affidavit or statement; requiring the Board to maintain the confidentiality of certain records and information; prohibiting a custodian from being civilly or criminally liable for taking certain actions; providing for the construction of certain actions taken under this Act; altering certain time periods within which the Board must issue certain decisions under certain circumstances; prohibiting a person from appealing a certain decision under certain provisions of law; repealing the limitation on the time period for which a certain appeal stays a certain decision; altering the list of disputes that the Ombudsman is required to make reasonable attempts to resolve; requiring the Ombudsman to issue a certain final determination within a certain period of time except under certain circumstances; requiring the Ombudsman to inform the applicant and the custodian of the availability of certain review by the Board under certain circumstances; authorizing the Ombudsman to disclose certain information to certain persons; prohibiting a certain individual from disclosing certain information under certain circumstances; authorizing the Ombudsman to transfer certain information to the Board under certain circumstances; ~~requiring the Ombudsman to submit a certain annual report to the Governor and the General Assembly; requiring the Ombudsman's report to include certain information;~~ prohibiting a custodian from failing to respond to an application for the inspection of a public record within certain time limits except under certain circumstances; altering the circumstances under which certain time limits are required to be extended pending the resolution of a dispute; altering a certain definition; altering certain terminology; providing for the application of this Act; making stylistic and conforming changes; requiring the Office of the Attorney General to allocate certain staff members on or before a certain date; providing for a delayed effective date; and generally relating to the Public Information Act.

BY repealing and reenacting, without amendments,  
Article – General Provisions  
Section 4–101(a) and (c), 4–1B–01, and 4–203(a)  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)



BY repealing and reenacting, with amendments,  
 Article – General Provisions  
 Section 4–101(j), 4–1A–02(a), 4–1A–03(d), 4–1A–04 through 4–1A–08, 4–1A–10,  
 4–1B–02(b), 4–1B–04, 4–203(d), and 4–362(a)  
 Annotated Code of Maryland  
 (2019 Replacement Volume and 2020 Supplement)

BY adding to  
 Article – General Provisions  
 Section 4–104 ~~and 4–105~~  
 Annotated Code of Maryland  
 (2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 723 – Senator Hester**

EMERGENCY BILL

AN ACT concerning

**Maryland Food System Resiliency Council**

FOR the purpose of establishing the Maryland Food System Resiliency Council; providing for the composition, co–chairs, co–vice chairs, and staffing of the Council; providing that a member of the Council may not receive compensation but may be reimbursed for certain expenses; authorizing the Council to establish certain subcommittees; specifying the duties of the Council; requiring the Council to submit certain reports to the General Assembly on or before certain dates; making this Act an emergency measure; defining certain terms; and generally relating to the Maryland Food System Resiliency Council.

BY adding to  
 Article – Public Safety  
 Section 14–1101 through 14–1103 to be under the new subtitle “Subtitle 11.  
 Maryland Food System Resiliency Council”  
 Annotated Code of Maryland  
 (2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 851 – Senator Hough**

AN ACT concerning

**Frederick County Board of Education – Vacancies**

FOR the purpose of altering the method for filling a vacancy on the Frederick County Board of Education; specifying that an individual appointed to fill a vacancy serves for the remainder of a certain term and until a successor is ~~appointed~~ elected and qualifies except that, under certain circumstances, the individual serves only until a successor is elected at the next general election; specifying how certain positions are to be filled at a general election; establishing the manner for nominating candidates for vacated offices; establishing the term of an individual elected to fill a vacated position; and generally relating to the Frederick County Board of Education.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 3–5B–01(a)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–5B–01(d)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **Senate Bill 888 – Senator Beidle**

AN ACT concerning

#### **Anne Arundel County – Speed Monitoring Systems – Maryland Route 175 (Jessup Road)**

FOR the purpose of authorizing the placement and use of speed monitoring systems on Maryland Route 175 (Jessup Road) in Anne Arundel County between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard County line, subject to certain placement and signage requirements; making a technical correction; and generally relating to the placement and use of speed monitoring systems in Anne Arundel County.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–809(a)(1) and (8), (b)(1)(i) and (viii), and (c)  
Annotated Code of Maryland  
(2020 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–809(b)(1)(v) and (vi)

Annotated Code of Maryland  
(2020 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 948 – Senator Klausmeier (By Request – Departmental – Veterans Affairs)**

AN ACT concerning

**Veterans Affairs – Office of Communications and Public Affairs – Veterans Advocacy and Education Act**

FOR the purpose of altering the name of the Outreach and Advocacy Program in the Department of Veterans Affairs to be the Office of Communications and Public Affairs; requiring the Office, in collaboration with the Maryland Higher Education Commission, to actively help veterans and their dependents become aware of and access certain benefits; altering certain responsibilities of the director of the Office; repealing a certain requirement that the Department develop and maintain a certain database of veterans in the State; altering certain responsibilities of the Department; altering certain responsibilities of the Office; altering the content of a certain annual report; making stylistic changes; and generally relating to the Office of Communications and Public Affairs.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–940 through 9–944 to be under the amended part “Part V. Office of Communications and Public Affairs”; and 9–946

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 862)

**ADJOURNMENT**

At 12:37 P.M. on motion of Delegate Luedtke the House adjourned until 4:00 P.M. on Legislative Day March 15, 2021, Calendar Day, Tuesday, March 30, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 15, 2021**  
**Calendar Day: Tuesday, March 30, 2021**  
**4:00 P.M. Session**

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The House met at 4:13 P.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 863)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Arentz – personal  
Delegate Ciliberti – late – personal  
Delegate Cullison – personal  
Delegate Valentino-Smith – personal  
Delegate Walker – business

The Journal of March 14, 2021 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 864)

**CALENDAR OF THIRD READING SENATE BILLS NO. 8**

**Senate Bill 14 – Senators Kelley, Smith, and Waldstreicher Carter, Cassilly, Hettleman, Jackson, Lee, Smith, Sydnor, Waldstreicher, and West**

AN ACT concerning

**Compensation to Individual Erroneously Convicted, Sentenced, and Confined  
(The Walter Lomax Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 865)

The Bill was then returned to the Senate.

**Senate Bill 35 – Senator Feldman**

SECOND PRINTING

AN ACT concerning

**Procurement – Prevailing Wage – Applicability**

Read the third time and passed by yeas and nays as follows:

Affirmative – 93 Negative – 39 (See Roll Call No. 866)

The Bill was then returned to the Senate.

**Senate Bill 202 – Senators Kelley, Carter, Smith, and Waldstreicher**

AN ACT concerning

**Correctional Services – Parole – Life Imprisonment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 90 Negative – 45 (See Roll Call No. 867)

The Bill was then returned to the Senate.

**Senate Bill 494 – ~~Senators West, Sydnor, and Carter~~ Senators Carter, Hettleman, Jackson, Smith, Sydnor, and Waldstreicher**

AN ACT concerning

**Juveniles Convicted as Adults – Sentencing – Limitations and Reduction  
(Juvenile Restoration Act)**

FLOOR AMENDMENT

**SB0494/603427/1**

BY: Delegate Cox

AMENDMENTS TO SENATE BILL 494

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “impose” insert “, subject to the Maryland sentencing guidelines.”.

AMENDMENT NO. 2

On page 2, in line 12, after “MAY” insert “, SUBJECT TO THE MARYLAND SENTENCING GUIDELINES.”.

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

Affirmative – 45    Negative – 88    (See Roll Call No. 868)

Read the third time and passed by yeas and nays as follows:

Affirmative – 88    Negative – 48    (See Roll Call No. 869)

The Bill was then returned to the Senate.

**Senate Bill 817 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)**

**EMERGENCY BILL**

AN ACT concerning

**Unemployment Insurance – Study on System Reforms**

Read the third time and passed by yeas and nays as follows:

Affirmative – 108    Negative – 27    (See Roll Call No. 870)

The Bill was then returned to the Senate.

**Senate Bill 819 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)**

**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 – 104 Negative – 32 (See Roll Call No. 871)

The Bill was then returned to the Senate.

**Senate Bill 893 – Senator Rosapepe**

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 – 104 Negative – 31 (See Roll Call No. 872)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 95**

**House Bill 409 – Delegate J. Lewis**

AN ACT concerning

**Juveniles Convicted as Adults – Sentencing – Limitations and Reduction  
(Juvenile Restoration Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 86 Negative – 48 (See Roll Call No. 873)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 96**

**House Bill 1364 – Delegate Crosby**

AN ACT concerning

**Historic St. Mary’s City Fort to 400 Commission**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 874)

The Bill was then sent to the Senate.

### CALENDAR OF THIRD READING SENATE BILLS NO. 9

#### Senate Bill 38 – Senator West

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 – 135    Negative – 0    (See Roll Call No. 875)

The Bill was then returned to the Senate.

#### Senate Bill 181 – Chair, Judicial Proceedings Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

#### **Corporations and Associations – Trade Name Certificates – Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 876)

The Bill was then returned to the Senate.

#### Senate Bill 185 – Senators Kagan and Reilly

AN ACT concerning

#### **Financial Institutions – Security Questions and Measures**

Read the third time and passed by yeas and nays as follows:

Affirmative – 105    Negative – 30    (See Roll Call No. 877)

The Bill was then returned to the Senate.

#### Senate Bill 219 – Chair, Finance Committee (By Request – Departmental – Labor)



AN ACT concerning

**Financial Institutions – Commissioner of Financial Regulation – Money  
Transmissions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 878)

The Bill was then returned to the Senate.

**Senate Bill 251 – Chair, Finance Committee (By Request – Departmental – Labor)**

AN ACT concerning

**Commissioner of Financial Regulation – Licensing of  
Nondepository Institutions – Elimination of Paper License Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 879)

The Bill was then returned to the Senate.

**Senate Bill 281 – Chair, Finance Committee (By Request – Departmental – Labor)**

AN ACT concerning

**Office of the Commissioner of Financial Regulation – Sunset Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 880)

The Bill was then returned to the Senate.

**Senate Bill 424 – Senator Salling**

AN ACT concerning

**Baltimore County – Alcoholic Beverages – Class D Beer, Wine, and Liquor  
License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 1    (See Roll Call No. 881)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 10**

**Senate Bill 386 – Harford County Senators**

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. 882)

The Bill was then returned to the Senate.

**Senate Bill 390 – Senator Gallion**

AN ACT concerning

**Harford County – Alcoholic Beverages – Gift Basket Permit**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 883)

The Bill was then returned to the Senate.

**Senate Bill 426 – Senator Ferguson**

AN ACT concerning

**Baltimore City – 46th District – Alcoholic Beverages Licenses**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 884)

The Bill was then returned to the Senate.

**Senate Bill 472 – Senator Washington**

**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 – 133    Negative – 0    (See Roll Call No. 885)

The Bill was then returned to the Senate.

**Senate Bill 547 – Senator McCray**

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 – 1    (See Roll Call No. 886)

The Bill was then returned to the Senate.

**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~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 1    (See Roll Call No. 887)

The Bill was then returned to the Senate.

**Senate Bill 854 – Senator Hershey**

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. 888)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 11****Senate Bill 263 – Senators West and Waldstreicher**

AN ACT concerning

**Corporations and Real Estate Investment Trusts – Miscellaneous**

Read the third time and passed by yeas and nays as follows:

Affirmative – 125    Negative – 10    (See Roll Call No. 889)

The Bill was then returned to the Senate.

**Senate Bill 428 – Senator Kelley**

AN ACT concerning

**Public Utilities – Annual Reports**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 890)

The Bill was then returned to the Senate.

**Senate Bill 429 – Senator Kelley**

AN ACT concerning

**For-Hire Driving and Vehicles – Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 2    (See Roll Call No. 891)

The Bill was then returned to the Senate.

**Senate Bill 430 – Senator Kelley****EMERGENCY BILL**

AN ACT concerning

**Public Service Commission – Virtual Public Hearings**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 892)

The Bill was then returned to the Senate.

**Senate Bill 561 – Senators Hershey and Eckardt**

AN ACT concerning

**Electric Cooperatives – Meetings – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 893)

The Bill was then returned to the Senate.

**Senate Bill 907 – Senator Benson**

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 – 132    Negative – 1    (See Roll Call No. 894)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 12**

**Senate Bill 451 – Senator Edwards**

AN ACT concerning

**Garrett County – Alcoholic Beverages Act of 2021**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 1    (See Roll Call No. 895)

The Bill was then returned to the Senate.

**Senate Bill 693 – Senator Young**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Stadium License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 896)

The Bill was then returned to the Senate.

**Senate Bill 694 – Senator Young**

AN ACT concerning

**Frederick County – Barbershop and Beauty Salon Beer and Wine Licenses –  
Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 897)

The Bill was then returned to the Senate.

**Senate Bill 739 – Senator Rosapepe**

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – BLX License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 2    (See Roll Call No. 898)

The Bill was then returned to the Senate.

**Senate Bill 792 – Senator Young**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Alcohol by Volume – Wine**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 899)

The Bill was then returned to the Senate.

**Senate Bill 833 – Charles County Senators**

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 – 1    (See Roll Call No. 900)

The Bill was then returned to the Senate.

**Senate Bill 855 – Senator Hershey**

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 – 132    Negative – 1    (See Roll Call No. 901)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 13**

**Senate Bill 110 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)**

AN ACT concerning

**Private Passenger Motor Vehicle Liability Insurance – Notices – Alteration of Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 902)

The Bill was then returned to the Senate.

**Senate Bill 153 – ~~Senator Eckardt~~ Senators Eckardt, Hershey, and Jennings**

AN ACT concerning

**Renewable Energy Portfolio Standard – Municipal Electric Utilities**

Read the third time and passed by yeas and nays as follows:

Affirmative – 115    Negative – 19    (See Roll Call No. 903)

The Bill was then returned to the Senate.

**Senate Bill 226 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)**

AN ACT concerning

**Maryland Insurance Administration – Delivery of Notices and Other Communications by Electronic Means**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 904)

The Bill was then returned to the Senate.

**Senate Bill 458 – Senator Feldman**

AN ACT concerning

**Insurance – Impaired Entities – Delinquency Proceedings**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 905)

The Bill was then returned to the Senate.

**Senate Bill 679 – Senator Edwards**

**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 – 133    Negative – 0    (See Roll Call No. 906)

The Bill was then returned to the Senate.



**Senate Bill 731 – Senator Edwards**

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 – 132    Negative – 1    (See Roll Call No. 907)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 14**

**Senate Bill 79 – Senator Kramer**

AN ACT concerning

**Electricity – Change of Address – Maintenance of Subscriptions and Contracts**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 0    (See Roll Call No. 908)

The Bill was then returned to the Senate.

**Senate Bill 149 – Senator Kelley**

AN ACT concerning

**Insurance – Application of Premium Tax – Continued Exclusion of Maryland  
Automobile Insurance Fund**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 909)

The Bill was then returned to the Senate.

**Senate Bill 320 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Assessments and Taxation)**

AN ACT concerning

**Foreign Corporations – Resident Agents – State Department of Assessments and  
Taxation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 107    Negative – 26    (See Roll Call No. 910)

The Bill was then returned to the Senate.

**Senate Bill 407 – Senator Kramer**

AN ACT concerning

**Electricity – Net Energy Metering – Limit**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94    Negative – 40    (See Roll Call No. 911)

The Bill was then returned to the Senate.

**Senate Bill 444 – Senator West**

AN ACT concerning

**Transforming Manufacturing in a Digital Economy Workgroup  
(Making It in Maryland)**

FLOOR AMENDMENT

**SB0444/293229/1**

BY: Delegate Cox

AMENDMENT TO SENATE BILL 444, AS AMENDED

(Third Reading File Bill)

In the Economic Matters Committee Amendment (SB0444/533093/1), in line 1, strike “and”.

On page 3 of the bill, in line 18, after “RMI” insert “; and”

(17) one representative of the National Federation of Independent Businesses – Maryland (NFIB Maryland), designated by the Director of NFIB Maryland”.

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

Affirmative – 38    Negative – 94    (See Roll Call No. 912)

Read the third time and passed by yeas and nays as follows:

Affirmative – 92    Negative – 38    (See Roll Call No. 913)

The Bill was then returned to the Senate.

**Senate Bill 846 – Senator Benson**

AN ACT concerning

**Home Energy Assistance – Critical Medical Needs Program – Power to the People Pilot Program**

Read the third time and passed by yeas and nays as follows:

Affirmative – 103    Negative – 30    (See Roll Call No. 914)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 15**

**Senate Bill 877 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Corrective Bill**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 915)

The Bill was then returned to the Senate.

**Senate Bill 878 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Curative Bill**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 916)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 2  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 1372 – The Speaker**

**EMERGENCY BILL**

AN ACT concerning

**Blueprint for Maryland’s Future – Revisions**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB1372/413726/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1372

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “local” and substitute “county”; in line 8, after “devices;” insert “specifying that certain funds are intended to be supplemental to certain existing funding; requiring each county board to submit to the State Department of Education certain reports on information technology and requiring the State Department of Education to submit to the General Assembly a certain report on information technology on or before certain dates each year; requiring the State Department of Education to establish certain reporting requirements on or before a certain date;”; in line 10, after “grant;” insert “authorizing certain eligible schools to use excess funds from a certain personnel grant for certain purposes under certain circumstances;”; and in line 18, after “purpose;” insert “providing that a certain requirement may be satisfied by conducting a certain screening;”.

On page 2, in line 3, after “circumstances;” insert “providing that a certain provision of law is no longer applicable if a certain individual who is required to appoint certain members to the Nominating Committee fails to make certain appointments within a certain period of time;”; in line 9, after “training;” insert “requiring each county to ensure a certain percentage of certain prekindergarten slots in the county rather than certain providers;”; in line 15, after “needs;” insert “requiring the State Department of Education to consult with the Accountability and Implementation Board to contract with a certain entity to conduct a certain study;”; in line 17, after “through” insert “a certain course or”; in line 18, after “sponsor;” insert “requiring a virtual school to follow certain standards; requiring the Governor to include in the annual budget bill a certain appropriation to the State Department of Education for the Director of Community Schools to provide certain training, assistance, and additional staff; requiring the CTE Committee or the State Board of Education, as appropriate, to include in a certain State plan certain goals and programs, to the extent authorized by federal law;”; in line 19, after “date;” insert “requiring the Workgroup on English Language Learners in Public Schools to measure and make recommendations regarding certain learning loss for English language learners;”; in line 39, after “purpose;” insert “requiring each local school system, on or before a certain date, to complete a certain assessment and report on the findings to the Accountability and Implementation Board, the State Department of Education, and the State Board of Education; requiring the State Department of Education, on or before a certain date, to conduct a certain evaluation and report on the evaluation to the General Assembly; authorizing county governing bodies to use certain funds to meet certain maintenance of effort requirements, to the extent authorized by federal law; defining a certain term;”; and in line 46, after “(c)(1)(i)1.” insert “and (4)”.

On page 3, in line 3, strike “(2)(i)” and substitute “(2)”; in the same line, after “5-403(b)(2)” insert “and (d)”; in line 9, after “7-210(a),” insert “7-1401, 7-1403;”; in the same line, after “9.5-1002(d),” insert “9.9-103(c);”; in line 17, strike “5-404(b)(3)” and substitute “5-404(a)(3)”; in the same line, strike the second “and”; and in line 18, after “7-205.1(c)(3)” insert “, and 21-202(d)(3)”.

#### AMENDMENT NO. 2

On page 6, in line 4, after “(C)” insert “(1)”; in the same line, strike “LOCAL” and substitute “COUNTY”; and after line 6, insert:

**“(2) ADDITIONAL FUNDS PROVIDED IN THE TARGET PER PUPIL FOUNDATION AMOUNT FOR EDUCATIONAL TECHNOLOGY ARE INTENDED TO SUPPLEMENT AND NOT SUPPLANT EXISTING FUNDING PROVIDED FOR EDUCATIONAL TECHNOLOGY.**

**(3) (I) ON OR BEFORE NOVEMBER 15 EACH YEAR, EACH COUNTY BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT DETAILING, FOR THE PREVIOUS FISCAL YEAR:**

**1. THE AMOUNT SPENT BY THE LOCAL SCHOOL SYSTEM ON TECHNOLOGY DISAGGREGATED BY DIGITAL DEVICES, CONNECTIVITY, AND INFORMATION TECHNOLOGY STAFF; AND**

**2. THE PERCENTAGE OF STUDENTS, TEACHERS, AND STAFF WITH DIGITAL DEVICES AND ADEQUATE CONNECTIVITY IN THEIR HOMES IN ACCORDANCE WITH THE FEDERAL COMMUNICATIONS COMMISSION STANDARDS FOR BROADBAND.**

**(II) ON OR BEFORE DECEMBER 15 EACH YEAR, THE DEPARTMENT SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, A COMPILATION OF THE REPORTS SUBMITTED TO THE DEPARTMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

**(III) ON OR BEFORE SEPTEMBER 1, 2021, THE DEPARTMENT SHALL ESTABLISH UNIFORM REPORTING REQUIREMENTS, INCLUDING DEFINITIONS TO ENSURE THAT CONSISTENT AND COMPARABLE REPORTS ARE SUBMITTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”.**

On page 9, after line 23, insert:

**“(4) If the personnel grant provided to an eligible school exceeds the cost to employ the positions and provide the coverage required under paragraph (2) of this subsection, the eligible school may only use the excess funds to[**

**(i) Provide wraparound services to the students enrolled in the eligible school;**

**(ii) Complete the needs assessment; and**

**(iii) In fiscal years 2021 and 2022, provide the requirements under COMAR 13A.04.16.01] PROVIDE HEALTH CARE SERVICES VIA A SCHOOL HEALTH SERVICES PROGRAM, A COUNTY HEALTH DEPARTMENT, OR A SCHOOL-BASED HEALTH CENTER.”.**

On page 13, in line 2, after “(5)” insert “(I)”; and after line 5, insert:

**“(II) THE REQUIREMENT THAT A STUDENT RECEIVE A PRE-STANDARDIZED ASSESSMENT FOR LITERACY IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE SATISFIED BY CONDUCTING THE READING SCREENING ESTABLISHED IN § 4-136 OF THIS ARTICLE.”**

On page 15, in line 25, strike “AND (III)” and substitute “, **(III), AND (IV)**”; after line 28, insert:

**“(ii) Except as provided in subsection (c)(2) of this section, in fiscal years 2022 and 2023, if a county’s education effort, as defined in subsection (j) of this section, is below 100% of the statewide 5-year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:**

**1. The county’s increase in the local wealth per pupil USING THE SEPTEMBER 2019 FULL-TIME EQUIVALENT ENROLLMENT;**

**2. The statewide average increase in local wealth per pupil USING THE SEPTEMBER 2019 FULL-TIME EQUIVALENT ENROLLMENT; or**

**3. 2.5%.”;**

and in line 29, strike “FOR” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, FOR**”.

On page 16, after line 7, insert:

**“(IV) IF A COUNTY IS REQUIRED TO MAKE AN ADJUSTMENT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IN FISCAL YEAR 2022, FOR FISCAL YEAR 2023, THE COUNTY GOVERNING BODY SHALL APPROPRIATE LOCAL FUNDS TO THE SCHOOL OPERATING BUDGET IN AN AMOUNT NOT LESS THAN:**

**1. THE FISCAL YEAR 2022 LOCAL APPROPRIATION DIVIDED BY THE GREATER OF:**

**A. THE FULL-TIME EQUIVALENT ENROLLMENT IN SEPTEMBER 2019; OR**

**B. THE 3-YEAR AVERAGE OF THE FULL-TIME EQUIVALENT ENROLLMENT FOR SEPTEMBER 2017, 2018, AND 2019; MULTIPLIED BY**

**2. THE GREATER OF:**

**A. THE FULL-TIME EQUIVALENT ENROLLMENT IN SEPTEMBER 2021; OR**

**B. THE 3-YEAR AVERAGE OF THE FULL-TIME EQUIVALENT ENROLLMENT FOR SEPTEMBER 2018, 2019, AND 2021; MULTIPLIED BY**

**3. THE PER PUPIL INCREASE REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IN FISCAL YEAR 2023.”.**

On page 17, after line 24, insert:

**“(III) IF THE THIRD INDIVIDUAL REQUIRED TO APPOINT MEMBERS TO THE NOMINATING COMMITTEE DOES NOT APPOINT THE REMAINING TWO MEMBERS TO THE NOMINATING COMMITTEE WITHIN THE TIME PERIOD REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, SUBSECTION (D) OF THIS SECTION NO LONGER APPLIES.**

**(d) [Nominations] EXCEPT AS PROVIDED IN SUBSECTION (B)(2)(III) OF THIS SECTION, NOMINATIONS for the Board made by the Nominating Committee shall be decided by a majority vote, provided that at least one vote cast in the majority is a vote cast by each of a member appointed by the Governor, the President of the Senate, and the Speaker of the House.”;**

in line 26, after “(3)” insert **“THE COMPREHENSIVE IMPLEMENTATION PLAN SHALL INCLUDE THE INTENDED OUTCOMES THAT THE BLUEPRINT FOR MARYLAND’S FUTURE WILL ACHIEVE.**

**(4)”;**

and strike beginning with **“THE”** in line 28 down through **(4)** in line 31.

On page 20, in line 16, strike “2021,” and substitute **“2022,”**.



On page 23, in line 25, after “year,” insert “PREKINDERGARTEN SLOTS PROVIDED BY”; in line 26, after “of” insert “THE TOTAL PREKINDERGARTEN SLOTS PROVIDED BY”; and in lines 28, 30, 33, and 34, in each instance, strike “providers” and substitute “PROVIDER PREKINDERGARTEN SLOTS”.

On page 26, in line 14, after “Department” insert “, IN CONSULTATION WITH THE ACCOUNTABILITY AND IMPLEMENTATION BOARD,”.

On page 27, in line 7, after “institution” insert “, THROUGH AN ADVANCED PLACEMENT COURSE AT A SECONDARY INSTITUTION,”; and after line 21, insert:

7-1401.

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

(b) “QUALITY ONLINE EDUCATION STANDARDS” MEANS THE NATIONAL STANDARDS FOR QUALITY ONLINE PROGRAMS: SECOND EDITION (2019).

(C) “Sponsor” means the Department or a county school board, having a fiduciary responsibility for the operation of the virtual school.

~~(c)~~ (D) “Virtual school” means a public school established by the Department or by a county board under § 4-109 of this article in which the school uses technology to deliver a significant portion of instruction to its students via the Internet in a virtual or remote setting.

7-1403.

(a) A virtual school shall provide each enrolled student:

(1) Access to a sequential curriculum approved by the State Board that meets or exceeds the standards adopted by the county board in the county of the virtual school’s principal place of business;

(2) The same length of time for learning opportunities per academic year that is required for public school students, unless the virtual school can show that a student has demonstrated mastery or completion of the subject area; and

(3) Regular assessment in the core areas of instruction as required by regulations adopted by the State Board under § 7–1408 of this subtitle.

(b) A curriculum adopted under subsection (a) of this section shall have an interactive program with significant online components.

**(C) BEGINNING IN THE 2021–2022 SCHOOL YEAR, A VIRTUAL SCHOOL SHALL FOLLOW THE QUALITY ONLINE EDUCATION STANDARDS.”**

On page 28, after line 6, insert:

“9.9–103.

(c) (1) There shall be a Director of Community Schools in the Department.

(2) The Director of Community Schools in the Department shall coordinate professional development for community school coordinators at each community school.

**(3) IN ADDITION TO THE FUNDING PROVIDED FOR THE DIRECTOR OF COMMUNITY SCHOOLS POSITION IN THE DEPARTMENT, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$100,000 TO THE DEPARTMENT FOR THE DIRECTOR OF COMMUNITY SCHOOLS TO PROVIDE TRAINING AND TECHNICAL ASSISTANCE TO COMMUNITY SCHOOLS AND FOR ADDITIONAL STAFF.”**;

and after line 20, insert:

**“(3) THE CTE COMMITTEE OR THE STATE BOARD OF EDUCATION, AS APPROPRIATE, SHALL INCLUDE IN THE STATE PLAN REQUIRED UNDER THE CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT GOALS AND PROGRAMS THAT ARE CONSISTENT WITH THE BLUEPRINT FOR MARYLAND’S FUTURE, AS DEFINED IN § 5–401 OF THIS ARTICLE, TO THE EXTENT CONSISTENT WITH FEDERAL LAW.”**

On page 32, in line 16, strike “and”; and in line 19, after “provided” insert “; **AND**

**(4) MEASURE AND MAKE RECOMMENDATIONS TO ADDRESS LEARNING LOSS AS A RESULT OF THE COVID–19 PANDEMIC FOR ENGLISH LANGUAGE LEARNERS”**.

On page 34, in line 2, strike the second “and”; after line 2, insert:

“(2) provide education technology, including digital devices, broadband connectivity, and information technology staff; and”;

in line 3, strike “(2)” and substitute “(3)”; in line 26, after “students” insert “, including students who will be in kindergarten in the upcoming school year and were eligible to attend a publicly funded prekindergarten program,”; in line 34, strike “may” and substitute “in 2021, shall”; and in lines 34 and 35, strike “and reduced price”.

On page 34 in line 28, and on page 35 in line 26, in each instance, after “county board’s” insert “or public school’s”.

On page 35, in line 1, strike “may provide” and substitute “shall offer”; and in the same line, after “services” insert “to students who need transportation to participate in the program”.

On page 36, in line 1, after “for” insert “middle school and”.

On page 37, in line 8, after “students” insert “, including pupil-to-tutor ratio or group size, the frequency of sessions, the amount of time per session, and the number of sessions”; in line 15, strike “due to the effects of” and substitute “exacerbated by”; in line 25, strike “due to the effects of” and substitute “exacerbated by”; in the same line, strike the second “and”; and in line 27, after “students” insert “; and”

(iv) develop key metrics and procedures, consistent with State and federal guidance, to evaluate the effectiveness and impact of behavioral health services provided to students under this section”.

On page 38, in line 6, strike “due to the effects of” and substitute “exacerbated by”; in the same line, strike the second “and”; in line 8, after “students” insert “; and”

(iv) measured the effectiveness and impact of behavioral health services provided to students using key metrics and procedures developed under this section”;

after line 22, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2021, each local school system shall:

(1) complete a virtual learning self-assessment using a research-based framework recommended by the State Board of Education; and

(2) report on the findings of the assessment under item (1) of this subsection to the Accountability and Implementation Board established under § 5–402 of the Education Article, the State Department of Education, and the State Board of Education.

(b) On or before December 1, 2023, the State Department of Education shall:

(1) conduct an evaluation of each virtual school; and

(2) report, in accordance with § 2–1257 of the State Government Article, to the General Assembly on the findings of the evaluation under item (1) of this subsection.

SECTION 8. AND BE IT FURTHER ENACTED, That county governing bodies may, to the extent authorized under federal law, use federal funds to meet the maintenance of effort requirement under § 5–235 of the Education Article.”;

and in line 23, strike “7.” and substitute “9.”.

The preceding 2 amendments were read and concurred in.

**HB1372/203126/1**

BY: Senator Pinsky

AMENDMENTS TO HOUSE BILL 1372, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB1372/413726/1), in Amendment No. 1, strike beginning with “authorizing” in line 8 down through “circumstances;” in line 10; and in line 21, strike “requiring” and substitute “authorizing”.

On page 2 of the bill, in line 27, after “years;” insert “providing for the intent of the General Assembly regarding the provision of summer school programs;”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 1, strike beginning with “requiring” in line 3 down through “Assembly;” in line 8; and in line 10, strike “and (4)”.

AMENDMENT NO. 2

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “(4)” in line 18 down through “CENTER.” in line 27.

On page 7 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, in line 21, strike “2021 – 2022” and substitute “2022 – 2023”.

On page 8 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, in line 9, strike “SHALL” and substitute “MAY”.

On page 35 of the bill, after line 21, insert:

“(3) It is the intent of the General Assembly that summer school programs be provided in-person to the extent feasible if the public health metrics and guidance allow for in-person instruction.”

On page 10 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “That.” in line 4 down through “subsection.” in line 16 and substitute “That, for the calculation of the required local appropriation under § 5-235(a)(2)(i) of the Education Article for fiscal year 2022, “enrollment count” means the greater of:

(1) the full-time equivalent enrollment in September 2019; or

(2) the 3-year moving average enrollment defined under § 5-201(t)(2) of the Education Article as enacted by Section 1 of this Act.”;

and in line 18, after “funds” insert “that the counties received for COVID-19 relief”.

The preceding 2 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 – 93    Negative – 40    (See Roll Call No. 917)

**CONCURRENCE CALENDAR NO. 3  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 37 – Delegate Valderrama**

AN ACT concerning

**Procurement – Prevailing Wage – Applicability**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB0037/567079/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 37

(Third Reading File Bill)

On page 4, in line 12, strike “**INCLUDE,**” and substitute “**INCLUDE:**”

**(I)**;

in lines 15 and 16, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively; and in line 16, after “money” insert “**;OR**”

**(II) A CAPITAL PROJECT THAT RECEIVES STATE FUNDS IN THE ANNUAL STATE CAPITAL BUDGET AS:**

**1. A LOCAL HOUSE OF DELEGATES INITIATIVE; OR**

**2. A LOCAL SENATE INITIATIVE**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 93 Negative – 40 (See Roll Call No. 918)

**AMENDED IN THE SENATE**

**House Bill 908 – Delegate Carey**

**EMERGENCY BILL**

AN ACT concerning

**Unemployment Insurance – Employer Contributions – ~~Payment Plans~~**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB0908/567271/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 908

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Contributions” insert “and Reimbursement Payments”.

On page 1, in line 15, after “circumstances;” insert “altering the nonprofit organizations and governmental entities that may elect to defer payments of reimbursement bills for a certain calendar year;”.

On page 2, after line 5, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–620(a)(1) and (2)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

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

and in line 8, strike “8–626” and substitute “8–620(a)(3), 8–626.”.

AMENDMENT NO. 2

On page 4, after line 22, insert:

“8–620.

(a) (1) Reimbursement payments shall be made in accordance with this section.

(2) Except as provided in paragraphs (3) and (4) of this subsection, unless there is an application for review and redetermination of a bill under § 8–621 of this subtitle, a nonprofit organization or governmental entity shall pay the bill under this section within 30 days after the Secretary mailed the bill to the last known address of the nonprofit organization or governmental entity or otherwise delivered the bill to it.

(3) (i) For calendar year 2021, a nonprofit organization or governmental entity that employs fewer than 50 individuals may elect to defer payment of the bills under this section for the calendar quarters ending on March 31, June 30, and September 30.

(ii) **FOR CALENDAR YEAR 2021, IF THE FEDERAL GOVERNMENT IS NOT PROVIDING EMERGENCY UNEMPLOYMENT RELIEF FOR NONPROFIT ORGANIZATIONS AND GOVERNMENTAL ENTITIES FOR THE ENTIRETY OF THE CALENDAR QUARTER ENDING SEPTEMBER 30, A NONPROFIT ORGANIZATION OR GOVERNMENTAL ENTITY THAT EMPLOYS 50 OR MORE INDIVIDUALS MAY ELECT TO DEFER PAYMENT OF THE BILLS UNDER THIS SECTION FOR THE CALENDAR QUARTER ENDING SEPTEMBER 30.**

(iii) A nonprofit organization or governmental entity that elects to defer the payment of a bill as authorized under subparagraph (i) OR (ii) of this paragraph:

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

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

3. notwithstanding § 8–622 of this subtitle, may not be considered delinquent in making the payment during the period for which the payment is deferred; and



4. may not be assessed interest that accrues under § 8-628 of this subtitle for the period for which the payment is deferred.”.

On page 6, in line 6, after “contributions” insert “and reimbursement”.

The preceding 2 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 – 133    Negative – 2    (See Roll Call No. 919)

### AMENDED IN 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**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB1002/133223/1**

BY: Finance Committee

#### AMENDMENTS TO HOUSE BILL 1002

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in lines 15 and 16, strike “before a certain system begins to operate”; in line 17, strike “in a certain manner”; in the same line, after “form” insert “in a certain manner and”; strike beginning with “certain” in line 18 down through “funding” in line 19 and substitute “the Maryland Health Benefit Exchange and the Maryland Department of Health for a certain purpose”; and in line 24, after “year;” insert “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;”.

On page 2, in line 27, after “8–109” insert “and 8–110”.

#### AMENDMENT NO. 2

On page 5, in line 5, strike the first comma and substitute “EACH YEAR, BEGINNING IN”; in the same line, strike “AND EACH JULY 1 THEREAFTER,”; in line 14, strike “OR” and substitute “AND”; and in line 24, strike “APPLICANT” and substitute “INDIVIDUAL FILING A CLAIM FOR BENEFITS”.

On page 6, in line 19, after “PUBLISH” insert “ON A”; in the same line, after “QUARTERLY” insert “BASIS”; strike beginning with the colon in line 20 down through “1.” in line 21; in line 21, strike “FILED” and substitute “FILE”; in line 22, strike the semicolon; in line 23, strike “2.”; and in line 25, strike “A CLAIMANT” and substitute “AN INDIVIDUAL WHO HAS FILED A CLAIM FOR BENEFITS”.

On page 7, in line 3, after “APPLICABLE” insert “STATE AND”; in the same line, strike “AND STATE”; in line 30, after “OF” insert “THE REQUIREMENTS OF”; and after line 30, insert:

“8–110.

(A) ON REQUEST AND FOR PURPOSES CONSISTENT WITH CHAPTERS AND (S.B. 893 AND S.B. 894) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021, THE DEPARTMENT SHALL PROVIDE TO THE CHIEF ELECTED OFFICIAL OF A COUNTY DEMOGRAPHIC DATA AND THE ADDRESSES, OCCUPATIONS, AND LAST KNOWN EMPLOYERS OF UNEMPLOYMENT INSURANCE RECIPIENTS WHO LIVE IN THE COUNTY OF THE CHIEF ELECTED OFFICIAL.

(B) A CHIEF ELECTED OFFICIAL OF A COUNTY MAY:

(1) SHARE THE INFORMATION PROVIDED TO THE CHIEF ELECTED OFFICIAL UNDER SUBSECTION (A) OF THIS SECTION WITH THE GOVERNING BODY OF THE COUNTY; AND

(2) REQUEST INFORMATION UNDER SUBSECTION (A) OF THIS SECTION ON BEHALF OF A POLITICAL SUBDIVISION WITHIN THE COUNTY AND PROVIDE THE INFORMATION TO THE POLITICAL SUBDIVISION.

(C) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE NAMES OF UNEMPLOYMENT INSURANCE RECIPIENTS MAY BE INCLUDED IN THE INFORMATION PROVIDED UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) ARE NECESSARY TO PROTECT THE PERSONALLY IDENTIFIABLE INFORMATION OF UNEMPLOYMENT INSURANCE RECIPIENTS.”.

On page 11, in line 19, strike “(VII)” and substitute “(VI)”.

The preceding 2 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 – 100    Negative – 34    (See Roll Call No. 920)

**AMENDED IN THE SENATE**

**House Bill 1138 – Delegate Carey**

**EMERGENCY BILL**

AN ACT concerning

**Unemployment Insurance – Maryland Department of Labor – Accountability and Oversight**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB1138/227574/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1138

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike “to initiate a certain plan and”; in line 12, strike “plan” and substitute “reporting requirements”; in line 15, after “guidelines” insert “for a certain period of time”; and in line 16, strike “plan is” and substitute “reporting requirements are”.

AMENDMENT NO. 2

On page 4, strike beginning with “IF,” in line 10 down through “6%” in line 13 and substitute “ IF THE DEPARTMENT, FOR 4 CONSECUTIVE WEEKS, FAILS TO PAY AT LEAST 82% OF FIRST PAYMENTS WITHIN 21 DAYS AFTER THE WEEK ENDING DATE OF THE FIRST COMPENSABLE WEEK IN THE BENEFIT YEAR”; strike beginning with the colon in line 18 down through “(II)” in line 20; in line 22 strike “PLAN” and substitute “REPORTING REQUIREMENTS”; in line 23, after “DEPARTMENT” insert “, FOR 4 CONSECUTIVE WEEKS,”; and in line 27 strike “PLAN IS” and substitute “REPORTING REQUIREMENTS ARE”.

The preceding 2 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 – 135    Negative – 0    (See Roll Call No. 921)

**QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 922)

**ADJOURNMENT**

At 5:39 P.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 16, 2021, Calendar Day, Wednesday, March 31, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 16, 2021**  
**Calendar Day: Wednesday, March 31, 2021**  
**10:00 A.M. Session**

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The House met at 10:16 A.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 923)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Bagnall – medical  
Delegate Palakovich–Carr – personal  
Delegate Parrott – business  
Delegate Washington – personal

The Journal of March 16, 2021 was read and approved.

**YEAS AND NAYS NO. 2**  
**HOUSE BILLS PASSED IN THE SENATE**

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NUMBER	SPONSOR	CONTENT
HB 183	Del. Lierman	Public Information Act – Revisions (Equitable Access to Records Act)

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Read and ordered journalized.

**AMENDED IN THE SENATE**

**House Bill 261 – Delegate T. Branch**

AN ACT concerning

**Business Regulation – Battery–Charged Fence Security Systems – Regulation**

Delegate Davis, D.E. moved that the House not concur in the Senate amendments.

**HB0261/697479/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 261

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “defining” insert “a”; and in the same line, strike “terms” and substitute “term”.

AMENDMENT NO. 2

On page 2, strike beginning with “THE” in line 2 down through “BATTERY-CHARGED” in line 4 and substitute “, BATTERY-CHARGED”; in line 10, before “(II)” insert “(2)”; in the same line, strike “(II)”; strike beginning with the colon in line 11 down through “3.” in line 14; and strike in their entirety lines 16 through 17, inclusive.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

BILL: HB0261  
SPONSOR: Delegate Branch, T.  
SUBJECT: Business Regulation – Battery–Charged Fence Security Systems  
– Regulation

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Wilson, Chair  
Delegate T. Branch  
Delegate Adams

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**MESSAGE FROM THE CHIEF EXECUTIVE**

SUPPLEMENTAL BUDGET NO. 5 – FISCAL YEAR 2022

(See Exhibit N of Appendix II)

Read and Referred to the Committee on Appropriations.

**APPROPRIATIONS COMMITTEE REPORT NO. 16**

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 40 – Senator Peters**

AN ACT concerning

**Higher Education – Richard W. Collins III Leadership With Honor Scholarship –  
Bowie State**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 779 – Senators Elfreth, Klausmeier, Griffith, and Zucker**

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.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 845 – Senator Benson**

AN ACT concerning

**Education – Workforce Development Sequence Scholarships – Eligibility**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 886 – Senator Elfreth**

AN ACT concerning

**Transfer With Success Act**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 37**

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

**Senate Bill 205 – Senator Hettleman**

AN ACT concerning



**Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption****SB0205/443298/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 205

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 4 down through “allow” in line 5; and strike beginning with “requiring” in line 11 down through “Assembly;” in line 12.

AMENDMENT NO. 2

On page 2, in line 13, strike “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; and strike beginning with “(1)” in line 20 down through “(B)” in line 28.

On page 3, strike beginning with “LOCAL” in line 1 down through “A” in line 2; and in line 2, strike “TO” and substitute “MAY”.

On page 4, in line 6, strike “(C)” and substitute “(B)”; strike beginning with “LOCAL” in line 9 down through “A” in line 10; and in line 10, strike “TO” and substitute “MAY”.

On page 5, strike beginning with “(D)” in line 14 down through “(1)” in line 17 and substitute “(C)”; in line 17, after “BOARD” insert “:

(1)”;

in line 19, strike “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; in line 20, strike the period and substitute “; AND”; in line 21, strike “A LOCAL LICENSING BOARD”; and strike beginning with “A” in line 22 down through “UNDER” in line 23.

On pages 5 and 6, strike beginning with “AND” in line 25 on page 5 through “3.” in line 1 on page 6.

On page 6, in line 3, strike “and any local law or ordinance adopted 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.

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

**Senate Bill 793 – Senator Young**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Consumption Permits**

**SB0793/623194/1**

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 793

(Third Reading File Bill)

On page 3, in line 26, strike “**0.5**” and substitute “**1.5**”.

On page 4, in line 7, strike “**\$200**” and substitute “**\$400**”.

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:

**Senate Bill 821 – Senators Hester and Gallion**

**EMERGENCY BILL**

AN ACT concerning

**Alcoholic Beverages – Manufacturer’s Licenses and Off-Site Permits**

**SB0821/403993/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 821

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “delayed” in line 25 on page 1 down through “the” in line 1 on page 2.

On page 2, strike beginning with “certain” in line 1 down through “of” in line 2; and in line 17, strike “2-212(c)”.

AMENDMENT NO. 2

On page 19, strike beginning with “AND” in line 6 down through “6.” in line 17; strike beginning with “except” in line 20 down through “Act.” in line 21; in line 21, strike “Section 3 of this Act” and substitute “It”; in line 22, strike “until” and substitute “through”; in the same line, strike “that date” and substitute “December 31, 2022”; and in the same line, strike “Section 3 of”.

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. 38**

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

**Senate Bill 93 – Senator Griffith**

AN ACT concerning

**Business Occupations and Professions – Architects – Scope of Licensure**

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:

**Senate Bill 417 – Senator Pinsky**

AN ACT concerning

**Power Plant Research Program – Review of Application for Certificate of Public Convenience and Necessity – Alterations**

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:

**Senate Bill 503 – Senator Smith**

AN ACT concerning

**Public Utilities – Gas Service Regulator Safety  
(Flower Branch Act)**

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:

**Senate Bill 651 – Senator Klausmeier**

AN ACT concerning

**Baltimore County – Workers’ Compensation – Permanent Partial Disability –  
Detention and Correctional Officers**

Favorable report 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. 924)

**RECESS**

At 10:31 A.M. on motion of Delegate Luedtke the House recessed until 10:00 A.M. on Legislative Day, March 16, 2021, Calendar Day, Thursday, April 1, 2021.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: March 16, 2021**  
**Calendar Day: Thursday, April 1, 2021**

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At 10:06 A.M. the House resumed its session and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 114 Members present.

(See Roll Call No. 925)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Barron – personal  
Delegate Brooks – family funeral  
Delegate D.M. Davis – business  
Delegate Grammer – illness  
Delegate Palakovich–Carr – personal  
Delegate Pendergrass – personal

**YEAS AND NAYS NO. 3**  
**HOUSE BILLS PASSED IN THE SENATE**

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NUMBER	SPONSOR	CONTENT
HB 14 (Emerg)	Del. Kerr	Pharmacists – Prescription Drug and Device Labels – Expiration Dates
HB 745	Del. Luedtke	Election Law – Early Voting Centers
HB 970 (Emerg)	Del. Johnson	Psychology Interjurisdictional Compact
HB 1232 (Emerg)	Del. Brooks	Alcoholic Beverages – Manufacturer’s Licenses and Off–Site Permits

Read and ordered journalized.

**MESSAGE FROM THE SENATE  
INTRODUCTORY SENATE BILLS NO. 31**

**Senate Bill 81 – Senator Ellis**

AN ACT concerning

**Southern Maryland Rapid Transit Project – Funding**

FOR the purpose of requiring the State Department of Transportation promptly to 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; requiring the Governor to include in the annual State budget, for certain fiscal years, an appropriation of a certain amount from the Transportation Trust Fund for certain purposes; specifying that the appropriations may be reduced under certain circumstances and in accordance with certain requirements; defining a certain term; and generally relating to the Southern Maryland Rapid Transit Project.

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 Rules and Executive Nominations.

**Senate Bill 318 – Senators Bailey and Simonaire**

AN ACT concerning

**Natural Resources – Fishing and Hunting Rights**

FOR the purpose of stating certain findings of the General Assembly related to fishing and hunting; establishing that it is the intent of the General Assembly that residents of the State have a right to fish and to hunt subject to certain regulations and restrictions; and generally relating to the right to fish and hunt.

BY adding to

Article – Natural Resources

Section 4–103

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Natural Resources

Section 10–102

Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 546 – Senator McCray**

AN ACT concerning

**School Buildings – Drinking Water Outlets – Elevated Level of Lead  
(Safe School Drinking Water Act)**

FOR the purpose of altering the definition of “elevated level of lead” for purposes of certain provisions of law requiring certain testing for the presence of lead in certain drinking water outlets in certain occupied public and nonpublic school buildings; requiring a school to take certain measures to remediate a certain drinking water outlet on or before a certain date; making conforming changes; providing for the construction of this Act; and generally relating to the presence of lead in drinking water outlets in occupied public and nonpublic school buildings.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 6–1501(a) and (b)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–1501(c), 6–1502, and 6–1503(a)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 659 – Senator Guzzone**

AN ACT concerning

**Historic Revitalization Tax Credit – Small Commercial Projects – Alterations**

FOR the purpose of increasing the maximum aggregate amount of initial tax credit certificates that the Director of the Maryland Historic Trust may issue under the historic revitalization tax credit program for certain small commercial projects; and generally relating to the historic revitalization tax credit.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement



Section 5A–303(a)(1) and (30)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5A–303(e)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 736 – Senator Augustine**

~~EMERGENCY BILL~~

AN ACT concerning

**Health Occupations – Pharmacists – Administration of ~~Vaccinations~~ Children’s Vaccines – Study and Temporary Authority**

FOR the purpose of authorizing, for a certain period of time, a pharmacist to administer certain vaccinations to an individual in a certain age group if certain requirements are met; ~~altering the age of an individual to whom a pharmacist may administer certain vaccinations; requiring a pharmacist to administer certain vaccinations under a written protocol; repealing the requirement that individuals in a certain age group have a certain prescription in order for a pharmacist to be allowed to administer a certain vaccination to the individual; authorizing a pharmacist to administer certain vaccinations to an adult; repealing the requirement that a certain written protocol be vaccine specific; making this Act an emergency measure;~~ 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; making a conforming change; and generally relating to the administration of ~~vaccinations~~ children’s vaccines by pharmacists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–508  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 887 – Senators Elfreth and Simonaire**

AN ACT concerning

**Property Tax Credit – Business Entities – State of Emergency**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant a certain property tax credit against the county or municipal corporation property tax imposed on certain property owned or leased by a business entity affected by a certain state of emergency; authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to provide, by law, for certain matters relating to the tax credit; providing for the application of this Act; and generally relating to a tax credit for business entities affected by a state of emergency.

BY adding to

Article – Tax – Property

Section 9–266

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 958 – Senators Zucker and Peters**

AN ACT concerning

**Nonpublic Special Education Schools – State Contribution – Increase**

FOR the purpose of requiring the State contribution to the cost of educating children with disabilities in nonpublic programs to be increased by certain amounts in a certain fiscal year for certain purposes; and generally relating to an increase in the State contribution to the cost of educating children with disabilities in nonpublic programs.

BY repealing and reenacting, without amendments,

Article – Education

Section 8–406(b) and (c) and 8–415(d)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

AMENDED IN THE SENATE

House Bill 517 – Delegate C. Watson

AN ACT concerning

Clean Energy Loan Program – Remediation and Resiliency

Delegate Barve moved that the House not concur in the Senate amendments.

HB0517/614136/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 517

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “and”; and in the same line, after the third “projects” insert “, and grid resiliency projects”.

AMENDMENT NO. 2

On page 2, after line 22, insert:

“(F) “GRID RESILIENCY PROJECT” MEANS AN ENERGY CAPITAL IMPROVEMENT INVESTMENT THAT:

(1) INCLUDES NOT LESS THAN ONE OF THE FOLLOWING FUNCTIONS:

(I) ENERGY STORAGE;

(II) DEMAND MANAGEMENT; OR

(III) OTHER FUNCTIONS THAT IMPROVE RELIABILITY OF SERVICE OR PROVIDE SERVICE DURING AN ELECTRICAL SERVICE DISRUPTION; AND

(2) IS INSTALLED IN A MANNER CONSISTENT WITH APPLICABLE PUBLIC SERVICE COMMISSION AND ELECTRIC COMPANY REQUIREMENTS, INCLUDING:

**(I) INTERCONNECTION REQUIREMENTS; AND****(II) FRANCHISE REQUIREMENTS.”;**

in lines 23 and 25, strike “(F)” and “(G)”, respectively, and substitute “(G)” and “(H)”, respectively.

On page 3, in line 20, strike “AND”; and in line 21, after “PROJECTS” insert “;AND

**(5) IF INSTALLED WITH ENERGY EFFICIENCY PROJECTS OR RENEWABLE ENERGY PROJECTS, GRID RESILIENCY PROJECTS”.**

On page 4, in line 5, strike “AND”; and in line 6, after “PROJECTS” insert “,AND GRID RESILIENCY PROJECTS”.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL:**                   **HB0517**  
**SPONSOR:**            Delegate Watson, C.  
**SUBJECT:**            Clean Energy Loan Program – Remediation and Resiliency

By the Majority Leader:  
 Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Healey, Chair  
 Delegate Harrison  
 Delegate Wivell

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
 Chief Clerk

Read and adopted.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 36**

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

**House Bill 685 – Delegate Valderrama**

AN ACT concerning

**Labor and Employment – Secure Maryland Wage Act**

**HB0685/693492/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 685

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 5, strike “or combination of certain wages or benefits” and substitute “for certain time periods”; in line 5, after “circumstances;” insert “requiring certain employers to pay certain covered employees a certain supplement benefit rate in a certain manner beginning on a certain date;”; in line 10, after “void;” insert “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;”; and strike beginning with “establishing” in line 29 down through “employee;” in line 31 and substitute “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;”.

On page 2, in line 5, strike the first “and” and substitute a comma; in the same line, after “(14)” insert “, and 3-419”; in line 10, strike “3-1501” and substitute “3-1601”; in the same line, strike “3-1511” and substitute “3-1611”; in line 11, strike “15” and substitute “16”; and strike in their entirety lines 14 through 18, inclusive.

AMENDMENT NO. 2

On page 2, in line 28, strike “15” and substitute “16”.

On page 3, in lines 5 and 26, in each instance, strike “15” and substitute “16”; after line 25, insert:

“3-419.

(a) (1) [This] EXCEPT AS PROVIDED IN § 3-1604(D) OF THIS TITLE, THIS section applies to each employee who:

(i) is engaged in an occupation in which the employee customarily and regularly receives more than \$30 each month in tips;

(ii) has been informed by the employer about the provisions of this section; and

(iii) has kept all of the tips that the employee received.

(2) Notwithstanding paragraph (1)(iii) of this subsection, this section does not prohibit the pooling of tips.

(b) Subject to the limitations in this section, an employer may include, as part of the wage of an employee to whom this section applies:

(1) an amount that the employer sets to represent the tips of the employee;  
or

(2) if the employee or representative of the employee satisfies the Commissioner that the employee received a lesser amount in tips, the lesser amount.

(c) The tip credit amount that the employer may include under subsection (b) of this section may not exceed the minimum wage established under § 3-413 of this subtitle for the employee less \$3.63.

(d) (1) The Commissioner shall adopt regulations, in consultation with payroll service providers and restaurant industry trade group representatives, to require restaurant employers that include a tip credit as part of the wage of an employee to provide tipped employees with a written or electronic wage statement for each pay period that shows the effective hourly tip rate as derived from employer-paid cash wages plus all reported tips for tip credit hours worked each workweek of the pay period.

(2) The Commissioner shall provide notification of the tip credit wage statement regulations on the Department’s website.”;

and in line 27, strike “3-1501.” and substitute “3-1601.”.

On page 4, in line 1, after “(B)” insert “(1)”; after line 4, insert:

**“(2) “COVERED EMPLOYEE” DOES NOT INCLUDE AN INDIVIDUAL EMPLOYED TO PERFORM WORK AT A HEIGHTENED SECURITY INTEREST LOCATION BY:**

**(I) A RETAIL ESTABLISHMENT AS DEFINED IN § 3-710 OF THIS TITLE;**

**(II) A FOOD SERVICE FACILITY AS DEFINED IN § 21-301 OF THE HEALTH – GENERAL ARTICLE; OR**

**(III) AN ON-AIRPORT OR OFF-AIRPORT MOTOR VEHICLE RENTAL COMPANY, OR ANY OTHER COMPANY INVOLVED IN MOTOR VEHICLE RENTAL OPERATIONS.”;**

in line 10, after “(D)” insert “(1)”; after line 11, insert:

**“(2) “EMPLOYER” DOES NOT INCLUDE:**

**(I) AN EMPLOYER THAT PROVIDES CONSTRUCTION SERVICES AS DEFINED IN § 3-901 OF THIS TITLE; OR**

**(II) AN AIRLINE.”;**

in line 14, after “AIRPORT;” insert “OR”; strike beginning with “; OR” in line 15 down through “BALTIMORE” in line 16; and in line 19, strike “3-1502.” and substitute “3-1602.”.

On page 5, in line 17, strike “3-1503.” and substitute “3-1603.”; in line 29, strike “3-1504.” and substitute “3-1604.”; and in line 30, strike “FOR THE 12-MONTH PERIOD BEGINNING JANUARY 1, 2022, AND”.

On page 6, strike beginning with “FOR” in line 1 down through “SUBSECTION” in line 11 and substitute “AN EMPLOYER SHALL PAY A COVERED EMPLOYEE A WAGE RATE:

(I) FOR THE 12-MONTH PERIOD BEGINNING JANUARY 1, 2022, THAT IS NOT LESS THAN \$13.50 PER HOUR;

(II) FOR THE 12-MONTH PERIOD BEGINNING JANUARY 1, 2023, THAT IS NOT LESS THAN \$14.25 PER HOUR;

(III) FOR THE 12-MONTH PERIOD BEGINNING JANUARY 1, 2024, THAT IS NOT LESS THAN \$15.00 PER HOUR; AND

(IV) FOR THE 12-MONTH PERIOD BEGINNING JANUARY 1, 2025, THAT IS NOT LESS THAN \$16.00 PER HOUR.

(2) BEGINNING JANUARY 1, 2026, AN EMPLOYER SHALL PAY A COVERED EMPLOYEE:

(I) A WAGE RATE THAT IS NOT LESS THAN \$16.00 PER HOUR;  
AND

(II) AN ADDITIONAL SUPPLEMENT BENEFIT RATE WITH A VALUE NOT LESS THAN \$1.00 PER HOUR BY:

1. APPLYING THE FULL SUPPLEMENT BENEFIT TO ASSIST IN COVERING THE EMPLOYEE’S SHARE OF HEALTH OR OTHER BENEFITS, EXCLUDING PAID LEAVE;

2. A. APPLYING A PORTION OF THE SUPPLEMENT BENEFIT TO ASSIST IN COVERING THE EMPLOYEE’S SHARE OF HEALTH OR OTHER BENEFITS, EXCLUDING PAID LEAVE; AND

B. PAYING THE BALANCE IN CASH; OR

3. PAYING THE ENTIRE SUPPLEMENT BENEFIT IN CASH”;

after line 17, insert:



“(D) (1) AN EMPLOYER MAY NOT INCLUDE A TIP CREDIT AMOUNT UNDER § 3-419 OF THIS TITLE AS PART OF THE WAGE OF A COVERED EMPLOYEE WHOSE DUTIES INCLUDE PROVIDING PASSENGERS WITH WHEELCHAIR ASSISTANCE, INCLUDING A WHEELCHAIR AGENT OR A PASSENGER SERVICE AGENT.

(2) AN EMPLOYER OF A COVERED EMPLOYEE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL ALLOW THE COVERED EMPLOYEE TO RECEIVE TIPS AND RETAIN ALL TIPS RECEIVED.”;

and in line 18, strike “~~3-1505.~~” and substitute “3-1605.”.

On page 7, in line 7, strike “~~3-1506.~~” and substitute “3-1606.”; and in line 18, strike “~~3-1507.~~” and substitute “3-1607.”.

On page 8, in line 8, strike “~~3-1508.~~” and substitute “3-1608.”; and in line 23, strike “~~3-1509.~~” and substitute “3-1609.”.

On page 9, in line 30, strike “~~3-1510.~~” and substitute “3-1610.”.

On page 11, in line 20, strike “~~3-1511.~~” and substitute “3-1611.”.

#### AMENDMENT NO. 3

On pages 11 and 12, strike in their entirety the lines beginning with line 22 on page 11 through line 18 on page 12, inclusive.

#### AMENDMENT NO. 4

On page 12, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Port of Baltimore shall:

(1) compare wage rates and benefit rates of employees, by employee category or job classification, working at the Port of Baltimore with the wage rates and benefit rates of employees working at the Norfolk International Terminals of the Port of Virginia and at the Port of Philadelphia; and

(2) on or before January 1, 2022, report its findings to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Aviation Administration shall:

(1) compare wage and benefit rates for all employees working at the Baltimore–Washington International Thurgood Marshall Airport, by employee category, job classification, and employment sector, with the wage and benefit rates for employees working at Ronald Reagan Washington National Airport and Dulles International Airport; and

(2) on or before January 1, 2022, report its findings to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.”;

and in line 19, strike “2.” and substitute “4.”.

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:

### **Senate Bill 107 – Senator Hayes**

AN ACT concerning

### **Labor and Employment – Secure Maryland Wage Act**

**SB0107/183995/1**

BY: Economic Matters Committee

### AMENDMENTS TO SENATE BILL 107

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 2, strike beginning with “establishing” in line 10 down through “employee;” in line 11; and strike in their entirety lines 29 through 33, inclusive.

#### AMENDMENT NO. 2

On page 5, in line 26, after “INCLUDE” insert “:

**(I)**;

and in line 27, after “**TITLE**” insert “;**OR**”

**(II)** **AN AIRLINE**”.

On pages 14 and 15, strike in their entirety the lines beginning with line 5 on page 14 through line 2 on page 15, inclusive.

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. 30**

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 366 – Senator McCray**

AN ACT concerning

**Department of Assessments and Taxation – Identification Number for Business  
– Task Force**

**SB0366/245167/1**

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 366

(Third Reading File Bill)

On page 2, strike line 2 in its entirety; and in lines 3, 4, 5, and 6, strike “(iii)”, “(iv)”, “(v)”, and “(vi)”, respectively, and substitute “(ii)”, “(iii)”, “(iv)”, and “(v)”, respectively.

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:

**Senate Bill 683 – Senator Kramer**

AN ACT concerning

**Election Law – Voting – Permanent Absentee Ballot List, Ballot Drop Boxes, and Report**

**SB0683/515369/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 683

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “**Report**” and substitute “**Reports**”; strike beginning with “criteria” in line 5 down through “Elections” in line 6 and substitute “factors”; in line 8, strike “under certain circumstances”; strike beginning with “requiring” in line 12 down through “statement;” in line 13 and substitute “requiring a local board to ensure the security of ballot drop boxes; requiring that a local board have certain access to certain security cameras; requiring a local board to remove the ballots from each ballot drop box at least once each day that the ballot drop box is open in accordance with certain procedures, except as otherwise provided by law; 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; requiring that a certain absentee ballot application include a certain statement; requiring that certain envelopes include a certain statement in a certain manner;”; in line 13, after “requiring” insert “that”; in line 14, strike “to”; and strike beginning with “requiring” in line 18 down through “time;” in line 20.

On page 2, strike beginning with “requiring” in line 1 down through “method;” in line 4; in line 5, strike “who”; in line 22, after “address;” insert “prohibiting a person from canvassing, electioneering, or posting campaign material in a certain manner or placing certain material on a ballot drop box; requiring each local board to send a certain absentee ballot application to each eligible voter within a certain period of time in certain years except under certain circumstances; 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;”; in line 23, strike “a”; in the same line, strike “report” and substitute “reports”; in line 24, strike “a”; in the same line, strike “date” and substitute “dates”; in line 25, strike “voting” and substitute “a permanent absentee ballot list”; in line 33, after “2-304,” insert “2-305, 9-305(c),”; in line 38, strike “and” and substitute “, 9-305(c),”; and in the same line, after “9-310(a)” insert “, and 16-206”.

#### AMENDMENT NO. 2

On page 3, in line 9, after “DURABLE” insert “, AND WEATHERPROOF”; after line 15, insert:

**“(A) A LOCAL BOARD SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING THE LOCATION OF A BALLOT DROP BOX:**

**(1) THE ACCESSIBILITY OF THE BALLOT DROP BOX TO HISTORICALLY DISENFRANCHISED COMMUNITIES, INCLUDING VOTERS WITH DISABILITIES, CULTURAL GROUPS, ETHNIC GROUPS, AND MINORITY GROUPS;**

**(2) PROXIMITY OF THE BALLOT DROP BOX TO DENSE CONCENTRATIONS OF VOTERS;**

**(3) ACCESSIBILITY OF THE BALLOT DROP BOX BY PUBLIC TRANSPORTATION;**

**(4) EQUITABLE DISTRIBUTION OF BALLOT DROP BOXES THROUGHOUT THE COUNTY; AND**

**(5) MAXIMIZING VOTER PARTICIPATION, INCLUDING THROUGH PLACEMENT OF BALLOT DROP BOXES AT COMMUNITY CENTERS AND PUBLIC GATHERING PLACES.”;**

in lines 16 and 20, strike “(A)” and “(B)”, respectively, and substitute “(B)” and “(C)”, respectively; in line 16, strike “(B)” and substitute “(C)”; strike beginning with “CRITERIA” in line 18 down through “BOARD” in line 19 and substitute “THE FACTORS SET FORTH IN SUBSECTION (A) OF THIS SECTION”; strike beginning with “COMPLIES” in line 24

down through “BOARD” in line 25 and substitute “MEETS THE FACTORS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION”; strike beginning with “COMPLY” in line 26 down through “CRITERIA” in line 27 and substitute “MEET THE FACTORS”.

On page 4, in line 2, strike “IS NOT IN COMPLIANCE WITH THE CRITERIA” and substitute “DOES NOT MEET THE FACTORS”; in line 6, strike “ARE NOT IN COMPLIANCE WITH THE CRITERIA” and substitute “DO NOT MEET THE FACTORS”; and after line 7, insert:

“2-305.

(A) (1) A LOCAL BOARD SHALL ENSURE THE SECURITY OF BALLOT DROP BOXES, INCLUDING THROUGH THE USE OF THE FOLLOWING:

(I) MONITORING BY SECURITY CAMERAS AT ALL TIMES; AND

(II) PERIODIC IN-PERSON VISITS BY APPROPRIATE PERSONNEL.

(2) A LOCAL BOARD SHALL HAVE IMMEDIATE ACCESS OR ACCESS WITHIN A REASONABLE AMOUNT OF TIME TO A SECURITY CAMERA USED FOR MONITORING A BALLOT DROP BOX UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.

(B) (1) EXCEPT AS OTHERWISE PROVIDED IN LAW, A LOCAL BOARD SHALL REMOVE THE ELECTION-RELATED MATERIALS FROM EACH BALLOT DROP BOX AT LEAST ONCE EACH DAY THAT THE BALLOT DROP BOX IS OPEN IN ACCORDANCE WITH THE CHAIN OF CUSTODY PROCEDURES ESTABLISHED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(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. 3

On page 5, after line 1, insert:

“9-305.

(C) THE STATE-APPROVED ABSENTEE BALLOT APPLICATION SHALL INCLUDE A STATEMENT EXPLAINING THE PROCESS FOR RETURNING A COMPLETED ABSENTEE BALLOT IF THE VOTER CHOOSES TO RECEIVE AN ABSENTEE BALLOT BY FACSIMILE TRANSMISSION OR THE INTERNET.

[(c)] (D) An application for an absentee ballot must be received by a local board:

(1) if the voter requests the absentee ballot be sent by mail or facsimile transmission, not later than the Tuesday preceding the election, at the time specified in the guidelines;

(2) if the voter requests the absentee ballot be sent by the Internet, not later than the Friday preceding the election, at the time specified in the guidelines; or

(3) if the voter or the voter's duly authorized agent applies for an absentee ballot in person at the local board office, not later than the closing of the polls on election day."

#### AMENDMENT NO. 4

On page 6, strike beginning with "AT" in line 13 down through "(2)" in line 16; in line 18, strike "(3)" and substitute "(2)"; in line 22, strike "(1)"; in line 25, strike "(I)" and substitute "(1)"; and in lines 27, 28, and 29, strike "1.", "2.", and "3.", respectively, and substitute "(I)", "(II)", and "(III)", respectively.

On page 7, in line 1, strike "(II)" and substitute "(2)"; in lines 4, 5, and 6, strike "1.", "2.", and "3.", respectively, and substitute "(I)", "(II)", and "(III)", respectively; and strike in their entirety lines 7 through 10, inclusive.

On page 9, after line 12, insert:

"16-206.

(a) A person may not:

(1) place any distinguishing mark on the person's own or another person's ballot for the purpose of identifying the ballot;

(2) misrepresent the person's ability to mark a ballot or operate voting equipment;

(3) interfere or attempt to interfere with a voter while the voter is inside the polling room, marking a ballot, or operating voting equipment;

(4) induce or attempt to induce a voter to mark the voter's ballot in a certain way;

(5) except for servicing by an authorized person, unlock any locked compartment of a voting device unless instructed to do so by the election director;

(6) destroy or deface a ballot;

(7) remove a ballot from a building in which voting occurs, except as otherwise provided in this article;

(8) delay the delivery of a ballot;

(9) possess on or before the day of election an official ballot printed for the election, unless the possession of the ballot is necessary and appropriate for carrying out the election process; [or]

(10) canvass, electioneer, or post any campaign material in the polling place or beyond a line established by signs posted in accordance with subsection (b) of this section;

**(11) CANVASS, ELECTIONEER, OR POST ANY CAMPAIGN MATERIAL IN A MANNER THAT OBSTRUCTS ACCESS TO A BALLOT DROP BOX; OR**

**(12) PLACE ANY CAMPAIGN MATERIAL OR ANY OTHER UNAUTHORIZED MATERIAL ON A BALLOT DROP BOX.**

(b) (1) At each polling place, one election judge from each principal political party shall be designated by the local board and, acting jointly, shall post signs delineating a line around the entrance and exit of the building that are closest to that part of the building in which voting occurs.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, the line shall be located as near as practicable to 100 feet from the entrance and exit and shall



be established after consideration of the configuration of the entrance and the effect of placement on public safety and the flow of pedestrian and vehicular traffic.

(ii) In Montgomery County, on approval of the local board, the line may be located at any point between 25 feet and 100 feet from the entrance and exit.

(3) The signs shall contain the words “No Electioneering Beyond this Point”.

(c) A person who violates this section is guilty of a misdemeanor and is subject to a fine of not less than \$50 nor more than \$500 or imprisonment for not more than 60 days or both.”.

#### AMENDMENT NO. 5

On page 9, before line 13, insert:

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

(a) Except as provided in subsection (b) of this section, at least 60 days before the statewide primary election in 2022 and 2024, each local board of elections shall send the State Board–approved absentee ballot application to each eligible voter.

(b) A local board is not required to send the State Board–approved absentee ballot application to a voter who has permanent absentee ballot status.

SECTION 3. 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.

(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 13, strike “2.” and substitute “4.”; in line 19, strike “3.” and substitute “5.”; and in line 20, strike “October” and substitute “June”.

The preceding 5 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. 31**

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 325 – Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**Tax Sales – Redemption – Nondelinquent Taxes**

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:

**Senate Bill 533 – Senator Guzzone**

AN ACT concerning

**Horse Racing – Maryland–Bred Race Fund ~~Advisory Committee – Membership –~~  
Advisory Committee Membership and Registration of Horses**

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:

**Senate Bill 593 – Senators Zucker, McCray, Carter, Feldman, Hayes, Kagan, King,  
Kramer, Lee, Smith, Sydnor, Waldstreicher, and Washington**

AN ACT concerning

**Property Tax – Homeowners’ Property Tax Credit – Calculation and Refunds**

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:

**Senate Bill 794 – Wicomico County Senators**

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.

**JUDICIARY COMMITTEE REPORT NO. 37**

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

**Senate Bill 7 – ~~Senator Simonaire~~ Senators Simonaire, Bailey, Cassilly,  
Hettleman, Jackson, Smith, and Waldstreicher**

AN ACT concerning

**Courts – Court Dog ~~Therapy~~ Program – Veterans Treatment Courts**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 369 – Senator Peters**

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:

**Senate Bill 484 – Senator Hettleman**

AN ACT concerning

**Criminal Procedure – Victims of Crime – Private Room**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 488 – Senator Beidle**

AN ACT concerning

**Family Law – Marriage – Licenses and Records**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 505 – Senator Hettleman**

AN ACT concerning

**Criminal Law – First-Degree Child Abuse – Continuing Course of Conduct**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 671 – Senator Waldstreicher**

AN ACT concerning

**Criminal Procedure – Charging Procedures – Citations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 750 – Charles County Senators**

AN ACT concerning

**Charles County – Community Service and Pretrial Release Programs –  
Authorization**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 874 – Senator Jackson**

**EMERGENCY BILL**

AN ACT concerning

**Workgroup to Study Partial Expungement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### ECONOMIC MATTERS COMMITTEE REPORT NO. 39

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

#### House Bill 584 – Delegate R. Watson

AN ACT concerning

#### Public Utilities – Net Energy Metering

**HB0584/143297/1**

BY: Economic Matters Committee

#### AMENDMENTS TO HOUSE BILL 584

(First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, strike beginning with “increasing” in line 3 down through “metering;” in line 4.

##### AMENDMENT NO. 2

On page 4, in line 24, strike “The” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION, THE**”; in line 25, strike the brackets; and in the same line, strike “5”.

On page 5, in line 11, after “SUBSECTION” insert “**, IF:**”

**(I) THE NET METERED SOLAR ENERGY GENERATING FACILITIES ARE INTENDED TO BE USED SOLELY FOR THE BENEFIT OF THE LOCAL GOVERNMENT;**

**(II) THE TOTAL CAPACITY OF THE NET METERED SOLAR ENERGY GENERATING FACILITIES ON THE CONTIGUOUS LOTS DOES NOT EXCEED 5 MEGAWATTS;**

(III) THE CONTIGUOUS LOTS WERE NOT SUBDIVIDED FOR THE PURPOSE OF CIRCUMVENTING THE LIMIT ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(IV) THE UTILITY SERVING THE NET METERED SOLAR ENERGY GENERATING FACILITIES IS NOT AN ELECTRIC COOPERATIVE OR MUNICIPAL ELECTRIC UTILITY”.

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 1328 – Delegate Feldmark**

AN ACT concerning

**Economic Development – Broadband Providers – Joint Trenching and Fee  
(Building Out Broadband Act of 2021)**

**HB1328/913598/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1328

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “declaring” in line 4 down through “date;” in line 10; strike beginning with “altering” in line 12 down through “Board;” in line 13; strike beginning with “authorizing” in line 15 down through “manner;” in line 22 and substitute “exempting counties and municipal corporations within the jurisdiction of the Washington Suburban Sanitary District from certain requirements; requiring certain revenues to be distributed and used in a certain manner;”; in line 22, strike “the Department of Commerce and”; in line 23, after “regulations” insert “on or before a certain date; requiring the State to use certain funding for a certain purpose, to the extent practicable”; and in the same line,

after “terms;” insert “making a portion of this Act contingent on the taking effect of another Act;”.

On pages 1 and 2, strike in their entirety the lines beginning with line 25 on page 1 down through line 11 on page 2.

On page 2, after line 11, insert:

“BY adding to

Article – Housing and Community Development

Section 6.5–108

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_\_ (S.B. 66/H.B. 97) of the Acts of the General Assembly of 2021)”.

#### AMENDMENT NO. 2

On page 2, strike beginning with “Section(s)” in line 18 down through “That” in line 20.

On pages 2 through 5, strike in their entirety the lines beginning with line 22 on page 2 through line 14 on page 5, inclusive.

On page 5, after line 14, insert:

**“Article – Housing and Community Development**

**6.5–108.”;**

in line 15, before “A” insert “**(A) THIS SECTION DOES NOT APPLY TO A COUNTY OR MUNICIPAL CORPORATION WITHIN THE WASHINGTON SUBURBAN SANITARY DISTRICT.**

**(B)”;**

and in line 25, strike “EFFECTED” and substitute “**IMPLEMENTED**”.

On pages 5 and 6, strike in their entirety the lines beginning with line 29 on page 5 through line 11 on page 6, inclusive.



On page 6, after line 11, insert:

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

On page 7, in line 17, after “**TRENCHING**” insert “**ON REASONABLE FINANCIAL TERMS**”; strike beginning with “**THE**” in line 21 down through “**ARTICLE**” in line 23 and substitute “**REVENUES GENERATED FROM FEES CHARGED BY THE DEPARTMENT UNDER THIS SECTION SHALL BE EVENLY DISTRIBUTED ACROSS FUNDS DESIGNED FOR INVESTMENT IN BROADBAND INFRASTRUCTURE.**”

**(IV) REVENUES GENERATED FROM FEES CHARGED BY A UNIT OF LOCAL GOVERNMENT UNDER THIS SECTION SHALL BE USED TO IMPROVE BROADBAND ACCESS AND ADOPTION WITHIN THAT JURISDICTION**”;

and strike in their entirety lines 24 through 34, inclusive.

On page 8, in lines 1 and 4, strike “**(E)**” and “**(F)**”, respectively, and substitute “**(D)**” and “**(E)**”, respectively; in line 4, strike “**THE**” and substitute “**ON OR BEFORE JANUARY 1, 2022, THE**”; in the same line, after “**DEPARTMENT**” insert “**, AFTER CONSULTING WITH STAKEHOLDERS INCLUDING BROADBAND PROVIDERS, THE MARYLAND ASSOCIATION OF COUNTIES, AND THE MARYLAND MUNICIPAL LEAGUE,**”; in line 5, strike “**PROCEDURES**” and substitute “**:**”

**(1) PROCEDURES**”;

in line 6, after “**TRENCHING**” insert “**ON REASONABLE FINANCIAL TERMS; AND**”

**(2) PROCEDURES FOR THE DEPARTMENT AND UNITS OF LOCAL GOVERNMENT TO PROVIDE NOTICE OF UPCOMING TRENCHING PROJECTS TO BROADBAND PROVIDERS.**

**(F) THIS SECTION DOES NOT APPLY TO A COUNTY OR MUNICIPAL CORPORATION WITHIN THE WASHINGTON SUBURBAN SANITARY DISTRICT**”;

after line 6, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, to the extent practicable, the State shall use appropriated federal funding for the purpose of improving broadband access and adoption.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2021, contingent on the taking effect of Chapter \_\_\_\_\_ or \_\_\_\_\_ (S.B. 66 or H.B. 97) of the Acts of the General Assembly of 2021, and if Chapter \_\_\_\_\_ or \_\_\_\_\_ (S.B. 66 or H.B. 97) does not take effect, Section 1 of this Act, with no further action required by the General Assembly, shall be null and void.”;

and in line 7, strike “3.” and substitute “5.”.

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:

**Senate Bill 83 – Senator Kramer**

AN ACT concerning

**Utility Regulation – Consideration of Climate and Labor**

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:

**Senate Bill 508 – Senator Peters**

AN ACT concerning

**Public Utilities – Net Energy Metering**

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:

**Senate Bill 856 – Senator Hershey**

AN ACT concerning

**Electric Companies – Billing Information**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 40**

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

**House Bill 581 – Delegate D.E. Davis**

**EMERGENCY BILL**

AN ACT concerning

**Labor and Employment – Employment Standards During an Emergency  
(Maryland Essential Workers’ Protection Act)**

**HB0581/273890/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 581

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “circumstances;” in line 11; in line 11, strike “an” and substitute “each”; in line 12, strike “authorizing” and substitute “providing that”; in line 13, after “worker” insert “has the right”; in the same line, strike “fulfill” and substitute “perform”; strike beginning with “responsibility” in line 13 down through “circumstances” in line 14 and substitute “task as provided under certain provisions of law”; strike beginning with “prohibiting” in line 14 down through “purpose;” in line 17; in line 18, after “of” insert “certain provisions”; strike beginning with “requiring” in line 18 down through “plan;” in line 21; in line 23, strike “costs associated with” and substitute “for”; in the same line, after “testing” insert “except”; in line 24, strike “employees” and substitute “employers”; in line 25, after “manner;” insert “requiring the Maryland Department of Health to collect certain test results, categorize the results in a”

certain manner, and publish the results in a certain format;”; in line 26, strike “bereavement and health” and substitute “public health emergency”; in the same line, after “leave” insert “on a certain date; requiring an essential employer to provide public health emergency leave in a certain manner and in certain amounts; requiring an essential employer to allow an essential worker to use public health emergency leave for certain reasons; authorizing an essential employer to require an essential worker who uses public health emergency leave to provide certain documentation and to refuse to pay an essential worker for certain public health emergency leave under certain circumstances”; and strike beginning with “requiring” in line 26 down through “essential” in line 31.

On page 2, in line 1, strike “worker’s eligibility for State means–tested benefit programs;”; in line 2, after “from” insert “knowingly”; in the same line, after “worker;” insert “requiring and authorizing the Commissioner to adopt certain regulations; requiring the Commissioner to enforce certain occupational safety and health requirements for certain essential workers; prohibiting an employer from discharging or otherwise discriminating against an employee because the employee is an essential worker who files a complaint or exercises a right under certain provisions of law;”; in the same line, after “terms;” insert “requiring the Secretary of Labor to adopt a certain Emergency Temporary Standard within a certain period of time; requiring the Secretary to set a certain standard to expire at a certain time; requiring that a certain standard remain in effect whether or not it becomes the subject of federal litigation; requiring that a certain standard require employers to take certain actions; requiring the Maryland Department of Health, in consultation with the Maryland Department of Labor and local health departments, to develop a template health emergency preparedness plan for responding to a catastrophic health emergency on or before a certain date; specifying the contents of the health emergency preparedness plan; requiring the Maryland Department of Health, in consultation with the Maryland Department of Labor and local health departments, to report to the General Assembly on or before a certain date on recommendations for certain legislation; requiring Maryland Occupational Safety and Health to report to the General Assembly on or before a certain date; requiring the Commissioner to adopt certain regulations as soon as practicable after a certain date; requiring each essential employer to provide certain public health emergency paid leave to each essential worker on a certain date;”; in line 3, after “of” insert “certain provisions of”; in the same line, strike the comma and substitute “; providing for the termination of certain provisions of this Act;”; strike in their entirety lines 5 through 14, inclusive; in line 17, strike “3–1612” and substitute “3–1609”; in the same line, after “be” insert “under”; in line 18, after “Act” insert “; and 5–205(p)”; and after line 20, insert:

“BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 5-604Annotated Code of Maryland(2016 Replacement Volume and 2020 Supplement).AMENDMENT NO. 2

On page 2, strike in their entirety lines 23 through 33, inclusive; and strike in their entirety lines 35 and 36.

On page 3, strike in their entirety lines 1 through 13, inclusive.

On page 17, strike in their entirety lines 3 through 32, inclusive.

On page 18, strike in their entirety lines 1 through 15, inclusive; and strike beginning with “**THE**” in line 19 down through “**OTHER**” in line 20 and substitute “**ANY**”.

On page 20, strike in their entirety lines 12 through 14, inclusive.

AMENDMENT NO. 3

On page 3, strike beginning with the colon in line 18 down through “**OR**” in line 28.

On page 4, in line 1, strike “**(III)**” and substitute “**A CATASTROPHIC HEALTH EMERGENCY, AS DEFINED UNDER § 14-3A-01 OF THE PUBLIC SAFETY ARTICLE, THAT IS THE SUBJECT OF**”; in line 2, after “**ARTICLE**” insert “**AND IS RELATED TO A COMMUNICABLE DISEASE**”; in line 7, strike “**(1)**”; in the same line, after “**WHO**” insert “**:**”

**(1)**”;

in line 9, after “**WORKSITE**” insert “**;** **AND**

**(2) PROVIDES SERVICES THAT THE ESSENTIAL EMPLOYER DETERMINES TO BE ESSENTIAL OR CRITICAL TO ITS OPERATIONS**”;

strike in their entirety lines 10 and 11; in line 13, strike “**THE FOLLOWING**”; and in line 14, strike the colon and substitute “**IDENTIFIED BY THE GOVERNOR OR A FEDERAL OR STATE AGENCY AS CRITICAL TO REMAIN IN OPERATION DURING THE EMERGENCY.**”.

On pages 4 through 9, strike in their entirety the lines beginning with line 15 on page 4 down through line 22 on page 9, inclusive.

AMENDMENT NO. 4

On page 9, strike in their entirety lines 23 through 27, inclusive.

On page 10, strike in their entirety lines 1 through 18, inclusive, and substitute “3-1603.”; in line 20, strike the colon and substitute “COMPLY WITH APPLICABLE SAFETY STANDARDS ADOPTED BY A FEDERAL OR STATE AGENCY;”; strike in their entirety lines 21 through 23, inclusive; in line 24, after “(2)” insert “SUBJECT TO AVAILABILITY,”; in the same line, strike “PERSONAL PROTECTIVE” and substitute “SAFETY”; in line 25, after “EQUIPMENT” insert “RECOMMENDED FOR USAGE DURING THE EMERGENCY”; in line 26, strike “CREATE AND MAINTAIN” and substitute “ADOPT, MAINTAIN, AND POST”; and strike beginning with “ENFORCE” in line 26 down through “WORKSITE” in line 28 and substitute “ENSURE AN ESSENTIAL WORKER’S ACCESS TO INFORMATION REGARDING THE APPLICABLE SAFETY STANDARDS IN EFFECT DURING THE EMERGENCY”.

On page 11, in line 2, after “REQUIREMENTS” insert “SET BY THE GOVERNOR OR A FEDERAL OR STATE AGENCY”.

On pages 11 through 14, strike in their entirety the lines beginning with line 5 on page 11 down through line 18 on page 14, inclusive, and substitute:

3-1604.

AN ESSENTIAL WORKER HAS A RIGHT TO REFUSE TO PERFORM AN ASSIGNED TASK AS PROVIDED UNDER § 5-604 OF THIS ARTICLE AND COROLLARY REGULATIONS.

3-1605.

On page 14, in line 20, strike “AN INFECTIOUS DISEASE” and substitute “THE COMMUNICABLE DISEASE THAT IS THE SUBJECT OF THE EMERGENCY”; in line 22, strike the colon; in line 23, strike “(1)”; strike beginning with “EXPOSED;” in line 24 down through “SANITIZED” in line 26 and substitute “EXPOSED”; in line 27, strike “IF” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF”; and in line 28, strike “A CONTAGIOUS ILLNESS OR” and substitute “THE COMMUNICABLE”.

On page 15, in line 1, strike “, DURING” and substitute “THAT IS THE SUBJECT OF THE EMERGENCY, DURING”; strike beginning with “ALL” in line 1 down through “TESTING” in line 2 and substitute “FOR TESTING FOR THE COMMUNICABLE DISEASE.”

**(2) AN ESSENTIAL EMPLOYER IS NOT SUBJECT TO THE REQUIREMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION IF AN ESSENTIAL WORKER IS ABLE TO OBTAIN TESTING FREE OF CHARGE.**

AMENDMENT NO. 5

On page 15, strike in their entirety lines 20 through 22, inclusive; and in line 23, strike “(3)” and substitute “(2)”.

On page 16, strike line 18 in its entirety and substitute “(3) **“PUBLIC HEALTH EMERGENCY LEAVE” MEANS PAID LEAVE THAT AN ESSENTIAL**”; strike beginning with “DUE” in line 19 down through “EMERGENCY” in line 21 and substitute “**AS REQUIRED UNDER SUBSECTION (D) OF THIS SECTION**”; strike in their entirety lines 22 through 25, inclusive, and substitute:

**“(B) THIS SECTION APPLIES ONLY IF THE FEDERAL OR STATE GOVERNMENT PROVIDES FUNDING THAT CAN BE USED FOR PUBLIC HEALTH EMERGENCY LEAVE.**

**(C) AN ESSENTIAL EMPLOYER SHALL PROVIDE AN ESSENTIAL WORKER WITH PUBLIC HEALTH EMERGENCY LEAVE ON THE DATE THE FUNDING IS MADE AVAILABLE TO THE ESSENTIAL EMPLOYER.**

**(D) AN ESSENTIAL EMPLOYER SHALL PROVIDE PAID PUBLIC HEALTH EMERGENCY LEAVE:**

**(1) IN ADDITION TO ANY OTHER LEAVE OR BENEFIT, INCLUDING EARNED SICK AND SAFE LEAVE UNDER SUBTITLE 13 OF THIS TITLE; AND**

**(2) IN THE FOLLOWING AMOUNTS:**

**(I) IF SPECIFIED IN A FEDERAL PROGRAM, ORDER, LAW, OR REGULATION, THE AMOUNT PROVIDED FOR UNDER THE PROGRAM, ORDER, LAW, OR REGULATION; OR**

(II) IF NOT SPECIFIED IN A FEDERAL PROGRAM, ORDER, LAW, OR REGULATION:

1. FOR FULL-TIME ESSENTIAL WORKERS WHO REGULARLY WORK 40 OR MORE HOURS PER WEEK, 112 HOURS;

2. FOR PART-TIME ESSENTIAL WORKERS WHO REGULARLY WORK LESS THAN 40 HOURS PER WEEK, AN AMOUNT OF HOURS EQUIVALENT TO THE AVERAGE HOURS WORKED DURING A TYPICAL 4-WEEK WORKING PERIOD;

3. FOR ESSENTIAL WORKERS WHOSE SCHEDULES AND AMOUNT OF HOURS WORKED VARY FROM WEEK TO WEEK, THE AVERAGE NUMBER OF HOURS THAT THE ESSENTIAL WORKER WAS SCHEDULED PER WEEK OVER THE 6-MONTH PERIOD ENDING ON THE DATE ON WHICH THE EMERGENCY IS DECLARED OR PROCLAIMED; OR

4. IF THE ESSENTIAL WORKER DID NOT WORK DURING THE 6-MONTH PERIOD ENDING ON THE DATE ON WHICH THE EMERGENCY IS DECLARED OR PROCLAIMED, THE REASONABLE EXPECTATION OF THE ESSENTIAL WORKER AT THE TIME OF HIRING OR THE AVERAGE NUMBER OF HOURS PER WEEK THAT THE WORKER WOULD NORMALLY BE SCHEDULED TO WORK, WHICHEVER IS GREATER.

(E) EACH ESSENTIAL EMPLOYER SHALL ALLOW AN ESSENTIAL WORKER TO USE PUBLIC HEALTH EMERGENCY LEAVE PROVIDED UNDER SUBSECTION (C) OF THIS SECTION IN RELATION TO AN EMERGENCY:

(1) TO ISOLATE WITHOUT AN ORDER TO DO SO BECAUSE THE ESSENTIAL WORKER:

(I) HAS BEEN DIAGNOSED WITH THE COMMUNICABLE DISEASE THAT IS THE SUBJECT OF THE EMERGENCY; OR



(II) IS EXPERIENCING SYMPTOMS ASSOCIATED WITH THE COMMUNICABLE DISEASE THAT IS THE SUBJECT OF THE EMERGENCY AND IS AWAITING THE RESULTS OF A TEST TO CONFIRM THE DIAGNOSIS;

(2) TO SEEK OR OBTAIN A MEDICAL DIAGNOSIS, PREVENTIVE CARE, OR TREATMENT BECAUSE THE ESSENTIAL WORKER IS DIAGNOSED WITH THE COMMUNICABLE DISEASE THAT IS THE SUBJECT OF THE EMERGENCY;

(3) TO CARE FOR A FAMILY MEMBER WHO IS ISOLATING, WITHOUT AN ORDER TO DO SO, BECAUSE OF A DIAGNOSIS OF THE COMMUNICABLE DISEASE THAT IS THE SUBJECT OF THE EMERGENCY;

(4) DUE TO A DETERMINATION BY A PUBLIC HEALTH OFFICIAL OR HEALTH CARE PROFESSIONAL THAT THE ESSENTIAL WORKER'S PRESENCE AT THE PLACE OF EMPLOYMENT OR IN THE COMMUNITY WOULD JEOPARDIZE THE HEALTH OF OTHER INDIVIDUALS BECAUSE OF THE ESSENTIAL WORKER'S EXPOSURE TO, OR EXHIBITED SYMPTOMS ASSOCIATED WITH, THE COMMUNICABLE DISEASE THAT IS THE SUBJECT OF THE EMERGENCY, REGARDLESS OF WHETHER THE ESSENTIAL WORKER HAS BEEN DIAGNOSED WITH THE COMMUNICABLE DISEASE;

(5) TO CARE FOR A FAMILY MEMBER DUE TO A DETERMINATION BY A PUBLIC HEALTH OFFICIAL OR HEALTH CARE PROFESSIONAL THAT THE FAMILY MEMBER'S PRESENCE AT THE PLACE OF EMPLOYMENT OR IN THE COMMUNITY WOULD JEOPARDIZE THE HEALTH OF OTHERS BECAUSE OF THE FAMILY MEMBER'S EXPOSURE TO, OR EXHIBITED SYMPTOMS ASSOCIATED WITH, THE COMMUNICABLE DISEASE THAT IS THE SUBJECT OF THE EMERGENCY OR DUE TO SYMPTOMS EXHIBITED REGARDLESS OF WHETHER THE FAMILY MEMBER HAS BEEN DIAGNOSED WITH THE COMMUNICABLE DISEASE; OR

(6) TO CARE FOR A CHILD OR OTHER FAMILY MEMBER:

(I) WHEN THE CARE PROVIDER OF THE FAMILY MEMBER IS UNAVAILABLE DUE TO THE EMERGENCY; OR

(II) IF THE CHILD'S OR FAMILY MEMBER'S SCHOOL OR PLACE OF CARE HAS BEEN CLOSED BY A FEDERAL, STATE, OR LOCAL PUBLIC OFFICIAL OR AT

THE DISCRETION OF THE SCHOOL OR PLACE OF CARE DUE TO THE EMERGENCY, INCLUDING IF THE SCHOOL OR PLACE OF CARE IS PHYSICALLY CLOSED BUT PROVIDING INSTRUCTION REMOTELY.”;

in line 26, strike “(C)” and substitute “(F)”; and strike beginning with “ALLOW” in line 27 down through “OR” in line 29 and substitute “COMPENSATE AN ESSENTIAL WORKER FOR UNUSED PUBLIC HEALTH EMERGENCY LEAVE WHEN THE ESSENTIAL WORKER LEAVES EMPLOYMENT;”

(2) PREEMPT, LIMIT, OR OTHERWISE AFFECT ANY OTHER LAW THAT PROVIDES FOR PUBLIC HEALTH EMERGENCY LEAVE BENEFITS THAT ARE MORE GENEROUS THAN REQUIRED UNDER THIS SECTION;

(3) PREEMPT, LIMIT, OR OTHERWISE AFFECT ANY WORKERS’ COMPENSATION BENEFITS THAT ARE AVAILABLE UNDER TITLE 9 OF THIS ARTICLE;

(4) PROHIBIT AN ESSENTIAL EMPLOYER FROM ADOPTING AND ENFORCING A POLICY THAT PROHIBITS THE IMPROPER USE OF PUBLIC HEALTH EMERGENCY LEAVE, INCLUDING PROHIBITING A PATTERN OF ABUSE OF THE LEAVE; OR”.

On page 17, in line 1, strike “(2)” and substitute “(5)”; in line 2, strike “BEREAVEMENT LEAVE, HEALTH LEAVE,” and substitute “PUBLIC HEALTH EMERGENCY PAID LEAVE”; and after line 2, insert:

“(G) (1) AN ESSENTIAL EMPLOYER MAY REQUIRE AN ESSENTIAL WORKER WHO USES PUBLIC HEALTH EMERGENCY LEAVE TO PROVIDE DOCUMENTATION OF THE NEED TO USE THE PUBLIC HEALTH EMERGENCY LEAVE.

(2) IF AN ESSENTIAL WORKER FAILS OR REFUSES TO PROVIDE DOCUMENTATION AS REQUIRED BY AN ESSENTIAL EMPLOYER UNDER PARAGRAPH (1) OF THIS SUBSECTION, AN ESSENTIAL EMPLOYER MAY REFUSE TO PAY THE ESSENTIAL WORKER FOR THE PUBLIC HEALTH EMERGENCY LEAVE.

**(3) THE COMMISSIONER SHALL ADOPT REGULATIONS REGARDING THE FORMS OF DOCUMENTATION THAT AN ESSENTIAL EMPLOYER MAY REQUIRE UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

**AMENDMENT NO. 6**

On page 18, in line 17, strike “INTENTIONALLY OR UNINTENTIONALLY” and substitute “**KNOWINGLY**”.

On pages 18 through 20, strike in their entirety the lines beginning with line 22 on page 18 down through line 8 on page 20, inclusive, and substitute:

**“3-1608.**

**(A) IF AN ESSENTIAL WORKER BELIEVES THAT AN ESSENTIAL EMPLOYER HAS VIOLATED § 3-1604 OF THIS SUBTITLE:**

**(1) THE ESSENTIAL WORKER MAY SEEK ENFORCEMENT OF RIGHTS UNDER § 5-604 OF THIS ARTICLE; AND**

**(2) THE COMMISSIONER SHALL RESPOND IN ACCORDANCE WITH THE ENFORCEMENT PROVISIONS UNDER TITLE 5 OF THIS ARTICLE.**

**(B) (1) IF AN ESSENTIAL WORKER BELIEVES THAT AN ESSENTIAL EMPLOYER HAS VIOLATED § 3-1606 OF THIS SUBTITLE, THE ESSENTIAL WORKER MAY FILE A WRITTEN COMPLAINT WITH THE COMMISSIONER.**

**(2) WITHIN 90 DAYS AFTER THE RECEIPT OF A WRITTEN COMPLAINT, THE COMMISSIONER SHALL CONDUCT AN INVESTIGATION AND ATTEMPT TO RESOLVE THE ISSUE INFORMALLY THROUGH MEDIATION.**

**(3) (1) IF THE COMMISSIONER IS UNABLE TO RESOLVE AN ISSUE THROUGH MEDIATION DURING THE PERIOD STATED IN PARAGRAPH (2) OF THIS SUBSECTION AND THE COMMISSIONER DETERMINES THAT AN ESSENTIAL EMPLOYER HAS VIOLATED THIS SUBTITLE, THE COMMISSIONER SHALL ISSUE AN ORDER.**

(II) AN ORDER ISSUED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. SHALL DESCRIBE THE VIOLATION;

2. SHALL DIRECT THE PAYMENT OF THE FULL MONETARY VALUE OF ANY UNPAID PUBLIC HEALTH EMERGENCY LEAVE AND ANY ACTUAL ECONOMIC DAMAGES;

3. MAY, IN THE COMMISSIONER’S DISCRETION, DIRECT THE PAYMENT OF AN ADDITIONAL AMOUNT OF UP TO THREE TIMES THE VALUE OF THE ESSENTIAL WORKER’S HOURLY WAGE FOR EACH VIOLATION; AND

4. MAY, IN THE COMMISSIONER’S DISCRETION, ASSESS A CIVIL PENALTY OF UP TO \$1,000 FOR EACH ESSENTIAL WORKER FOR WHOM THE EMPLOYER IS NOT IN COMPLIANCE WITH THIS SUBTITLE.

(4) THE ACTIONS TAKEN UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION ARE SUBJECT TO THE HEARING AND NOTICE REQUIREMENTS OF TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(5) WITHIN 30 DAYS AFTER THE COMMISSIONER ISSUES AN ORDER, AN EMPLOYER SHALL COMPLY WITH THE ORDER.

(C) IF AN ESSENTIAL WORKER BELIEVES THAT AN ESSENTIAL EMPLOYER HAS VIOLATED ANY OTHER PROVISION OF THIS SUBTITLE:

(1) THE ESSENTIAL WORKER MAY FILE A WRITTEN COMPLAINT WITH THE COMMISSIONER; AND

(2) THE COMMISSIONER SHALL RESPOND IN ACCORDANCE WITH THE ENFORCEMENT PROVISIONS UNDER TITLE 5 OF THIS ARTICLE.”.

On page 20, after line 11, insert:

“5-205.

**(P) IN ADDITION TO ANY OTHER AUTHORITY THE COMMISSIONER MAY EXERCISE UNDER THIS TITLE, THE COMMISSIONER SHALL ENFORCE §§ 3-1603, 3-1605, AND 3-1607 OF THIS ARTICLE.**

5-604.

(a) (1) An employer or other person may not discharge or otherwise discriminate against an employee on the basis of information gained through participation of the employee in group medical coverage.

(2) This title does not prevent an employer from using medical information that:

(i) has a direct, material, and timely relationship to the capacity or fitness of an employee to perform the job of the employee properly; or

(ii) differs substantially from medical information that the employee falsely provides in an application for employment.

(b) An employer or other person may not discharge or otherwise discriminate against an employee because the employee:

(1) files a complaint under or related to this title;

(2) brings an action under this title or a proceeding under or related to this title or causes the action or proceeding to be brought;

(3) has testified or will testify in an action under this title or a proceeding under or related to this title; [or]

(4) exercises, for the employee or another, a right under this title; OR

**(5) IS AN ESSENTIAL WORKER WHO FILES A COMPLAINT OR EXERCISES A RIGHT UNDER § 3-1604 OF THIS ARTICLE.**

(c) (1) (i) Subject to subparagraph (ii) of this paragraph, an employee who believes that an employer or other person has discharged or otherwise discriminated against the employee in violation of subsection (a) or (b) of this section may submit to the

Commissioner a written complaint that alleges the discrimination and that includes the signature of the employee.

(ii) The Commissioner shall accept as timely an oral complaint made by the employee under the circumstances described in subparagraph (i) of this paragraph, provided the employee submits a written complaint within 7 business days of the oral complaint and that includes the signature of the employee.

(2) An employee shall file a complaint under this subsection within 30 days after the alleged discrimination occurs.

(d) (1) On receipt of a complaint under subsection (c) of this section, the Commissioner may investigate.

(2) If, after investigation, the Commissioner determines that an employer or other person has violated subsection (a) or (b) of this section, the Commissioner shall file a complaint to enjoin the violation, to reinstate the employee to the former position with back pay, or for other appropriate relief in the circuit court for:

(i) the county in which the alleged violation occurred;

(ii) the county in which the employer has its principal office; or

(iii) Baltimore City.

(3) Within 90 days after the Commissioner receives a complaint, the Commissioner shall notify the employee of the determination under this subsection.”.

#### AMENDMENT NO. 7

On page 11, in line 4, strike “**3-1605.**”.

On page 15, in line 17, strike “**3-1608.**” and substitute “**3-1606.**”.

On page 18, in line 16, strike “**3-1610.**” and substitute “**3-1607.**”.

On page 20, in line 9, strike “**3-1612.**” and substitute “**3-1609.**”; before line 12, insert:

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

(a) Within 2 weeks after the effective date of this Act, the Secretary of Labor shall:

(1) if the federal Occupational Safety and Health Administration has issued an applicable Emergency Temporary Standard related to COVID-19, adopt the Emergency Temporary Standard; or

(2) if the federal Occupational Safety and Health Administration has not issued an applicable Emergency Temporary Standard related to COVID-19, adopt a State Emergency Temporary Standard that:

(i) meets or exceeds the guidance provided in “Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace” published on January 29, 2021, by the federal Occupational Safety and Health Administration; and

(ii) complies with subsection (d) of this section.

(b) The Secretary of Labor shall set an Emergency Temporary Standard adopted under subsection (a) of this section to expire at the earlier of:

(1) the conclusion of the catastrophic health emergency declared by the Governor on March 5, 2020; or

(2) the adoption of a permanent aerosol transmissible disease standard by the federal Occupational Safety and Health Administration and the Secretary of Labor.

(c) If the Secretary of Labor adopts an Emergency Temporary Standard under subsection (a)(1) of this section, the Emergency Temporary Standard shall remain in effect whether or not it becomes the subject of federal litigation.

(d) If the Secretary of Labor adopts an Emergency Temporary Standard under subsection (a)(2) of this section, the Emergency Temporary Standard shall require each employer to:

(1) notify the Maryland Department of Health within 24 hours after the confirmation of a positive case of COVID-19;

(2) notify the Maryland Department of Health within 24 hours after the confirmation of three or more employees at a workplace testing positive for COVID–19 within a 14–day period;

(3) post in a location visible to employees at the work site:

(i) information regarding COVID–19 symptoms;

(ii) protocols for an employee’s reaction to experiencing COVID–19 symptoms;

(iii) the minimum safety standards developed under the regulations;  
and

(iv) the process for submitting a complaint to Maryland Occupational Safety and Health; and

(4) comply with the prohibitions relating to terminating or discriminating against employees.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before August 1, 2021, the Maryland Department of Health, in consultation with the Maryland Department of Labor and local health departments, shall develop a template health emergency preparedness plan for responding to a catastrophic health emergency as defined under § 14–3A–01 of the Public Safety Article.

(b) The health emergency preparedness plan developed under subsection (a) of this section shall:

(1) be consistent with any applicable federal and State standards;

(2) incorporate input from employers; and

(3) include the following provisions:

(i) a coordinated process for handling complaints related to unsafe working conditions due to a catastrophic health emergency; and



(ii) methods for raising public awareness about the process for filing a complaint about unsafe working conditions due to a catastrophic health emergency.

(c) In addition to the template health emergency preparedness plan, on or before October 1, 2021, the Maryland Department of Health, in consultation with the Maryland Department of Labor and local health departments, shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on recommendations for potential legislation to enhance the agencies’ enforcement authority during a catastrophic health emergency.

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before January 1, 2022, Maryland Occupational Safety and Health shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on enforcement actions related to COVID–19, including:

- (1) the number of formal and informal complaints received;
- (2) the number of site inspections conducted; and
- (3) information related to any citations issued to employers.

SECTION 5. AND BE IT FURTHER ENACTED, That the Commissioner of Labor and Industry shall adopt the regulations required under this Act, as soon as practicable after the effective date of this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) This Act shall be construed to apply only prospectively and may not be applied or interpreted to require an essential employer to pay an essential worker for leave taken before the effective date of this Act.

(b) Due to the declaration of a state of emergency by the Governor related to the COVID–19 pandemic, each essential employer shall provide the public health emergency paid leave required under § 3–1606, as enacted by Section 1 of this Act, to each essential worker on the date that federal or State funding for the public health emergency leave is made available to the employer.”;

in line 15, strike “3.” and substitute “7.”; and in line 19, after “enacted.” insert “Sections 2 and 3 of this Act shall remain effective until the date that is 6 months from the date on

which the state of emergency declared by the Governor due to the COVID–19 pandemic ends under Title 14 of the Public Safety Article and, at the end of that period, Sections 2 and 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 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Wilson moved to make the Bill a Special Order for Friday.

The motion was adopted.

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

### **House Bill 972 – Delegate C. Branch**

AN ACT concerning

#### **Real Estate – Real Estate Brokerage Services – Prohibition**

**HB0972/743095/1**

BY: Economic Matters Committee

#### AMENDMENTS TO HOUSE BILL 972

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike “**Real Estate Brokerage Services – Prohibition**” and substitute “**Workgroup to Study Real Estate Trust Money Distribution**”; strike beginning with “prohibiting” in line 3 down through “circumstances;” in line 6 and substitute “**establishing the Workgroup to Study Real Estate Trust Money Distribution; providing for the membership, composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving 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 recommendations to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act;**”; and strike in their entirety lines 8 through 17, inclusive.

AMENDMENT NO. 2

On pages 1 through 5, strike in their entirety the lines beginning with line 18 on page 1 through line 5 on page 5, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That:

- (a) There is a Workgroup to Study Real Estate Trust Money Distribution.
- (b) The Workgroup consists of the following members, appointed by the Secretary of Labor:
  - (1) one representative of the Maryland Department of Labor;
  - (2) one representative of the State Real Estate Commission;
  - (3) one representative of the Maryland Association of Realtors;
  - (4) one representative of the Maryland Land Title Association; and
  - (5) any other stakeholders that the Secretary deems appropriate.
- (c) The Secretary of Labor shall designate the chair of the Workgroup.
- (d) The Maryland Department of Labor 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:
  - (1) study the issues presented in House Bill 972 of 2021, as introduced, including the timely disposition of deposit money when a dispute arises between a seller and a buyer; and

(2) make recommendations regarding any legislation needed to provide more specificity about the way in which real estate trust money is distributed.

(g) On or before December 1, 2021, the Workgroup shall reports its recommendations, in accordance with § 2–1257 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021. It shall remain effective for a period of 6 months and, at the end of December 31, 2021, 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 1262 – Delegate Hornberger**

AN ACT concerning

### **Maryland Electricians Act – Revisions**

**HB1262/613095/1**

BY: Economic Matters Committee

### AMENDMENTS TO HOUSE BILL 1262

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, strike “Department” and substitute “General Assembly”; and in line 6, strike “adopt regulations” and substitute “consider legislation proposed by the Workgroup to Study Limited Energy Services”.

On page 2, strike beginning with “taking” in line 2 down through “license;” in line 3 and substitute “employing an individual to provide or assist in providing electrical services”.

unless the individual meets certain licensing requirements; requiring the presence of a certain electrician at a certain job site; providing that a local jurisdiction is not precluded from enforcing more stringent requirements;”; in line 3, after “violations;” insert “establishing the Workgroup to Study Limited Energy Services; 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 report its recommendations to certain committees of the General Assembly on or before a certain date;”; in line 4, after “State;” insert “providing for the termination of certain provisions of this Act;”; and in line 6, after “changes;” insert “providing for a delayed effective date for certain provisions of this Act;”.

#### AMENDMENT NO. 2

On page 4, in line 27, strike “licenses,” and substitute “REGISTRATIONS,”.

On page 5, in lines 14, 16, and 17, in each instance, strike “license” and substitute “REGISTRATION”; and in lines 22, 25, 27, and 31, in each instance, strike **“JULY 1, 2021,”** and substitute “JANUARY 1, 2022,”.

On page 6, in line 6, strike **“JULY 1, 2022,”** and substitute “JANUARY 1, 2023,”; and in the same line, strike **“JULY”** and substitute “JANUARY”.

On page 6, in line 28, strike **“DEPARTMENT”** and substitute “GENERAL ASSEMBLY”; and in line 29, strike **“ADOPT REGULATIONS”** and substitute “CONSIDER LEGISLATION PROPOSED BY THE WORKGROUP TO STUDY LIMITED ENERGY SERVICES”.

On page 21, in line 15, strike the second “license” and substitute “REGISTRATION”.

On page 31, after line 4, insert:

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

(a) There is a Workgroup to Study Limited Energy Services.

(b) The Workgroup consists of the following members, appointed by the Secretary of Labor:

- (1) one representative of the Maryland Department of Labor;
  - (2) one representative of a local government electrician licensing authority;
  - (3) one representative of an association that represents the limited energy services community;
  - (4) one representative of a manufacturer of limited energy services equipment;
  - (5) one representative of the International Brotherhood of Electrical Workers or a trade union representing electricians;
  - (6) one State or locally licensed electrician with multiple years of experience;
  - (7) an electrical inspector; and
  - (8) four individuals who provide limited energy services.
- (c) The Secretary of Labor shall designate the chair of the Workgroup.
- (d) The Maryland Department of Labor 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 legislation for the licensing and regulation of, and qualifications for, individuals who provide limited energy services in the State.
- (g) On or before December 1, 2021, the Workgroup shall report its recommendations to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee, in accordance with § 2–1257 of the State Government Article.”;

in line 5, strike “2.” and substitute “3.”; in line 10, strike “3.” and substitute “4.”; in the same line, after “That” insert “Section 1 of”; in lines 10 and 11, strike “July 1, 2021” and substitute “January 1, 2022”; and after line 11, insert:

“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. Section 2 of this Act shall remain effective for a period of 6 months and, at the end of December 31, 2021, 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:

### **Senate Bill 762 – Senator McCray**

AN ACT concerning

### **Maryland Electricians Act – Revisions**

**SB0762/253791/1**

BY: Economic Matters Committee

#### AMENDMENTS TO SENATE BILL 762

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, strike “Department” and substitute “General Assembly”; and in line 6, strike “adopt regulations” and substitute “consider legislation proposed by the Workgroup to Study Limited Energy Services”.

On page 2, in line 10, strike “, subject to a certain exception,”; in line 13, after “violations;” insert “establishing the Workgroup to Study Limited Energy Services; 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 report its recommendations to certain committees of the General Assembly on or before a certain date;”; in line 14, after “State;” insert “providing for the termination of certain provisions of this Act;”; and in line 15, after “changes;” insert “providing for a delayed effective date for certain provisions of this Act;”.

#### AMENDMENT NO. 2

On page 5, in line 2, strike “licenses,” and substitute “REGISTRATIONS,”; in lines 20, 22, and 23, in each instance, strike “license” and substitute “REGISTRATION”; and in line 28, strike “**JULY 1, 2021,**” and substitute “**JANUARY 1, 2022,**”.

On page 6, in lines 2, 4, and 8, in each instance, strike “**JULY 1, 2021,**” and substitute “**JANUARY 1, 2022,**”; in line 15, strike “**JULY 1, 2022,**” and substitute “**JANUARY 1, 2023,**”; and in the same line, strike “**JULY**” and substitute “**JANUARY**”.

On page 7, in line 4, strike “**DEPARTMENT**” and substitute “**GENERAL ASSEMBLY**”; and in line 5, strike “**ADOPT REGULATIONS**” and substitute “**CONSIDER LEGISLATION PROPOSED BY THE WORKGROUP TO STUDY LIMITED ENERGY SERVICES**”.

On page 21, in line 23, strike the second “license” and substitute “REGISTRATION”.

On page 29, in line 15, strike “**(1)**”; strike beginning with “**EXCEPT**” in line 15 down through “**AT**” in line 16 and substitute “**AT**”; and strike in their entirety lines 19 through 25, inclusive.

On page 31, after line 17, insert:

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

- (a) There is a Workgroup to Study Limited Energy Services.
- (b) The Workgroup consists of the following members, appointed by the Secretary of Labor:
  - (1) one representative of the Maryland Department of Labor;
  - (2) one representative of a local government electrician licensing authority;



- (3) one representative of an association that represents the limited energy services community;
  - (4) one representative of a manufacturer of limited energy services equipment;
  - (5) one representative of the International Brotherhood of Electrical Workers or a trade union representing electricians;
  - (6) one State or locally licensed electrician with multiple years of experience;
  - (7) an electrical inspector; and
  - (8) four individuals who provide limited energy services.
- (c) The Secretary of Labor shall designate the chair of the Workgroup.
- (d) The Maryland Department of Labor 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 legislation for the licensing and regulation of, and qualifications for, individuals who provide limited energy services in the State.
- (g) On or before December 1, 2021, the Workgroup shall report its recommendations to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee, in accordance with § 2-1257 of the State Government Article.”;

in line 18, strike “2.” and substitute “3.”; in line 23, strike “3.” and substitute “4.”; in the same line, after “That” insert “Section 1 of”; in lines 23 and 24, strike “July 1, 2021” and substitute “January 1, 2022”; and after line 24, insert:

“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. Section 2 of this Act shall remain effective for a period of 6 months and, at the end of December 31, 2021, 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.

**CONCURRENCE CALENDAR NO. 4  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 80 – Delegate Charkoudian**

AN ACT concerning

**~~Department of Transportation and Department of the Environment – Purple  
Line Tree Replacement Plan – Urban Tree Program – Establishment~~**

Delegate Barve moved that the House concur in the Senate amendments.

**HB0080/557472/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 80

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “Act;” insert “providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 3, in line 11, after “**RESOURCES**” insert “**FOREST SERVICE**”.

On page 4, after line 7, insert:

**“(E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO ABROGATE OR LIMIT THE APPLICABILITY OF ANY REQUIREMENTS OR OTHER PROVISIONS IN THE NATURAL RESOURCES ARTICLE THAT APPLY TO THE REPLACEMENT OF TREES THAT ARE REMOVED DURING THE CONSTRUCTION OF A TRANSPORTATION FACILITY PROJECT.”**

The preceding 2 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 – 110    Negative – 20    (See Roll Call No. 926)

**AMENDED IN THE SENATE**

**House Bill 1293 – Delegate Amprey**

AN ACT concerning

**Baltimore City – West North Avenue Development Authority**

Delegate Barve moved that the House concur in the Senate amendments.

**HB1293/177978/1**

BY: Finance Committee

**AMENDMENT TO HOUSE BILL 1293**

(Third Reading File Bill)

On page 3, in line 10, strike “AND”; and in line 12, after “DESIGNEE” insert “;AND”

**(14) TWO MEMBERS WHO ARE RESIDENTS OF COMMUNITIES IMPACTED BY THE TARGET AREA OR BUFFER ZONE, SELECTED BY THE MAJORITY VOTE OF THE LEADERSHIP OF THE FOLLOWING ORGANIZATIONS:**

**(I) ALLIANCE OF ROSEMONT COMMUNITY ASSOCIATIONS;**

- (II) BOLTON HILL COMMUNITY ASSOCIATION;
- (III) COPPIN HEIGHTS COMMUNITY DEVELOPMENT CORPORATION;
- (IV) DRUID HEIGHTS COMMUNITY DEVELOPMENT CORPORATION;
- (V) GREATER MONDAWMIN COORDINATING COUNCIL;
- (VI) PENN NORTH COMMUNITY ASSOCIATION; AND
- (VII) COLLECTIVELY, THE LEADERSHIP OF THE RESERVOIR HILL IMPROVEMENT COUNCIL, THE RESERVOIR HILL ASSOCIATION, AND THE UPPER EUTAW MADISON NEIGHBORHOOD ASSOCIATION”.

On page 4, in line 20, strike “**JULY 1, 2026**” and substitute “**OCTOBER 1, 2023**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131    Negative – 0    (See Roll Call No. 927)

**CONCURRENCE CALENDAR NO. 5  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 853 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)**

**EMERGENCY BILL**

AN ACT concerning

**Small, Minority, and Women-Owned Businesses Account – Alterations**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB0853/217677/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 853  
(Third Reading File Bill)

On page 3, in line 10, strike “\$2,500,000” and substitute “\$10,000,000”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 928)

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 929)

**ADJOURNMENT**

At 10:41 A.M. on motion of Delegate Luedtke the House adjourned until 6:15 P.M. on Legislative Day March 17, 2021, Calendar Day, Thursday, April 1, 2021.

Notation: The Chief Clerk’s Office delivered House Bills 37, 745, 907, 908, 1002, 1138, 1139, 1143 and 1372 to the Governor’s Office today.

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**Annapolis, Maryland**  
**Legislative Day: March 17, 2021**  
**Calendar Day: Thursday, April 1, 2021**  
**6:15 P.M. Session**

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The House met at 7:57 P.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 931)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Brooks – family funeral  
Delegate Jalisi – illness  
Delegate Palakovich–Carr – personal  
Delegate Szeliga – business  
Delegate Walker – business

The Journal of March 16, 2021 was read and approved.

**YEAS AND NAYS NO. 4**  
**HOUSE BILLS PASSED IN THE SENATE**

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NUMBER	SPONSOR	CONTENT
HB 10	Del. K. Young	Income Tax – Subtraction Modification – Living Organ Donors
HB 13	Del. Luedtke	Influence on Collective Bargaining – Prohibition on Use of Public Funds
HB 113	Del. Lierman	Board of Revenue Estimates and Bureau of Revenue Estimates – Organization and Operations
HB 141	Del. Sample–Hughes	Maryland Department of Health – Residential Service Agencies – Training Requirements

NUMBER	SPONSOR	CONTENT
HB 158	Del. Carr	Property Tax – Homeowners’ Property Tax Credit – Calculation and Refunds
HB 252	Del. Long	Tax Sales – Owner–Occupied Residential Property
HB 337	Del. P. Young	Sales and Use Tax – Vendor Collection Credit – Job Training
HB 416	Del. Belcastro	Health Care Facilities – Assisted Living Programs – Requirements for Alzheimer’s Special Care Units and Regulations
HB 436	Del. Smith	Enoch Pratt Free Library – Operating Hours and Funding
HB 456	Del. Jacobs	Correctional Officers’ Retirement System – Kent County
HB 482	Del. Kaiser	Horse Racing – Maryland–Bred Race Fund – Advisory Committee Membership and Registration of Horses
HB 514	Del. B. Barnes	Maryland Legal Services Corporation Funding – Abandoned Property
HB 539	Del. Buckel	Historic Revitalization Tax Credit – Certified Historic Structure and Single–Family, Owner–Occupied Residence – Definitions
HB 556 (Emerg)	Del. D.E. Davis	Public Service Commission – Virtual Public Hearings
HB 558	Del. D.E. Davis	For–Hire Driving and Vehicles – Requirements
HB 578	Del. D.E. Davis	Public Utilities – Annual Reports
HB 674	Del. Valentino–Smith	Nursing Homes – Transfer of Ownership – Surveys
HB 712	Del. D. Jones	Bureau of Revenue Estimates – Tax Incidence Study – Scope and Intergovernmental Assistance

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NUMBER	SPONSOR	CONTENT
HB 752	Del. Ebersole	Income Tax Credit – Food Donation Pilot Program – Extension
HB 844	Del. Lierman	State Retirement and Pension System – Fiduciary Insurance
HB 865	Del. Smith	Historic Revitalization Tax Credit – Small Commercial Projects – Alterations
HB 884	Del. Buckel	Task Force on the Economic Future of Western Maryland – Extension of Report Deadline and Task Force
HB 922	Del. Lierman	State Retirement and Pension System – COVID-19-Related Death Benefits – Clarification
HB 1034	Del. Cullison	Prescription Drug Affordability Board – Plan of Action – Repeal of Date for Submission
HB 1040	Del. Kelly	Health Occupations – Pharmacists – Administration of Children’s Vaccines – Study and Temporary Authority
HB 1053	Del. B. Barnes	Operating Budget – Education Programs – Mandated Funding
HB 1054	Del. B. Barnes	Education – Maryland School for the Blind – Pay Plan
HB 1086	Del. Kaiser	Maryland Tax Credit Evaluation Act – Alterations
HB 1137	Del. Kerr	Property Tax Credit – Business Entities – State of Emergency
HB 1179	Wicomico County Delegation	Wicomico County – Property Tax Credit – Hotel or Residential Development
HB 1238	Del. Forbes	Maryland 529 Program – Board Authority and State Contribution – Alterations



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NUMBER	SPONSOR	CONTENT
HB 1341	Chair, Appropriations Committee	University System of Maryland – Academic Facilities Bonding Authority

Read and ordered journalized.

### AMENDED IN THE SENATE

**House Bill 12 – Delegates C. Watson, C. Jackson, and Kerr**

AN ACT concerning

#### **Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption**

Delegate Davis, D.E. moved that the House not concur in the Senate amendments.

**HB0012/464133/1**

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO HOUSE BILL 12

(Third Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 4, after “authorizing” insert “a county to adopt a local law or ordinance to allow”; and in line 10, after “transaction;” insert “requiring the Maryland Department of Health to conduct a certain study and submit a certain report to the General Assembly;”.

##### AMENDMENT NO. 2

On page 2, in line 10, after “WITH” insert “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; after line 17, insert:

**“(A) (1) A COUNTY MAY ADOPT A LOCAL LAW OR AN ORDINANCE THAT ALLOWS RESTAURANTS, BARS, OR TAVERNS TO SELL ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION ONLY IN ACCORDANCE WITH THIS SECTION.”**

(2) IN CONSIDERING WHETHER TO ADOPT A LOCAL LAW OR AN ORDINANCE UNDER THIS SECTION, A COUNTY SHALL WEIGH THE NEED TO PROMOTE THE ECONOMIC RECOVERY OF DIFFERENT CATEGORIES OF SMALL BUSINESSES IN THE WAKE OF THE COVID-19 PANDEMIC AND THE NEED TO PROTECT PUBLIC HEALTH AND WELFARE.”;

in line 18, strike “(A)” and substitute “(B)”; in line 21, after “A” insert “LOCAL LAW OR AN ORDINANCE ADOPTED UNDER THIS SECTION SHALL AUTHORIZE A”; and in the same line, strike “MAY” and substitute “TO”.

On page 3, in line 28, strike “(B)” and substitute “(C)”; in line 31, after “A” insert “LOCAL LAW OR AN ORDINANCE ADOPTED UNDER THIS SECTION SHALL AUTHORIZE A”; and in the same line, strike “MAY” and substitute “TO”.

On page 5, after line 2, insert:

“(D) A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER THIS SECTION MAY NOT IMPOSE ADDITIONAL RESTRICTIONS OR LIMITATIONS ON THE SALE OF ALCOHOLIC BEVERAGES UNDER SUBSECTION (B) OR (C) OF THIS SECTION.”;

in line 3, strike “(C)” and substitute “(E) (1)”; strike beginning with the colon in line 3 down through “(1)” in line 4; in line 5, after “WITH” insert “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; in line 6, strike “; AND” and substitute a period; in line 7, before “MAY” insert “A LOCAL LICENSING BOARD”; in line 8, after “UNDER” insert “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Department of Health shall:

(1) conduct a study on the impact of the expansion of alcohol access under the Governor’s proclamation of March 5, 2020 “Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19” and § 4-1107 of the Alcoholic Beverages Article, as enacted by Section 1 of this Act, for the years 2020, 2021, and 2022, including the impact on public health; and

(2) on or before December 31, 2022, report to the General Assembly, in accordance with § 2-1257 of the State Government Article on the findings of the study.”;

in line 10, strike “2.” and substitute “3.”; and in line 12, after “Act” insert “and any local law or ordinance adopted under this Act”.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL:** HB0012  
**SPONSOR:** Delegate Watson, C., et al  
**SUBJECT:** Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate D.E. Davis, Chair  
Delegate T. Branch  
Delegate C. Watson

Said Bill is returned herewith.

By Order,  
Sylvia Siegert  
Chief Clerk

Read and adopted.

**AMENDED IN THE SENATE**

**House Bill 72 – Delegate Anderton**

AN ACT concerning

**County Boards of Education – Student Transportation – Vehicles and Report**

Delegate Kaiser moved that the House not concur in the Senate amendments.

**HB0072/174837/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 72

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 10 down through “Act;” in line 12.

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 2 on page 2, inclusive.

On page 2, in line 5, strike “6–113.2(a)(3) and”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 15 through 22, inclusive.

On page 5, in line 18, strike “2025” and substitute “2023”; in line 22, strike “7–year” and substitute “5–year”; and in the same line, strike “2024–2025” and substitute “2022–2023”.

On page 6, in line 1, strike “2025” and substitute “2023”; in line 8, strike “5” and substitute “3”; and in line 9, strike “2026” and substitute “2024”.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL:** HB0072  
**SPONSOR:** Delegate Anderton  
**SUBJECT:** County Boards of Education – Student Transportation – Vehicles and Report

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Washington, Chair  
Delegate Smith  
Delegate Hornberger

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**AMENDED IN THE SENATE**

**House Bill 293 – Delegate Stein**

AN ACT concerning

**Natural Resources – Organized Killing Contests – Restriction**

Delegate Barve moved that the House not concur in the Senate amendments.

**HB0293/624330/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 293

(Third Reading File Bill)

On page 2, in line 7, strike “\$25” and substitute “\$100”.

The preceding amendment was read and not concurred in.

**MESSAGE TO THE SENATE**

BILL: **HB0293**  
SPONSOR: Delegate Stein  
SUBJECT: Natural Resources – Organized Killing Contests – Restriction

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Gilchrist, Chair  
Delegate Stein  
Delegate Jacobs

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 932)

### CALENDAR OF THIRD READING HOUSE BILLS NO. 97

**House Bill 584 – Delegate R. Watson**

AN ACT concerning

#### **Public Utilities – Net Energy Metering**

Read the third time and passed by yeas and nays as follows:

Affirmative – 93    Negative – 40    (See Roll Call No. 933)

The Bill was then sent to the Senate.

**House Bill 685 – Delegate Valderrama**

AN ACT concerning

#### **Labor and Employment – Secure Maryland Wage Act**

Read the third time and passed by yeas and nays as follows:

Affirmative – 91    Negative – 41    (See Roll Call No. 934)

The Bill was then sent to the Senate.

**House Bill 972 – Delegate C. Branch**

AN ACT concerning

**Real Estate – ~~Real Estate Brokerage Services – Prohibition~~ Workgroup to Study  
Real Estate Trust Money Distribution**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94    Negative – 41    (See Roll Call No. 935)

The Bill was then sent to the Senate.

**House Bill 1262 – Delegate Hornberger**

AN ACT concerning

**Maryland Electricians Act – Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 108    Negative – 24    (See Roll Call No. 936)

The Bill was then sent to the Senate.

**House Bill 1328 – Delegate Feldmark**

AN ACT concerning

**Economic Development – Broadband Providers – Joint Trenching and Fee  
(Building Out Broadband Act of 2021)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 107    Negative – 28    (See Roll Call No. 937)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 16****Senate Bill 40 – Senator Peters**

AN ACT concerning

**Higher Education – Richard W. Collins III Leadership With Honor Scholarship –  
Bowie State**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 938)

The Bill was then returned to the Senate.

**Senate Bill 205 – Senator Hettleman**

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 – 131    Negative – 2    (See Roll Call No. 939)

The Bill was then returned to the Senate.

**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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94    Negative – 41    (See Roll Call No. 940)

The Bill was then returned to the Senate.

**Senate Bill 779 – Senators Elfreth, Klausmeier, Griffith, and Zucker**

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. 941)

The Bill was then returned to the Senate.

**Senate Bill 793 – Senator Young**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Consumption Permits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 942)

The Bill was then returned to the Senate.

**Senate Bill 845 – Senator Benson**

AN ACT concerning

**Education – Workforce Development Sequence Scholarships – Eligibility**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 943)

The Bill was then returned to the Senate.

**Senate Bill 886 – Senator Elfreth**

AN ACT concerning

**Transfer With Success Act**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 944)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 17**

**Senate Bill 93 – Senator Griffith**

AN ACT concerning

**Business Occupations and Professions – Architects – Scope of Licensure**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 945)

The Bill was then returned to the Senate.

**Senate Bill 107 – Senator Hayes**

AN ACT concerning

**Labor and Employment – Secure Maryland Wage Act**

Read the third time and passed by yeas and nays as follows:

Affirmative – 92    Negative – 42    (See Roll Call No. 946)

The Bill was then returned to the Senate.

**Senate Bill 325 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Assessments and Taxation)**

AN ACT concerning

**Tax Sales – Redemption – Nondelinquent Taxes**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 947)

The Bill was then returned to the Senate.

**Senate Bill 417 – Senator Pinsky**

AN ACT concerning

**Power Plant Research Program – Review of Application for Certificate of Public  
Convenience and Necessity – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94    Negative – 41    (See Roll Call No. 948)

The Bill was then returned to the Senate.

**Senate Bill 503 – Senator Smith**

AN ACT concerning

**Public Utilities – Gas Service Regulator Safety  
(Flower Branch Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 101    Negative – 33    (See Roll Call No. 949)

The Bill was then returned to the Senate.

**Senate Bill 651 – Senator Klausmeier**

AN ACT concerning

**Baltimore County – Workers’ Compensation – Permanent Partial Disability –  
Detention and Correctional Officers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 130    Negative – 3    (See Roll Call No. 950)

The Bill was then returned to the Senate.

**Senate Bill 821 – Senators Hester and Gallion**

**EMERGENCY BILL**

AN ACT concerning

**Alcoholic Beverages – Manufacturer’s Licenses and Off-Site Permits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 951)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 18**

**Senate Bill 366 – Senator McCray**

AN ACT concerning

**Department of Assessments and Taxation – Identification Number for Business  
– Task Force**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 952)

The Bill was then returned to the Senate.

**Senate Bill 533 – Senator Guzzone**

AN ACT concerning

**Horse Racing – Maryland–Bred Race Fund ~~Advisory Committee – Membership –~~  
Advisory Committee Membership and Registration of Horses**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 953)

The Bill was then returned to the Senate.

**Senate Bill 593 – Senators Zucker, McCray, Carter, Feldman, Hayes, Kagan, King,  
Kramer, Lee, Smith, Sydnor, Waldstreicher, and Washington**

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 – 134    Negative – 0    (See Roll Call No. 954)

The Bill was then returned to the Senate.

**Senate Bill 683 – Senator Kramer**

AN ACT concerning

**Election Law – Voting – Permanent Absentee Ballot List, Ballot Drop Boxes, and  
Report**

Delegate M. Fisher moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

**Senate Bill 794 – Wicomico County Senators**

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 – 133    Negative – 0    (See Roll Call No. 955)

The Bill was then returned to the Senate.

**JUDICIARY COMMITTEE REPORT NO. 38**

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

**Senate Bill 220 – Senator Hettleman**

AN ACT concerning

**Criminal Law – Hate Crimes – Protected Groups and Penalties**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 39**

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

**House Bill 1027 – Delegate Wells (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Control of the Police Department of Baltimore City**

**HB1027/252318/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1027

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before the first “**Baltimore**” insert “Maryland Police Accountability Act of 2021 –”; and in line 14, after “amendment;” insert “stating the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, in line 34, strike “, which shall be on January 1, 2025”; and in line 35, strike “January 1, 2025” and substitute “the date of transfer of control of the Police Department”.

On page 3, in line 7, after “Commissioner” insert “, or the Commissioner’s designee”; strike beginning with “one” in line 12 down through “(9)” in line 14 and substitute “the Baltimore City Council President, or the President’s designee;

(8) the City Solicitor, or the Solicitor’s designee;

(9) one representative from the Civilian Review Board of Baltimore City;

(10) three members representing the community, appointed by the Mayor of Baltimore City and subject to confirmation by the Baltimore City Council;

(11) one representative from the Baltimore City Lodge of Fraternal Order of Police;

(12) one representative from the Vanguard Justice Society, Inc.;

(13);

and in line 15, after “City” insert “and subject to confirmation by the Baltimore City Council; and

(14) as nonvoting ex officio members:

(i) one representative from the Baltimore Police Monitoring Team;

and

(ii) one representative from the Citizens Advisory Commission for Public Safety".

AMENDMENT NO. 3

On page 4, in line 8, after "That" insert ":

(a) Subject to subsection (b) of this section.";

in line 9, strike "January 1, 2025,"; in lines 12 and 15, in each instance, before "the 2024" insert "either the 2022 or"; in line 12, after "election." insert:

"(b) (1) If an amendment to the Charter of Baltimore City that provides for the transfer of control of the Police Department of Baltimore City to the City of Baltimore from the State of Maryland is ratified at the 2022 general election, Sections 1 and 2 of this Act shall take effect January 1, 2023.

(2) If an amendment to the Charter of Baltimore City that provides for the transfer of control of the Police Department of Baltimore City to the City of Baltimore from the State of Maryland is ratified at the 2024 general election, Sections 1 and 2 of this Act shall take effect January 1, 2025.

(c)";

after line 7, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that enactment of the transfer of control of the Police Department of Baltimore City will not remove the right to collectively bargain currently afforded to Baltimore City police officers under State and local law."

in line 8, strike "4." and substitute "5."; in line 17, strike "5." and substitute "6."; and in line 18, strike "4" and substitute "5".

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:

**Senate Bill 786 – Senator McCray (By Request – Baltimore City Administration)**

AN ACT concerning

**Maryland Police Accountability Act of 2021 – Baltimore City – Control of the Police Department of Baltimore City**

**SB0786/672016/1**

BY: House Judiciary Committee

**AMENDMENTS TO SENATE BILL 786**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 15, after “amendment;” insert “stating the intent of the General Assembly;”.

**AMENDMENT NO. 2**

On page 3, in line 24, after “City” insert “and subject to confirmation by the Baltimore City Council”; and in line 29, after “City” insert “and subject to confirmation by the Baltimore City Council”.

On page 4, in line 4, strike “Community Oversight Taskforce” and substitute “Citizens Advisory Commission for Public Safety”; after line 23, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that enactment of the transfer of control of the Police Department of Baltimore City will not remove the right to collectively bargain currently afforded to Baltimore City police officers under State and local law.”;

and in line 24, strike “4.” and substitute “5.”.

On page 5, in line 13, strike “5.” and substitute “6.”; and in line 14, strike “4” and substitute “5”.

The preceding 2 amendments were read and adopted.



Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**CONCURRENCE CALENDAR NO. 6  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 569 – Delegate Clippinger**

AN ACT concerning

**Electricity – Net Energy Metering – Limit**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB0569/487872/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 569

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “customer–generators;” insert “making a conforming change;”; and in line 8, after “(d)” insert “and 7–306.2(g)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“7–306.2.

(g) The cumulative installed nameplate capacity under the pilot program shall count toward the overall limitation [of 1,500 megawatts] for all net metering projects [in] ESTABLISHED UNDER § 7–306(d) of this subtitle.”.

The preceding 2 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 – 94    Negative – 41    (See Roll Call No. 956)

**AMENDED IN THE SENATE**

**House Bill 658 – Delegate Qi**

AN ACT concerning

**Transforming Manufacturing in a Digital Economy Workgroup  
(Making It in Maryland)**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB0658/477271/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 658

(Third Reading File Bill)

On page 3, in line 15, strike “and”; and in line 18, after “RMI” insert “:

(17) one representative from a small, minority-owned manufacturing business currently in good standing with the Maryland Department of Assessments and Taxation, designated by the Board of Directors of RMI;

(18) one representative of the Printing & Graphics Association MidAtlantic (PGAMA), designated by the Chairman of PGAMA; and

(19) one representative of the Maryland Small Business Development Center”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 101    Negative – 34    (See Roll Call No. 957)

**AMENDED IN THE SENATE**

**House Bill 264 – Delegate Charkoudian**

AN ACT concerning

**Solid Waste Management – Organics Recycling and Waste Diversion – Food Residuals**

Delegate Barve moved that the House concur in the Senate amendments.

**HB0264/134031/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENTS TO HOUSE BILL 264**  
(Third Reading File Bill)**AMENDMENT NO.1**

On page 1, in line 10, after “procedures;” insert “requiring the Department of the Environment to issue a warning under certain circumstances;”.

**AMENDMENT NO. 2**

On page 5, in line 29, strike “A” and substitute “**THE DEPARTMENT SHALL ISSUE A WARNING TO A**”; and in line 30, after “SECTION” insert “.

**(2) AFTER RECEIVING A WARNING ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PERSON WHO SUBSEQUENTLY VIOLATES THIS SECTION, OR ANY RULE OR REGULATION ADOPTED UNDER THIS SECTION,**”.

On page 6, in line 1, strike “FIRST” and substitute “**SECOND**”; in line 2, strike “SECOND” and substitute “**THIRD**”; in line 3, strike “THIRD” and substitute “**FOURTH**”; and in lines 4 and 6, strike “(2)” and “(3)”, respectively, and substitute “**(3)**” and “**(4)**”, respectively.

The preceding 2 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 – 94    Negative – 41    (See Roll Call No. 958)

**AMENDED IN THE SENATE****House Bill 518 – Delegate Dumais**

AN ACT concerning

**Public Libraries – Electronic ~~Book~~ Literary Product Licenses – Access**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB0518/994539/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENT TO HOUSE BILL 518**

(Third Reading File Bill)

On page 1, in line 13, after “terms;” insert “providing for a delayed effective date;”.

On page 3, in lines 17 and 18, strike “July 1, 2021” and substitute “January 1, 2022”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 959)

**JUDICIARY COMMITTEE REPORT NO. 40**

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

**Senate Bill 600 – Senator Smith**

AN ACT concerning

**~~Office of the Attorney General~~ Maryland Police Accountability Act of 2021 –  
Office of the State Prosecutor – Investigation and Prosecution of Deaths Caused  
by Police Officers****SB0600/602810/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 600

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Office of the State Prosecutor –” and substitute “Surplus Military Equipment and”; in the same line, strike “and Prosecution”; in line 5, after “of” insert “prohibiting a law enforcement agency from receiving certain equipment from a certain surplus program;”; and strike beginning with “certain” in line 13 down through “of” in line 25 and substitute “certain law enforcement agency to notify the Independent Investigative Unit within the Office of the Attorney General of a certain incident involving the death of a person caused by a police officer at a certain time; requiring a law enforcement agency to cooperate with the Independent Investigative Unit in connection with a certain investigation; establishing the Independent Investigative Unit within the Office of the Attorney General; requiring the Independent Investigative Unit to investigate certain incidents involving the death of a person caused by a police officer; requiring the Independent Investigative Unit to transmit a certain report to a certain State’s Attorney at a certain time; authorizing the Independent Investigative Unit to detail certain police officers and employ certain personnel for a certain purpose; requiring the Governor to annually include certain funding in the State budget; providing that certain funds shall supplement and may not supplant certain other funding; defining certain terms”.

On page 2, in line 1, strike “a certain provision”; and strike beginning with the first “the” in line 1 down through “Prosecutor.” in line 2 and substitute “surplus military equipment and investigation of deaths caused by police officers.”

BY repealing and reenacting, with amendments

Article – Public Safety

Section 3–521

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety

Section 3–523

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 26, insert:

“Article – Public Safety

3–521.

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

(2) “DESTRUCTIVE DEVICE” HAS THE MEANING STATED IN § 4–501 OF THE CRIMINAL LAW ARTICLE.

(3) “FIREARM SILENCER” HAS THE MEANING STATED IN § 5–621 OF THE CRIMINAL LAW ARTICLE.

[(2)] (4) “Law enforcement agency” has the meaning stated in § 3–201 of this title.

[(3)] (5) “Surplus program” means a program operated by the federal government for the transfer of surplus military equipment to a law enforcement agency.

(b) On or before February 1 each year, the Department of State Police shall submit a report on the acquisition of equipment by law enforcement agencies through surplus programs within the preceding calendar year to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

(c) The Department of State Police shall include in a prominent location on its public website a link to the Defense Logistics Agency’s report listing excess Department of Defense property transfers to law enforcement agencies through the Law Enforcement Support Office.

(D) A LAW ENFORCEMENT AGENCY MAY NOT RECEIVE THE FOLLOWING EQUIPMENT FROM A SURPLUS PROGRAM:

(1) A WEAPONIZED:

(I) AIRCRAFT;

- (II) DRONE; OR
- (III) VEHICLE;
- (2) A DESTRUCTIVE DEVICE;
- (3) A FIREARM SILENCER; OR
- (4) A GRENADE LAUNCHER.

3-523.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(3) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(B) A LAW ENFORCEMENT AGENCY SHALL NOTIFY THE INDEPENDENT INVESTIGATIVE UNIT WITHIN THE OFFICE OF THE ATTORNEY GENERAL OF ANY ALLEGED OR POTENTIAL INCIDENT INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER AS SOON AS THE LAW ENFORCEMENT AGENCY BECOMES AWARE OF THE INCIDENT.

(C) A LAW ENFORCEMENT AGENCY SHALL COOPERATE WITH THE INDEPENDENT INVESTIGATIVE UNIT IN CONNECTION WITH THE INVESTIGATION OF AN INCIDENT INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER.”.

AMENDMENT NO. 3

On page 3, after line 15, insert:

“(B) THERE IS AN INDEPENDENT INVESTIGATIVE UNIT WITHIN THE OFFICE OF THE ATTORNEY GENERAL.

(C) THE INDEPENDENT INVESTIGATIVE UNIT SHALL INVESTIGATE ALL ALLEGED OR POTENTIAL INCIDENTS INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER.

(D) WITHIN 15 DAYS AFTER COMPLETING AN INVESTIGATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE INDEPENDENT INVESTIGATIVE UNIT SHALL TRANSMIT A CONFIDENTIAL REPORT TO THE STATE’S ATTORNEY OF THE COUNTY THAT HAS JURISDICTION TO PROSECUTE THE MATTER THAT:

(1) CONTAINS DETAILED INVESTIGATIVE FINDINGS; AND

(2) INDICATES THAT:

(I) THE INDEPENDENT INVESTIGATIVE UNIT FINDS THAT A CRIME HAS BEEN COMMITTED AND THAT PROSECUTION OF THE MATTER IS RECOMMENDED;

(II) THE INDEPENDENT INVESTIGATIVE UNIT FINDS THAT A CRIME HAS NOT BEEN COMMITTED; OR

(III) THE INDEPENDENT INVESTIGATIVE UNIT DOES NOT RECOMMEND PROSECUTION.

(E) TO INVESTIGATE AND ASSIST WITH THE INVESTIGATION OF ALLEGED CRIMINAL OFFENSES COMMITTED BY POLICE OFFICERS, THE INDEPENDENT INVESTIGATIVE UNIT MAY:

(1) DETAIL ONE OR MORE POLICE OFFICERS EMPLOYED BY THE DEPARTMENT OF STATE POLICE; AND

(2) EMPLOY OTHER CIVILIAN PERSONNEL AS NEEDED.

(F) (1) THE GOVERNOR ANNUALLY SHALL INCLUDE FUNDING IN THE STATE BUDGET SUFFICIENT TO PROVIDE FOR THE FULL AND PROPER OPERATION OF THE INDEPENDENT INVESTIGATIVE UNIT.



**(2) FUNDS PROVIDED IN ACCORDANCE WITH THIS SUBSECTION SHALL SUPPLEMENT AND MAY NOT SUPPLANT ANY OTHER FUNDING PROVIDED TO THE INDEPENDENT INVESTIGATIVE UNIT.”.**

On pages 3 through 5, strike in their entirety the lines beginning with line 25 on page 3 through line 12 on page 5, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Morgan moved to make the Bill a Special Order for Friday.

The motion was rejected by a roll call vote as follows:

Affirmative – 41 Negative – 93 (See Roll Call No. 960)

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 41**

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

**Senate Bill 178 – Senator Carter**

AN ACT concerning

~~Public Information Act – Personnel Records – Investigations of Law Enforcement Officers  
(Anton’s Law)~~

Maryland Police Accountability Act of 2021 – Personnel Records –  
Investigations of Law Enforcement Officers  
(Anton’s Law)

**SB0178/562718/1**

BY: House Judiciary Committee

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “**Personnel**” in line 5 down through “**Law**” in line 7 and substitute “**Search Warrants and Inspection of Records Relating to Police Misconduct (Anton’s Law)**”; strike beginning with “establishing” in line 8 down through “officer;” in line 12 and substitute “requiring that an application for a certain no-knock search warrant be approved in writing by a police supervisor and the State’s Attorney; repealing a certain ground for issuance of a certain no-knock search warrant; requiring that an application for a certain no-knock search warrant contain certain items; requiring that a certain no-knock search warrant be executed between certain times under certain circumstances; altering the number of days within which a certain search and seizure shall be made; imposing certain restrictions on a police officer when executing a search warrant; requiring a certain custodian to allow inspection of certain records by the United States Attorney, the Attorney General, the State Prosecutor, and a certain State’s Attorney; providing that a certain record is not a personnel record for a certain purpose, with a certain exception; authorizing a certain custodian to deny inspection of certain records; requiring a certain custodian to deny inspection of a certain record under certain circumstances; requiring a custodian to notify a certain person in interest when a certain record is inspected; prohibiting a certain custodian from disclosing the identity of a certain requestor to a certain person in interest; requiring a law enforcement agency that maintains a SWAT team to report certain information to the Governor’s Office of Crime Prevention, Youth, and Victim Services using a certain format; requiring the Maryland Police Training and Standards Commission, in consultation with the Office, to develop a standardized format that certain law enforcement agencies shall use in reporting certain data relating to the activation and deployment of certain SWAT teams to the Office; requiring a law enforcement agency to compile certain information as a report in a certain format and to submit the report to the Office not later than a certain date following the period that is the subject of the report; requiring the Office to analyze and summarize certain reports of law enforcement agencies and to submit a report of the analyses and summaries to the Governor, the General Assembly, and each law enforcement agency before a certain date each year and publish the report on its website; providing that, if a law enforcement agency fails to comply with certain reporting requirements, the Office shall report the noncompliance to the Commission; providing that the Commission shall contact a certain law enforcement agency and request that the agency comply with certain reporting requirements under certain circumstances; providing that, if a certain law enforcement agency fails to comply with certain reporting requirements within a certain period after being contacted by the Commission, the Office and the Commission jointly shall make a certain report to the Governor and the Legislative Policy Committee of the General”

Assembly;”; and strike beginning with “personnel” in line 13 down through “Act” in line 14 and substitute “search warrants and inspection of records relating to police misconduct”.

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 13 on page 2, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 1–203(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – General Provisions

Section 4–101(a) and (c)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – General Provisions

Section 4–101(i) and (l)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 4–101(i) and (j), 4–311, and 4–351

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety

Section 3–523

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

On page 2, strike beginning with “That” in line 15 down through “ENACTED,” in line 18.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“Article – Criminal Procedure

1–203.

(a) (1) IN THIS SUBSECTION, “NO–KNOCK SEARCH WARRANT” MEANS A SEARCH WARRANT THAT AUTHORIZES THE EXECUTING LAW ENFORCEMENT OFFICER TO ENTER A BUILDING, APARTMENT, PREMISES, PLACE, OR THING TO BE SEARCHED WITHOUT GIVING NOTICE OF THE OFFICER’S AUTHORITY OR PURPOSE.

(2) A circuit court judge or District Court judge may issue forthwith a search warrant whenever it is made to appear to the judge, by application as described in paragraph [(2)](3) of this subsection, that there is probable cause to believe that:

(i) a misdemeanor or felony is being committed by a person or in a building, apartment, premises, place, or thing within the territorial jurisdiction of the judge; or

(ii) property subject to seizure under the criminal laws of the State is on the person or in or on the building, apartment, premises, place, or thing.

~~[(2)] (3)~~ (i) An application for a search warrant shall be:

1. in writing;

2. signed, dated, and sworn to by the applicant; and

3. accompanied by an affidavit that:

A. sets forth the basis for probable cause as described in paragraph (1) of this subsection; and

B. contains facts within the personal knowledge of the affiant that there is probable cause.

(ii) An application for a search warrant may be submitted to a judge:

1. by in-person delivery of the application, the affidavit, and a proposed search warrant;

2. by secure fax, if a complete and printable image of the application, the affidavit, and a proposed search warrant are submitted; or

3. by secure electronic mail, if a complete and printable image of the application, the affidavit, and a proposed search warrant are submitted.

(iii) The applicant and the judge may converse about the search warrant application:

1. in person;

2. via telephone; or

3. via video.

(iv) The judge may issue the search warrant:

1. by signing the search warrant, indicating the date and time of issuance on the search warrant, and physically delivering the signed and dated search warrant, the application, and the affidavit to the applicant;

2. by signing the search warrant, writing the date and time of issuance on the search warrant, and sending complete and printable images of the signed and dated search warrant, the application, and the affidavit to the applicant by secure fax; or

3. by signing the search warrant, either electronically or in writing, indicating the date and time of issuance on the search warrant, and sending complete and printable images of the signed and dated search warrant, the application, and the affidavit to the applicant by secure electronic mail.

(v) The judge shall file a copy of the signed and dated search warrant, the application, and the affidavit with the court.

(vi) 1. [An] IF APPROVED IN WRITING BY A POLICE SUPERVISOR AND THE STATE'S ATTORNEY, AN application for a search warrant may

contain a request that the search warrant [authorize the executing law enforcement officer to enter the building, apartment, premises, place, or thing to be searched without giving notice of the officer's authority or purpose] BE A NO-KNOCK SEARCH WARRANT, on the [grounds] GROUND that there is reasonable suspicion to believe that, without the authorization]:

1. the property subject to seizure may be destroyed, disposed of, or secreted; or

2.] the life or safety of the executing officer or another person may be endangered.

**2. AN APPLICATION FOR A NO-KNOCK SEARCH WARRANT UNDER THIS SUBPARAGRAPH SHALL CONTAIN:**

**A. A DESCRIPTION OF THE EVIDENCE IN SUPPORT OF THE APPLICATION;**

**B. AN EXPLANATION OF THE INVESTIGATIVE ACTIVITIES THAT HAVE BEEN UNDERTAKEN AND THE INFORMATION THAT HAS BEEN GATHERED TO SUPPORT THE REQUEST FOR A NO-KNOCK SEARCH WARRANT;**

**C. AN EXPLANATION OF WHY THE AFFIANT IS UNABLE TO DETAIN THE SUSPECT OR SEARCH THE PREMISES USING OTHER, LESS INVASIVE METHODS;**

**D. ACKNOWLEDGMENT THAT ANY POLICE OFFICERS WHO WILL EXECUTE THE SEARCH WARRANT HAVE SUCCESSFULLY COMPLETED THE SAME TRAINING IN BREACH AND CALL-OUT ENTRY PROCEDURES AS SWAT TEAM MEMBERS;**

**E. A STATEMENT AS TO WHETHER THE SEARCH WARRANT CAN EFFECTIVELY BE EXECUTED DURING DAYLIGHT HOURS AND, IF NOT, WHAT FACTS OR CIRCUMSTANCES PRECLUDE EFFECTIVE EXECUTION IN DAYLIGHT HOURS; AND**

F. A LIST OF ANY ADDITIONAL OCCUPANTS OF THE PREMISES BY AGE AND GENDER, AS WELL AS AN INDICATION AS TO WHETHER ANY INDIVIDUALS WITH COGNITIVE OR PHYSICAL DISABILITIES OR PETS RESIDE AT THE PREMISES, IF KNOWN.

3. A NO-KNOCK SEARCH WARRANT SHALL BE EXECUTED BETWEEN 8:00 A.M. AND 7:00 P.M., ABSENT EXIGENT CIRCUMSTANCES.

[(3)] (4) The search warrant shall:

(i) be directed to a duly constituted police officer, the State Fire Marshal, or a full-time investigative and inspection assistant of the Office of the State Fire Marshal and authorize the police officer, the State Fire Marshal, or a full-time investigative and inspection assistant of the Office of the State Fire Marshal to search the suspected person, building, apartment, premises, place, or thing and to seize any property found subject to seizure under the criminal laws of the State;

(ii) name or describe, with reasonable particularity:

1. the person, building, apartment, premises, place, or thing to be searched;

2. the grounds for the search; and

3. the name of the applicant on whose application the search warrant was issued; and

(iii) if warranted by application as described in paragraph [(2)](3) of this subsection, authorize the executing law enforcement officer to enter the building, apartment, premises, place, or thing to be searched without giving notice of the officer's authority or purpose.

[(4)] (5) (i) The search and seizure under the authority of a search warrant shall be made within [15] 10 calendar days after the day that the search warrant is issued.

(ii) After the expiration of the [15-day] 10-DAY period, the search warrant is void.

[(5)] (6) The executing law enforcement officer shall give a copy of the search warrant, the application, and the affidavit to an authorized occupant of the premises searched or leave a copy of the search warrant, the application, and the affidavit at the premises searched.

[(6)] (7) (i) The executing law enforcement officer shall prepare a detailed search warrant return which shall include the date and time of the execution of the search warrant.

(ii) The executing law enforcement officer shall:

1. give a copy of the search warrant return to an authorized occupant of the premises searched or leave a copy of the return at the premises searched; and

2. file a copy of the search warrant return with the court in person, by secure fax, or by secure electronic mail.

**(8) (I) IN THIS PARAGRAPH, “EXIGENT CIRCUMSTANCES” RETAINS ITS JUDICIALLY DETERMINED MEANING.**

**(II) WHILE EXECUTING A SEARCH WARRANT, A POLICE OFFICER SHALL BE CLEARLY RECOGNIZABLE AND IDENTIFIABLE AS A POLICE OFFICER, WEARING A UNIFORM, BADGE, AND TAG BEARING THE NAME AND IDENTIFICATION NUMBER OF THE POLICE OFFICER.**

**(III) 1. THIS SUBPARAGRAPH APPLIES TO A POLICE OFFICER WHOSE LAW ENFORCEMENT AGENCY REQUIRES THE USE OF BODY-WORN CAMERAS.**

**2. A POLICE OFFICER EXECUTING A SEARCH WARRANT SHALL USE A BODY-WORN CAMERA DURING THE COURSE OF THE SEARCH IN ACCORDANCE WITH THE POLICIES ESTABLISHED BY THE POLICE OFFICER’S LAW ENFORCEMENT AGENCY.**

**(IV) UNLESS EXECUTING A NO-KNOCK SEARCH WARRANT, A POLICE OFFICER SHALL ALLOW A MINIMUM OF 20 SECONDS FOR THE OCCUPANTS**



**OF A RESIDENCE TO RESPOND AND OPEN THE DOOR BEFORE THE POLICE OFFICER ATTEMPTS TO ENTER THE RESIDENCE, ABSENT EXIGENT CIRCUMSTANCES.**

**(V) A POLICE OFFICER MAY NOT USE FLASHBANG, STUN, DISTRACTION, OR OTHER SIMILAR MILITARY–STYLE DEVICES WHEN EXECUTING A SEARCH WARRANT, ABSENT EXIGENT CIRCUMSTANCES.”.**

**AMENDMENT NO. 3**

On pages 2 through 4, strike in their entirety the lines beginning with line 21 on page 2 through line 14 on page 4, inclusive, and substitute:

“4–101.

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

(c) “Board” means the State Public Information Act Compliance Board.

**(I) “POLICE OFFICER” HAS THE MEANING STATED IN § 3–201 OF THE PUBLIC SAFETY ARTICLE.**

**[(i)] (J) “Political subdivision” means:**

(1) a county;

(2) a municipal corporation;

(3) an unincorporated town;

(4) a school district; or

(5) a special district.

**[(i)] (K) (1) “Public record” means the original or any copy of any documentary material that:**

**(i) is made by a unit or an instrumentality of the State or of a political subdivision or received by the unit or instrumentality in connection with the transaction of public business; and**

(ii) is in any form, including:

1. a card;
2. a computerized record;
3. correspondence;
4. a drawing;
5. film or microfilm;
6. a form;
7. a map;
8. a photograph or photostat;
9. a recording; or
10. a tape.

(2) “Public record” includes a document that lists the salary of an employee of a unit or an instrumentality of the State or of a political subdivision.

(3) “Public record” does not include a digital photographic image or signature of an individual, or the actual stored data of the image or signature, recorded by the Motor Vehicle Administration.

**(L) “TECHNICAL INFRACTION” MEANS A MINOR RULE VIOLATION BY AN INDIVIDUAL SOLELY RELATED TO THE ENFORCEMENT OF ADMINISTRATIVE RULES THAT:**

**(1) DOES NOT INVOLVE AN INTERACTION BETWEEN A MEMBER OF THE PUBLIC AND THE INDIVIDUAL;**

**(2) DOES NOT RELATE TO THE INDIVIDUAL’S INVESTIGATIVE, ENFORCEMENT, TRAINING, SUPERVISION, OR REPORTING RESPONSIBILITIES; AND**

**(3) IS NOT OTHERWISE A MATTER OF PUBLIC CONCERN.**

4-311.

(a) Subject to subsection (b) of this section, a custodian shall deny inspection of a personnel record of an individual, including an application, a performance rating, or scholastic achievement information.

(b) A custodian shall allow inspection by:

(1) the person in interest;

(2) an elected or appointed official who supervises the work of the individual; or

(3) an employee organization described in Title 6 of the Education Article of the portion of the personnel record that contains the individual's:

(i) home address;

(ii) home telephone number; and

(iii) personal cell phone number.

**(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A RECORD RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER, INCLUDING AN INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS RELATING TO A DISCIPLINARY DECISION, IS NOT A PERSONNEL RECORD FOR PURPOSES OF THIS SECTION.**

**(2) A RECORD OF A TECHNICAL INFRACTION IS A PERSONNEL RECORD FOR THE PURPOSES OF THIS SECTION.**

4-351.

(a) Subject to [subsection (b)] SUBSECTIONS (B), (C), AND (D) of this section, a custodian may deny inspection of:

(1) records of investigations conducted by the Attorney General, a State's Attorney, a municipal or county attorney, a police department, or a sheriff;

(2) an investigatory file compiled for any other law enforcement, judicial, correctional, or prosecution purpose; [or]

(3) records that contain intelligence information or security procedures of the Attorney General, a State's Attorney, a municipal or county attorney, a police department, a State or local correctional facility, or a sheriff; OR

**(4) RECORDS, OTHER THAN A RECORD OF A TECHNICAL INFRACTION, RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER, INCLUDING AN INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS RELATING TO A DISCIPLINARY DECISION.**

(b) A custodian may deny inspection by a person in interest only to the extent that the inspection would:

(1) interfere with a valid and proper law enforcement proceeding;

(2) deprive another person of a right to a fair trial or an impartial adjudication;

(3) constitute an unwarranted invasion of personal privacy;

(4) disclose the identity of a confidential source;

(5) disclose an investigative technique or procedure;

(6) prejudice an investigation; or

(7) endanger the life or physical safety of an individual.

**(C) A CUSTODIAN SHALL ALLOW INSPECTION OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION BY:**

(1) THE UNITED STATES ATTORNEY;

(2) THE ATTORNEY GENERAL;

(3) THE STATE PROSECUTOR; OR

(4) THE STATE’S ATTORNEY FOR THE JURISDICTION RELEVANT TO THE RECORD.

(D) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A CUSTODIAN SHALL DENY INSPECTION OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION:

(1) IF THE RECORD RELATES TO AN ACTIVE INVESTIGATION; OR

(2) TO THE EXTENT THAT THE RECORD REFLECTS:

(I) MEDICAL INFORMATION;

(II) PERSONAL CONTACT INFORMATION OF THE PERSON IN INTEREST;

(III) INFORMATION RELATING TO THE FAMILY OF THE PERSON IN INTEREST; OR

(IV) WITNESS INFORMATION.

(E) A CUSTODIAN SHALL NOTIFY THE PERSON IN INTEREST OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION WHEN THE RECORD IS INSPECTED, BUT MAY NOT DISCLOSE THE IDENTITY OF THE REQUESTOR TO THE PERSON IN INTEREST.

Article – Public Safety

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3–201 OF THIS TITLE.**

**(3) “NO–KNOCK SEARCH WARRANT” MEANS A SEARCH WARRANT AUTHORIZING ENTRY INTO A BUILDING, AN APARTMENT, A PREMISES, A PLACE, OR A THING TO BE SEARCHED WITHOUT GIVING NOTICE OF THE OFFICER’S AUTHORITY OR PURPOSE.**

**(4) “POLICE OFFICER” HAS THE MEANING STATED IN § 3–201 OF THIS TITLE.**

**(5) “SWAT TEAM” MEANS A SPECIAL UNIT COMPOSED OF TWO OR MORE POLICE OFFICERS WITHIN A LAW ENFORCEMENT AGENCY TRAINED TO DEAL WITH UNUSUALLY DANGEROUS OR VIOLENT SITUATIONS AND HAVING SPECIAL EQUIPMENT AND WEAPONS, INCLUDING RIFLES MORE POWERFUL THAN THOSE CARRIED BY REGULAR POLICE OFFICERS.**

**(B) A LAW ENFORCEMENT AGENCY SHALL REPORT THE FOLLOWING INFORMATION RELATING TO SEARCH WARRANTS EXECUTED BY THE LAW ENFORCEMENT AGENCY DURING THE PRIOR CALENDAR YEAR TO THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES USING THE FORMAT DEVELOPED UNDER SUBSECTION (C) OF THIS SECTION:**

**(1) THE NUMBER OF TIMES A NO–KNOCK SEARCH WARRANT WAS EXECUTED IN THE PREVIOUS YEAR;**

**(2) THE NAME OF THE COUNTY AND MUNICIPAL CORPORATION AND THE ZIP CODE OF THE LOCATION WHERE EACH NO–KNOCK SEARCH WARRANT WAS EXECUTED;**

**(3) FOR EACH SEARCH WARRANT EXECUTED, THE NUMBER OF DAYS FROM THE ISSUANCE UNTIL THE EXECUTION OF THE SEARCH WARRANT,**

DISAGGREGATED BY WHETHER THE SEARCH WARRANT WAS A NO-KNOCK SEARCH WARRANT;

(4) THE LEGAL BASIS FOR EACH NO-KNOCK SEARCH WARRANT ISSUED;

(5) THE NUMBER OF TIMES A SEARCH WARRANT WAS EXECUTED UNDER CIRCUMSTANCES IN WHICH A POLICE OFFICER MADE FORCIBLE ENTRY INTO THE BUILDING, APARTMENT, PREMISES, PLACE, OR THING TO BE SEARCHED SPECIFIED IN THE WARRANT;

(6) THE NUMBER OF TIMES A SWAT TEAM WAS DEPLOYED TO EXECUTE A SEARCH WARRANT;

(7) THE NUMBER OF ARRESTS MADE, IF ANY, DURING THE EXECUTION OF A SEARCH WARRANT;

(8) THE NUMBER OF TIMES PROPERTY WAS SEIZED DURING THE EXECUTION OF A SEARCH WARRANT;

(9) THE NUMBER OF TIMES A WEAPON WAS DISCHARGED BY A POLICE OFFICER DURING THE EXECUTION OF A SEARCH WARRANT; AND

(10) THE NUMBER OF TIMES A PERSON OR DOMESTIC ANIMAL WAS INJURED OR KILLED DURING THE EXECUTION OF A SEARCH WARRANT, DISAGGREGATED BY WHETHER THE PERSON OR ANIMAL WAS INJURED OR KILLED BY A POLICE OFFICER.

(C) THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION, IN CONSULTATION WITH THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES, SHALL DEVELOP A STANDARDIZED FORMAT FOR EACH LAW ENFORCEMENT AGENCY TO USE IN REPORTING DATA TO THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES UNDER SUBSECTION (B) OF THIS SECTION.

(D) A LAW ENFORCEMENT AGENCY SHALL:

(1) COMPILE THE DATA DESCRIBED IN SUBSECTION (B) OF THIS SECTION FOR EACH 1-YEAR PERIOD AS A REPORT IN THE FORMAT REQUIRED UNDER SUBSECTION (C) OF THIS SECTION; AND

(2) NOT LATER THAN JANUARY 15 EACH YEAR, SUBMIT THE REPORT TO:

(I) THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES; AND

(II) 1. THE LOCAL GOVERNING BODY OF THE JURISDICTION SERVED BY THE LAW ENFORCEMENT AGENCY THAT IS THE SUBJECT OF THE REPORT; OR

2. IF THE JURISDICTION SERVED BY THE LAW ENFORCEMENT AGENCY IS A MUNICIPAL CORPORATION, THE CHIEF EXECUTIVE OFFICER OF THE JURISDICTION.

(E) (1) THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES SHALL ANALYZE AND SUMMARIZE THE REPORTS OF LAW ENFORCEMENT AGENCIES SUBMITTED UNDER SUBSECTION (D) OF THIS SECTION.

(2) BEFORE SEPTEMBER 1 EACH YEAR, THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES SHALL:

(I) SUBMIT A REPORT OF THE ANALYSES AND SUMMARIES OF THE REPORTS OF LAW ENFORCEMENT AGENCIES DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION TO THE GOVERNOR, EACH LAW ENFORCEMENT AGENCY, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY; AND

(II) PUBLISH THE REPORT ON ITS WEBSITE.

(F) (1) IF A LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE REPORTING PROVISIONS OF THIS SECTION, THE GOVERNOR’S OFFICE OF CRIME



PREVENTION, YOUTH, AND VICTIM SERVICES SHALL REPORT THE NONCOMPLIANCE TO THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION.

(2) ON RECEIPT OF A REPORT OF NONCOMPLIANCE, THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL CONTACT THE LAW ENFORCEMENT AGENCY AND REQUEST THAT THE AGENCY COMPLY WITH THE REQUIRED REPORTING PROVISIONS.

(3) IF THE LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE REQUIRED REPORTING PROVISIONS OF THIS SECTION WITHIN 30 DAYS AFTER BEING CONTACTED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION WITH A REQUEST TO COMPLY, THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES AND THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION JOINTLY SHALL REPORT THE NONCOMPLIANCE TO THE GOVERNOR AND THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY."

On page 4, in lines 15 and 18, strike "3." and "4.", respectively, and substitute "2." and "3.", respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was withdrawn.

Read the second time and ordered prepared for Third Reading.

### QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 961)

**Senate Bill 83 – Senator Kramer**

AN ACT concerning

**Utility Regulation – Consideration of Climate and Labor**

Read the third time and passed by yeas and nays as follows:

Affirmative – 93    Negative – 41    (See Roll Call No. 962)

The Bill was then returned to the Senate.

**Senate Bill 508 – Senator Peters**

AN ACT concerning

**Public Utilities – Net Energy Metering**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95    Negative – 40    (See Roll Call No. 963)

The Bill was then returned to the Senate.

**Senate Bill 750 – Charles County Senators**

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 – 135    Negative – 0    (See Roll Call No. 964)

The Bill was then returned to the Senate.

**Senate Bill 762 – Senator McCray**

AN ACT concerning

**Maryland Electricians Act – Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 108    Negative – 25    (See Roll Call No. 965)

The Bill was then returned to the Senate.

**Senate Bill 856 – Senator Hershey**

AN ACT concerning

**Electric Companies – Billing Information**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 966)

The Bill was then returned to the Senate.

**Senate Bill 874 – Senator Jackson**

**EMERGENCY BILL**

AN ACT concerning

**Workgroup to Study Partial Expungement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 101    Negative – 34    (See Roll Call No. 967)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 20**

**Senate Bill 7 – ~~Senator Simonaire~~ Senators Simonaire, Bailey, Cassilly, Hettleman, Jackson, Smith, and Waldstreicher**

AN ACT concerning

**Courts – Court Dog ~~Therapy~~ Program – Veterans Treatment Courts**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 968)

The Bill was then returned to the Senate.

**Senate Bill 369 – Senator Peters**

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 – 135    Negative – 0    (See Roll Call No. 969)

The Bill was then returned to the Senate.

**Senate Bill 484 – Senator Hettleman**

AN ACT concerning

**Criminal Procedure – Victims of Crime – Private Room**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 970)

The Bill was then returned to the Senate.

**Senate Bill 488 – Senator Beidle**

AN ACT concerning

**Family Law – Marriage – Licenses and Records**

Read the third time and passed by yeas and nays as follows:

Affirmative – 98    Negative – 34    (See Roll Call No. 971)

The Bill was then returned to the Senate.

**Senate Bill 505 – Senator Hettleman**

AN ACT concerning

**Criminal Law – First-Degree Child Abuse – Continuing Course of Conduct**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 972)

The Bill was then returned to the Senate.

**Senate Bill 671 – Senator Waldstreicher**

AN ACT concerning

**Criminal Procedure – Charging Procedures – Citations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 94    Negative – 40    (See Roll Call No. 973)

The Bill was then returned to the Senate.

**JUDICIARY COMMITTEE REPORT NO. 42**

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

**Senate Bill 71 – ~~Senator Sydnor~~ Senators Sydnor, Smith, Waldstreicher, Jackson, Carter, Hough, Lee, West, and Hettleman**

AN ACT concerning

~~**Police Officers – Testimony – Presumption of Inadmissibility  
(Maryland Police Accountability Act of 2021)**~~  
**Maryland Police Accountability Act of 2021 – Body-Worn Cameras**

**SB0071/952415/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 71

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “**Cameras**” insert “**, Employee Programs, and Use of Force**”; strike beginning with “providing” in line 5 down through “showing;” in line 8; strike beginning with “establishing” in line 13 down through “date;” in line 20 and substitute “requiring a certain body-worn camera to automatically record and save a certain amount of video footage at a certain time; prohibiting a law enforcement agency from negating or altering certain requirements or policies through collective bargaining; altering a certain provision of law requiring each law enforcement agency to establish a certain early intervention policy to instead require a system to identify police officers who are at risk of engaging in certain behavior; requiring each law enforcement agency to provide access to a certain employee assistance program for certain police officers; establishing certain”

requirements for a certain program; requiring each law enforcement agency to develop a policy to provide access to certain services at no cost to a police officer; requiring each police officer to sign a certain pledge; establishing certain use of force standards; requiring a police officer to take certain steps to gain compliance and de-escalate conflict under certain circumstances; requiring a police officer to intervene to prevent or terminate the use of certain force by a certain police officer; requiring a police officer to render certain first aid to a certain subject and request certain assistance at a certain time; requiring a police supervisor to respond to the scene of a certain incident and gather and review certain recordings; requiring a law enforcement agency to adopt a certain policy; requiring a police officer to undergo certain training; requiring a police officer to sign a certain training completion document; prohibiting a police officer from intentionally violating a certain provision of law, resulting in serious physical injury or death to a person; establishing certain penalties; providing that a certain sentence may be separate from and consecutive to or concurrent with a certain other sentence; altering the termination date for the Law Enforcement Body Camera Task Force; altering the duties of the Task Force; requiring the Task Force to submit an additional report of its findings and recommendations on or before a certain date; providing for a delayed effective date for certain provisions of this Act;”; in line 20, strike “providing for the application of this Act;”; strike beginning with “providing” in line 20 down through “Act;” in line 21; and in line 22, after “cameras” insert “, employee programs, and use of force”.

On page 2, strike in their entirety lines 1 through 5, inclusive; in line 8, after “3-511” insert “and 3-516”; and after line 10, insert:

“BY adding to

Article – Public Safety

Section 3-523 and 3-524

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Chapter 309 of the Acts of the General Assembly of 2020

Section 1(f) and (g) and 2”.

#### AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 9 on page 3, inclusive.

#### AMENDMENT NO. 3

On pages 5 and 6, strike in their entirety the lines beginning with line 10 on page 5 through line 20 on page 6, inclusive, and substitute:

“(E) A BODY-WORN CAMERA THAT POSSESSES THE REQUISITE TECHNOLOGICAL CAPABILITY SHALL AUTOMATICALLY RECORD AND SAVE AT LEAST 60 SECONDS OF VIDEO FOOTAGE IMMEDIATELY PRIOR TO THE OFFICER ACTIVATING THE RECORD BUTTON ON THE DEVICE.

“(F) A LAW ENFORCEMENT AGENCY MAY NOT NEGATE OR ALTER ANY OF THE REQUIREMENTS OR POLICIES ESTABLISHED IN ACCORDANCE WITH THIS SECTION THROUGH COLLECTIVE BARGAINING.

3-516.

(a) Each law enforcement agency shall establish a confidential and nonpunitive early intervention [policy for counseling officers who receive three or more citizen complaints within a 12-month period] SYSTEM TO IDENTIFY POLICE OFFICERS WHO ARE AT RISK OF ENGAGING IN THE USE OF EXCESSIVE FORCE AND TO PROVIDE THE OFFICERS WITH TRAINING, BEHAVIORAL INTERVENTIONS, REASSIGNMENTS, OR OTHER APPROPRIATE RESPONSES TO REDUCE THE RISK OF THE USE OF EXCESSIVE FORCE.

(b) A [policy] SYSTEM described in this section may not prevent the investigation of or imposition of discipline for any particular complaint.

3-523.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “EMPLOYEE ASSISTANCE PROGRAM” MEANS A WORK-BASED PROGRAM OFFERED TO ALL POLICE OFFICERS THAT PROVIDES ACCESS TO VOLUNTARY AND CONFIDENTIAL SERVICES TO ADDRESS THE MENTAL HEALTH ISSUES OF A POLICE OFFICER STEMMING FROM PERSONAL AND WORK-RELATED CONCERNS, INCLUDING STRESS, FINANCIAL ISSUES, LEGAL ISSUES, FAMILY PROBLEMS, OFFICE CONFLICTS, AND ALCOHOL AND SUBSTANCE ABUSE DISORDERS.

(3) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3–201 OF THIS TITLE.

(4) “POLICE OFFICER” HAS THE MEANING STATED IN § 3–201 OF THIS TITLE.

(B) EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE ACCESS TO AN EMPLOYEE ASSISTANCE PROGRAM FOR ALL POLICE OFFICERS WHOM THE LAW ENFORCEMENT AGENCY EMPLOYS.

(C) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION SHALL PROVIDE POLICE OFFICERS ACCESS TO CONFIDENTIAL MENTAL HEALTH SERVICES, INCLUDING:

(1) COUNSELING SERVICES;

(2) CRISIS COUNSELING;

(3) STRESS MANAGEMENT COUNSELING;

(4) RESILIENCY SESSIONS; AND

(5) PEER SUPPORT SERVICES FOR POLICE OFFICERS.

(D) (1) IN ADDITION TO THE REQUIREMENTS OF § 3–516 OF THIS SUBTITLE AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AS PART OF THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION, BEFORE A POLICE OFFICER RETURNS TO FULL DUTY, A LAW ENFORCEMENT AGENCY SHALL PROVIDE:

(I) A VOLUNTARY MENTAL HEALTH CONSULTATION AND VOLUNTARY COUNSELING SERVICES TO THE POLICE OFFICER IF THE POLICE OFFICER IS INVOLVED IN AN INCIDENT INVOLVING AN ACCIDENT RESULTING IN A FATALITY; AND



(II) A MANDATORY MENTAL HEALTH CONSULTATION AND VOLUNTARY COUNSELING SERVICES TO THE POLICE OFFICER IF THE POLICE OFFICER IS INVOLVED IN AN INCIDENT INVOLVING:

1. A SERIOUS INJURY TO THE POLICE OFFICER;
2. AN OFFICER-INVOLVED SHOOTING; OR
3. ANY USE OF FORCE RESULTING IN A FATALITY OR SERIOUS INJURY.

(2) A MENTAL HEALTH CONSULTATION AND COUNSELING SERVICE PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONFIDENTIAL.

(E) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION SHALL INCLUDE A COMPONENT DESIGNED TO PROTECT THE MENTAL HEALTH OF POLICE OFFICERS DURING PERIODS OF PUBLIC DEMONSTRATIONS AND UNREST.

(F) EACH LAW ENFORCEMENT AGENCY SHALL DEVELOP A POLICY TO PROVIDE ACCESS TO THE SERVICES REQUIRED BY THIS SECTION AT NO COST TO A POLICE OFFICER.

3-524.

(A) THIS SECTION SHALL BE KNOWN AS THE MARYLAND USE OF FORCE STATUTE.

(B) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(3) "POLICE OFFICER" MEANS:

- (I) A POLICE OFFICER AS DEFINED IN § 3-201 OF THIS TITLE;  
OR
- (II) A SPECIAL POLICE OFFICER AS DEFINED IN § 3-301 OF THIS TITLE.

(4) “SERIOUS PHYSICAL INJURY” HAS THE MEANING STATED IN § 3-201 OF THE CRIMINAL LAW ARTICLE.

(C) EACH POLICE OFFICER SHALL SIGN AN AFFIRMATIVE WRITTEN SANCTITY OF LIFE PLEDGE TO RESPECT EVERY HUMAN LIFE AND ACT WITH COMPASSION TOWARD OTHERS.

(D) (1) A POLICE OFFICER MAY NOT USE FORCE AGAINST A PERSON UNLESS A POLICE OFFICER UNDER SIMILAR CIRCUMSTANCES WOULD BELIEVE THAT THE FORCE IS NECESSARY AND PROPORTIONAL TO:

(I) PREVENT AN IMMINENT THREAT OF PHYSICAL INJURY TO A PERSON; OR

(II) EFFECTUATE A LEGITIMATE LAW ENFORCEMENT OBJECTIVE.

(2) A POLICE OFFICER SHALL CEASE THE USE OF FORCE AS SOON AS:

(I) THE PERSON ON WHOM THE FORCE IS USED:

1. IS UNDER THE POLICE OFFICER’S CONTROL; OR

2. NO LONGER POSES AN IMMINENT THREAT OF PHYSICAL INJURY OR DEATH TO THE POLICE OFFICER OR TO ANOTHER PERSON; OR

(II) THE POLICE OFFICER DETERMINES THAT FORCE WILL NO LONGER ACCOMPLISH A LEGITIMATE LAW ENFORCEMENT OBJECTIVE.

(E) A POLICE OFFICER SHALL:

(1) WHEN TIME, CIRCUMSTANCES, AND SAFETY ALLOW, TAKE STEPS TO GAIN COMPLIANCE AND DE-ESCALATE CONFLICT WITHOUT USING PHYSICAL FORCE;

(2) INTERVENE TO PREVENT OR TERMINATE THE USE OF FORCE BY ANOTHER POLICE OFFICER BEYOND WHAT IS AUTHORIZED UNDER SUBSECTION (D) OF THIS SECTION;

(3) RENDER BASIC FIRST AID TO A PERSON INJURED AS A RESULT OF POLICE ACTION AND PROMPTLY REQUEST APPROPRIATE MEDICAL ASSISTANCE; AND

(4) FULLY DOCUMENT ALL USE OF FORCE INCIDENTS THAT THE OFFICER OBSERVED OR WAS INVOLVED IN.

(F) A POLICE SUPERVISOR SHALL:

(1) RESPOND TO THE SCENE OF ANY INCIDENT DURING WHICH A POLICE OFFICER USED PHYSICAL FORCE AND CAUSED SERIOUS PHYSICAL INJURY; AND

(2) GATHER AND REVIEW ALL KNOWN VIDEO RECORDINGS OF A USE OF FORCE INCIDENT.

(G) A LAW ENFORCEMENT AGENCY SHALL:

(1) HAVE A WRITTEN DE-ESCALATION OF FORCE POLICY; AND

(2) ADOPT A WRITTEN POLICY REQUIRING SUPERVISORY AND COMMAND-LEVEL REVIEW OF ALL USE OF FORCE INCIDENTS.

(H) A POLICE OFFICER SHALL:

(1) UNDERGO TRAINING ON WHEN A POLICE OFFICER MAY OR MAY NOT DRAW A FIREARM OR POINT A FIREARM AT A PERSON AND ENFORCEMENT

OPTIONS THAT ARE LESS LIKELY TO CAUSE DEATH OR SERIOUS PHYSICAL INJURY, INCLUDING SCENARIO-BASED TRAINING, DE-ESCALATION TACTICS AND TECHNIQUES, AND REASONABLE ALTERNATIVES TO DECREASE PHYSICAL INJURY; AND

(2) SIGN A TRAINING COMPLETION DOCUMENT STATING THAT THE OFFICER UNDERSTANDS AND SHALL COMPLY WITH THE MARYLAND USE OF FORCE STATUTE.

(1) (1) A POLICE OFFICER MAY NOT INTENTIONALLY VIOLATE SUBSECTION (D) OF THIS SECTION, RESULTING IN SERIOUS PHYSICAL INJURY OR DEATH TO A PERSON.

(2) A POLICE OFFICER WHO VIOLATES PARAGRAPH (1) OF THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS.

(3) A SENTENCE IMPOSED UNDER THIS SUBSECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING A VIOLATION OF THIS SUBSECTION.

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

### Chapter 309 of the Acts of 2020

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(f) The Task Force shall:

(1) study options for the economical storage of audio and video recordings made by law enforcement body-worn cameras; [and]

(2) make recommendations for storage considering the budgets of State, county, local, and campus law enforcement jurisdictions;

(3) STUDY AND MAKE FINDINGS ON THE IMPLEMENTATION AND FEASIBILITY OF REQUIRING THE USE OF BODY-WORN CAMERAS BY POLICE OFFICERS IN COUNTIES AND MUNICIPALITIES THROUGHOUT THE STATE; AND

(4) MAKE RECOMMENDATIONS REGARDING REQUIRING THE USE OF BODY-WORN CAMERAS BY COUNTIES AND MUNICIPALITIES BASED ON ITS FINDINGS.

(g) On or before December 1, 2020, AND DECEMBER 1, 2022, the Task Force shall report its findings and recommendations to the General Assembly, in accordance with § 2-1257 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020. It shall remain effective for a period of [1 year] 3 YEARS and, at the end of June 30, [2021] 2023, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2022.

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2021.”

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

**MESSAGE FROM THE SENATE  
INTRODUCTORY SENATE BILLS NO. 32**

**Senate Bill 515 – Senator Klausmeier**

**EMERGENCY BILL**

AN ACT concerning

**Criminal Procedure – Registered Sex Offenders – Entry Onto School Property**

FOR the purpose of repealing a certain exception authorizing, under certain circumstances, a student who is a registered sex offender to enter onto real property used for public or nonpublic elementary or secondary education; ~~requiring~~ authorizing a student who is a registered sex offender to ~~continue-receiving~~ receive a certain education in a certain manner; requiring a county board of education to develop and adopt a policy that enables a student who is a registered sex offender to ~~continue-receiving~~ receive a certain education in a certain manner; requiring the State Board of Education to develop and adopt certain guidelines and a certain model policy; defining certain terms; making certain conforming changes; making this Act an emergency measure; and generally relating to registered sex offenders on school property.

BY repealing and reenacting, with amendments,  
 Article – Criminal Procedure  
 Section 11–722  
 Annotated Code of Maryland  
 (2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

## SPECIAL ORDERS

**Senate Bill 683 – Senator Kramer**

AN ACT concerning

**Election Law – Voting – Permanent Absentee Ballot List, Ballot Drop Boxes, and Report**

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

**SB0683/253726/1**

BY: Delegate M. Fisher

### AMENDMENTS TO SENATE BILL 683, AS AMENDED

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1 of the bill, in line 2, after “**Boxes**,” insert “**Prohibition on Ballot Harvesting**”.

On page 1 of the Committee on Ways and Means Amendments (SB0683/515369/1), in line 12 of Amendment No. 1, after “manner;” insert “prohibiting a person from engaging in ballot harvesting in the State; requiring a voter to notify the local board under certain circumstances; requiring the local board to send an employee of the local board to a voter for a certain purpose under certain circumstances;”.

On page 2 of the Committee on Ways and Means Amendments, in line 2 of Amendment No. 1, strike “a permanent absentee ballot list” and substitute “voting”.

On page 2 of the bill, in line 24, strike “a”; and in the same line, strike “term” and substitute “terms”; and after line 40, insert:

“BY repealing

Article – Election Law

Section 9–307

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Election Law

Section 9–307

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”.

## AMENDMENT NO. 2

On page 5 of the Committee on Ways and Means Amendments, in line 3 of Amendment No. 2, after “day.” insert:

“[9–307.

(a) A qualified applicant may designate a duly authorized agent to pick up and deliver an absentee ballot under this subtitle.

(b) An agent of the voter under this section:

(1) must be at least 18 years old;

(2) may not be a candidate on that ballot;

(3) shall be designated in a writing signed by the voter under penalty of perjury; and

- (4) shall execute an affidavit under penalty of perjury that the ballot was:
- (i) delivered to the voter who submitted the application;
  - (ii) marked and placed in an envelope by the voter, or with assistance as allowed by regulation, in the agent’s presence; and
  - (iii) returned to the local board by the agent.]

**9-307.**

**(A) IN THIS SECTION, “BALLOT HARVESTING” MEANS COLLECTING A COMPLETED ABSENTEE BALLOT OF A VOTER OR ABSENTEE BALLOTS OF MULTIPLE VOTERS BY A THIRD PARTY THAT IS NOT AN EMPLOYEE OF A LOCAL BOARD IN ORDER TO DELIVER THE COMPLETED BALLOT OR BALLOTS TO A BALLOT DROP BOX OR A LOCAL BOARD.**

**(B) A PERSON MAY NOT ENGAGE IN BALLOT HARVESTING IN THE STATE.**

**(C) (1) IF A VOTER REQUIRES ASSISTANCE IN COMPLETING AN ABSENTEE BALLOT OR RETURNING A COMPLETED ABSENTEE BALLOT TO A BALLOT DROP BOX OR THE LOCAL BOARD, THE VOTER SHALL NOTIFY THE LOCAL BOARD.**

**(2) ON NOTICE FROM A VOTER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE LOCAL BOARD SHALL SEND AN EMPLOYEE OF THE LOCAL BOARD TO THE VOTER TO:**

**(I) ASSIST WITH THE COMPLETION OF THE ABSENTEE BALLOT;**  
**OR**

**(II) COLLECT AND DELIVER THE COMPLETED ABSENTEE BALLOT TO A BALLOT DROP BOX OR THE LOCAL BOARD.”.**

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

Affirmative – 41 Negative – 94 (See Roll Call No. 974)

Read the third time and passed by yeas and nays as follows:



Affirmative – 95    Negative – 40    (See Roll Call No. 975)

The Bill was then returned to the Senate.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 976)

### **ADJOURNMENT**

At 9:36 P.M. on motion of Delegate Luedtke the House adjourned until 12:00 P.M. on Legislative Day March 18, 2021, Calendar Day, Friday, April 2, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 18, 2021**  
**Calendar Day: Friday, April 2, 2021**  
**12:00 P.M. Session**

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The House met at 12:23 P.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 977)

**EXCUSED:**

Delegate Anderson – illness

Delegate Barron – personal

Delegate Brooks – family funeral

Delegate Proctor – late – doctor’s appointment

Delegate Szeliga – business

The Journal of March 17, 2021 was read and approved.

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL:**                   **HB0261**

**SPONSOR:**            Delegate Branch, T.

**SUBJECT:**            Business Regulation – Battery–Charged Fence Security Systems  
                              – Regulation

The Senate recedes from its position on HB0261.

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

AMENDED IN THE SENATE

**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 Clippinger moved that the House not concur in the Senate amendments.

**HB0670/668370/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 670

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures”; strike beginning with “requiring” in line 6 down through “warrant;” in line 15; in line 17, after “exception;” insert “providing that a police officer’s failure to comply with a certain requirement may be grounds for a certain disciplinary action against the officer and may not serve as the basis for the exclusion of certain evidence under a certain rule;”; and in line 19, after “lawfully” insert “and safely”.

On page 2, strike beginning with “requiring” in line 17 down through “interest;” in line 27; and strike beginning with “requiring” in line 32 down through “Statute;” in line 33.

On page 3, strike beginning with “requiring” in line 18 down through “footage;” in line 20; and strike beginning with “altering” in line 22 down through “undergo” in line 47.

On page 4, strike beginning with “less” in line 1 down through “Assembly;” in line 19; and strike beginning with “establishing” in line 34 down through “board” in line 35 and substitute “requiring a police accountability board to make a certain report and recommendations annually”.

On page 5, in line 5, strike “requiring” and substitute “authorizing”; in line 16, strike “and requiring”; in line 17, strike “requiring” and substitute “authorizing”; strike beginning with “providing” in line 25 down through “circumstances;” in line 26; strike beginning with “and” in line 33 down through “representation” in line 34 and substitute “may have the assistance of a representative”; and strike beginning with “authorizing” in line 40 down through “order to” in line 47.

On page 6, strike in their entirety lines 1 through 3, inclusive, and substitute “authorizing a certain assignment of benefits; establishing that law enforcement officers may be subject to forfeiture of benefits from the State Retirement and Pension System or a local system; prohibiting the payment of certain benefits to a law enforcement officer who is found guilty of, pleads guilty to, or enters a plea of nolo contendere to a qualifying crime; prohibiting the forfeiture of benefits if the forfeiture negatively affects or invalidates the tax qualified status of any of the several systems within the State Retirement and Pension System or a local system; requiring that certain forfeitures of benefits be reversed under certain circumstances; requiring the forfeiture of benefits, in whole or in part, for a law enforcement officer who is convicted of a qualifying crime; requiring the Attorney General or State’s Attorney to file a certain complaint in circuit court; requiring notice of the complaint to be sent to certain persons; requiring the State Retirement Agency and local systems to provide certain information to the Attorney General or State’s Attorney under certain circumstances; establishing certain findings that shall be made when entering an order requiring the forfeiture of benefits; requiring the forfeiture order to indicate the amount of benefits forfeit; requiring a court to consider certain factors when determining the amount of benefits subject to forfeiture; clarifying that only certain service is subject to forfeiture; authorizing a court to enter a domestic relations order that provides that some or all of the forfeited benefits be paid to certain individuals subject to certain limitations; prohibiting a forfeiture order from impairing or altering certain domestic relations orders; clarifying that a law enforcement officer may receive benefits as a beneficiary; clarifying that a law enforcement officer’s interest in benefits of a former spouse is not subject to forfeiture; authorizing the Board of Trustees for the State Retirement and Pension System to recover certain payments made to a law enforcement officer subject to a forfeiture order; authorizing a local system to recover certain payments made to a public employee subject to a forfeiture order; limiting the amount that may be recovered; authorizing certain law enforcement officers to submit an application for retirement; prohibiting the State Retirement Agency or a local system from processing a certain application for retirement until certain conditions are met; requiring a forfeiture order to be rescinded under certain circumstances; requiring certain payments to be made when a conviction is overturned; providing that a law enforcement officer subject to a forfeiture order is entitled to a return of employee contributions on request; authorizing certain employee contributions to be”

reduced under certain circumstances; requiring the Board of Trustees to adopt certain regulations; requiring a local system to adopt certain policies and procedures;”; strike beginning with “providing” in line 5 down through “Act;” in line 6; strike beginning with “for” in line 10 down through “providing” in line 11; in line 11, after “provisions of this Act;” insert “making certain provisions of this Act contingent on the taking effect of another Act;”; and strike in their entirety lines 30 through 34, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 37 on page 7 through line 11 on page 8, inclusive.

On page 8, in line 15, strike “3-508, 3-523, and 3-524” and substitute “and 3-508”; in lines 20 and 21, strike “3-511, 3-514, 3-515, and 3-516” and substitute “3-514, and 3-515”; and strike in their entirety lines 24 through 28, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21-502(a)(3)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 21-801 through 21-809 to be under the new subtitle “Subtitle 8. Forfeiture of Benefits – Law Enforcement Officers”; and 40-201 through 40-209 to be under the new subtitle “Subtitle 2. Forfeiture of Benefits – Law Enforcement Officers”

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)”.

On page 65, in lines 19, 24, and 32, strike “7.”, “8.”, and “10.”, respectively, and substitute “6.”, “7.”, and “8.”, respectively.

On page 66, in lines 6 and 15, strike “11.” and “12.”, respectively, and substitute “9.” and “10.”, respectively.

## AMENDMENT NO. 2

On pages 9 through 14, strike in their entirety the lines beginning with line 33 on page 9 through line 3 on page 14, inclusive, and substitute:

“Article – Criminal Procedure”.

AMENDMENT NO. 3

On page 14, in line 7, before “DISPLAY” insert “WHEN NOT IN UNIFORM,”; in line 12, strike “BADGE NUMBER” and substitute “IDENTIFICATION NUMBER ISSUED BY THE LAW ENFORCEMENT AGENCY THE OFFICER IS REPRESENTING”; in line 16, after “(B)” insert “A POLICE OFFICER’S FAILURE TO COMPLY WITH SUBSECTION (A) OF THIS SECTION:

(1) MAY BE GROUNDS FOR ADMINISTRATIVE DISCIPLINARY ACTION AGAINST THE OFFICER; AND

(2) MAY NOT SERVE AS THE BASIS FOR THE EXCLUSION OF EVIDENCE UNDER THE EXCLUSIONARY RULE.

(C)”;

and in line 18, after “LAWFULLY” insert “AND SAFELY”.

AMENDMENT NO. 4

On page 17, in line 16, strike “4-YEAR”; strike beginning with “IN” in line 16 down through “JUSTICE” in line 17 and substitute “THAT WOULD FURTHER THE STUDENT’S CAREER IN LAW ENFORCEMENT”; in line 19, strike “4-YEAR”; and in line 20, strike “IN CRIMINAL LAW, CRIMINOLOGY, OR CRIMINAL JUSTICE” and substitute “THAT WOULD FURTHER THE POLICE OFFICER’S CAREER IN LAW ENFORCEMENT”.

On page 18, strike beginning with “IN” in line 5 down through “JUSTICE” in line 6 and substitute “THAT WOULD FURTHER THE RECIPIENT’S CAREER IN LAW ENFORCEMENT”.

AMENDMENT NO. 5

On pages 19 and 20, strike in their entirety the lines beginning with line 12 on page 19 through line 24 on page 20, inclusive.

AMENDMENT NO. 6

On page 21, in line 5, after “FROM” insert “INTENTIONAL”; in line 6, after “OMISSIONS” insert “OR INTENTIONAL VIOLATIONS OF CONSTITUTIONAL RIGHTS”; in

line 8, strike “**1.**”; in the same line, strike “**ITEM 2 OF THIS ITEM AND**”; and strike in their entirety lines 11 through 16, inclusive.

On page 22, in line 1, after “**FROM**” insert “**INTENTIONAL**”; in line 2, after “**OMISSIONS**” insert “**OR INTENTIONAL VIOLATIONS OF CONSTITUTIONAL RIGHTS**”; in line 4, strike “**A.**”; in the same line, strike “**ITEM B OF THIS ITEM AND**”; and strike in their entirety lines 7 through 12, inclusive.

#### AMENDMENT NO. 7

On pages 22 through 28, strike in their entirety the lines beginning with line 22 on page 22 through line 2 on page 28, inclusive.

On page 65, strike in their entirety lines 28 through 31, inclusive.

#### AMENDMENT NO. 8

On page 28, strike in their entirety lines 15 and 16.

On pages 29 and 30, strike in their entirety the lines beginning with line 9 on page 29 through line 4 on page 30, inclusive.

#### AMENDMENT NO. 9

On page 41, before line 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

#### Article – Public Safety”;

in lines 13, 16, 17, and 27, in each instance, strike the bracket; strike line 15 in its entirety; in lines 16, 17, 19, and 25, strike “(10)”, “(11)”, “(12)”, and “(9)”, respectively, and substitute “(9)”, “(10)”, “(11)”, and “(12)”, respectively; in line 20, after “Justice;” insert “**AND**”; and strike in their entirety lines 21 through 24, inclusive.

On page 42, in lines 1, 2, and 3 in each instance, strike the bracket; in lines 1, 2, and 3, in each instance, strike “individual” and substitute “**CIVILIAN**”; in line 1, after “policing” insert “**WHO DOES NOT HAVE RELATIONSHIPS TO LAW ENFORCEMENT**”; in line 2, after “standards” insert “**WHO DOES NOT HAVE RELATIONSHIPS TO LAW ENFORCEMENT**”; in lines 2, 3, and 5, strike “(II)”, “(III)”, and “(IV)”, respectively; in line 3, strike “WITHOUT”

and substitute “WHO DOES NOT HAVE”; in line 5, strike the first set of brackets; in the same line, strike “NINE” and substitute “THREE”; in the same line, strike “without” and substitute “WHO REPRESENT DIFFERENT GEOGRAPHIC AREAS OF THE STATE AND DO NOT HAVE”.

On page 46, after line 4, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety”.

AMENDMENT NO. 10

On pages 49 and 50, strike in their entirety the lines beginning with line 21 on page 49 through line 23 on page 50, inclusive.

AMENDMENT NO. 11

On pages 51 and 52, strike in their entirety the lines beginning with line 34 on page 51 through line 12 on page 52, inclusive.

AMENDMENT NO. 12

On pages 53 through 57, strike in their entirety the lines beginning with line 16 on page 53 through line 26 on page 57, inclusive.

On pages 58 and 59, strike in their entirety the lines beginning with line 26 on page 58 through line 20 on page 59, inclusive.

AMENDMENT NO. 13

On page 58, strike in their entirety lines 6 through 15, inclusive.

AMENDMENT NO. 14

On page 28, in lines 17, 19, 22, and 29, strike “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(E)”, “(F)”, “(G)”, and “(H)”, respectively.

On page 29, in lines 2, 4, and 6, strike “(J)”, “(K)”, and “(L)”, respectively, and substitute “(I)”, “(J)”, and “(K)”, respectively.



On page 30, strike beginning with “RECEIVE” in line 11 down through “(4)” in line 13 and substitute “(I)”; in line 14, after “COMMITTEES” insert “; AND”

(II) ON OR BEFORE DECEMBER 31 EACH YEAR, SUBMIT A REPORT TO THE GOVERNING BODY OF THE COUNTY THAT:

1. IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS OF POLICE OFFICERS IN THE COUNTY; AND

2. MAKES RECOMMENDATIONS ON CHANGES TO POLICY THAT WOULD IMPROVE POLICE ACCOUNTABILITY IN THE COUNTY”;

and strike in their entirety lines 23 through 30, inclusive.

On page 31, strike in their entirety lines 1 through 6, inclusive; in lines 7 and 25, strike “3-104.” and “3-105.”, respectively, and substitute “3-103.” and “3-104.”, respectively; strike beginning with the colon in line 20 down through “(II)” in line 23; and strike beginning with “OR” in line 23 down through “PERJURY” in line 24.

On page 32, in line 3, after “BOARD” insert “OR ANOTHER MEMBER OF THE ACCOUNTABILITY BOARD DESIGNATED BY THE CHAIR OF THE ACCOUNTABILITY BOARD”; strike in their entirety lines 4 through 16, inclusive, and substitute:

“(II) ONE DESIGNEE OF THE COUNTY’S POLICE CHIEF;

(III) ONE DESIGNEE OF THE COLLECTIVE BARGAINING UNIT FOR LAW ENFORCEMENT IN THE COUNTY, OR A DESIGNEE OF THE STATE LAW ENFORCEMENT OFFICER’S LABOR ALLIANCE IF THERE IS NO COLLECTIVE BARGAINING UNIT FOR LAW ENFORCEMENT IN THE COUNTY;”;

strike beginning with the first “THE” in line 19 down through “COUNTY” in line 20 and substitute “ONE CIVILIAN SELECTED BY THE CHIEF EXECUTIVE OF THE COUNTY”; and strike in their entirety lines 25 through 29, inclusive, and substitute:

“(I) A CIVILIAN MEMBER APPOINTED BY THE GOVERNOR;

**(II) A CIVILIAN MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE;**

**(III) A CIVILIAN MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE;**

**(IV) A MEMBER APPOINTED BY THE SECRETARY OF STATE POLICE; AND**

**(V) A MEMBER APPOINTED BY THE MARYLAND STATE LODGE OF THE FRATERNAL ORDER OF POLICE.”**

On page 33, strike in their entirety lines 1 through 4, inclusive; strike beginning with “**ON**” in line 9 down through “**(E)**” in line 13; in line 14, after “**(1)**” insert “**RECEIVE COMPLAINTS OF MISCONDUCT FILED BY MEMBERS OF THE PUBLIC;**

**(2)**”;

in line 16, strike “**(D)**” and substitute “**(G)**”; in lines 17, 21, 24, and 26, strike “**(2)**”, “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “**(3)**”, “**(4)**”, “**(5)**”, and “**(6)**”, respectively; in line 23, strike “**3-106**” and substitute “**3-105**”; after line 27, insert:

**“(E) (1) A COMPLAINT OF POLICE MISCONDUCT FILED WITH A POLICE ACCOUNTABILITY BOARD SHALL INCLUDE:**

**(I) THE NAME OF THE POLICE OFFICER ACCUSED OF MISCONDUCT;**

**(II) A DESCRIPTION OF THE FACTS ON WHICH THE COMPLAINT IS BASED; AND**

**(III) CONTACT INFORMATION OF THE COMPLAINANT OR A PERSON FILING ON BEHALF OF THE COMPLAINANT FOR INVESTIGATIVE FOLLOW-UP.**

**(2) A COMPLAINT NEED NOT BE NOTARIZED.**

**(F) AFTER RECEIVING A COMPLAINT FROM A MEMBER OF THE PUBLIC, AN ADMINISTRATIVE CHARGING COMMITTEE SHALL FORWARD THE COMPLAINT TO THE LAW ENFORCEMENT AGENCY WITH JURISDICTION FOR INVESTIGATION.**

**(G) ON COMPLETION OF AN INVESTIGATION OF A COMPLAINT MADE BY A MEMBER OF THE PUBLIC AGAINST A POLICE OFFICER, THE LAW ENFORCEMENT AGENCY SHALL FORWARD TO THE APPROPRIATE ADMINISTRATIVE CHARGING COMMITTEE THE INVESTIGATIVE FILES FOR THE MATTER.**”;

in line 28, strike “**(F)**” and substitute “**(H)**”; and in the same line, strike “**(E)**” and substitute “**(D)**”.

On page 34, in line 6, strike “**OR**”; in line 7, strike “**AND**” and substitute “**; OR**”

**(III) AN ADMINISTRATIVE CHARGE IS NOT IN THE INTEREST OF JUSTICE BECAUSE THE POLICE OFFICER HAS PARTICIPATED IN A RESTORATIVE JUSTICE PROGRAM; AND**”;

in line 8, strike “**A**” and substitute “**ANY**”; in lines 10 and 12, strike “**(G)**” and “**(H)**”, respectively, and substitute “**(I)**” and “**(J)**”, respectively; in line 11, strike “**AND ADDITIONALLY**” and substitute “**OR**”; in line 14, after “**UNTIL**” insert “**FINAL**”; and in line 15, strike “**3-106.**” and substitute “**3-105.**”.

On page 35, in line 3, strike “**3-107.**” and substitute “**3-106.**”; in line 6, after “**SECTION**” insert “**TO ADJUDICATE MATTERS FOR WHICH A LAW ENFORCEMENT OFFICER IS SUBJECT TO DISCIPLINE**”; in line 11, strike the first “**OR**” and substitute a comma; in the same line, after “**COURT**” insert “**, OR A DISINTERESTED ATTORNEY, APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNTY**”; in line 12, after “**A CIVILIAN**” insert “**WHO IS NOT A MEMBER OF AN ADMINISTRATIVE CHARGING COMMITTEE,**”; and in line 15, after “**MISCONDUCT**” insert “**APPOINTED BY THE HEAD OF THE LAW ENFORCEMENT AGENCY**” .

On page 36, in line 22, strike “**3-108.**” and substitute “**3-107.**”.

On page 37, strike in their entirety lines 4 through 13, inclusive, and substitute:

**“(B) (1) A CHIEF OR A CHIEF’S DESIGNEE MAY SUSPEND A LAW ENFORCEMENT OFFICER WITHOUT PAY AND SUSPEND THE LAW ENFORCEMENT OFFICER’S POLICE POWERS ON AN EMERGENCY BASIS IF THE LAW ENFORCEMENT OFFICER IS CHARGED WITH A CRIME.”;**

strike beginning with “**POLICE**” in line 15 down through “**BASED**” in line 17 and substitute “**CRIMINAL CHARGE OR CHARGES AGAINST THE POLICE OFFICER RESULT IN:**

**(I) A FINDING OF NOT GUILTY;**

**(II) AN ACQUITTAL;**

**(III) A DISMISSAL; OR**

**(IV) A NOLLE PROSEQUI;**

in line 18, strike “**SHALL**” and substitute “**MAY**”; in line 19, strike “**OR RECEIVES A PROBATION BEFORE JUDGMENT FOR**”; in line 22, after “**OFFICER;**” insert “**OR**”; and strike beginning with “**A**” in line 23 down through “**(4)**” in line 24.

On page 38, in line 8, after “**CRIMINAL**” insert “**OR CIVIL**”; strike in their entirety lines 10 through 13, inclusive; in line 14, strike “**3-109.**” and substitute “**3-108.**”; and in line 28, after “**STATEMENT**” insert “**, IF ANY,**”.

On page 39, strike in their entirety lines 12 through 21, inclusive; in lines 22 and 26, strike “**3-110.**” and “**3-111.**”, respectively, and substitute “**3-109.**” and “**3-110.**”, respectively; and in line 24, strike “**HAVE THE RIGHT TO REPRESENTATION**” and substitute “**MAY HAVE THE ASSISTANCE OF A REPRESENTATIVE**”.

On page 40, in lines 20 and 23, strike “**3-112.**” and “**3-113.**”, respectively, and substitute “**3-111.**” and “**3-112.**”, respectively; and strike in their entirety lines 24 through 28, inclusive.

On page 41, strike line 1 in its entirety and substitute:

“(A) ON WRITTEN REQUEST, A POLICE OFFICER MAY HAVE EXPUNGED FROM ANY FILE THE RECORD OF A FORMAL COMPLAINT MADE AGAINST THE POLICE OFFICER IF:

(1) (I) THE LAW ENFORCEMENT AGENCY THAT INVESTIGATED THE COMPLAINT:

1. EXONERATED THE POLICE OFFICER OF ALL CHARGES IN THE COMPLAINT; OR

2. DETERMINED THAT THE CHARGES WERE UNSUSTAINED OR UNFOUNDED; OR

(II) A TRIAL BOARD ACQUITTED THE POLICE OFFICER, DISMISSED THE ACTION, OR MADE A FINDING OF NOT GUILTY; AND

(2) AT LEAST 3 YEARS HAVE PASSED SINCE THE FINAL DISPOSITION BY THE LAW ENFORCEMENT AGENCY OR HEARING BOARD.

(B) EVIDENCE OF A FORMAL COMPLAINT AGAINST A LAW ENFORCEMENT OFFICER IS NOT ADMISSIBLE IN AN ADMINISTRATIVE OR JUDICIAL PROCEEDING IF THE COMPLAINT RESULTED IN AN OUTCOME LISTED IN SUBSECTION (A)(1) OF THIS SECTION.

3-113.

(A) THE INVESTIGATING UNIT OF A LAW ENFORCEMENT AGENCY SHALL IMMEDIATELY REVIEW A COMPLAINT BY A MEMBER OF THE PUBLIC ALLEGING POLICE OFFICER MISCONDUCT.

(B) AN ADMINISTRATIVE CHARGING COMMITTEE SHALL REVIEW AND MAKE A DETERMINATION OR ASK FOR FURTHER REVIEW WITHIN 30 DAYS AFTER COMPLETION OF THE INVESTIGATING UNIT’S REVIEW.

(C) THE PROCESS OF REVIEW BY THE INVESTIGATING UNIT THROUGH DISPOSITION BY THE ADMINISTRATIVE CHARGING COMMITTEE SHALL BE

COMPLETED WITHIN 1 YEAR AND 1 DAY AFTER THE FILING OF A COMPLAINT BY A CITIZEN.”

AMENDMENT NO. 15

On pages 63 through 65, strike in their entirety the lines beginning with line 13 on page 63 through line 18 on page 65, inclusive, and substitute:

“21-502.

(a) (3) A court of competent jurisdiction may expressly order that a benefit under this Division II be assigned to a spouse, former spouse, child, or other dependent when an order of benefit forfeiture is issued in accordance with § 21-704 OR § 21-804 of this title.

SUBTITLE 8. FORFEITURE OF BENEFITS – LAW ENFORCEMENT OFFICERS.

21-801.

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

(B) “DOMESTIC RELATIONS ORDER” MEANS AN ORDER ISSUED IN ACCORDANCE WITH § 21-502(A)(2) OF THIS TITLE, § 414(P) OF THE INTERNAL REVENUE CODE, AND REGULATIONS ADOPTED BY THE BOARD OF TRUSTEES THAT ASSIGNS A BENEFIT TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT OF A LAW ENFORCEMENT OFFICER IN CONNECTION WITH A DECREE OR ORDER OF ALIMONY, CHILD SUPPORT, OR DIVORCE.

(C) “FINAL ADJUDICATION” MEANS ADJUDICATION BY A TRIAL COURT RESULTING IN FINAL DISPOSITION OF ALL CHARGES THAT CONSTITUTE A QUALIFYING CRIME.

(D) “LAW ENFORCEMENT OFFICER” MEANS AN INDIVIDUAL WHO:

(1) IS LISTED IN § 21-802 OF THIS SUBTITLE; AND

(2) HAS BEEN CHARGED WITH A QUALIFYING CRIME.

(E) “QUALIFYING CRIME” MEANS A CRIMINAL OFFENSE THAT IS COMMITTED IN THE COURSE OF THE PERFORMANCE OF THE LAW ENFORCEMENT OFFICER’S DUTIES AND RESPONSIBILITIES THAT IS:

(1) A FELONY;

(2) PERJURY; OR

(3) A MISDEMEANOR RELATING TO TRUTHFULNESS AND VERACITY.

(F) “RETIREMENT ALLOWANCE”:

(1) HAS THE MEANING STATED IN § 20–101 OF THIS ARTICLE; AND

(2) INCLUDES A VESTED ALLOWANCE.

(G) “VESTED ALLOWANCE” HAS THE MEANING STATED IN § 20–101 OF THIS ARTICLE.

21–802.

(A) THIS SUBTITLE APPLIES TO AN INDIVIDUAL WHO:

(1) IS A MEMBER, FORMER MEMBER, OR RETIREE OF THE:

(I) STATE POLICE RETIREMENT SYSTEM;

(II) LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM; OR

(III) EMPLOYEES’ PENSION SYSTEM OR EMPLOYEES’ RETIREMENT SYSTEM; AND

(2) HAS EARNED CREDITABLE SERVICE WHILE EMPLOYED AS A LAW ENFORCEMENT OFFICER.

(B) THIS SUBTITLE DOES NOT APPLY TO ANY SERVICE EARNED BEFORE JULY 1, 2022.

21-803.

(A) BENEFITS UNDER THIS DIVISION II OF THIS ARTICLE PAYABLE TO A LAW ENFORCEMENT OFFICER ARE SUBJECT TO FORFEITURE IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SUBTITLE IF THE LAW ENFORCEMENT OFFICER IS FOUND GUILTY OF, PLEADS GUILTY TO, OR ENTERS A PLEA OF NOLO CONTENDERE TO A QUALIFYING CRIME.

(B) (1) BENEFITS UNDER THIS DIVISION II MAY NOT BE FORFEITED OR REDUCED IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE FORFEITURE OR REDUCTION WILL NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF ANY OF THE SEVERAL SYSTEMS.

(2) IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE APPLICATION OF THIS SUBTITLE WOULD NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF ANY OF THE SEVERAL SYSTEMS, ANY FORFEITURE OF BENEFITS THAT TOOK PLACE BEFORE THE INTERNAL REVENUE SERVICE'S DETERMINATION SHALL BE REVERSED IN ACCORDANCE WITH § 21-807 OF THIS SUBTITLE TO THE EXTENT NECESSARY TO COMPLY WITH THE DETERMINATION.

21-804.

(A) IF THE FINAL ADJUDICATION OF CHARGES RESULTS IN CONVICTION OF A LAW ENFORCEMENT OFFICER, THE LAW ENFORCEMENT OFFICER'S RETIREMENT ALLOWANCE SHALL BE FORFEITED IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SECTION.

(B) (1) ON CONVICTION OF A LAW ENFORCEMENT OFFICER, THE ATTORNEY GENERAL OR THE STATE'S ATTORNEY SHALL FILE A COMPLAINT IN CIRCUIT COURT TO FORFEIT THE LAW ENFORCEMENT OFFICER'S BENEFITS IN WHOLE OR IN PART.



(2) NOTICE OF THE COMPLAINT FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SERVED ON:

(I) THE LAW ENFORCEMENT OFFICER;

(II) ANY KNOWN SPOUSE OF THE LAW ENFORCEMENT OFFICER;

(III) ANY KNOWN DEPENDENTS OF THE LAW ENFORCEMENT OFFICER;

(IV) THE LAW ENFORCEMENT OFFICER'S DESIGNATED BENEFICIARIES;

(V) ANY FORMER SPOUSE WHO HAS BEEN ASSIGNED BENEFITS UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VI) THE STATE RETIREMENT AGENCY.

(3) NOTWITHSTANDING § 4-312 OF THE GENERAL PROVISIONS ARTICLE, ON WRITTEN REQUEST, THE STATE RETIREMENT AGENCY SHALL PROVIDE THE ATTORNEY GENERAL OR THE STATE'S ATTORNEY WITH AVAILABLE INFORMATION FROM THE RETIREMENT RECORDS OF THE LAW ENFORCEMENT OFFICER TO ASSIST THE ATTORNEY GENERAL OR THE STATE'S ATTORNEY IN PROVIDING THE NOTICE REQUIRED UNDER THIS SUBSECTION.

(C) THE COURT SHALL ENTER AN ORDER REQUIRING THE FORFEITURE, IN WHOLE OR IN PART, OF THE LAW ENFORCEMENT OFFICER'S BENEFITS IF THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT:

(1) THE LAW ENFORCEMENT OFFICER WAS CONVICTED OF A QUALIFYING CRIME;

(2) THE LAW ENFORCEMENT OFFICER WAS A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM, THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, THE EMPLOYEES' PENSION SYSTEM, OR THE EMPLOYEES' RETIREMENT SYSTEM; AND

(3) THE QUALIFYING CRIME FOR WHICH THE LAW ENFORCEMENT OFFICER WAS CONVICTED WAS COMMITTED WHILE THE LAW ENFORCEMENT OFFICER WAS AN ACTIVE MEMBER OF THE STATE POLICE RETIREMENT SYSTEM, THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, THE EMPLOYEES' PENSION SYSTEM, OR THE EMPLOYEES' RETIREMENT SYSTEM.

(D) ONLY SERVICE CREDIT IN THE STATE SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER IS A MEMBER WHEN THE QUALIFYING CRIME IS COMMITTED IS ELIGIBLE FOR FORFEITURE UNDER THIS SECTION.

(E) (1) AN ORDER REQUIRING FORFEITURE OF BENEFITS SHALL INDICATE THE AMOUNT OF BENEFITS TO BE FORFEITED.

(2) WHEN DETERMINING THE AMOUNT OF BENEFITS TO BE FORFEITED, THE COURT SHALL CONSIDER:

(I) THE SEVERITY OF THE CRIME;

(II) THE AMOUNT OF MONETARY LOSS SUFFERED BY THE STATE, A COUNTY, A POLITICAL SUBDIVISION, OR A PERSON AS A RESULT OF THE CRIME;

(III) THE DEGREE OF PUBLIC TRUST PLACED IN THE LAW ENFORCEMENT OFFICER;

(IV) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER;

(V) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER'S SPOUSE, CHILDREN, OR OTHER DEPENDENTS;

(VI) ANY INTEREST IN BENEFITS OF A FORMER SPOUSE ESTABLISHED UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VII) ANY OTHER FACTORS THE COURT DETERMINES RELEVANT.

(F) (1) IF THE COURT ENTERS AN ORDER REQUIRING THE FORFEITURE OF BENEFITS, THE COURT MAY ENTER A DOMESTIC RELATIONS ORDER THAT PROVIDES THAT SOME OR ALL OF THE FORFEITED BENEFITS BE PAID TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT FOR PURPOSES OF CHILD SUPPORT, ALIMONY, OR MARITAL PROPERTY RIGHTS.

(2) WHEN DETERMINING WHETHER TO ENTER A DOMESTIC RELATIONS ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL CONSIDER WHETHER THE LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILDREN, OR DEPENDENTS WERE CULPABLE OR COMPLICIT IN THE COMMISSION OF THE QUALIFYING CRIME.

(3) THE COURT MAY NOT ORDER BENEFITS TO BE PAID TO A LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT IN A MANNER THAT IS INCONSISTENT WITH THE PAYMENT OF BENEFITS IN THE STATE SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER WAS A MEMBER.

(G) (1) AN ORDER REQUIRING A FORFEITURE OF BENEFITS ISSUED UNDER THIS SECTION MAY NOT IMPAIR OR ALTER AN EXISTING DOMESTIC RELATIONS ORDER PROVIDING BENEFITS TO A FORMER SPOUSE OF A LAW ENFORCEMENT OFFICER.

(2) A LAW ENFORCEMENT OFFICER'S INTEREST IN A BENEFIT OF A FORMER SPOUSE ESTABLISHED BY A DOMESTIC RELATIONS ORDER MAY NOT BE SUBJECT TO A FORFEITURE OR REDUCTION UNDER THIS SUBTITLE.

(H) BENEFITS AVAILABLE TO A LAW ENFORCEMENT OFFICER AS A BENEFICIARY MAY NOT BE SUBJECT TO A FORFEITURE UNDER THIS SUBTITLE.

21-805.

(A) IF A LAW ENFORCEMENT OFFICER HAS RETIRED BEFORE A FORFEITURE ORDER IS ISSUED UNDER § 21-804 OF THIS SUBTITLE, THE BOARD OF TRUSTEES MAY RECOVER FROM THE LAW ENFORCEMENT OFFICER THE AMOUNT OF BENEFITS PAID TO THE LAW ENFORCEMENT OFFICER BEFORE THE ORDER.

(B) THE RECOVERY UNDER SUBSECTION (A) OF THIS SECTION IS LIMITED TO AN AMOUNT EQUAL TO THE BENEFITS THAT WOULD HAVE BEEN FORFEITED HAD THE FORFEITURE ORDER BEEN ISSUED BEFORE THE LAW ENFORCEMENT OFFICER BEGAN RECEIVING ANY BENEFITS AS A RETIREE.

21-806.

(A) THIS SECTION APPLIES TO A LAW ENFORCEMENT OFFICER WHO IS NOT A RETIREE.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A LAW ENFORCEMENT OFFICER MAY SUBMIT AN APPLICATION FOR RETIREMENT.

(C) IF A LAW ENFORCEMENT OFFICER IS ELIGIBLE TO APPLY FOR A RETIREMENT ALLOWANCE, A LAW ENFORCEMENT OFFICER'S APPLICATION FOR RETIREMENT BENEFITS:

(1) SHALL BE CONSIDERED SUBMITTED ON THE FIRST DAY OF THE MONTH AFTER IT IS PROPERLY COMPLETED AND SUBMITTED TO THE STATE RETIREMENT AGENCY; AND

(2) MAY NOT BE PROCESSED BY THE STATE RETIREMENT AGENCY UNLESS AND UNTIL THE FINAL ADJUDICATION OF THE CHARGE THAT DOES NOT RESULT IN CONVICTION.

21-807.

(A) (1) ON RECEIPT OF AN ORDER THAT REVERSES OR OVERTURNS A CONVICTION OF A LAW ENFORCEMENT OFFICER, THE COURT THAT ISSUED A FORFEITURE ORDER UNDER § 21-804 OF THIS SUBTITLE SHALL RESCIND THE FORFEITURE ORDER AND ORDER THE BOARD OF TRUSTEES TO PAY ANY BENEFITS THAT ARE PAYABLE UNDER THIS DIVISION II OF THIS ARTICLE TO THE LAW ENFORCEMENT OFFICER.

(2) WHEN A COURT RESCINDS A FORFEITURE ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL ALSO RESCIND ANY DOMESTIC RELATIONS ORDER ENTERED IN ACCORDANCE WITH § 21-804(F) OF THIS SUBTITLE.

(B) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED:

(1) THE LAW ENFORCEMENT OFFICER'S BENEFITS SHALL BE RESTORED BACK TO THE DATE THE BENEFIT PAYMENTS CEASED;

(2) THE LAW ENFORCEMENT OFFICER'S ALLOWANCE SHALL:

(I) BE PAID BEGINNING THE MONTH AFTER THE STATE RETIREMENT AGENCY IS NOTIFIED THAT THE CONVICTION IS OVERTURNED; AND

(II) INCLUDE ANY COST-OF-LIVING ADJUSTMENTS THAT WOULD HAVE BEEN MADE IN THE TIME BETWEEN THE CONVICTION AND THE TIME BENEFIT PAYMENTS ARE RESTORED; AND

(3) BENEFIT PAYMENTS THAT WOULD HAVE BEEN MADE DURING THE TIME FROM THE DATE OF CONVICTION TO THE DATE THE CONVICTION IS OVERTURNED SHALL BE MADE TO THE LAW ENFORCEMENT OFFICER, LESS ANY PAYMENTS MADE IN ACCORDANCE WITH A DOMESTIC RELATIONS ORDER DIRECTING PAYMENT OF BENEFITS TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT.

(C) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS NOT A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED, THE LAW ENFORCEMENT OFFICER MAY RECEIVE BENEFITS IN ACCORDANCE WITH THIS DIVISION II OF THIS ARTICLE.

21-808.

(A) A LAW ENFORCEMENT OFFICER SUBJECT TO A FORFEITURE ORDER ISSUED UNDER § 21-804 OF THIS SUBTITLE IS ENTITLED TO A RETURN OF THE

INDIVIDUAL'S ACCUMULATED CONTRIBUTIONS ON REQUEST UNDER § 29-501 OF THIS ARTICLE.

(B) THE LAW ENFORCEMENT OFFICER'S ACCUMULATED CONTRIBUTIONS SHALL BE REDUCED BY AN AMOUNT EQUAL TO ANY BENEFIT PAYMENTS RECEIVED BY THE LAW ENFORCEMENT OFFICER THAT WOULD HAVE BEEN SUBJECT TO FORFEITURE AND HAVE NOT BEEN RECOVERED BY THE BOARD OF TRUSTEES UNDER § 21-805 OF THIS SUBTITLE.

21-809.

THE BOARD OF TRUSTEES SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

SUBTITLE 2. FORFEITURE OF BENEFITS – LAW ENFORCEMENT OFFICERS.

40-201.

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

(B) "ACCUMULATED CONTRIBUTIONS", WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20-101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

(C) "DOMESTIC RELATIONS ORDER" MEANS AN ORDER ISSUED IN ACCORDANCE WITH § 414(P) OF THE INTERNAL REVENUE CODE, AND PROVISIONS ADOPTED BY THE LOCAL SYSTEM THAT ASSIGNS A BENEFIT TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT OF A LAW ENFORCEMENT OFFICER IN CONNECTION WITH A DECREE OR ORDER OF ALIMONY, CHILD SUPPORT, OR DIVORCE.

(D) "FINAL ADJUDICATION" MEANS ADJUDICATION BY A TRIAL COURT RESULTING IN FINAL DISPOSITION OF ALL CHARGES THAT CONSTITUTE A QUALIFYING CRIME.

**(E) “FORMER MEMBER”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.**

**(F) “LAW ENFORCEMENT OFFICER” MEANS AN INDIVIDUAL WHO:**

**(1) IS LISTED IN § 40–202 OF THIS SUBTITLE; AND**

**(2) HAS BEEN CHARGED WITH A QUALIFYING CRIME.**

**(G) “LOCAL SYSTEM” MEANS A RETIREMENT OR PENSION SYSTEM OPERATED FOR THE BENEFIT OF EMPLOYEES OF A POLITICAL SUBDIVISION OF THE STATE.**

**(H) “MEMBER”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.**

**(I) “QUALIFYING CRIME” MEANS A CRIMINAL OFFENSE THAT IS COMMITTED IN THE COURSE OF THE PERFORMANCE OF THE LAW ENFORCEMENT OFFICER’S DUTIES AND RESPONSIBILITIES THAT IS:**

**(1) A FELONY;**

**(2) PERJURY; OR**

**(3) A MISDEMEANOR RELATING TO TRUTHFULNESS AND VERACITY.**

**(J) “RETIREE”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.**

**(K) “RETIREMENT ALLOWANCE”:**

(1) WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM; AND

(2) INCLUDES A VESTED ALLOWANCE.

(L) “VESTED ALLOWANCE”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

40–202.

(A) THIS SUBTITLE APPLIES TO AN INDIVIDUAL WHO:

(1) IS A MEMBER, FORMER MEMBER, OR RETIREE OF A LOCAL SYSTEM; AND

(2) HAS EARNED CREDITABLE SERVICE WHILE EMPLOYED AS A LAW ENFORCEMENT OFFICER.

(B) THIS SUBTITLE DOES NOT APPLY TO ANY SERVICE EARNED BEFORE JULY 1, 2022.

40–203.

(A) BENEFITS PAYABLE TO A LAW ENFORCEMENT OFFICER AS A RETIREE OF A LOCAL SYSTEM ARE SUBJECT TO FORFEITURE IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SUBTITLE IF THE LAW ENFORCEMENT OFFICER IS FOUND GUILTY OF, PLEADS GUILTY TO, OR ENTERS A PLEA OF NOLO CONTENDERE TO A QUALIFYING CRIME.

(B) (1) BENEFITS PAYABLE TO A LAW ENFORCEMENT OFFICER AS A RETIREE OF A LOCAL SYSTEM MAY NOT BE FORFEITED OR REDUCED IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE FORFEITURE OR REDUCTION WILL NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF THE LOCAL SYSTEM.



**(2) IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE APPLICATION OF THIS SUBTITLE WOULD NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF A LOCAL SYSTEM, ANY FORFEITURE OF BENEFITS THAT TOOK PLACE BEFORE THE INTERNAL REVENUE SERVICE'S DETERMINATION SHALL BE REVERSED IN ACCORDANCE WITH § 40-207 OF THIS SUBTITLE TO THE EXTENT NECESSARY TO COMPLY WITH THE DETERMINATION.**

**(C) A COURT OF COMPETENT JURISDICTION MAY EXPRESSLY ORDER THAT A BENEFIT UNDER A LOCAL SYSTEM BE ASSIGNED TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT WHEN AN ORDER OF BENEFIT FORFEITURE IS ISSUED IN ACCORDANCE WITH § 40-204 OF THIS SUBTITLE.**

**40-204.**

**(A) IF THE FINAL ADJUDICATION OF CHARGES RESULTS IN CONVICTION OF A LAW ENFORCEMENT OFFICER, THE LAW ENFORCEMENT OFFICER'S RETIREMENT ALLOWANCE SHALL BE FORFEITED IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SECTION.**

**(B) (1) ON CONVICTION OF A LAW ENFORCEMENT OFFICER, THE ATTORNEY GENERAL OR THE STATE'S ATTORNEY SHALL FILE A COMPLAINT IN CIRCUIT COURT TO FORFEIT THE LAW ENFORCEMENT OFFICER'S BENEFITS IN WHOLE OR IN PART.**

**(2) NOTICE OF THE COMPLAINT FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SERVED ON:**

**(I) THE LAW ENFORCEMENT OFFICER;**

**(II) ANY KNOWN SPOUSE OF THE LAW ENFORCEMENT OFFICER;**

**(III) ANY KNOWN DEPENDENTS OF THE LAW ENFORCEMENT OFFICER;**

(IV) THE LAW ENFORCEMENT OFFICER’S DESIGNATED BENEFICIARIES;

(V) ANY FORMER SPOUSE WHO HAS BEEN ASSIGNED BENEFITS UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VI) THE LOCAL SYSTEM.

(3) NOTWITHSTANDING § 4-312 OF THE GENERAL PROVISIONS ARTICLE, ON WRITTEN REQUEST, THE LOCAL SYSTEM SHALL PROVIDE THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY WITH AVAILABLE INFORMATION FROM THE RETIREMENT RECORDS OF THE LAW ENFORCEMENT OFFICER TO ASSIST THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY IN PROVIDING THE NOTICE REQUIRED UNDER THIS SUBSECTION.

(C) THE COURT SHALL ENTER AN ORDER REQUIRING THE FORFEITURE, IN WHOLE OR IN PART, OF THE LAW ENFORCEMENT OFFICER’S BENEFITS IF THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT:

(1) THE LAW ENFORCEMENT OFFICER WAS CONVICTED OF A QUALIFYING CRIME;

(2) THE LAW ENFORCEMENT OFFICER WAS A MEMBER OF THE LOCAL SYSTEM; AND

(3) THE QUALIFYING CRIME FOR WHICH THE LAW ENFORCEMENT OFFICER WAS CONVICTED WAS COMMITTED WHILE THE LAW ENFORCEMENT OFFICER WAS AN ACTIVE MEMBER OF THE LOCAL SYSTEM.

(D) ONLY SERVICE CREDIT IN THE LOCAL SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER IS A MEMBER WHEN THE QUALIFYING CRIME IS COMMITTED IS ELIGIBLE FOR FORFEITURE UNDER THIS SECTION.

(E) (1) AN ORDER REQUIRING FORFEITURE OF BENEFITS SHALL INDICATE THE AMOUNT OF BENEFITS TO BE FORFEITED.

(2) WHEN DETERMINING THE AMOUNT OF BENEFITS TO BE FORFEITED, THE COURT SHALL CONSIDER:

(I) THE SEVERITY OF THE CRIME;

(II) THE AMOUNT OF MONETARY LOSS SUFFERED BY THE STATE, A COUNTY, A POLITICAL SUBDIVISION, OR A PERSON AS A RESULT OF THE CRIME;

(III) THE DEGREE OF PUBLIC TRUST PLACED IN THE LAW ENFORCEMENT OFFICER;

(IV) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER;

(V) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER'S SPOUSE, CHILDREN, OR OTHER DEPENDENTS;

(VI) ANY INTEREST IN BENEFITS OF A FORMER SPOUSE ESTABLISHED UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VII) ANY OTHER FACTORS THE COURT DETERMINES RELEVANT.

(F) (1) IF THE COURT ENTERS AN ORDER REQUIRING THE FORFEITURE OF BENEFITS, THE COURT MAY ENTER A DOMESTIC RELATIONS ORDER THAT PROVIDES THAT SOME OR ALL OF THE FORFEITED BENEFITS BE PAID TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT FOR PURPOSES OF CHILD SUPPORT, ALIMONY, OR MARITAL PROPERTY RIGHTS.

(2) WHEN DETERMINING WHETHER TO ENTER A DOMESTIC RELATIONS ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL CONSIDER WHETHER THE LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILDREN, OR DEPENDENTS WERE CULPABLE OR COMPLICIT IN THE COMMISSION OF THE QUALIFYING CRIME.

(3) THE COURT MAY NOT ORDER BENEFITS TO BE PAID TO A LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT IN A MANNER THAT IS INCONSISTENT WITH THE PAYMENT OF BENEFITS IN THE LOCAL SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER WAS A MEMBER.

(G) (1) AN ORDER REQUIRING A FORFEITURE OF BENEFITS ISSUED UNDER THIS SECTION MAY NOT IMPAIR OR ALTER AN EXISTING DOMESTIC RELATIONS ORDER PROVIDING BENEFITS TO A FORMER SPOUSE OF A LAW ENFORCEMENT OFFICER.

(2) A LAW ENFORCEMENT OFFICER'S INTEREST IN A BENEFIT OF A FORMER SPOUSE ESTABLISHED BY A DOMESTIC RELATIONS ORDER MAY NOT BE SUBJECT TO A FORFEITURE OR REDUCTION UNDER THIS SUBTITLE.

(H) BENEFITS AVAILABLE TO A LAW ENFORCEMENT OFFICER AS A BENEFICIARY MAY NOT BE SUBJECT TO A FORFEITURE UNDER THIS SUBTITLE.

40-205.

(A) IF A LAW ENFORCEMENT OFFICER HAS RETIRED BEFORE A FORFEITURE ORDER IS ISSUED UNDER § 40-204 OF THIS SUBTITLE, THE LOCAL SYSTEM MAY RECOVER FROM THE LAW ENFORCEMENT OFFICER THE AMOUNT OF BENEFITS PAID TO THE LAW ENFORCEMENT OFFICER BEFORE THE ORDER.

(B) THE RECOVERY UNDER SUBSECTION (A) OF THIS SECTION IS LIMITED TO AN AMOUNT EQUAL TO THE BENEFITS THAT WOULD HAVE BEEN FORFEITED HAD THE FORFEITURE ORDER BEEN ISSUED BEFORE THE LAW ENFORCEMENT OFFICER BEGAN RECEIVING ANY BENEFITS AS A RETIREE.

40-206.

(A) THIS SECTION APPLIES TO A LAW ENFORCEMENT OFFICER WHO IS NOT A RETIREE.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A LAW ENFORCEMENT OFFICER MAY SUBMIT AN APPLICATION FOR RETIREMENT.

(C) IF A LAW ENFORCEMENT OFFICER IS ELIGIBLE TO APPLY FOR A RETIREMENT ALLOWANCE, A LAW ENFORCEMENT OFFICER'S APPLICATION FOR RETIREMENT BENEFITS:

(1) SHALL BE CONSIDERED SUBMITTED ON THE FIRST DAY OF THE MONTH AFTER IT IS PROPERLY COMPLETED AND SUBMITTED TO THE LOCAL SYSTEM; AND

(2) MAY NOT BE PROCESSED BY THE LOCAL SYSTEM UNLESS AND UNTIL THE FINAL ADJUDICATION OF THE CHARGE THAT DOES NOT RESULT IN CONVICTION.

40-207.

(A) (1) ON RECEIPT OF AN ORDER THAT REVERSES OR OVERTURNS A CONVICTION OF A LAW ENFORCEMENT OFFICER, THE COURT THAT ISSUED A FORFEITURE ORDER UNDER § 40-204 OF THIS SUBTITLE SHALL RESCIND THE FORFEITURE ORDER AND ORDER THE LOCAL SYSTEM TO PAY ANY BENEFITS THAT ARE PAYABLE TO THE LAW ENFORCEMENT OFFICER UNDER THE PROVISIONS OF THE LOCAL SYSTEM.

(2) WHEN A COURT RESCINDS A FORFEITURE ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL ALSO RESCIND ANY DOMESTIC RELATIONS ORDER ENTERED IN ACCORDANCE WITH § 40-204(F) OF THIS SUBTITLE.

(B) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED:

(1) THE LAW ENFORCEMENT OFFICER'S BENEFITS SHALL BE RESTORED BACK TO THE DATE THE BENEFIT PAYMENTS CEASED;

(2) THE LAW ENFORCEMENT OFFICER'S ALLOWANCE SHALL:

(I) BE PAID BEGINNING THE MONTH AFTER THE LOCAL SYSTEM IS NOTIFIED THAT THE CONVICTION IS OVERTURNED; AND

(II) INCLUDE ANY COST-OF-LIVING ADJUSTMENTS THAT WOULD HAVE BEEN MADE IN THE TIME BETWEEN THE CONVICTION AND THE TIME BENEFIT PAYMENTS ARE RESTORED; AND

(3) BENEFIT PAYMENTS THAT WOULD HAVE BEEN MADE DURING THE TIME FROM THE DATE OF CONVICTION TO THE DATE THE CONVICTION IS OVERTURNED SHALL BE MADE TO THE LAW ENFORCEMENT OFFICER, LESS ANY PAYMENTS MADE IN ACCORDANCE WITH A DOMESTIC RELATIONS ORDER DIRECTING PAYMENT OF BENEFITS TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT.

(C) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS NOT A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED, THE LAW ENFORCEMENT OFFICER MAY RECEIVE BENEFITS IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL SYSTEM.

40-208.

(A) A LAW ENFORCEMENT OFFICER SUBJECT TO A FORFEITURE ORDER ISSUED UNDER § 40-204 OF THIS SUBTITLE IS ENTITLED TO A RETURN OF THE INDIVIDUAL'S ACCUMULATED CONTRIBUTIONS ON REQUEST AS PROVIDED BY THE LOCAL SYSTEM.

(B) THE LAW ENFORCEMENT OFFICER'S ACCUMULATED CONTRIBUTIONS SHALL BE REDUCED BY AN AMOUNT EQUAL TO ANY BENEFIT PAYMENTS RECEIVED BY THE LAW ENFORCEMENT OFFICER THAT WOULD HAVE BEEN SUBJECT TO FORFEITURE AND HAVE NOT BEEN RECOVERED BY THE LOCAL SYSTEM UNDER § 40-205 OF THIS SUBTITLE.

40-209.

A LOCAL SYSTEM SHALL ADOPT POLICIES AND PROCEDURES TO IMPLEMENT THIS SUBTITLE.”

AMENDMENT NO. 16

On page 65, in line 24, strike “Section 4 of this Act” and substitute “§ 5–303 of the Courts and Judicial Proceedings Article, as enacted by Section 3 of this Act, and § 12–103 of the State Government Article, as enacted by Section 3 of this Act.”; in line 27, strike “September 30, 2021” and substitute “June 30, 2022”; and strike beginning with “Section” in line 32 down through “shall” in line 33 and substitute “Title 3, Subtitle 1 of the Public Safety Article, as enacted by Section 3 of this Act, shall”.

On page 66, strike in their entirety lines 21 through 24, inclusive, and substitute:

“SECTION 11. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect July 1, 2022, contingent on the taking effect of Chapter \_\_\_\_\_ (S.B. 71) of the Acts of the General Assembly of 2021, and if Chapter \_\_\_\_\_ (S.B. 71) does not take effect, Section 4 of this Act, with no further action required by the General Assembly, shall be null and void.

SECTION 12. AND BE IT FURTHER ENACTED, That, except as provided in Section 11 of this Act, this Act shall take effect July 1, 2022.”.

The preceding 16 amendments were read and not concurred in.

**HB0670/633123/1**

BY: Senator Young

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Judicial Proceedings Committee Amendments (HB0670/668370/1), in line 8 of Amendment No. 1, after “crime” insert “, under certain circumstances”; and in line 11, strike “requiring” and substitute “authorizing”.

AMENDMENT NO. 2

On page 17 of the Judicial Proceedings Committee Amendments, in lines 14 and 17 of Amendment No. 15, in each instance, strike “SHALL” and substitute “MAY”.

On page 18 of the Judicial Proceedings Committee Amendments, in line 16, strike “SHALL” and substitute “MAY”.

On page 28 of the Judicial Proceedings Committee Amendments, in lines 6 and 9, in each instance, strike “SHALL” and substitute “MAY”.

On page 29 of the Judicial Proceedings Committee Amendments, in line 10, strike “SHALL” and substitute “MAY”.

The preceding 2 amendments were read and not concurred in.

**HB0670/323826/1**

BY: Senator West

AMENDMENTS TO HOUSE BILL 670

(Third Reading File Bill)

AMENDMENT NO. 1

On page 5, in line 14, after “exceptions;” insert “providing that a law enforcement agency has the burden of proof by a preponderance of the evidence in certain proceedings; providing that a law enforcement officer may be disciplined only for cause;”.

AMENDMENT NO. 2

On page 36, after line 11, insert:

“(G) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A LAW ENFORCEMENT AGENCY HAS THE BURDEN OF PROOF BY A PREPONDERANCE OF THE EVIDENCE IN ANY PROCEEDING UNDER THIS SUBTITLE.

“(H) A LAW ENFORCEMENT OFFICER MAY BE DISCIPLINED ONLY FOR CAUSE.”;

and in lines 12 and 21, strike “(G)” and “(H)”, respectively, and substitute “(I)” and “(J)”, respectively.

The preceding 2 amendments were read and not concurred in.

**HB0670/663127/1**

BY: Senator West

AMENDMENT TO HOUSE BILL 670, AS AMENDED



(Third Reading File Bill)

On page 33 of the bill, after line 23, insert:

**“(5) REVIEW ANY BODY CAMERA FOOTAGE THAT MAY BE RELEVANT TO THE MATTERS COVERED IN THE COMPLAINT OF MISCONDUCT;**

**“(6) AUTHORIZE THE POLICE OFFICER WHO IS SUBJECT TO INVESTIGATION TO APPEAR BEFORE THE ADMINISTRATIVE CHARGING COMMITTEE, ALONG WITH ANY REPRESENTATIVE OF THE POLICE OFFICER, TO MAKE A STATEMENT IN DEFENSE OF THE POLICE OFFICER’S CONDUCT;”**.

On page 9 of the Judicial Proceedings Committee Amendments (HB0670/668370/1), in line 18 of Amendment No. 14, strike the second **“(5)”** and substitute **“(7)”**; and in the same line, strike **“(6)”** and substitute **“(8)”**.

The preceding amendment was read and not concurred in.

**HB0670/583724/1**

BY: Senator Hettleman

**AMENDMENT TO HOUSE BILL 670, AS AMENDED**

(Third Reading File Bill)

On page 2 of Senator West’s Amendment (HB0670/703522/1), in line 2, after **“SUBSECTION”** insert “**.**”

**“(3) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO EXEMPT ANY PUBLIC INFORMATION RELATING TO POLICE DISCIPLINE FROM DISCLOSURE UNDER THE PUBLIC INFORMATION ACT”**.

The preceding amendment was read and not concurred in.

**HB0670/663420/1**

BY: Senator Carter

**AMENDMENTS TO HOUSE BILL 670, AS AMENDED**

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (HB0670/663420/1), in line 19 of Amendment No. 1, before “authorizing” insert “requiring and”.

On page 4 of the bill, strike beginning with “prohibiting” in line 24 down through “bargaining” in line 26 and substitute “providing that a law enforcement agency or the agency’s superior governmental authority and a collective bargaining unit may not enter into a certain agreement”.

On page 5 of the bill, in line 33, after “period;” insert “requiring the Maryland Police Training and Standards Commission to adopt certain regulations;”.

On page 8 of the bill, in line 14, strike “3-113” and substitute “3-114”.

AMENDMENT NO. 2

On page 4 of the Judicial Proceedings Committee Amendments, in line 1 of Amendment No. 3, strike “WHEN NOT IN UNIFORM,”.

On page 8 of the Judicial Proceedings Committee Amendments, in Amendment No. 14, strike beginning with “DESIGNEE” in line 18 down through “COUNTY” in line 21 and substitute “CIVILIAN SELECTED BY THE COUNTY’S POLICE CHIEF WITH NO CURRENT AFFILIATION WITH THE CHIEF OR LAW ENFORCEMENT”.

On page 9 of the Judicial Proceedings Committee Amendments, in lines 11 and 12 of Amendment No. 14, strike “MEMBER APPOINTED BY THE MARYLAND STATE LODGE OF THE FRATERNAL ORDER OF POLICE.” and substitute “CIVILIAN MEMBER APPOINTED BY THE SECRETARY OF STATE POLICE WITH NO CURRENT AFFILIATION WITH THE SECRETARY OR LAW ENFORCEMENT.”.

On page 12 of the Judicial Proceedings Committee Amendments, in line 4 of Amendment No. 14, strike “SHALL”; in the same line, strike “MAY”; in lines 4 and 5, strike “RECEIVES A PROBATION BEFORE JUDGMENT FOR”; and in line 7, strike “OR CIVIL”.

On page 37 of the bill, in line 18, after “(C)” insert “(1)”; in line 19, after “OF” insert “A FELONY.”

**(2) THE CHIEF MAY TERMINATE THE EMPLOYMENT OF A POLICE OFFICER WHO:**

**(1)**;

in the same line, strike the colon; in line 20, strike “**(1)**”; in the same line, after “**FELONY;**” insert “**OR**”; in line 21, strike “**(2)**” and substitute “**(II)**”; in the same line, strike “**A**” and substitute “**IS CONVICTED OF**

**1. A**;

and in line 23, strike “**(3)**” and substitute “**2.**”.

On page 40 of the bill, strike in their entirety lines 21 and 22 and substitute:

**“A LAW ENFORCEMENT AGENCY OR THE AGENCY’S SUPERIOR GOVERNING AUTHORITY AND A COLLECTIVE BARGAINING UNIT MAY NOT ENTER INTO AN AGREEMENT THAT:**

**(1) IS INCONSISTENT WITH THE PROVISIONS OF THIS SUBTITLE; OR**

**(2) RELATES TO:**

**(I) DISCIPLINE OF LAW ENFORCEMENT OFFICERS; OR**

**(II) THE INVESTIGATION, INTERROGATION, POLYGRAPHING, OR DRUG AND ALCOHOL TESTING OF A LAW ENFORCEMENT OFFICER BY A LAW ENFORCEMENT AGENCY IN ASSOCIATION WITH A DISCIPLINARY PROCEEDING.”**

On pages 12 and 13 of the Judicial Proceedings Committee Amendments, strike beginning with “**(A)**” in line 18 on page 12 down through “**SECTION.**” in line 14 on page 13 and substitute:

**“A RECORD RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER, INCLUDING AN INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS RELATING TO A DISCIPLINARY DECISION, MAY NOT BE:**

**(1) EXPUNGED; OR**

**(2) DESTROYED BY A LAW ENFORCEMENT AGENCY.**

On page 14 of the Judicial Proceedings Committee Amendments, in line 4 of Amendment No. 14, after “CITIZEN.” insert:

**“3-114.**

**THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.”.**

On page 45 of the bill, in line 6, strike “ANNUALLY”; in the same line, after “ASSESSMENT” insert “EVERY TWO YEARS”; and in the same line, strike the second “A” and substitute “AN ANNUAL”.

The preceding 2 amendments were read and not concurred in.

**HB0670/273821/1**

BY: Senator Cassilly

**AMENDMENT TO HOUSE BILL 670**

(Third Reading File Bill)

On page 38, in line 5, after “**(3)**” insert “**(1)**”; and after line 9, insert:

**“(II) IF A POLICE OFFICER IS REQUIRED TO SUBMIT TO A POLYGRAPH EXAMINATION DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE RESULTS OF THE POLYGRAPH EXAMINATION ARE NOT ADMISSIBLE OR DISCOVERABLE IN A CRIMINAL OR CIVIL PROCEEDING AGAINST THE POLICE OFFICER.”.**

The preceding amendment was read and not concurred in.

**MESSAGE TO THE SENATE**

BILL: **HB0670**  
 SPONSOR: Speaker  
 SUBJECT: Police Reform and Accountability Act of 2021

By the Majority Leader:  
 Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Clippinger, Chair  
 Delegate Atterbeary  
 Delegate Moon

In addition, the House has appointed in advisory capacity: Delegate Kipke.

Said Bill is returned herewith.

By Order,  
 Sylvia Siegert  
 Chief Clerk

Read and adopted.

**CONFERENCE COMMITTEE REPORT**

**House Bill 588 – The Speaker and the President (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2022)**

REPORT OF THE CONFERENCE COMMITTEE ON HB 588 - THE BUDGET BILL

(See Exhibit O of Appendix II)

CONFERENCE COMMITTEE SUMMARY REPORT ON HB 588 - THE BUDGET BILL  
 AND HOUSE BILL 589 - THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit P of Appendix II)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 128    Negative – 8    (See Roll Call No. 978)

The Bill was then sent to the Senate.

### CONFERENCE COMMITTEE REPORT

**BILL NO.: HB 589      SPONSOR: Speaker**  
**SUBJECT: Budget Reconciliation and Financing Act of 2021**  
**THIRD READING CALENDAR      HOUSE NO. 69      SENATE NO. 2**

CONFERENCE COMMITTEE SUMMARY REPORT ON HB 588 - THE BUDGET BILL  
AND HOUSE BILL 589 - THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit P of Appendix II)

Hon. William C. Ferguson, IV, President of the Senate  
Hon. Adrienne A. Jones, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Budget and Taxation Committee Amendments (HB0589/243724/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0589/443822/1) be adopted.

**HB0589/443822/1**

BY: Conference Committee

### AMENDMENTS TO HOUSE BILL 589

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering the source of funding for certain required appropriations;”; in line 5, after “fund;” insert “altering the area in which certain raffle proceeds are required to be used to benefit certain individuals;”; strike beginning with “requiring” in line 14 down through “program;” in line 16 and substitute “altering the”

percentage of eligible costs that may be paid from the Bay Restoration Fund for upgrading certain privately owned wastewater treatment facilities; establishing the Maternal and Child Health Population Health Improvement Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Maryland Department of Health and the Health Services Cost Review 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 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; specifying that the Fund is subject to a certain audit;”; in line 18, strike “each” and substitute “for a certain”; in line 19, strike “each” and substitute “for a certain”; in the same line, after “year” insert “and a certain amount for each following fiscal year”; and in line 22, after “program;” insert “expanding the purpose of a certain fund;”.

On page 2, in line 16, after “fund;” insert “altering the amount of a required appropriation from the Transportation Trust Fund for the operation of the Maryland Transit Administration for a certain fiscal year;”; in line 20, after “funds;” insert “authorizing certain State agencies to temporarily charge certain expenditures to a certain account; providing a process to reimburse a certain account for certain charged expenditures;”; and in line 29, after “limitation;” insert “requiring certain employees in positions in certain Department of Public Safety and Correctional Services facilities to be transferred to certain vacancies in certain other facilities; defining certain terms; providing for the termination of certain provisions of this Act;”.

On pages 3 and 4, strike in their entirety the lines beginning with line 34 on page 3 through line 4 on page 4, inclusive.

On page 4, after line 4, insert:

“BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(i)(1) and (2)(i)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)”;

in line 17, after “Section” insert “19–210 and”; in line 22, after “(e),” insert “31–107(b) and (f).”; after line 24, insert:

“BY repealing and reenacting, without amendments,

Article – Insurance

Section 31–107(a) and (e)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”;

in line 32, strike “7–329(b–1) and” and substitute “6–226(a)(2)(ii)127. and 128., 7–329(b–1), and”; in line 38, strike “7–329(a) and (b) and” and substitute “6–226(a)(2)(i), 7–329(a) and (b), and”; and after line 40, insert:

“BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)129.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 20 and 538 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)”.

On page 5, strike in their entirety lines 1 through 5, inclusive; and after line 16, insert:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 7–205

Annotated Code of Maryland

(2020 Replacement Volume)”.

On page 7, after line 23, insert:

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

**Article – Economic Development”.**

On page 41, in lines 1, 5, 14, and 19, strike “2.”, “3.”, “4.”, and “5.”, respectively, and substitute “3.”, “4.”, “5.”, and “6.”, respectively; and in line 8, strike “**JANUARY 1, 2021**” and substitute “January 1, 2021”.



On page 42, in lines 6, 16, and 21, strike “6.”, “7.”, and “8.”, respectively, and substitute “8.”, “9.”, and “10.”, respectively.

On page 43, in lines 12, 16, 24, 28, 33, and 38, strike “10.”, “11.”, “13.”, “14.”, “15.”, and “16.”, respectively, and substitute “12.”, “13.”, “14.”, “15.”, “16.”, and “17.”, respectively.

On page 44, in line 10, strike “17.” and substitute “18.”; and in line 11, after “2021.” insert “Section 1 of this Act shall remain effective for a period of 3 years and 1 month and, at the end of June 30, 2024, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

#### AMENDMENT NO. 2

On page 6, in line 15, strike “Prince George’s County” and substitute “THE COMMON OWNERSHIP AND COOPERATIVE COMMUNITIES LOCATED IN WHOLE OR IN PART WITHIN AN ESTIMATED 1-MILE RADIUS OF PROPERTY OWNED OR UNDER THE CONTROL OF THE PROFESSIONAL FOOTBALL TEAM”.

#### AMENDMENT NO. 3

On page 18, strike in their entirety lines 5 through 22, inclusive.

#### AMENDMENT NO. 4

On page 19, after line 14, insert:

#### “Article – Environment

9-1605.2.

(i) (1) (I) In this subsection[, “eligible] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “ELIGIBLE costs” means the additional costs that would be attributable to upgrading a wastewater facility to enhanced nutrient removal, as determined by the Department.

(III) “PRIVATELY OWNED WASTEWATER FACILITY” MEANS A WASTEWATER FACILITY THAT IS OWNED BY A PRIVATE ENTITY.

(IV) “PUBLICLY OWNED WASTEWATER FACILITY” MEANS A WASTEWATER FACILITY THAT IS OWNED BY THIS STATE OR A POLITICAL SUBDIVISION, MUNICIPAL CORPORATION, OR OTHER PUBLIC ENTITY.

(2) Funds in the Bay Restoration Fund shall be used only:

(i) 1. To award grants for up to 100% of eligible costs of projects relating to planning, design, construction, and upgrade of a PUBLICLY OWNED wastewater facility for flows up to the design capacity of the wastewater facility, as approved by the Department, to achieve enhanced nutrient removal in accordance with paragraph (3) of this subsection; AND

2. TO AWARD GRANTS FOR UP TO 50% OF ELIGIBLE COSTS OF PROJECTS RELATING TO PLANNING, DESIGN, CONSTRUCTION, AND UPGRADE OF A PRIVATELY OWNED WASTEWATER FACILITY FOR FLOWS UP TO THE DESIGN CAPACITY OF THE WASTEWATER FACILITY, AS APPROVED BY THE DEPARTMENT, TO ACHIEVE ENHANCED NUTRIENT REMOVAL IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION;”.

AMENDMENT NO. 5

On page 19, after line 15, insert:

“19-210.

(A) IN THIS SECTION, “FUND” MEANS THE MATERNAL AND CHILD HEALTH POPULATION HEALTH IMPROVEMENT FUND.

(B) THERE IS A MATERNAL AND CHILD HEALTH POPULATION HEALTH IMPROVEMENT FUND.

(C) THE PURPOSE OF THE FUND IS TO INVEST IN MATERNAL AND CHILD POPULATION HEALTH IMPROVEMENTS THROUGH THE MEDICAL CARE PROGRAMS ADMINISTRATION AND THE PREVENTION AND HEALTH PROMOTION ADMINISTRATION.

(D) THE DEPARTMENT AND THE COMMISSION 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) A UNIFORM, BROAD-BASED ASSESSMENT OF A REASONABLE AMOUNT IN HOSPITAL RATES IN ORDER TO INVEST IN MATERNAL AND CHILD POPULATION HEALTH IMPROVEMENTS UNDER § 19-207 OF THIS SUBTITLE;**

**(2) INTEREST EARNINGS; AND**

**(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.**

**(G) THE FUND MAY BE USED ONLY FOR EXPENSES ASSOCIATED WITH MATERNAL AND CHILD HEALTH POPULATION HEALTH IMPROVEMENTS THROUGH DECEMBER 31, 2025.**

**(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 BE MADE ONLY:**

**(1) IN ACCORDANCE WITH THE STATE BUDGET; AND**

**(2) AFTER THE APPROVAL OF A MAJORITY OF THE MEMBERS OF THE COMMISSION.**

**(J) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT WOULD OTHERWISE BE APPROPRIATED FOR THE MARYLAND MEDICAL ASSISTANCE PROGRAM.**

**(K) THE FUND IS SUBJECT TO AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.”.**

On page 25, after line 9, insert:

“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;

**129. THE MATERNAL AND CHILD HEALTH POPULATION HEALTH IMPROVEMENT FUND.”.**

#### AMENDMENT NO. 6

On page 20, in lines 1 and 2, strike “AND EACH FISCAL YEAR THEREAFTER”; and in line 6, strike “EACH” and substitute “THAT”.

On page 21, after line 25, insert:

**“(2) AT THE BEGINNING OF EACH OF FISCAL YEARS 2023 AND 2024, THE GOVERNOR SHALL TRANSFER THE FIRST \$8,000,000 OF THE FUNDS COLLECTED FROM THE ASSESSMENT REQUIRED UNDER THIS SECTION TO THE COMMUNITY HEALTH RESOURCES COMMISSION.”;**

in line 26, strike “(2)” and substitute “(3)”; and in line 28, strike “PARAGRAPH (1)” and substitute “PARAGRAPHS (1) AND (2)”.

On page 22, in line 22, strike the brackets; strike beginning with “SUBJECT” in line 22 down through “THE” in line 23; in line 27, strike “2021” and substitute “2022”; and strike in their entirety lines 28 through 30, inclusive.

On page 23, in line 12, strike “BE LESS THAN” and substitute “EXCEED”; in the same line, strike “\$11,500,000;” and substitute “\$14,000,000; AND”; strike in their entirety lines 13 and 14; in line 15, strike “(5)” and substitute “(4)”; in the same line, after “year” insert “AFTER FISCAL YEAR 2022”; and after line 16, insert:

“31–107.

(a) There is a Maryland Health Benefit Exchange Fund.

(b) (1) The purpose of the Fund is to:

(i) provide funding for the operation and administration of the Exchange in carrying out the purposes of the Exchange under this subtitle; [and]

(ii) provide funding for the establishment and operation of the State Reinsurance Program authorized under this subtitle; AND

**(III) PROVIDE FUNDING FOR THE MEDICAL ASSISTANCE PROGRAM AND THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM.**

(2) The operation and administration of the Exchange and the State Reinsurance Program may include functions delegated by the Exchange to a third party under law or by contract.

(e) The Fund consists of:

(1) any user fees or other assessments collected by the Exchange;

(2) all revenue deposited into the Fund that is received from the distribution of the premium tax under § 6–103.2 of this article;

- (3) income from investments made on behalf of the Fund;
  - (4) interest on deposits or investments of money in the Fund;
  - (5) money collected by the Board as a result of legal or other actions taken by the Board on behalf of the Exchange or the Fund;
  - (6) money donated to the Fund;
  - (7) money awarded to the Fund through grants;
  - (8) any pass-through funds received from the federal government under a waiver approved under § 1332 of the Affordable Care Act;
  - (9) any funds designated by the federal government to provide reinsurance to carriers that offer individual health benefit plans in the State;
  - (10) any funds designated by the State to provide reinsurance to carriers that offer individual health benefit plans in the State;
  - (11) any federal funds received in accordance with § 31–121 of this subtitle for the administration of small business tax credits; and
  - (12) any other money from any other source accepted for the benefit of the Fund.
- (f) The Fund may be used only:
- (1) for the operation and administration of the Exchange in carrying out the purposes authorized under this subtitle; [and]
  - (2) for the establishment and operation of the State Reinsurance Program;
  - (3) IN FISCAL YEARS 2021 AND 2022, FOR THE MEDICAL ASSISTANCE PROGRAM WITHIN THE MEDICAL CARE PROGRAMS ADMINISTRATION OF THE MARYLAND DEPARTMENT OF HEALTH; AND

**(4) IN FISCAL YEAR 2022, FOR THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER TITLE 15, SUBTITLE 10 OF THE HEALTH – GENERAL ARTICLE.**

**AMENDMENT NO. 7**

On pages 31 and 32, strike in their entirety the lines beginning with line 9 on page 31 through line 10 on page 32, inclusive.

**AMENDMENT NO. 8**

On page 38, strike in their entirety lines 1 through 3, inclusive; in lines 4, 6, and 8, strike “2.”, “3.”, and “4.”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; strike in their entirety lines 27 through 29, inclusive; and in lines 30 and 32, strike “2.” and “3.”, respectively, and substitute “1.” and “2.”, respectively.

On page 39, in line 1, strike “4.” and substitute “3.”; in line 10, after “(i)” insert “1.”; in line 11, strike “\$136,235,225” and substitute “\$119,800,225”; in line 13, strike “\$72,000,000” and substitute “\$104,365,475”; after line 13, insert:

**“2. FOR FISCAL YEAR 2022 ONLY, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$1,200,000 TO THE STATE LAKES PROTECTION AND RESTORATION FUND ESTABLISHED UNDER § 8–205 OF THE NATURAL RESOURCES ARTICLE TO BE USED ONLY TO FUND A PILOT DREDGING PROJECT AT DEEP CREEK LAKE, WHICH IS NOT REQUIRED TO BE MATCHED BY LOCAL FUNDS.**

**3. FOR EACH OF FISCAL YEARS 2023, 2024, 2025, 2026, AND 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$2,500,000 TO THE MARYLAND AGRICULTURAL AND RESOURCE–BASED INDUSTRY DEVELOPMENT CORPORATION FOR THE NEXT GENERATION FARMLAND ACQUISITION PROGRAM AUTHORIZED UNDER § 10–523(A)(3)(II) OF THE ECONOMIC DEVELOPMENT ARTICLE.**

**4. FOR FISCAL YEAR 2025 ONLY, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$2,735,000 TO THE MARYLAND AGRICULTURAL AND RESOURCE–BASED INDUSTRY DEVELOPMENT CORPORATION ESTABLISHED**

**UNDER TITLE 10, SUBTITLE 5 OF THE ECONOMIC DEVELOPMENT ARTICLE TO BE USED AS FOLLOWS:**

**A. \$2,300,000 TO SUPPORT THE CORPORATION’S RURAL BUSINESS LOAN PROGRAMS AND SMALL MATCHING GRANT PROGRAMS; AND**

**B. \$435,000 FOR GRANTS AND NEAR-EQUITY INVESTMENTS TO:**

**I. SUPPORT THE CREATION OR EXPANSION OF AGRICULTURAL PRODUCT AGGREGATION AND STORAGE SITES; AND**

**II. FACILITATE PARTICIPATION IN THE CERTIFIED LOCAL FARM ENTERPRISE PROGRAM.”;**

in line 15, strike “**\$9,430,475**” and substitute “**\$8,230,475**”; in line 16, strike “\$50,721,900” and substitute “**\$37,986,900**”; in line 17, strike “\$50,721,900” and substitute “**\$48,221,900**”; and in line 24, strike “\$72,000,000” and substitute “**\$104,365,475**”.

On page 40, in line 2, strike “\$72,000,000” and substitute “**\$104,365,475**”; and in line 3, strike “5.” and substitute “**4.**”.

**AMENDMENT NO. 9**

On page 40, after line 8, insert:

**“Article – Transportation**

**7–205.**

(a) **For fiscal year 2020, the Governor shall include in the State budget an appropriation from the Transportation Trust Fund for the operation of the Administration that is equal to the appropriation for the operation of the Administration in the fiscal year 2019 State budget as introduced, increased by at least 4.4%.**

(b) **For [each of fiscal years] FISCAL YEAR 2021 [and 2022], the Governor shall include in the State budget an appropriation from the Transportation Trust Fund for the operation of the Administration that is equal to the appropriation for the operation of the**



Administration in the State budget for the immediately preceding fiscal year, increased by at least 4.4%.

**(C) FOR FISCAL YEAR 2022, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FROM THE TRANSPORTATION TRUST FUND FOR THE OPERATION OF THE ADMINISTRATION THAT MAY NOT BE LESS THAN THE FISCAL YEAR 2021 APPROPRIATION FOR THE OPERATION OF THE ADMINISTRATION.**

**[(c)] (D) (1) For each of fiscal years 2020 through 2022, the Governor shall include in the State budget an appropriation for the capital needs of the Administration of at least \$29,100,000 from the revenues available for the State capital program in the Transportation Trust Fund.**

**(2) The appropriation required under paragraph (1) of this subsection may not supplant any other capital funding otherwise available for the Administration.”.**

**AMENDMENT NO. 10**

On page 41, in line 16, strike “\$2,000,000” and substitute “\$1,500,000”.

**AMENDMENT NO. 11**

On page 41, in line 21, strike “**\$3,000,000**” and substitute “\$2,000,000”.

**AMENDMENT NO. 12**

On page 42, after line 5, insert:

**“SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law under § 2–606 of the Tax – General Article:**

**(a) The Maryland Department of Health and other appropriate State agencies are authorized to temporarily charge expenditures related to the Coronavirus Disease 2019 (COVID–19) response that are eligible for reimbursement from the Federal Emergency Management Agency’s Public Assistance process to the Local Reserve Account established to comply with § 2–606 of the Tax – General Article.**

**(b) Once reimbursement is received from the Federal Emergency Management Agency’s Public Assistance process, the revenue shall be used to offset the eligible expenditures authorized under subsection (a) of this section to reimburse the Local Reserve Account.**

(c) Any charges against the Local Reserve Account that are not fully reimbursed under subsection (b) of this section shall be reimbursed by the General Fund at the Maryland General Assembly session following a determination by the Federal Emergency Management Agency to ensure the Local Reserve Account is fully reimbursed for the temporary charges made under subsection (a) of this section.

(d) This provision shall be in effect until June 30, 2022, or until the Federal Emergency Management Agency has made a final determination on all expenditures that are temporarily charged under subsection (a) of this section. On the effective date of this Act, the Department of Budget and Management may appropriate these funds through the budget amendment process, as needed.”.

AMENDMENT NO. 13

On page 43, after line 6, insert:

“SECTION 11. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, employees in positions at Department of Public Safety and Correctional Services facilities that are closed effective June 30, 2021, shall be transferred to existing vacancies in comparable job classifications within other Department of Public Safety and Correctional Services facilities. These transfers shall be effective not later than July 1, 2021, and shall be made without any loss of status, compensation, or benefits.”.

AMENDMENT NO. 14

On page 43, strike in their entirety lines 7 through 11, inclusive.

AMENDMENT NO. 15

On page 43, strike in their entirety lines 20 through 23, inclusive.

AMENDMENT NO. 16

On page 44, in lines 3 and 6, in each instance, strike “\$5,000,000” and substitute “\$100,000”.

Senate Members:

House Members:

\_\_\_\_\_  
Chair, **Guy Guzzone**

\_\_\_\_\_  
Chair, **Maggie McIntosh**

\_\_\_\_\_  
**George C. Edwards**

\_\_\_\_\_  
**Mark S. Chang**

\_\_\_\_\_

\_\_\_\_\_

Cory V. McCray

Wendell R. Beitzel

Craig J. Zucker

Keith E. Haynes

Melony Griffith

Kirill Reznik

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk  
( ) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 125    Negative – 12    (See Roll Call No. 979)

The Bill was then sent to the Senate.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 41**

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

**House Bill 467 – Delegate Rogers**

AN ACT concerning

**Renewable Energy Portfolio Standard – Hydroelectric Power**

**HB0467/923196/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 467

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Hydroelectric Power**” and substitute “**Alterations and Compliance Fees**”; in line 3, after “of” insert “altering the renewable energy portfolio standard for certain years;”; in line 6, after “standard;” insert “altering the compliance fee”

for a shortfall from the required percentage of energy from certain Tier 1 renewable sources for the renewable energy portfolio standard in certain years;; in line 7, after “Act;” insert “providing that existing obligations or contract rights may not be impaired by this Act;”; in line 16, strike “and” and substitute a comma; and in the same line, after “7–704(a)(4)” insert “, and 7–705(b)(2)”.

#### AMENDMENT NO. 2

On page 2, in line 22, strike “33.1%” and substitute “30.1%”; and in line 23, strike “8.5%” and substitute “5.5%”.

On page 3, in line 2, strike “35.4%” and substitute “31.9%”; in line 3, strike “9.5%” and substitute “6%”; in line 8, strike “37.7%” and substitute “33.7%”; in line 9, strike “10.5%” and substitute “6.5%”; in line 14, strike “40%” and substitute “35.5%”; in line 15, strike “11.5%” and substitute “7%”; in line 20, strike “42.5%” and substitute “38%”; and in line 21, strike “12.5%” and substitute “8%”.

On page 4, in line 2, strike “45.5%” and substitute “41.5%”; in line 3, strike “13.5%” and substitute “9.5%”; in line 9, strike “47.5%” and substitute “43%”; in line 10, strike “14.5%” and substitute “11%”; in line 16, strike “49.5%” and substitute “47.5%”; and in line 17, strike “14.5%” and substitute “12.5%”.

On page 5, after line 7, insert:

“7–705.

(b) (2) If an electricity supplier fails to comply with the renewable energy portfolio standard for the applicable year, the electricity supplier shall pay into the Maryland Strategic Energy Investment Fund established under § 9–20B–05 of the State Government Article:

(i) except as provided in item (ii) of this paragraph, a compliance fee of:

1. the following amounts for each kilowatt–hour of shortfall from required Tier 1 renewable sources other than the shortfall from the required Tier 1 renewable sources that is to be derived from solar energy:

A. 4 cents through 2016;

- B. 3.75 cents in 2017 and 2018;
- C. 3 cents in 2019 through 2023;
- D. 2.75 cents in 2024;
- E. 2.5 cents in 2025;
- F. 2.475 cents in 2026;
- G. 2.45 cents in 2027;
- H. 2.25 cents in 2028 and 2029; and
- I. 2.235 cents in 2030 and later;

2. the following amounts for each kilowatt-hour of shortfall from required Tier 1 renewable sources that is to be derived from solar energy:

- A. 45 cents in 2008;
- B. 40 cents in 2009 through 2014;
- C. 35 cents in 2015 and 2016;
- D. 19.5 cents in 2017;
- E. 17.5 cents in 2018;
- F. 10 cents in 2019;
- G. 10 cents in 2020;
- H. 8 cents in 2021;
- I. 6 cents in 2022;
- J. [4.5] 6 cents in 2023;

K. [4] 6 cents in 2024;

L. [3.5] 5.5 cents in 2025;

M. [3] 4.5 cents in 2026;

N. [2.5] 3.5 cents in 2027 [and 2028];

O. [2.25] 3.25 cents in [2029] 2028; [and]

P. [2.235] 2.5 cents in [2030 and later] 2029; and

Q. 2.25 CENTS IN 2030 AND LATER; AND

3. 1.5 cents for each kilowatt–hour of shortfall from required Tier 2 renewable sources; or

(ii) for industrial process load:

1. for each kilowatt–hour of shortfall from required Tier 1 renewable sources, a compliance fee of:

A. 0.8 cents in 2006, 2007, and 2008;

B. 0.5 cents in 2009 and 2010;

C. 0.4 cents in 2011 and 2012;

D. 0.3 cents in 2013 and 2014;

E. 0.25 cents in 2015 and 2016; and

F. except as provided in paragraph (3) of this subsection, 0.2 cents in 2017 and later; and

2. nothing for any shortfall from required Tier 2 renewable sources.”;

after line 10, 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 11, 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 with amendments:

### **Senate Bill 31 – Senator Washington**

AN ACT concerning

### **Electricity and Gas – Energy Suppliers – Supply Offers**

**SB0031/443692/1**

BY: Economic Matters Committee

#### AMENDMENTS TO SENATE BILL 31

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 7, strike “third-party supply offers” and substitute “unless the Commission has approved the supply offer, a third-party retail supplier”; strike beginning with the third comma in line 8 down through “offer” in line 9; in line 10, after “commitment” insert “for the entirety of the term of the supply offer”; and strike beginning with “requiring” in line 17 down through the semicolon in line 19.

#### AMENDMENT NO. 2

On page 2, in line 21, strike “**ENROLL THE HOUSEHOLD**” and substitute “**ARE ENROLLED**”; in line 22, strike “**UNLESS THE COMMISSION APPROVES THE SUPPLY OFFER**”; in line 24, after “**FEE**” insert “**TO HOUSEHOLDS IN THE STATE THAT HAVE RECEIVED ENERGY ASSISTANCE DURING THE PREVIOUS FISCAL YEAR**”; and in line 26, after “**COMMITMENT**” insert “**, FOR THE ENTIRETY OF THE TERM OF THE SUPPLY OFFER,**”.

On page 3, in line 16, strike “AN APPROVED” and substitute “A”; in line 22, after “OF” insert “SELF-IDENTIFIED”; and in line 28, strike “(E)”.

On pages 3 and 4, strike in their entirety the lines beginning with line 32 on page 3 through line 10 on page 4, 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:

### **Senate Bill 135 – Senator Klausmeier**

AN ACT concerning

#### **Business Regulation – Battery-Charged Fence Security Systems – Regulation**

**SB0135/423292/1**

BY: Economic Matters Committee

#### AMENDMENTS TO SENATE BILL 135

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 12, strike “a”; and in the same line, strike “term” and substitute “terms”.

#### AMENDMENT NO. 2

On page 2, in line 2, strike the comma and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

**(2) (I)**;

in the same line, strike “BATTERY-CHARGED” and substitute “BATTERY-CHARGED”; in line 8, strike “**(2)**” and substitute “**(II)**”; in line 9, after “INCLUDE” insert “:



1. DEER FENCING;
2. LIVESTOCK FENCING; OR
- 3.”;

and after line 9, insert:

**“(3) “DEER FENCING” MEANS FENCING THAT IS ENGINEERED TO EXCLUDE OR CONTAIN DEER OR ELK.”**

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:

**Senate Bill 473 – Senator Washington**

AN ACT concerning

**Labor and Employment – Leave With Pay – Bereavement Leave**

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:

**Senate Bill 801 – Senator Griffith**

AN ACT concerning

**Labor and Employment – Economic Stabilization Act – Alterations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 35**

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

**Senate Bill 20 – Senator Carter**

AN ACT concerning

**Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties**

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:

**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**

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:

**Senate Bill 291 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Offenses – Following Too Closely – Unified Truck Travel**

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:

**Senate Bill 293 – ~~Senator~~ Senators Waldstreicher and Carozza**

AN ACT concerning

**Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties**

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:

**Senate Bill 343 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Shrimp Fishery – Licensing and Regulation**

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:

**Senate Bill 344 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Agriculture)**

AN ACT concerning

**Agriculture – Cost-Sharing Program – State Cost-Sharing Funds**

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:

**Senate Bill 352 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Agriculture)**

AN ACT concerning

**Agriculture – Multiflora Rose Management – Repeal**

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:

**Senate Bill 445 – Senator West**

AN ACT concerning

**Vehicle Equipment – Safety Glass – Replacement Standards**

Favorable report adopted.

Delegate Krimm 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:

**Senate Bill 474 – Senator Eckardt**

AN ACT concerning

**Real Property – Sale of Mobile Home Parks – Notice Requirements**

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:

**Senate Bill 613 – Carroll County Senators**

AN ACT concerning

**Carroll County – Sheriff – Salary**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## APPROPRIATIONS COMMITTEE REPORT NO. 17

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1003 – Delegate Lierman**

AN ACT concerning

**States of Emergency – Emergency Procurement and Budget Amendments –  
Notice and Authorization**

**HB1003/334560/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1003

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “circumstances;” and in line 8 and substitute “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;”; strike beginning with “authorizing” in line 11 down through “circumstances;” in line 14; and strike in their entirety lines 22 through 26, inclusive.

AMENDMENT NO. 2

On page 2, in line 17, strike “A COPY OF THE PROCUREMENT CONTRACT” and substitute “THE NAME, BUSINESS ADDRESS, AND, IF APPLICABLE, WEBSITE ADDRESS OF THE VENDOR AND THE DOLLAR VALUE OF THE CONTRACT”; in line 21, strike “WITHIN 1 YEAR AFTER” and substitute “AFTER”; in line 22, strike “SUBSECTION,” and substitute “SUBSECTION:”

**(I) IF REQUESTED BY THE LEGISLATIVE POLICY COMMITTEE, THE GOVERNOR OR HEAD OF THE UNIT SHALL PROVIDE A COPY OF THE CONTRACT TO THE LEGISLATIVE POLICY COMMITTEE; AND**

**(II) THE LEGISLATIVE POLICY COMMITTEE MAY REQUEST THAT**;

and in line 23, strike “SHALL”.

On pages 3 and 4, strike in their entirety the lines beginning with line 21 on page 3 through line 4 on page 4, 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 McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

**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**

**SB0259/404364/1**

BY: Appropriations Committee

**AMENDMENT TO SENATE BILL 259**

(Third Reading File Bill)

On pages 2 and 3, strike in their entirety the lines beginning with line 34 on page 2 through line 12 on page 3, inclusive, and substitute:

**“(I) DEVELOPING AND CONSTRUCTING THE BALTIMORE AND POTOMAC TUNNEL EXPANSION AND RELATED PROJECTS;**

**(II) STATE OF GOOD REPAIR NEEDS FOR THE MARYLAND TRANSIT ADMINISTRATION; OR**

**(III) SYSTEM PRESERVATION PROJECTS FOR THE STATE HIGHWAY ADMINISTRATION;**

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. 23**

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

**House Bill 934 – Delegate Bartlett**

AN ACT concerning

**Public Health – Chief Medical Examiner – Autopsy Findings and Conclusions**

**HB0934/376883/1**

BY: Health and Government Operations Committee

**AMENDMENTS TO HOUSE BILL 934**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 5, after “death;” insert “clarifying the issues to be considered in a certain contested case hearing; requiring the Maryland Department of Health to report to certain committees of the General Assembly on or before a certain date;”.

**AMENDMENT NO. 2**

On page 2, in line 17, after “cause” insert “AND MANNER”.

**AMENDMENT NO. 3**

On page 2, after line 17, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2024, the Maryland Department of Health 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 number of appeals made to the Secretary of Health when the Chief Medical Examiner denied the request of a person in interest to correct findings and conclusions on the cause and manner of death after October 1, 2021.”;

and in line 18, 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:

**Senate Bill 3 – Senators Griffith, Augustine, Beidle, Eckardt, Elfreth, Ellis, Ferguson, Guzzone, Hershey, Kagan, Kelley, Ready, Washington, and West**

AN ACT concerning

**Preserve Telehealth Access Act of 2021**

**SB0003/946780/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 3

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through “circumstances;” in line 10 and substitute “prohibiting the Program from excluding from coverage a certain health care service provided to a Program recipient in person for a certain reason;”.

On page 2, strike beginning with “requiring” in line 24 down through “delivery” in line 25 and substitute “excluding from coverage or denying coverage for certain services provided in a certain manner for a certain reason”; and in line 27, after “date;” insert “requiring the Maryland Insurance Administration to study a certain matter and provide certain findings and recommendations from the study to the Maryland Health Care Commission for inclusion in a certain report; requiring the Maryland Insurance Administration to consider the requirements of this Act when proposing certain revisions to certain regulations;”.



AMENDMENT NO. 2

On page 8, in line 25, after “**PROVIDED;**” insert “**AND**”; and strike beginning with “**;** **AND**” in line 29 down through “**ARTICLE**” in line 33.

On page 9, in lines 9 and 10, strike “**REQUIRE A PROGRAM RECIPIENT TO USE TELEHEALTH IN LIEU OF IN-PERSON SERVICE DELIVERY**” and substitute “**EXCLUDE FROM COVERAGE A BEHAVIORAL HEALTH CARE SERVICE PROVIDED TO A PROGRAM RECIPIENT IN PERSON SOLELY BECAUSE THE SERVICE MAY ALSO BE PROVIDED THROUGH TELEHEALTH**”.

On page 12, strike in their entirety lines 6 through 9, inclusive; in lines 10 and 13, strike “**(III)**” and “**(IV)**”, respectively, and substitute “**(II)**” and “**(III)**”, respectively; and strike beginning with “**WHEN**” in line 13 down through “**DELIVERY**” in line 15 and substitute “**MAY NOT EXCLUDE FROM COVERAGE OR DENY COVERAGE FOR A BEHAVIORAL HEALTH CARE SERVICE THAT IS A COVERED BENEFIT UNDER A HEALTH INSURANCE POLICY OR CONTRACT WHEN PROVIDED IN PERSON SOLELY BECAUSE THE BEHAVIORAL HEALTH CARE SERVICE MAY ALSO BE PROVIDED THROUGH A COVERED TELEHEALTH BENEFIT**”.

On page 13, in line 8, after “**WHEN**” insert “**A HEALTH CARE SERVICE IS**”; in line 14, after “**INCLUDE**” insert “**:**”

**1.**”;

and in line 17, after “**SERVICE**” insert “**;** **OR**”

**2.** **ANY ROOM AND BOARD FEES**”.

On page 15, after line 15, insert:

**SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Insurance Administration shall:**

(1) (i) **study how telehealth can support efforts to ensure health care provider network sufficiency;**

(ii) study the impact of changes in access to and coverage of telehealth services under health benefit plans offered by health insurance carriers on the ability of consumers to choose in-person care versus telehealth care as the modality of receiving a covered service; and

(iii) provide any findings and recommendations from its study to the Maryland Health Care Commission for inclusion in the report required under Section 4 of this Act; and

(2) consider the requirements of this Act when proposing any revisions to regulations relating to network adequacy.”;

and in line 16, strike “3.” and substitute “4.”.

On page 17, in line 2, after “Article” insert “, as specified in Section 3 of this Act”; in line 19, strike “4.” and substitute “5.”; and in line 22, strike “3” and substitute “4”.

On page 18, in lines 8 and 9, in each instance, strike “3” and substitute “4”; and in lines 13 and 16, strike “5.” and “6.”, respectively, and substitute “6.” and “7.”, 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

### **Senate Bill 52 – Senator Washington**

AN ACT concerning

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

**SB0052/346780/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 52  
(Third Reading File Bill)

On page 3, after line 23, insert:

“Preamble

WHEREAS, Race is a social construct with no biological basis that artificially divides people into distinct groups based on characteristics such as physical appearance, ancestral heritage, cultural affiliation, and the social, economic, and political needs of a society at a given period; and

WHEREAS, Racism is a social system with multiple dimensions that include individual racism that is internalized or interpersonal, systemic racism that is institutional or structural, and a system of structuring opportunity and assigning value based on the social interpretation of how one looks; and

WHEREAS, Racism unfairly gives disadvantages to specific individuals and communities while unfairly giving advantages to other individuals and communities and undermines society as a whole through the waste of human resources necessary to promote prosperity and development in Maryland and elsewhere; and

WHEREAS, Racism is rooted in the foundation of America, from the time chattel slavery began in the 1600s, to the Jim Crow era, to the declaration of the war on drugs that eventually led to the mass incarceration of black people, and it has remained a presence in American society while subjecting black people, indigenous people, and people of color to hardships and disadvantages in every aspect of life; and

WHEREAS, The American Public Health Association, the National Association of County and City Health Officials, and the American Academy of Pediatrics have declared racism a public health crisis; and

WHEREAS, Communities of color, working-class residents, and individuals with disabilities are more likely to experience poor health outcomes as a consequence of their social determinants of health; and

WHEREAS, Racism causes persistent discrimination and disparate outcomes in many areas of life, including housing, education, employment, criminal justice and incarceration, family stability, economic opportunity, access to health care, public safety, environmental safety, inadequate nutrition, voters’ rights, and under-resourced recreational and health care facilities; and

WHEREAS, More than 100 studies have linked racism to worse health outcomes; and

WHEREAS, Racism exacerbates health disparities among black, Hispanic, and Native American residents, including a greater risk of heart disease, stroke, infant mortality, maternal mortality, lower birth weight, obesity, hypertension, type 2 diabetes, cancers, respiratory diseases, and autoimmune diseases; and

WHEREAS, Specific physical and behavioral health conditions stemming from racism include depression, anxiety, anger, fear, trauma, terror, and long-term physical and mental health impairments; and

WHEREAS, The COVID–19 crisis and ongoing protests against police brutality have helped to highlight now, more than ever, that racism, not race, causes disparities for black and brown Americans; now, therefore.”.

The preceding amendment was withdrawn.

#### SUBSTITUTE COMMITTEE AMENDMENT

**SB0052/746986/1**

BY: Health and Government Operations Committee

#### SUBSTITUTE AMENDMENT TO SENATE BILL 52 (Third Reading File Bill)

On page 3, after line 23, insert:

#### “Preamble

WHEREAS, Race is a social construct with no biological basis that artificially divides people into distinct groups based on characteristics such as physical appearance, ancestral heritage, cultural affiliation, and the social, economic, and political needs of a society at a given period; and

WHEREAS, Racism is a social system with multiple dimensions that include individual racism that is internalized or interpersonal, systemic racism that is institutional

or structural, and a system of structuring opportunity and assigning value based on the social interpretation of how one looks; and

WHEREAS, Racism unfairly disadvantages specific individuals and communities while unfairly giving advantages to other individuals and communities and undermines society as a whole through the waste of human resources necessary to promote prosperity and development in Maryland and elsewhere; and

WHEREAS, Racism is rooted in the foundation of America, from the time chattel slavery began in the 1600s, to the Jim Crow era, to the declaration of the war on drugs that eventually led to the mass incarceration of Black people, and it has remained a presence in American society while subjecting Black, Indigenous, and People of Color to hardships and disadvantages in every aspect of life; and

WHEREAS, The American Public Health Association, National Association of County and City Health Officials, and the American Academy of Pediatrics have declared racism as a public health crisis; and

WHEREAS, Communities of color, working class residents, and individuals with disabilities are more likely to experience poor health outcomes as a consequence of their social determinants of health; and

WHEREAS, Racism causes persistent discrimination and disparate outcomes in many areas of life, including housing, education, employment, criminal justice and incarceration, family stability, economic opportunity, access to health care, public safety, environmental safety, inadequate nutrition, voters' rights, and under-resourced recreational and health care facilities; and

WHEREAS, More than 100 studies have linked racism to worse health outcomes; and

WHEREAS, Racism exacerbates health disparities among Black, Hispanic, and Native American residents, including a greater risk of heart disease, stroke, infant mortality, maternal mortality, lower birth weight, obesity, hypertension, type 2 diabetes, cancers, respiratory diseases, and autoimmune diseases; and

WHEREAS, Specific physical and behavioral health conditions stemming from racism include depression, anxiety, anger, fear, trauma, terror, and long-term physical and mental health impairments; and

WHEREAS, The COVID–19 crisis and ongoing protests against police brutality have helped to highlight now, more than ever, that racism, not race, causes disparities for black and brown Americans; now, therefore.”.

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:

### **Senate Bill 204 – Senator Beidle**

AN ACT concerning

#### **Health Care Facilities – Assisted Living Programs – ~~Memory Care and Alzheimer’s Disease Unit~~ Regulations**

**SB0204/536981/1**

BY: Health and Government Operations Committee

#### AMENDMENTS TO SENATE BILL 204

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, after “**Programs –**” insert “**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 “and” in line 8 down through “standards” in line 9; in line 10, strike “defining a certain term;”; in the same line, after “to” insert “convene certain stakeholders to make revisions to certain regulations and”; after line 11, 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 14, strike “19–1805(c)” and substitute “19–1805(a)(10)”.

AMENDMENT NO. 2

On page 1, after line 20, 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 2 and 3, strike in their entirety the lines beginning with line 1 on page 2 through line 19 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 21, 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:

**Senate Bill 265 – Senator Waldstreicher**

AN ACT concerning

**Estates and Trusts – Maryland Revised Uniform Anatomical Gift Act – Revisions**

**SB0265/736188/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 265

(Third 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 6, 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 20, 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 23, 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 20, 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:

Senate Bill 500 – Senators Lam and Hettleman

AN ACT concerning

**Psychology Interjurisdictional Compact**

**SB0500/346481/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 500  
(Third Reading File Bill)

On page 1, at the top of the page, insert “EMERGENCY BILL”.

On page 2, in line 8, after “terms;” insert “making this Act an emergency measure;”.

On page 32, strike in their entirety lines 17 and 18 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:

**Senate Bill 638 – ~~Senator Augustine~~ Senators Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Klausmeier, Kramer, and Ready**

EMERGENCY BILL

AN ACT concerning

**Maryland Insurance Commissioner – Specialty Mental Health Services and  
Payment of Claims – Enforcement**

**SB0638/186087/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 638

(Third 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;”; in line 12, after “examinations;” insert “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;”; and in line 22, after “2–108” insert “, 2–208.”.

AMENDMENT NO. 2

On page 2, after line 30, 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.”**

AMENDMENT NO. 3

On page 3, after line 29, insert:

“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 30, strike “2.” and substitute “3.”; and in line 34, 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 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. 33

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 529 – Senator Elfreth (By Request – Anne Arundel County Administration)**

AN ACT concerning

#### **Anne Arundel County – Hotel Tax Alterations – Distribution of Revenue**

**SB0529/795861/1**

BY: Committee on Ways and Means

#### AMENDMENTS TO SENATE BILL 529

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, 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 22, strike “and”; and in line 24, 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.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 749 – Senator Ellis**

AN ACT concerning

**Charles County – Board of Education – Membership Alterations**

**SB0749/925162/1**

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 749

(Third Reading File Bill)

On page 7, in line 15, strike “members” and substitute “member”.

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:

**Senate Bill 823 – Senators Gallion and Hershey**

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.

**WAYS AND MEANS COMMITTEE REPORT NO. 34**

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 48 – Senators Young, Benson, Corderman, Elfreth, Feldman,  
Klausmeier, Patterson, Salling, and Waldstreicher**

AN ACT concerning

**Income Tax – Subtraction Modification – Living Organ Donors**

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:

**Senate Bill 104 – Senator Bailey**

AN ACT concerning

**Public and Nonpublic Schools – Electric Retractable Room Partitions –  
Operation Requirements**

**SB0104/515264/1**

BY: Committee on Ways and Means

**AMENDMENTS TO SENATE BILL 104**

(Third 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 28 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.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 186 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Commerce)**

AN ACT concerning

**Economic Development – Job Creation Tax Credit – Credit for Hiring Veterans**

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:

**Senate Bill 371 – Senator Peters**

AN ACT concerning

**Special Education – Individualized Education Programs – Educational  
Evaluations**

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:

**Senate Bill 432 – Senator King**

AN ACT concerning

**Public Libraries – Electronic Book Licenses – Access**

**SB0432/125169/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 432  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Book**” and substitute “**Literary Product**”; in lines 3, 4, 6, 7, 9, and 12, in each instance, strike “book” and substitute “literary product”; in line 6, strike “requiring” and substitute “authorizing”; in line 12, after “terms;” insert “providing for a delayed effective date;”; and in line 16, strike “Book” and substitute “Literary Product”.

AMENDMENT NO. 2

On page 2, in line 1, strike “**BOOK**” and substitute “**LITERARY PRODUCT**”.

On page 2 in lines 5, 19, 20, 22, 26, and 28 and on page 3 in lines 1, 4, 6, and 7, in each instance, strike “**BOOK**” and substitute “**LITERARY PRODUCT**”.

On page 2, in line 5, strike “**A TEXT DOCUMENT THAT HAS BEEN**”; in line 7, strike “**CONVERTED**” and substitute “**A TEXT DOCUMENT THAT HAS BEEN CONVERTED**”; in line 9, strike “**READ ALOUD AND RECORDED**” and substitute “**AN AUDIO RECORDING OF A TEXT DOCUMENT, READ OUT LOUD**”; in line 12, after “**BOOKS,**” insert “**AUDIO BOOKS,**”; in line 14, strike “**OR BOTH**” and substitute “**AUDIO RECORDINGS, OR ANY COMBINATION OF TEXT, IMAGE, AND AUDIO RECORDING**”; and in line 24, strike “**SHALL**” and substitute “**MAY**”.

On page 3, in lines 12 and 13, strike “July 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 Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 436 – Senator King**

AN ACT concerning

**Child Care Centers – Teacher Qualifications**

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:

**Senate Bill 438 – Senators Washington, Hettleman, and Elfreth**

AN ACT concerning

**Public Schools – Pregnant and Parenting Students – Policies and Reports**

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:

**Senate Bill 447 – Senator Edwards**

AN ACT concerning

**Historic Revitalization Tax Credit – Certified Historic Structure and  
Single-Family, Owner-Occupied Residence – Definitions**

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:

**Senate Bill 448 – Senator Edwards**

AN ACT concerning

**County Boards of Education – Student Transportation – Vehicles and Report**

**SB0448/455961/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 448

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “date;” insert “altering the definition of “contracting agency” used for a certain application requirement to include an entity providing transportation in accordance with this Act;”; after line 17, insert:

“BY repealing and reenacting, without amendments,

Article – EducationSection 6–113.2(a)(1)Annotated Code of Maryland(2018 Replacement Volume and 2020 Supplement)”;

and in line 20, after “Section” insert “6–113.2(a)(3) and”.

AMENDMENT NO. 2

On page 3, after line 6, 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 5, in line 2, strike “2023” and substitute “2025”; in line 6, strike “5–year” and substitute “7–year”; in the same line, strike “2022–2023” and substitute “2024–2025”; in line 18, strike “2023” and substitute “2025”; in line 25, strike “3” and substitute “5”; and in line 26, strike “2024” and substitute “2026”.

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:

**Senate Bill 539 – Senator Guzzone**

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:

**Senate Bill 548 – Senator Augustine**

AN ACT concerning

**Public Schools – Centers for Disease Control and Prevention Surveys –  
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:

**Senate Bill 678 – Senator Edwards**

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.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 778 – ~~Senator Elfreth~~ Senators Elfreth, Eckardt, Griffith, Guzzone,  
King, Rosapepe, and Zucker**

AN ACT concerning

**Regional Institution Strategic Enterprise Zone Program – Alterations**

**SB0778/985667/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 778

(Third 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 6, in line 5, after “(1)” insert “(I)”; in lines 9 and 11, strike “(I)” and “(II)”, respectively, and substitute “1.” and “3.”, respectively; in line 10, strike “AND” and substitute:

**“2. HAS NEXUS WITH A QUALIFIED INSTITUTION LOCATED IN THE RISE ZONE; AND”;**

after line 11, 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 26, insert:

**“(III) THE APPLICANT SHALL SUBMIT THE APPLICATION ON OR BEFORE THE DATE THAT THE DEPARTMENT SPECIFIES.”.**

On page 7, after line 21, 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.

### **ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 36**

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

#### **House Bill 799 – Delegate Clark**

AN ACT concerning

#### **Aquaculture Leases and Shellfish Nursery Operations – Wetlands**

**HB0799/260312/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 799**

**(First Reading File Bill)**



AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; strike line 2 in its entirety and substitute “Aquaculture Coordinating Council – Application of Tidal Wetlands Permit Requirements to Aquaculture Operations – Study”; strike beginning with “exempting” in line 3 down through “definition” in line 12 and substitute “requiring the Aquaculture Coordinating Council, in coordination with the Department of the Environment, to review certain policies and submit its findings and recommendations to the Governor and the General Assembly on or before a certain date; making this Act an emergency measure; providing for the termination of this Act”; in line 13, strike “wetlands license or” and substitute “the application of State or tidal wetlands license and”; in the same line, strike “for” and substitute “to”; in lines 13 and 14, strike “leases and shellfish nursery”; and in line 14, after “operations” insert “in the State”.

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 11 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 13, after “the” insert “Aquaculture Coordinating Council, in consultation with the Department of the Environment, shall:”

(1) review the policies of the Department of the Environment regarding the application of State or tidal wetlands license and permit requirements to aquaculture operations in the State; and

(2) in addition to the reporting requirement under § 4–11A–03.2 of the Natural Resources Article, and on or before December 1, 2021, report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly its findings and recommendations, including any proposed legislation, on changes necessary to eliminate conflicts or redundancies in the oversight of aquaculture operations by the Department of the Environment and the Department of Natural Resources.”.

On pages 2 through 6, strike beginning with “Laws” in line 13 on page 2 down through the period in line 16 on page 6.

On page 6, in lines 17 and 18, strike “shall take effect October 1, 2021” and substitute “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. It shall remain effective through May 31, 2022, and, at the end”.

of May 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.

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

**House Bill 1134 – Delegate Carey**

AN ACT concerning

**Natural Resources – Fishing and Hunting Rights**

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:

**Senate Bill 140 – Senator Peters**

AN ACT concerning

**Vehicle Laws – Commercial Motor Carriers – Safety, Inspection, Performance,  
and Insurance Information**

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:

**Senate Bill 200 – Senators Young, Waldstreicher, and Washington**

AN ACT concerning

**Natural Resources – Organized Killing Contests – Restriction**

**SB0200/790313/1**

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 200

(Third Reading File Bill)

On page 2, in line 8, strike “**\$100**” and substitute “**\$25**”.

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:

**Senate Bill 350 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Aquaculture – Leases**

**SB0350/780010/1**

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 350

(Third Reading File Bill)

On page 2, in line 33, after “**SPECIES**” insert “**, AS THOSE TERMS ARE DEFINED IN § 4-205.1 OF THIS TITLE,**”.

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:

**Senate Bill 442 – Senator Klausmeier**EMERGENCY BILL

AN ACT concerning

~~**Aquaculture Leases and Shellfish Nursery Operations – Wetlands**~~  
**Aquaculture Coordinating Council – Application of Tidal Wetlands Permit**  
**Requirements to Aquaculture Operations – Study**

**SB0442/460713/1**

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 442

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after the second “of” insert “State or”; and in line 20, after “wetlands” insert “license and”.

AMENDMENT NO. 2

On page 2, in line 27, after “of” insert “State or”; and in the same line, after “wetlands” insert “license and”.

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:

**Senate Bill 535 – Senator King**

AN ACT concerning

**Condominiums and Homeowners Associations – Meeting Requirements**

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:

**Senate Bill 686 – Senator Smith**

AN ACT concerning

**Real Property – Condominiums, Homeowners Associations, and Cooperative Housing Corporations – Virtual Meetings**

**SB0686/510611/1**

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 686

(Third Reading File Bill)

On page 6, in line 26, strike “October” and substitute “June”.

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:

**Senate Bill 783 – Senator Hayes**

AN ACT concerning

**Baltimore City – West North Avenue Development Authority**

**SB0783/360912/1**

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 783

(Third Reading File Bill)

On page 3, in line 10, strike “AND”; and in line 12, after “DESIGNEE” insert “;AND”

**(14) TWO MEMBERS WHO ARE RESIDENTS OF COMMUNITIES IMPACTED BY THE TARGET AREA OR BUFFER ZONE, SELECTED BY THE MAJORITY VOTE OF THE LEADERSHIP OF THE FOLLOWING ORGANIZATIONS:**

**(I) ALLIANCE OF ROSEMONT COMMUNITY ASSOCIATIONS;**

**(II) BOLTON HILL COMMUNITY ASSOCIATION;**

**(III) COPPIN HEIGHTS COMMUNITY DEVELOPMENT CORPORATION;**

**(IV) DRUID HEIGHTS COMMUNITY DEVELOPMENT CORPORATION;**

**(V) GREATER MONDAWMIN COORDINATING COUNCIL;**

**(VI) PENN NORTH COMMUNITY ASSOCIATION; AND**

**(VII) COLLECTIVELY, THE LEADERSHIP OF THE RESERVOIR HILL IMPROVEMENT COUNCIL, THE RESERVOIR HILL ASSOCIATION, AND THE UPPER EUTAW MADISON NEIGHBORHOOD ASSOCIATION”.**

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**CONCURRENCE CALENDAR NO. 7  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 133 – Delegate Korman**

AN ACT concerning

**State Finance and Procurement – Appropriation Reductions  
(Board of Public Works Budget Reduction Clarification Act)**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0133/779338/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 133

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “business”.

AMENDMENT NO. 2

On page 2, in line 3, strike “TOTAL APPROPRIATION” and substitute “LEGISLATIVE APPROPRIATION AS APPROVED BY THE GENERAL ASSEMBLY”.

The preceding 2 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 – 100    Negative – 29    (See Roll Call No. 980)

**AMENDED IN THE SENATE**

**House Bill 887 – Delegate Chang**

AN ACT concerning

**State Debt – Annuity Bond Fund – Use of Bond Premiums**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0887/229234/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 887

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Code;” insert “making a conforming change;”; after line 7, insert:

“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)”;

and in line 10, after “Section” insert “8–125(e) and”.

#### AMENDMENT NO. 2

On page 1, after line 15, insert:

“8–125.

(a) In this section, “Fund” means the State and Local Facilities Loan Fund.

(e) (1) Unless payment of expenses otherwise has been provided, the expenses of each bond sale shall be paid from the proceeds of that bond sale credited to the premium and expense account.

(2) After the expenses of each sale of State bonds have been paid, the remaining premium credited to the premium and expense account from that bond sale shall be transferred to the Annuity Bond Fund [to pay debt service on State bonds].”.

The preceding 2 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 – 100    Negative – 35    (See Roll Call No. 981)

### **AMENDED IN THE SENATE**

#### **House Bill 1301 – Delegate Smith**

AN ACT concerning

#### **Baltimore City – Visit Baltimore – Appropriation Calculation**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB1301/719638/1**



BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “calculated” insert “for certain fiscal years”; and in line 5, strike “providing for a delayed effective date.”.

AMENDMENT NO. 2

On page 2, in line 11, after “(2)” insert “**(I)**”; in lines 12, 13, 17, and 18, in each instance, strike the bracket; strike beginning with “**THE**” in line 13 down through “**AVERAGE**” in line 14; strike beginning with “**THE**” in line 18 down through “**AVERAGE**” in line 19; after line 21, insert:

**“(II) FOR EACH FISCAL YEAR BEGINNING ON OR AFTER JULY 1, 2022, THE APPROPRIATION MADE FOR ANY FISCAL YEAR UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CALCULATED FROM THE ACTUAL HOTEL ROOM TAX RECEIPTS RECEIVED FROM THE IMMEDIATELY PRECEDING 3-YEAR ROLLING AVERAGE.”**;

and in line 23, strike “2023” and substitute “2021”.

The preceding 2 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 – 129    Negative – 5    (See Roll Call No. 982)

**AMENDED IN 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**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB1336/939637/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1336

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “System;” insert “requiring the State Retirement Agency to submit a certain report on or before a certain date on immediate vesting for certain positions;”.

AMENDMENT NO. 2

On page 4, after line 32, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2021, in accordance with § 2–1257 of the State Government Article, the State Retirement Agency shall report to the Joint Committee on Pensions on:

(1) positions eligible for immediate vesting as a secretary of a principal department or a head of a department, office, or other unit of the State government; and

(2) positions ineligible for immediate vesting as a secretary of a principal department or a head of a department, office, or other unit of the State government, and the reasons a position is ineligible.”.

On page 5, in line 1, strike “3.” and substitute “4.”.

The preceding 2 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 – 135    Negative – 0    (See Roll Call No. 983)

**AMENDED IN THE SENATE**

**House Bill 1365 – Delegate Korman**

AN ACT concerning

**Nonpublic Special Education Schools – State Contribution – Increase**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB1365/429530/1**

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1365  
(Third Reading File Bill)

On page 3, in line 33, after “appropriation” insert “from 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 or 2021 operating budget”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 984)

**QUORUM CALL**

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

(See Roll Call No. 985)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 98**

**House Bill 1027 – Delegate Wells (By Request – Baltimore City Administration)**

AN ACT concerning

**Maryland Police Accountability Act of 2021 – Baltimore City – Control of the Police Department of Baltimore City**

Read the third time and passed by yeas and nays as follows:

Affirmative – 116    Negative – 21    (See Roll Call No. 986)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 22**

**Senate Bill 786 – Senator McCray (By Request – Baltimore City Administration)**

AN ACT concerning

**Maryland Police Accountability Act of 2021 – Baltimore City – Control of the  
Police Department of Baltimore City**

Read the third time and passed by yeas and nays as follows:

Affirmative – 115    Negative – 21    (See Roll Call No. 987)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 21**

**Senate Bill 220 – Senator Hettleman**

AN ACT concerning

**Criminal Law – Hate Crimes – Protected Groups and Penalties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 124    Negative – 13    (See Roll Call No. 988)

The Bill was then returned to the Senate.

**SPECIAL ORDER CALENDAR NO. 77**

**House Bill 581 – Delegate D.E. Davis**

**EMERGENCY BILL**

AN ACT concerning

**Labor and Employment – Employment Standards During an Emergency  
(Maryland Essential Workers’ Protection Act)**

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

FLOOR AMENDMENT

**HB0581/653028/1**

BY: Delegate Chisholm

AMENDMENTS TO HOUSE BILL 581, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with “an” in line 22 down through “employer” in line 23 and substitute “the State”.

AMENDMENT NO. 2

On page 15 of the bill, in line 1, strike “**ESSENTIAL EMPLOYER**” and substitute “**STATE**”.

On page 5 of the Economic Matters Committee Amendments (HB0581/273890/1), in line 16 of Amendment No. 4, strike “**AN ESSENTIAL EMPLOYER**” and substitute “**THE STATE**”.

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

Affirmative – 45    Negative – 89    (See Roll Call No. 989)

FLOOR AMENDMENT

**HB0581/873429/1**

BY: Delegate Chisholm

AMENDMENT TO HOUSE BILL 581, AS AMENDED

On page 4 of the Economic Matters Committee Amendments (HB0581/273890/1), in line 4 of Amendment No. 4, after “**AGENCY**” insert “, **IF THE PROVISION OF THE WORKING CONDITIONS WILL NOT RESULT IN SIGNIFICANT DIFFICULTY OR EXPENSE, BASED ON THE ESSENTIAL EMPLOYER’S EXISTING RESOURCES AND OPERATIONAL CAPACITY**”; in line 7, strike “**SAFETY**” and substitute “**PERSONAL PROTECTIVE**”; and in

the same line, after “USAGE” insert “BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION OR OTHER DESIGNATED FEDERAL AGENCY”.

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

Affirmative – 45    Negative – 90    (See Roll Call No. 990)

#### FLOOR AMENDMENT

**HB0581/863821/1**

BY: Delegate Kipke

#### AMENDMENTS TO HOUSE BILL 581, AS AMENDED

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1 of the bill, in line 24, strike “essential”.

On page 1 of the Economic Matters Committee Amendments (HB0581/273890/1), in line 10 of Amendment No. 1, strike “employers” and substitute “certain facilities”; and in line 12, strike “, categorize the results in a certain manner,”.

#### AMENDMENT NO. 2

On page 15 of the bill, in line 4, strike “**ESSENTIAL EMPLOYER**” and substitute “**FACILITY THAT ADMINISTERS TESTS FOR THE COMMUNICABLE DISEASE THAT IS THE SUBJECT OF THE EMERGENCY TO ESSENTIAL WORKERS**”; in line 7, strike “**ESSENTIAL EMPLOYER**” and substitute “**FACILITY**”; and in line 13, strike “**, CATEGORIZE THE RESULTS BY INDUSTRY,**”.

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

Affirmative – 43    Negative – 92    (See Roll Call No. 991)

#### FLOOR AMENDMENT

**HB0581/723327/1**

BY: Delegate Buckel

#### AMENDMENT TO HOUSE BILL 581, AS AMENDED

On page 11 of the Economic Matters Committee Amendments (HB0581/273890/1), in line 21 of Amendment No. 6, after “DAMAGES;” insert “AND”.

On page 12 of the Economic Matters Committee Amendments, in Amendment No. 6, strike beginning with “MAY” in line 1 down through “4.” in line 4.

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

Affirmative – 45    Negative – 88    (See Roll Call No. 992)

Delegate Parrott moved to make the Bill a Special Order for Monday.

Delegate D.E. Davis moved the previous question.

The motion was adopted by a roll call vote as follows:

Affirmative – 104    Negative – 31    (See Roll Call No. 993)

Delegate Parrott moved to make the Bill a Special Order for Monday.

The motion was rejected by a roll call vote as follows:

Affirmative – 43    Negative – 94    (See Roll Call No. 994)

Read the second time and ordered prepared for Third Reading.

### MESSAGE FROM THE SENATE INTRODUCTORY SENATE BILLS NO. 33

#### Senate Bill 46 – Senator Lam

AN ACT concerning

#### **Crimes – Mitigation and Defense – Race, Color, National Origin, Sex, Gender Identity, or Sexual Orientation**

FOR the purpose of establishing that a certain discovery or perception of, or belief about, another person’s race, color, national origin, sex, gender identity, or sexual orientation does not constitute certain provocation to mitigate a killing from the crime of murder to manslaughter; establishing that a certain discovery or perception of, or belief about, another person’s race, color, national origin, sex, gender identity, or sexual orientation ~~does not constitute certain provocation to mitigate an assault from the crime of assault in the first degree to assault in the second degree or another lesser crime~~ is not a defense to the crime of assault in any degree; and generally relating to homicide and assault.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 2–207 and 3–209  
Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 716 – Senators Carozza, Hershey, and Lam**

AN ACT concerning

**Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere**

FOR the purpose of prohibiting a person from knowingly and intentionally releasing or causing to be released, ~~or organizing the release of,~~ a certain balloon into the atmosphere; prohibiting a person from organizing or participating in a mass balloon release; requiring the Department of the Environment to enforce this Act; authorizing the Department to delegate certain enforcement authority to a certain unit, officer, or official of a local government; requiring a certain unit, officer, or official of a local government with delegated enforcement authority to report certain violations to the Department; establishing ~~a civil penalty~~ penalties for a violation of this Act; requiring the Department to select, procure, or develop a certain video; defining certain terms; providing for the application of this Act; and generally relating to a prohibition on releasing a balloon into the atmosphere.

BY adding to  
Article – Environment  
Section 9–2301 to be under the new subtitle “Subtitle 23. Miscellaneous Consumer Products”  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 894 – Senator Rosapepe**

**EMERGENCY BILL**

AN ACT concerning

**Post–Crisis Jobs Act of 2021**

FOR the purpose of authorizing certain applicants to complete certain education or training requirements through a digital learning program under certain circumstances;



~~requiring the Governor, in certain fiscal years, to allocate a certain percentage of a certain increase in certain funds for community colleges for workforce training; 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 Department to adopt certain regulations; establishing the Digital Learning Conversion Grant Program, the Basic Numeracy and Literacy Skills Grant Program, and the Recruitment of High Growth Industries Workers Grant Program in the Maryland Department of Labor for certain purposes; establishing certain parameters and requirements related to the grant programs; requiring the Governor, in certain fiscal years, to include in the annual budget bill certain appropriations for the Department to fund the grant programs; providing that the amount of a certain mandated appropriation may be offset by certain appropriated federal funds; requiring that certain funding consist only of certain federal funding; providing that certain appropriations may be used for administrative costs; requiring the Department to adopt certain regulations; requiring the Department to report to the General Assembly at certain intervals; providing that any funding appropriated for the implementation of this Act may consist only of certain federal funding; defining certain terms; making this Act an emergency measure; and generally relating to education and employment.~~

BY adding to

Article – Business Occupations and Professions  
Section 1–209  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Business Regulation  
Section 1–211  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – Education  
Section 1–203 ~~and 16–305(g)~~  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Health Occupations  
Section 1–225  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – Labor and Employment

Section 8–109; and 11–1401 through 11–1404 to be under the new subtitle “Subtitle  
14. Miscellaneous Grant Programs”

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 995)

### ADJOURNMENT

At 2:35 P.M. on motion of Delegate Luedtke the House adjourned until 4:30 P.M. on Legislative Day March 19, 2021, Calendar Day, Friday, April 2, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 19, 2021**  
**Calendar Day: Friday, April 2, 2021**  
**4:30 P.M. Session**

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The House met at 6:00 P.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 123 Members present.

(See Roll Call No. 996)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Attar – personal – religious  
Delegate Brooks – family funeral  
Delegate Cox – personal – religious  
Delegate Jalisi – illness  
Delegate Kelly – personal  
Delegate Mangione – personal  
Delegate Metzgar – personal – religious  
Delegate Saab – left early – personal – religious  
Delegate Szeliga – business  
Delegate Wilson – left early – personal

The Journal of March 17, 2021 was read and approved.

**YEAS AND NAYS NO. 5**  
**HOUSE BILLS PASSED IN THE SENATE**

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NUMBER	SPONSOR	CONTENT
HB 261	Del. T. Branch	Business Regulation – Battery–Charged Fence Security Systems – Regulation

Read and ordered journalized.

**MESSAGE FROM THE SENATE  
INTRODUCTORY SENATE BILLS NO. 34**

**Senate Bill 852 – Senators Hough, Bailey, Carozza, Cassilly, Corderman, Eckardt,  
Edwards, Gallion, Hershey, Jennings, Ready, Salling, Simonaire, and West**

**EMERGENCY BILL**

AN ACT concerning

**Crimes – Penalties and Procedures  
(Violent Firearms Offender Act of 2021)**

FOR the purpose of requiring the Commissioner of Correction to provide a certain inmate with a certain reentry kit and assistance in obtaining Medicaid benefits under certain circumstances; expanding the types of cases in which the State may appeal from a decision of a trial court under certain circumstances; authorizing a court to release a defendant charged with a certain crime on certain terms or conditions or to order the defendant remanded to custody pending a certain appeal; establishing and altering certain penalties; ~~prohibiting a District Court commissioner from authorizing the pretrial release of a certain defendant who has been charged with a certain offense and who is on pretrial release under certain circumstances;~~ prohibiting a dealer or other person from selling, renting, loaning, or transferring a regulated firearm to a purchaser, lessee, borrower, or transferee if the dealer or other person has actual knowledge that the purchaser, lessee, borrower, or transferee intends to use the regulated firearm for a certain purpose; establishing that a person convicted of a certain offense is not prohibited from participating in certain treatment; requiring a State’s Attorney to provide certain notice to a criminal defendant or the defendant’s counsel under certain circumstances; altering certain definitions and defining certain terms; making this Act an emergency measure; and generally relating to firearms and violent crimes.

~~BY renumbering~~

~~Article – Criminal Law~~

~~Section 7–104(h) through (j), respectively~~

~~to be Section 7–104(i) through (k), respectively~~

~~Annotated Code of Maryland~~

~~(2012 Replacement Volume and 2020 Supplement)~~

BY renumbering

Article – Public Safety

Section 5–134(c) and (d), respectively

to be Section 5–134(d) and (e), respectively

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

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(m)  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Correctional Services  
Section 9–609.2  
Annotated Code of Maryland  
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 12–302(c)(4)  
Annotated Code of Maryland  
(2020 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–204, 4–306(b), 4–404, ~~7–104(g)~~, and 14–101(a)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

~~BY adding to~~  
~~Article – Criminal Law~~  
~~Section 7–104(h)~~  
~~Annotated Code of Maryland~~  
~~(2012 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,~~  
~~Article – Criminal Law~~  
~~Section 7–104(j)~~  
~~Annotated Code of Maryland~~  
~~(2012 Replacement Volume and 2020 Supplement)~~  
~~(As enacted by Section 1 of this Act)~~

~~BY repealing and reenacting, without amendments,~~  
~~Article – Criminal Procedure~~  
~~Section 5–202(e)(1) and (d)(1)~~  
~~Annotated Code of Maryland~~  
~~(2018 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 5–202(f)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)~~

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–133(b)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–134(b)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Public Safety  
Section 5–134(c)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### AMENDED IN THE SENATE

#### House Bill 6 – Delegate Feldmark

AN ACT concerning

#### **Economic Development – Maryland Technology Development Corporation – Alterations**

Delegate Kaiser moved that the House not concur in the Senate amendments.

**HB0006/677778/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 6  
(Third Reading File Bill)

On page 3, in line 13, after “UNIVERSITY” insert “, EXCEPT THAT ANY SINGLE HISTORICALLY BLACK COLLEGE OR UNIVERSITY MAY NOT BE REPRESENTED FOR MORE THAN TWO CONSECUTIVE TERMS”.

The preceding amendment was read and not concurred in.

**HB0006/443823/1**

BY: Senator Hayes

AMENDMENTS TO HOUSE BILL 6, AS AMENDED  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “Act;” insert “providing for the application of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 6, in line 17, after “That” insert “the two term limit on a member of the Board of Directors appointed under § 10-403(b)(2)(iv) of the Economic Development Article, as enacted by Section 1 of this Act, may be applied only prospectively to any term being served on or after the effective date of this Act.”

SECTION 5. AND BE IT FURTHER ENACTED, That”.

The preceding amendment was read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL:** HB0006  
**SPONSOR:** Delegate Feldmark  
**SUBJECT:** Economic Development – Maryland Technology Development Corporation – Alterations

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate D. Barnes, Chair  
Delegate Feldmark

Delegate Long

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**AMENDED IN THE SENATE**

**House Bill 7 – Delegate Luedtke**

AN ACT concerning

~~**Income Tax Credit – Venison Donation Expenses – Montgomery County Deer Donation**~~ **Income Tax Credit and Grant Program**

Delegate Kaiser moved that the House not concur in the Senate amendments.

**HB0007/339931/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 7

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Venison**” insert “**Income Tax Credit for**”; in line 3, strike “**Income Tax Credit and Grant Program**” and substitute “**Alterations, Extension, and Testing for Chronic Wasting Disease**”; in line 6, strike “an antlerless” and substitute “a”; in line 8, strike “an” and substitute “a”; in line 9, strike “antlerless”; strike beginning with “establishing” in line 10 down through “term;” in line 15 and substitute “altering the maximum amount of qualified expenses an individual may claim as a credit against the State income tax for a certain donation of a deer carcass or 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;”; in line 16, strike “and termination”; strike beginning with “providing” in line 16 down through “Act;” in line 17; in line 18, strike “antlerless”; and



strike beginning with “and” in line 18 down through “Program” in line 19 and substitute “and testing for chronic wasting disease”.

On page 2, strike in their entirety lines 2 through 11, inclusive, and substitute:

“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”;

and strike beginning with “FOR” in line 22 down through the second comma in line 23.

#### AMENDMENT NO. 2

On page 2, in line 20, after “antlerless” insert “OR ANTLERED”; and in line 29, after “antlerless” insert “OR ANTLERED”.

#### AMENDMENT NO. 3

On page 2, in line 30, strike “\$50” and substitute “\$75”.

On page 3, in line 14, strike “\$200” and substitute “\$600”.

#### AMENDMENT NO. 4

On pages 3 and 4, strike in their entirety the lines beginning with line 21 on page 3 through line 28 on page 4, inclusive, and substitute:

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

#### Chapter 172 of the Acts of 2018

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018, and shall be applicable to all taxable years beginning after December 31, 2017, but before January 1, [2023] 2024. It shall remain effective for a period of [5] 6 years and, at the end of June 30, [2023] 2024, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

#### Chapter 173 of the Acts of 2018

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

1, 2018, and shall be applicable to all taxable years beginning after December 31, 2017, but before January 1, [2023] 2024. It shall remain effective for a period of [5] 6 years and, at the end of June 30, [2023] 2024, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2021, the Department of Natural Resources shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee, in accordance with § 2–1257 of the State Government Article, on the testing of deer brought to deer processors for chronic wasting disease.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be applicable to all taxable years beginning after December 31, 2020.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.”.

The preceding 4 amendments were read and not concurred in.

### MESSAGE TO THE SENATE

BILL: **HB0007**  
 SPONSOR: Delegate Luedtke  
 SUBJECT: Venison Donation Expenses – Income Tax Credit and Grant Program

By the Majority Leader:  
 Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Luedtke, Chair  
 Delegate Ivey  
 Delegate Buckel

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
 Chief Clerk

Read and adopted.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 22**

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

**Senate Bill 61 – Senator Lam**

AN ACT concerning

**Public Buildings – Changing Facilities – 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:

**Senate Bill 96 – Senator McCray**

AN ACT concerning

**Public Health – Behavioral Health Programs and Health Care Facilities – Safety and Community Relations Plans**

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:

**Senate Bill 120 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)**

AN ACT concerning

**Insurance – Credit for Reinsurance Model Law – Revisions**

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:

**Senate Bill 125 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Health)**

AN ACT concerning

**State Board of Chiropractic Examiners – Sunset Extension**

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:

**Senate Bill 183 – Senators Young and Rosapepe**

AN ACT concerning

**Audiology and Speech–Language Pathology Interstate Compact**

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:

**Senate Bill 192 – Senator West**

AN ACT concerning

**Cemeteries – Perpetual Care – Distribution From Perpetual Care Trust Fund**

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:

**Senate Bill 212 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Secretary of State)**

AN ACT concerning

**State Government – Notaries Public – Official Stamp of a Notary Public**

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:

**Senate Bill 247 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Health)**

AN ACT concerning

**State Board of Podiatric Medical Examiners – Sunset Extension**

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:

**Senate Bill 455 – Senator Sydnor**

AN ACT concerning

**Employment Discrimination – Time for Filing Complaints**

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:

**Senate Bill 517 – Senator Klausmeier**

AN ACT concerning

**State Board of Physical Therapy Examiners – Temporary Licenses to Practice  
Physical Therapy and Limited Physical Therapy**

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:

**Senate Bill 537 – Senator Hershey**

AN ACT concerning

**Pharmacists – Required Notification and Authorized Substitution – Lower-Cost Drug or Device Product**

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:

**Senate Bill 542 – Senator Eckardt**

EMERGENCY BILL

AN ACT concerning

**State Health Care Facilities – Employees – Alternative Workweeks**

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:

**Senate Bill 564 – Senator Griffith**

AN ACT concerning

**Consolidation of the Procurement Improvement Council and the Council for the Procurement of Health, Educational, and Social Services**

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:

**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**

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:

**Senate Bill 684 – Senator Lam**

AN ACT concerning

**Maryland Licensure of Certified Midwives Act**

Favorable report adopted.

FLOOR AMENDMENT

**SB0684/946086/1**

BY: Delegate Cullison

AMENDMENT TO SENATE BILL 684

(Third Reading File Bill)

On page 16, in line 16, after “**BOARD**” insert “**IN REGULATIONS**”.

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:

**Senate Bill 714 – Senators Kagan, Reilly, and Jackson**

AN ACT concerning

**Public Safety – 9–1–1 Emergency Telephone System – Alterations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### APPROPRIATIONS COMMITTEE REPORT NO. 18

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

#### House Bill 310 – Delegate Lierman

AN ACT concerning

#### Maryland Arts Capital Grant Program

**HB0310/664860/1**

BY: Appropriations Committee

#### AMENDMENTS TO HOUSE BILL 310

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 9 down through “awarded;” in line 11.

#### AMENDMENT NO. 2

On page 2, in line 8, strike “**2023**” and substitute “**2024**”; in the same line, strike “**2028**” and substitute “**2029**”; line 17, after “AND” insert “:

**(I)**;

in line 18, after the second “PROGRAM” insert “;**OR**

**(II) IS OPEN TO THE PUBLIC AND PROVIDES CULTURAL EDUCATION OR EXPERIENCES**”;



in line 19, after “FOR” insert “THE ACQUISITION OF,”; in line 20, after “FACILITY” insert “OR OTHER INFRASTRUCTURE”; and strike in their entirety lines 25 through 29, inclusive.

On page 3, in line 10, after “(IV)” insert “A LETTER OF SUPPORT FROM THE STATE SENATOR OR DELEGATE REPRESENTING THE AREA IN WHICH THE PROJECT WILL BE LOCATED;”

(V)”;

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

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:

### **Senate Bill 9 – Senator Kramer**

AN ACT concerning

### **State Employees – Collective Bargaining – Applicability, Bargaining Processes, and Memorandums of Understanding**

**SB0009/494064/1**

BY: Appropriations Committee

### AMENDMENTS TO SENATE BILL 9

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 6 down through the “board;” in line 9; in line 15, strike “providing for the negotiation of” and substitute “requiring the Chancellor and the exclusive representative to negotiate the terms of”; in line 16, strike “between a certain exclusive representative and the Chancellor”; and in line 17, after the semicolon insert “requiring that a certain consolidated memorandum of understanding”

include terms relating to certain matters; authorizing the president of a system institution, or the president’s designee, and the exclusive representative to negotiate and enter into a separate agreement regarding certain matters; prohibiting a certain consolidated memorandum of understanding from including certain terms; requiring that certain matters, on mutual agreement and in writing, be negotiated by certain parties or as part of a certain consolidated memorandum of understanding under certain circumstances;”.

On page 2, in line 2, strike “3–102(b)(11) through (13),”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 2 through 16, inclusive.

On page 7, in line 23, strike “**WITH**” and substitute “**SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, WITH**”; in lines 26 and 27, strike “: **(1)**” and substitute a comma; in line 30, strike “; **AND**” and substitute a period; strike beginning with “**(2)**” in line 31 down through “**DESIGNATE**” in line 32 and substitute:

**“(B) (1) A CONSOLIDATED MEMORANDUM OF UNDERSTANDING SHALL INCLUDE TERMS RELATING TO:**

**(I) CONTRACTING OUT OR SUPPLEMENTING BARGAINING UNIT WORK;**

**(II) DURATION OF THE CONSOLIDATED MEMORANDUM OF UNDERSTANDING;**

**(III) EMPLOYEE RIGHTS;**

**(IV) GRIEVANCE AND APPEALS OF DISCIPLINE;**

**(V) HEALTH, SAFETY, AND WELFARE, INCLUDING PERSONAL PROTECTIVE EQUIPMENT;**

**(VI) INSURANCE RELATED TO HEALTH AND OTHER BENEFITS;**

**(VII) UNION STEWARDS;**

- (VIII) LABOR MANAGEMENT COMMITTEES;**
- (IX) LAYOFFS AND RECALL;**
- (X) LEAVE;**
- (XI) MAINTENANCE OF MEMBERSHIP;**
- (XII) MANAGEMENT RIGHTS;**
- (XIII) NONDISCRIMINATION;**
- (XIV) PERFORMANCE EVALUATIONS;**
- (XV) PERSONNEL FILES;**
- (XVI) PROBATIONARY PERIODS;**
- (XVII) RECOGNITION AND SCOPE;**
- (XVIII) RETIREMENT BENEFITS;**
- (XIX) TUITION REMISSION;**
- (XX) RIGHTS AND RESPONSIBILITIES OF ESSENTIAL WORKERS;**
- (XXI) UNION RIGHTS; AND**
- (XXII) WAGES AND SALARIES.**

**(2) (1) A PRESIDENT OF A SYSTEM INSTITUTION, OR THE PRESIDENT'S DESIGNEE, AND THE EXCLUSIVE REPRESENTATIVE SHALL NEGOTIATE AND ENTER INTO A SEPARATE AGREEMENT REGARDING THE FOLLOWING MATTERS:**

- 1. DESIGNATION OF ESSENTIAL EMPLOYEES;**

2. STUDENT BREAKS AND HOLIDAYS;
3. HOURS OF WORK;
4. OTHER COMPENSATION THAT DOES NOT DIRECTLY IMPACT WAGES OR SALARY;
5. SHIFT DIFFERENTIALS;
6. TELEWORKING; AND
7. UNIFORMS AND EQUIPMENT.

(II) A CONSOLIDATED MEMORANDUM OF UNDERSTANDING MAY NOT INCLUDE TERMS RELATING TO THE MATTERS LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(3) FOR”;

in line 32, strike “TO BE NEGOTIATED” and substitute “THAT IS NOT LISTED IN PARAGRAPH (1) OR (2) OF THIS SUBSECTION, THE MATTER SHALL BE NEGOTIATED:

(I) ON MUTUAL AGREEMENT AND IN WRITING,”;

and in line 34, after “DESIGNEE” insert “OR

(II) IF THE PARTIES IN ITEM (I) OF THIS PARAGRAPH CANNOT MUTUALLY AGREE, AS PART OF THE CONSOLIDATED MEMORANDUM OF UNDERSTANDING”.

On page 8, in line 1, strike “(B)” and substitute “(C)”; in the same line, strike “SUBSECTION (A) OF”; strike beginning with “, INCLUDING” in line 2 down through “SUBSECTION” in line 3 and substitute “REGARDING MATTERS LISTED IN SUBSECTION”; in line 3, strike “(A)(2)” and substitute “(B)(1) AND (B)(3)”; in the same line, strike the comma; and in line 5, strike “(C)” and substitute “(D)”.

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:

**Senate Bill 30 – Senators Elfreth and Guzzone**

AN ACT concerning

**State Finance and Procurement – Appropriation Reductions  
(Board of Public Works Budget Reduction Clarification Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 60 – Senator Peters**

AN ACT concerning

**State Debt – Annuity Bond Fund – Use of Bond Premiums**

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:

**Senate Bill 323 – ~~Senator Elfreth~~ Senators Elfreth, Griffith, Guzzone, King, McCray, Peters, Rosapepe, Young, and Zucker**

AN ACT concerning

**Maryland Arts Capital Grant Program**

**SB0323/594663/1**

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 323

(Third Reading File Bill)

On page 2, in line 12, strike “**2023**” and substitute “**2024**”; and in the same line, strike “**2028**” and substitute “**2029**”.

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:

**Senate Bill 789 – Senator McCray (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Visit Baltimore – Appropriation Calculation**

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. 997)

### CALENDAR OF THIRD READING HOUSE BILLS NO. 99

**House Bill 467 – Delegate Rogers**

AN ACT concerning

**Renewable Energy Portfolio Standard – ~~Hydroelectric Power~~ Alterations and Compliance Fees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95    Negative – 37    (See Roll Call No. 998)

The Bill was then sent to the Senate.

**House Bill 581 – Delegate D.E. Davis**

**EMERGENCY BILL**

AN ACT concerning

**Labor and Employment – Employment Standards During an Emergency  
(Maryland Essential Workers’ Protection Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 93    Negative – 39    (See Roll Call No. 999)

The Bill was then sent to the Senate.

**House Bill 799 – Delegate Clark**

**EMERGENCY BILL**

AN ACT concerning

~~**Aquaculture Leases and Shellfish Nursery Operations – Wetlands**~~  
**Aquaculture Coordinating Council – Application of Tidal Wetlands Permit  
Requirements to Aquaculture Operations – Study**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 1000)

The Bill was then sent to the Senate.

**House Bill 934 – Delegate Bartlett**

AN ACT concerning

**Public Health – Chief Medical Examiner – Autopsy Findings and Conclusions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 129    Negative – 1    (See Roll Call No. 1001)

The Bill was then sent to the Senate.

**House Bill 1003 – Delegate Lierman**

AN ACT concerning

**States of Emergency – Emergency Procurement and Budget Amendments –  
Notice and Authorization**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 1    (See Roll Call No. 1002)

The Bill was then sent to the Senate.

**House Bill 1134 – Delegate Carey**

AN ACT concerning

**Natural Resources – Fishing and Hunting Rights**

Read the third time and passed by yeas and nays as follows:

Affirmative – 106    Negative – 25    (See Roll Call No. 1003)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 25**

**Senate Bill 20 – Senator Carter**

AN ACT concerning

**Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 127    Negative – 4    (See Roll Call No. 1004)

The Bill was then returned to the Senate.

**Senate Bill 31 – Senator Washington**

AN ACT concerning

**Electricity and Gas – Energy Suppliers – Supply Offers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95    Negative – 37    (See Roll Call No. 1005)



The Bill was then returned to the Senate.

**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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 1006)

The Bill was then returned to the Senate.

**Senate Bill 135 – Senator Klausmeier**

AN ACT concerning

**Business Regulation – Battery-Charged Fence Security Systems – Regulation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 122    Negative – 9    (See Roll Call No. 1007)

The Bill was then returned to the Senate.

**Senate Bill 291 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Offenses – Following Too Closely – Unified Truck Travel**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 1    (See Roll Call No. 1008)

The Bill was then returned to the Senate.

**Senate Bill 473 – Senator Washington**

AN ACT concerning

**Labor and Employment – Leave With Pay – Bereavement Leave**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95    Negative – 37    (See Roll Call No. 1009)

The Bill was then returned to the Senate.

**Senate Bill 801 – Senator Griffith**

AN ACT concerning

**Labor and Employment – Economic Stabilization Act – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 117    Negative – 14    (See Roll Call No. 1010)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 26**

**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**

FLOOR AMENDMENT

**SB0259/183723/1**

BY: Delegate Clark

AMENDMENT TO SENATE BILL 259, AS AMENDED

In line 6 of the Appropriations Committee Amendment (SB0259/404364/1), strike “OR”; and in line 8, after “ADMINISTRATION;” insert “OR”

**(IV) DEVELOPING AND CONSTRUCTING A REPLACEMENT  
GOVERNOR THOMAS JOHNSON MEMORIAL BRIDGE AND RELATED PROJECTS;**

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

Affirmative – 38    Negative – 90    (See Roll Call No. 1011)

Read the third time and passed by yeas and nays as follows:

Affirmative – 121    Negative – 9    (See Roll Call No. 1012)

The Bill was then returned to the Senate.

**Senate Bill 293 – ~~Senator~~ Senators Waldstreicher and Carozza**

AN ACT concerning

**Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 0    (See Roll Call No. 1013)

The Bill was then returned to the Senate.

**Senate Bill 343 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Shrimp Fishery – Licensing and Regulation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 129    Negative – 2    (See Roll Call No. 1014)

The Bill was then returned to the Senate.

**Senate Bill 344 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Agriculture)**

AN ACT concerning

**Agriculture – Cost-Sharing Program – State Cost-Sharing Funds**

Read the third time and passed by yeas and nays as follows:

Affirmative – 127    Negative – 4    (See Roll Call No. 1015)

The Bill was then returned to the Senate.

**Senate Bill 352 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Agriculture)**

AN ACT concerning

**Agriculture – Multiflora Rose Management – Repeal**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 1016)

The Bill was then returned to the Senate.

**Senate Bill 474 – Senator Eckardt**

AN ACT concerning

**Real Property – Sale of Mobile Home Parks – Notice Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 1017)

The Bill was then returned to the Senate.

**Senate Bill 613 – Carroll County Senators**

AN ACT concerning

**Carroll County – Sheriff – Salary**

Read the third time and passed by yeas and nays as follows:

Affirmative – 130    Negative – 0    (See Roll Call No. 1018)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 27**

**Senate Bill 3 – Senators Griffith, Augustine, Beidle, Eckardt, Elfreth, Ellis,  
Ferguson, Guzzone, Hershey, Kagan, Kelley, Ready, Washington, and West**

AN ACT concerning

**Preserve Telehealth Access Act of 2021**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 1019)

The Bill was then returned to the Senate.

**Senate Bill 52 – Senator Washington**

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 – 34    (See Roll Call No. 1020)

The Bill was then returned to the Senate.

**Senate Bill 204 – Senator Beidle**

AN ACT concerning

**Health Care Facilities – Assisted Living Programs – ~~Memory Care and  
Alzheimer’s Disease Unit~~ Regulations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 1    (See Roll Call No. 1021)

The Bill was then returned to the Senate.

**Senate Bill 265 – Senator Waldstreicher**

AN ACT concerning

**Estates and Trusts – Maryland Revised Uniform Anatomical Gift Act – Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 130    Negative – 0    (See Roll Call No. 1022)

The Bill was then returned to the Senate.

**Senate Bill 500 – Senators Lam and Hettleman**

AN ACT concerning

**Psychology Interjurisdictional Compact**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 1023)

The Bill was then returned to the Senate.

**Senate Bill 529 – Senator Elfreth (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 – 132    Negative – 0    (See Roll Call No. 1024)

The Bill was then returned to the Senate.

**Senate Bill 638 – ~~Senator Augustine~~ Senators Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Klausmeier, Kramer, and Ready**

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. 1025)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 28**

**Senate Bill 48 – Senators Young, Benson, Corderman, Elfreth, Feldman, Klausmeier, Patterson, Salling, and Waldstreicher**

AN ACT concerning

**Income Tax – Subtraction Modification – Living Organ Donors**

Read the third time and passed by yeas and nays as follows:

Affirmative – 130    Negative – 1    (See Roll Call No. 1026)

The Bill was then returned to the Senate.

**Senate Bill 104 – Senator Bailey**

AN ACT concerning

**Public and Nonpublic Schools – Electric Retractable Room Partitions –  
Operation Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 0    (See Roll Call No. 1027)

The Bill was then returned to the Senate.

**Senate Bill 186 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Commerce)**

AN ACT concerning

**Economic Development – Job Creation Tax Credit – Credit for Hiring Veterans**

Delegate Luedtke moved to make the Bill a Special Order for Monday.

The motion was adopted.

**Senate Bill 371 – Senator Peters**

AN ACT concerning

**Special Education – Individualized Education Programs – Educational  
Evaluations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 1028)

The Bill was then returned to the Senate.

**Senate Bill 432 – Senator King**

AN ACT concerning

**Public Libraries – Electronic Book Licenses – Access**

Read the third time and passed by yeas and nays as follows:

Affirmative – 130    Negative – 0    (See Roll Call No. 1029)

The Bill was then returned to the Senate.

**Senate Bill 749 – Senator Ellis**

AN ACT concerning

**Charles County – Board of Education – Membership Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 119    Negative – 11    (See Roll Call No. 1030)

The Bill was then returned to the Senate.

**Senate Bill 823 – Senators Gallion and Hershey**

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 – 130    Negative – 0    (See Roll Call No. 1031)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 29**

**Senate Bill 436 – Senator King**

AN ACT concerning

**Child Care Centers – Teacher Qualifications**

Read the third time and passed by yeas and nays as follows:



Affirmative – 129    Negative – 2    (See Roll Call No. 1032)

The Bill was then returned to the Senate.

**Senate Bill 438 – Senators Washington, Hettleman, and Elfreth**

AN ACT concerning

**Public Schools – Pregnant and Parenting Students – Policies and Reports**

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

The motion was adopted.

**Senate Bill 447 – Senator Edwards**

AN ACT concerning

**Historic Revitalization Tax Credit – Certified Historic Structure and  
Single-Family, Owner-Occupied Residence – Definitions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 0    (See Roll Call No. 1033)

The Bill was then returned to the Senate.

**Senate Bill 448 – Senator Edwards**

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 – 130    Negative – 1    (See Roll Call No. 1034)

The Bill was then returned to the Senate.

**Senate Bill 539 – Senator Guzzone**

AN ACT concerning

**Income Tax Credit – Food Donation Pilot Program – Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 0 (See Roll Call No. 1035)

The Bill was then returned to the Senate.

**Senate Bill 548 – Senator Augustine**

AN ACT concerning

**Public Schools – Centers for Disease Control and Prevention Surveys –  
Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 100 Negative – 31 (See Roll Call No. 1036)

The Bill was then returned to the Senate.

**Senate Bill 678 – Senator Edwards**

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 – 132 Negative – 0 (See Roll Call No. 1037)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 31**

**Senate Bill 535 – Senator King**

AN ACT concerning

**Condominiums and Homeowners Associations – Meeting Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 114 Negative – 18 (See Roll Call No. 1038)

The Bill was then returned to the Senate.

**Senate Bill 686 – Senator Smith**

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 – 132    Negative – 0    (See Roll Call No. 1039)

The Bill was then returned to the Senate.

**Senate Bill 778 – ~~Senator Elfreth~~ Senators Elfreth, Eckardt, Griffith, Guzzone, King, Rosapepe, and Zucker**

AN ACT concerning

**Regional Institution Strategic Enterprise Zone Program – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 128    Negative – 3    (See Roll Call No. 1040)

The Bill was then returned to the Senate.

**Senate Bill 783 – Senator Hayes**

AN ACT concerning

**Baltimore City – West North Avenue Development Authority**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 0    (See Roll Call No. 1041)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 8  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 679 – Delegate Rogers**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Class MT License**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB0679/814832/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 679

(Third Reading File Bill)

On page 2, in line 27, strike “SCREENING AREA” and substitute “PUBLIC VIEWING THEATER”; and strike beginning with “AND” in line 27 down through “THEATERS” in line 28.

On page 3, in line 12, after “theater” insert “in Anne Arundel County”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 130    Negative – 0    (See Roll Call No. 1042)

**AMENDED IN THE SENATE**

**House Bill 654 – Delegate Qi**

AN ACT concerning

**Maryland Small Business Innovation Research and Technology Transfer  
Incentive Program – Alterations**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB0654/327077/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 654

(Third Reading File Bill)

On page 5, in line 20, after “businesses,” insert “MINORITY-OWNED SMALL BUSINESSES,”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 126    Negative – 4    (See Roll Call No. 1043)

**SPECIAL ORDER CALENDAR NO. 78**

**Senate Bill 71 – ~~Senator Sydnor~~ Senators Sydnor, Smith, Waldstreicher, Jackson, Carter, Hough, Lee, West, and Hettleman**

AN ACT concerning

~~**Police Officers – Testimony – Presumption of Inadmissibility  
(Maryland Police Accountability Act of 2021)**~~  
**Maryland Police Accountability Act of 2021 – Body-Worn Cameras**

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

FLOOR COMMITTEE AMENDMENT

**SB0071/213228/1**

BY: House Judiciary Committee

**AMENDMENT TO SENATE BILL 71, AS AMENDED**

On page 6 of the House Judiciary Committee Amendments (SB0071/952415/1), in the first and second lines from the bottom of Amendment No. 3, strike “**A POLICE OFFICER UNDER SIMILAR CIRCUMSTANCES WOULD BELIEVE THAT**” and substitute “**, UNDER THE TOTALITY OF THE CIRCUMSTANCES,**”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

**SB0071/153021/1**

BY: Delegate Morgan

AMENDMENTS TO SENATE BILL 71, AS AMENDED

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0071/952415/1), in Amendment No. 1, strike beginning with “altering” in line 7 down through “behavior;” in line 9.

On page 2 of the House Judiciary Committee Amendments, in line 7 of Amendment No. 1, strike “and 3–516”.

AMENDMENT NO. 2

On page 3 of the House Judiciary Committee Amendments, in Amendment No. 3, strike in their entirety lines 4 through 13, inclusive.

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

Affirmative – 39    Negative – 88    (See Roll Call No. 1044)

FLOOR AMENDMENT

**SB0071/553421/1**

BY: Delegate Novotny

AMENDMENTS TO SENATE BILL 71

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “date” insert “, subject to a certain exception”.

AMENDMENT NO. 2

On page 4, in line 15, after “**3.**” insert “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH,**”; and after line 23, insert:

**“(III) THIS PARAGRAPH DOES NOT APPLY TO THE HOWARD COUNTY POLICE DEPARTMENT UNLESS RELATED FUNDING IS SECURED FOR THE HOWARD COUNTY POLICE DEPARTMENT AND THE HOWARD COUNTY STATE’S ATTORNEY’S OFFICE.”**

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

Affirmative – 38    Negative – 91    (See Roll Call No. 1045)

Read the second time and ordered prepared for Third Reading.

Delegate Clippinger moved to put **Senate Bill 71** on Third Reading on the same day in compliance with the Constitution.

The motion was adopted by a roll call vote as follows:

Affirmative – 95    Negative – 36    (See Roll Call No. 1046)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 71** was placed on Third Reading.

**Senate Bill 71 – ~~Senator Sydnor~~ Senators Sydnor, Smith, Waldstreicher, Jackson, Carter, Hough, Lee, West, and Hettleman**

AN ACT concerning

~~Police Officers – Testimony – Presumption of Inadmissibility  
(Maryland Police Accountability Act of 2021)~~  
**Maryland Police Accountability Act of 2021 – Body-Worn Cameras**

STATUS OF BILL: BILL ON 3RD READING.

Read the third time and passed by yeas and nays as follows:

Affirmative – 92    Negative – 38    (See Roll Call No. 1047)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 9  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 590 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2021,  
and the Maryland Consolidated Capital Bond Loans of 2012, 2013, 2014, 2015,  
2016, 2017, 2018, 2019, and 2020**

## BUDGET AND TAXATION COMMITTEE REPRINT TO HOUSE BILL 590 – THE CAPITAL BUDGET

(See Exhibit Q of Appendix II)

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0590/883823/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 590

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 5, in line 13, strike “36,650,000” and substitute “33,650,000”.

AMENDMENT NO. 2

On page 28, in line 9, strike “20,754,000” and substitute “23,754,000”; in line 32, strike “2,000,000” and substitute “5,000,000”; and in line 36, strike “Beaver” and substitute “Beaverdam”.

AMENDMENT NO. 3

On page 120, in line 4, strike “3,350,000” and substitute “6,350,000”.

The preceding 3 amendments were read and concurred in.

**HB0590/373829/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 590

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 5, in line 13, strike “36,650,000” and substitute “28,650,000”.

AMENDMENT NO. 2

On page 28, in line 9, strike “20,754,000” and substitute “23,754,000”; in line 32, strike “2,000,000” and substitute “5,000,000”; and in line 36, strike “Beaver” and substitute “Beaverdam”.



AMENDMENT NO. 3

On page 42, in line 19, strike "1,000,000" and substitute "3,000,000".

AMENDMENT NO. 4

On page 44, in line 32, strike "500,000" and substitute "550,000".

AMENDMENT NO. 5

On page 48, in lines 37 and 38, strike "Pavilion and Kayak Launch" and substitute "Boardwalk and Observation Tower".

On pages 48 and 49, strike beginning with "a" in line 41 on page 48 down through "launch" in line 1 on page 49 and substitute "an ADA accessible boardwalk and observation tower".

AMENDMENT NO. 6

On page 57, in line 23, strike "100,000" and substitute "150,000".

AMENDMENT NO. 7

On page 57, after line 30, insert:

“

<u>(FN)</u>	<u>Rock Hall Town Hall. Provide a grant to the Rock Hall Mayor and City Council for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Rock Hall Town Hall (Kent County).....</u>	<u>250,000</u>
<u>(FO)</u>	<u>Paint Branch Trail and Trolley Trail. Provide a grant to the College Park City University Partnership for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Paint Branch Trail and Trolley Trail (Prince George’s County)</u>	<u>443,000</u>
<u>(FP)</u>	<u>Meals on Wheels of College Park. Provide a grant to the Meals on Wheels of College Park Area, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Meals on Wheels of College Park (Prince George’s County) .....</u>	<u>250,000</u>
<u>(FQ)</u>	<u>Manna Food Center. Provide a grant to the Board of Directors of the Manna Food Center for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Manna Food Center (Montgomery County).....</u>	<u>150,000</u>

(FR)	<u>McElderry Park Resource Center. Provide a grant to the McElderry Park Community Association for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the McElderry Park Resource Center (Baltimore City).....</u>	<u>75,000</u>
(FS)	<u>Liberty Senior Center Pavilions. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Liberty Senior Center, including but not limited to the construction of two pavilions, the installation of outdoor picnic equipment, and the installation of a built-in gas grill (Baltimore County).....</u>	<u>150,000</u>
(FT)	<u>Bus Stop Enclosures. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the bus stop enclosures to include: (1) the westbound lane of Liberty Road at the intersection of Bayer Avenue, (2) the westbound lane of Liberty Road at the intersection of Offutt Road, (3) the eastbound lane of Liberty Road at the intersection of Offutt Road, (4) the eastbound lane of Liberty Road at the intersection of Pikeswood Drive, and (5) the eastbound lane of Liberty Road at the intersection of Marriottsville Road (Baltimore County).....</u>	<u>150,000</u>
(FU)	<u>Sidewalk Installation. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of sidewalks along Liberty Road (Baltimore County).....</u>	<u>200,000</u>
(FV)	<u>Randallstown Library. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Randallstown Library (Baltimore County).....</u>	<u>100,000</u>
(FW)	<u>District Heights Senior Center. Provide a grant to the Mayor and City Council of District Heights for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the District Heights Senior Center (Prince George’s County).....</u>	<u>200,000</u>

<u>(FX)</u>	<u>Diggs Johnson Museum. Provide a grant to the Board of Directors of the Diggs Johnson Museum for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Diggs Johnson Museum including signage (Baltimore County)</u>	<u>155,000</u>
<u>(FY)</u>	<u>Oakwood Village Community Signs. Provide a grant to the Oakwood Community Village Association, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Oakwood Village Community including signage (Baltimore County).....</u>	<u>2,000</u>
<u>(FZ)</u>	<u>Baltimore Pumphouse. Provide a grant to the Board of Directors of the Baltimore Pumphouse for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Baltimore Pumphouse (Baltimore City).....</u>	<u>75,000</u>
<u>(GA)</u>	<u>Exercise Pavilion. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of an exercise pavilion at 4515 Deer Park Road, located in Owings Mills (Baltimore County).....</u>	<u>150,000</u>
<u>(GB)</u>	<u>Parking Lot Expansion. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of a parking lot at Franklin Boulevard and Quarry Place (Baltimore County).....</u>	<u>200,000</u>
<u>(GC)</u>	<u>Robert W. Johnson Community Center. Provide a grant to the Board of Directors of the Robert W. Johnson Community Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of Robert W. Johnson Community Center, located in Washington County (Washington County) .....</u>	<u>100,000</u>
<u>(GD)</u>	<u>Greenhaven Wharf Bulkhead Repair. Provide a grant to the County Executive and County Council of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of infrastructure improvements to the Greenhaven Wharf bulkhead (Anne Arundel County).....</u>	<u>250,000</u>

”

AMENDMENT NO. 8

On page 61, in line 20, after the first “County” insert “and to support renovation costs in the auxiliary Pascal Crisis locations in Anne Arundel County”.

On page 75, in line 39, after the first “County” insert “and to support renovation costs in the auxiliary Pascal Crisis locations in Anne Arundel County”.

AMENDMENT NO. 9

On page 106, in line 5, strike “\$503,237,000” and substitute “\$503,780,400”.

On page 114, after line 21, insert:

“

- (R) Studio 541 Museum. Provide a grant to the Board of Directors of the Blocker Family Foundation Co. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Studio 541 Museum, located in Baltimore City (Baltimore City)..... 193,400
- (S) Prologue Outreach Center. Provide a grant to the Board of Directors of Prologue, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Prologue Outreach Center, located in Baltimore County (Baltimore County)..... 150,000
- (T) Baltimore Unity Hall. Provide a grant to Baltimore Unity Hall, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Baltimore Unity Hall (Baltimore City) ..... 100,000
- (U) Capitol Heights–Seat Pleasant Boys and Girls Club. Provide a grant to the Board of Directors of the Capitol Heights–Seat Pleasant Boys and Girls Club, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Capitol Heights–Seat Pleasant Boys and Girls Club (Prince George’s County)..... 100,000

”

AMENDMENT NO. 10

On page 119, strike beginning with “provided” in line 16 down through “\$1,500,000” in line 19 and substitute “provided that \$1,500,000 of this authorization”; and in line 22, strike “23,000,000” and substitute “21,500,000”.

AMENDMENT NO. 11

On page 120, in line 4, strike “3,350,000” and substitute “11,350,000”.

The preceding 11 amendments were read and concurred in.

**HB0590/123525/1**

BY: Senator Hershey

AMENDMENT TO HOUSE BILL 590

(Third Reading File Bill – Committee Reprint)

On page 48, in lines 37 and 38, strike “Pavilion and Kayak Launch” and substitute “Boardwalk and Observation Tower”.

On pages 48 and 49, strike beginning with “a” in line 41 on page 48 down through “launch” in line 1 on page 49 and substitute “an ADA accessible boardwalk and observation tower”.

The preceding amendment was read and concurred in.

**HB0590/313621/1**

BY: Senator Reilly

AMENDMENT TO HOUSE BILL 590

(Third Reading File Bill – Committee Reprint)

On page 61, in line 20, after the first “County” insert “and to support renovation costs in the auxiliary Pascal Crisis locations in Anne Arundel County”.

On page 75, in line 39, after the first “County” insert “and to support renovation costs in the auxiliary Pascal Crisis locations in Anne Arundel County”.

The preceding amendment was read and concurred in.

**HB0590/709333/1**

BY: Senator Hayes

AMENDMENT TO HOUSE BILL 590

(Third Reading File Bill – Committee Reprint)

On page 77, in line 37, strike “250,000” and substitute “150,000”; and after line 37, insert:

“(S-1) Baltimore Unity Hall. Provide a grant to the Board of Trustees of the Memorial Apartments Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Center for Community Arts, Education, and Job Training (Baltimore City)..... 100,000”.

The preceding amendment was read and concurred in.

**HB0590/283220/1**

BY: Senator Peters

AMENDMENT TO HOUSE BILL 590  
(Third Reading File Bill – Committee Reprint)

On page 106, in line 5, strike “\$503,237,000” and substitute “\$503,580,400”.

On page 114, after line 21, insert:

“

(R) Studio 541 Museum. Provide a grant to the Board of Directors of the Blocker Family Foundation Co. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Studio 541 Museum, located in Baltimore City (Baltimore City)..... 193,400

(S) Prologue Outreach Center. Provide a grant to the Board of Directors of Prologue, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Prologue Outreach Center, located in Baltimore County (Baltimore County)..... 150,000

”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 125    Negative – 3    (See Roll Call No. 1048)

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL:** **HB0012**  
**SPONSOR:** Delegate Watson, C., et al  
**SUBJECT:** Alcoholic Beverages – Sale or Delivery for Off-Premises  
Consumption

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate D.E. Davis, Chairman  
Delegate T. Branch  
Delegate C. Watson.

The Senate appoints:

Senator Simonaire, Chair  
Senator Pinsky  
Senator Washington

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL:** **HB0293**  
**SPONSOR:** Delegate Stein  
**SUBJECT:** Natural Resources – Organized Killing Contests – Restriction

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Gilchrist, Chairman  
Delegate Stein

Delegate Jacobs.

The Senate appoints:

Senator Kagan, Chair  
Senator Simonaire  
Senator Lam

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL:** **HB0517**  
**SPONSOR:** Delegate Watson, C.  
**SUBJECT:** Clean Energy Loan Program – Remediation and Resiliency

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Healey, Chairman  
Delegate Harrison  
Delegate Wivell.

The Senate appoints:

Senator Hester, Chair  
Senator Kagan  
Senator Ellis

Said Bill is returned herewith.

By Order,

Nicole Xander



Secretary

Read and ordered journalized.

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL:**                   **HB0072**  
**SPONSOR:**            Delegate Anderton  
**SUBJECT:**            County Boards of Education – Student Transportation – Vehicles  
                                  and Report

The Senate recesses from its position on HB0072.

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 1049)

**ADJOURNMENT**

At 7:45 P.M. on motion of Delegate Luedtke the House adjourned until 6:30 P.M. on Legislative Day March 20, 2021, Calendar Day, Monday, April 5, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 20, 2021**  
**Calendar Day: Monday, April 5, 2021**  
**6:30 P.M. Session**

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The House met at 6:42 P.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 1050)

**EXCUSED:**

Delegate Anderson – illness

Delegate Brooks – family funeral

Delegate M. Fisher – personal

The Journal of March 19, 2021 was read and approved.

**YEAS AND NAYS NO. 6**  
**HOUSE BILLS PASSED IN THE SENATE**

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NUMBER	SPONSOR	CONTENT
HB 72	Del. Anderton	County Boards of Education – Student Transportation – Vehicles and Report
HB 295	Del. Love	Water Pollution – Stormwater Management Regulations and Watershed Implementation Plans – Review and Update
HB 630	Del. Solomon	Primary and Secondary Education – School District Energy Use – Policy and Study
HB 738	Chair, Ways and Means Committee	Election Law – Certificates of Candidacy and Ballot Questions – Revisions

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NUMBER	SPONSOR	CONTENT
HB 777	Del. Brooks	Power Plant Research Program – Review of Application for Certificate of Public Convenience and Necessity – Alterations
HB 790	Del. P. Young	Prcrmnt – Ofc of Sml, Mnrty, & Wmn Bsns Affairs – Sml Bsns Reserve Prgrm & Veteran–Ownd Sml Bsns Entrprs Prgrm
HB 800	Del. Clark	Natural Resources – Waters of the State – Mobile Locator Application

Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL:**                    **SB0202**  
**SPONSOR:**            Senator Kelley, et al  
**SUBJECT:**             Correctional Services – Parole – Life Imprisonment

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Carter, Chair  
Senator Waldstreicher  
Senator Hough

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

**MESSAGE TO THE SENATE**

**BILL:** SB0202  
**SPONSOR:** Senator Kelley, et al  
**SUBJECT:** Correctional Services – Parole – Life Imprisonment

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Carter, Chairman  
Senator Waldstreicher  
Senator Hough.

The House appoints:

Delegate Clippinger, Chair  
Delegate Williams  
Delegate Malone

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1051)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 100**

**House Bill 310 – Delegate Lierman**

AN ACT concerning

**Maryland Arts Capital Grant Program**

Read the third time and passed by yeas and nays as follows:

Affirmative – 121    Negative – 12    (See Roll Call No. 1052)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 30**

**Senate Bill 140 – Senator Peters**

AN ACT concerning

**Vehicle Laws – Commercial Motor Carriers – Safety, Inspection, Performance,  
and Insurance Information**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 1    (See Roll Call No. 1053)

The Bill was then returned to the Senate.

**Senate Bill 200 – Senators Young, Waldstreicher, and Washington**

AN ACT concerning

**Natural Resources – Organized Killing Contests – Restriction**

Read the third time and passed by yeas and nays as follows:

Affirmative – 114    Negative – 21    (See Roll Call No. 1054)

The Bill was then returned to the Senate.

**Senate Bill 350 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Aquaculture – Leases**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1055)

The Bill was then returned to the Senate.

**Senate Bill 442 – Senator Klausmeier**

EMERGENCY BILL

AN ACT concerning

~~**Aquaculture Leases and Shellfish Nursery Operations – Wetlands**~~  
**Aquaculture Coordinating Council – Application of Tidal Wetlands Permit**  
**Requirements to Aquaculture Operations – Study**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 1056)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 33**

**Senate Bill 247 – Chair, Education, Health, and Environmental Affairs Committee**  
**(By Request – Departmental – Health)**

AN ACT concerning

**State Board of Podiatric Medical Examiners – Sunset Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1057)

The Bill was then returned to the Senate.

**Senate Bill 455 – Senator Sydnor**

AN ACT concerning

**Employment Discrimination – Time for Filing Complaints**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 2    (See Roll Call No. 1058)

The Bill was then returned to the Senate.

**Senate Bill 517 – Senator Klausmeier**

AN ACT concerning

**State Board of Physical Therapy Examiners – Temporary Licenses to Practice  
Physical Therapy and Limited Physical Therapy**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1059)

The Bill was then returned to the Senate.

**Senate Bill 537 – Senator Hershey**

AN ACT concerning

**Pharmacists – Required Notification and Authorized Substitution – Lower-Cost  
Drug or Device Product**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1060)

The Bill was then returned to the Senate.

**Senate Bill 542 – Senator Eckardt**

**EMERGENCY BILL**

AN ACT concerning

**State Health Care Facilities – Employees – Alternative Workweeks**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1061)

The Bill was then returned to the Senate.

**Senate Bill 564 – Senator Griffith**

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 – 138    Negative – 0    (See Roll Call No. 1062)

The Bill was then returned to the Senate.

**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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1063)

The Bill was then returned to the Senate.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 42**

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

**Senate Bill 489 – Senators Beidle and Elfreth**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Class MT License**

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:

**Senate Bill 944 – Senator Simonaire**

**EMERGENCY BILL**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages Licenses – Annual Fees**

Favorable report adopted.



Read the second time and ordered prepared for Third Reading.

### ECONOMIC MATTERS COMMITTEE REPORT NO. 43

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

#### Senate Bill 65 – Senator Kelley

AN ACT concerning

#### Electricity – Renewable Energy Portfolio Standard – Qualifying Biomass

SB0065/773192/1

BY: Economic Matters Committee

#### AMENDMENTS TO SENATE BILL 65

(Third Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 2, strike “**Qualifying**” and substitute “**Tier 2 Renewable Sources, Qualifying**”; in the same line, after “**Biomass**” insert “**, and Compliance Fees**”; in line 3, after the first “of” insert “**altering the renewable energy portfolio standard for certain years; extending the eligibility of certain Tier 2 renewable sources for purposes of the renewable energy portfolio standard in certain years; altering the compliance fee for a shortfall from the required percentage of energy from certain Tier 1 renewable sources for the renewable energy portfolio standard in certain years;**”; in line 7, after “Act;” insert “**providing for the effective dates of this Act; making a conforming change;**”; in line 11, strike “and” and substitute a comma; in the same line, after “(s)” insert “**, and (t)**”; in line 16, strike “and” and substitute “**, 7–703(b)(16) through (25),**”; and in the same line, after “7–704(a)” insert “**, and 7–705(b)(2)**”.

##### AMENDMENT NO. 2

On page 1, after line 20, insert:

#### **“Article – Public Utilities**

7–701.

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

(t) “Tier 2 renewable source” means hydroelectric power other than pump storage generation.

7–703.

(b) Except as provided in subsection (e) of this section, the renewable energy portfolio standard shall be as follows:

(16) in 2021[.]:

(I) 30.8% from Tier 1 renewable sources, including:

[(i)] 1. at least 7.5% derived from solar energy; and

[(ii)] 2. an amount set by the Commission under § 7–704.2(a) of this subtitle derived from offshore wind energy; AND

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;**

(17) in 2022[, 33.1%]:

(I) 30.1% from Tier 1 renewable sources, including:

[(i)] 1. at least [8.5%] 5.5% derived from solar energy; and

[(ii)] 2. an amount set by the Commission under § 7–704.2(a) of this subtitle derived from offshore wind energy; AND

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;**

(18) in 2023[, 35.4%]:

(I) 31.9% from Tier 1 renewable sources, including:

[(i)] 1. at least [9.5%] 6% derived from solar energy; and

[(ii)] 2. an amount set by the Commission under § 7–704.2(a) of this subtitle derived from offshore wind energy; AND

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;**

(19) in 2024[, 37.7%]:

**(I) 33.7% from Tier 1 renewable sources, including:**

**[(i) 1. at least [10.5%] 6.5% derived from solar energy; and**

**[(ii) 2. an amount set by the Commission under § 7-704.2(a) of this subtitle derived from offshore wind energy; AND**

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;**

**(20) in 2025[, 40%]:**

**(I) 35.5% from Tier 1 renewable sources, including:**

**[(i) 1. at least [11.5%] 7% derived from solar energy; and**

**[(ii) 2. an amount set by the Commission under § 7-704.2(a) of this subtitle, not to exceed 10%, derived from offshore wind energy; AND**

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;**

**(21) in 2026[, 42.5%]:**

**(I) 38% from Tier 1 renewable sources, including:**

**[(i) 1. at least [12.5%] 8% derived from solar energy; and**

**[(ii) 2. an amount set by the Commission under § 7-704.2(a) of this subtitle derived from offshore wind energy, including at least 400 megawatts of Round 2 offshore wind projects; AND**

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;**

**(22) in 2027[, 45.5%]:**

**(I) 41.5% from Tier 1 renewable sources, including:**

**[(i) 1. at least [13.5%] 9.5% derived from solar energy; and**

**[(ii) 2. an amount set by the Commission under § 7-704.2(a) of this subtitle derived from offshore wind energy, including at least 400 megawatts of Round 2 offshore wind projects; AND**

**(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;**

(23) in 2028[, 47.5%]:

(I) 43% from Tier 1 renewable sources, including:

[(i)] 1. at least [14.5%] 11% derived from solar energy; and

[(ii)] 2. an amount set by the Commission under § 7–704.2(a) of this subtitle derived from offshore wind energy, including at least 800 megawatts of Round 2 offshore wind projects; AND

(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;

(24) in 2029[, 49.5%]:

(I) 47.5% from Tier 1 renewable sources, including:

[(i)] 1. at least [14.5%] 12.5% derived from solar energy; and

[(ii)] 2. an amount set by the Commission under § 7–704.2(a) of this subtitle derived from offshore wind energy, including at least 800 megawatts of Round 2 offshore wind projects; and

(II) 2.5% FROM TIER 2 RENEWABLE SOURCES; AND

(25) in 2030 and later[.]:

(I) 50% from Tier 1 renewable sources, including:

[(i)] 1. at least 14.5% derived from solar energy; and

[(ii)] 2. an amount set by the Commission under § 7–704.2(a) of this subtitle derived from offshore wind energy, including at least 1,200 megawatts of Round 2 offshore wind projects; AND

(II) 2.5% FROM TIER 2 RENEWABLE SOURCES.

7–705.

(b) (2) If an electricity supplier fails to comply with the renewable energy portfolio standard for the applicable year, the electricity supplier shall pay into the Maryland Strategic Energy Investment Fund established under § 9–20B–05 of the State Government Article:

(i) except as provided in item (ii) of this paragraph, a compliance fee of:

1. the following amounts for each kilowatt-hour of shortfall from required Tier 1 renewable sources other than the shortfall from the required Tier 1 renewable sources that is to be derived from solar energy:

- A. 4 cents through 2016;
- B. 3.75 cents in 2017 and 2018;
- C. 3 cents in 2019 through 2023;
- D. 2.75 cents in 2024;
- E. 2.5 cents in 2025;
- F. 2.475 cents in 2026;
- G. 2.45 cents in 2027;
- H. 2.25 cents in 2028 and 2029; and
- I. 2.235 cents in 2030 and later;

2. the following amounts for each kilowatt-hour of shortfall from required Tier 1 renewable sources that is to be derived from solar energy:

- A. 45 cents in 2008;
- B. 40 cents in 2009 through 2014;
- C. 35 cents in 2015 and 2016;
- D. 19.5 cents in 2017;
- E. 17.5 cents in 2018;
- F. 10 cents in 2019;
- G. 10 cents in 2020;
- H. 8 cents in 2021;
- I. 6 cents in 2022;
- J. **[4.5] 6 cents in 2023;**
- K. **[4] 6 cents in 2024;**

L. [3.5] 5.5 cents in 2025;

M. [3] 4.5 cents in 2026;

N. [2.5] 3.5 cents in 2027 [and 2028];

O. [2.25] 3.25 cents in [2029] 2028; [and]

P. [2.235] 2.5 cents in [2030 and later] 2029; and

**Q. 2.25 CENTS IN 2030 AND LATER; AND**

3. 1.5 cents for each kilowatt–hour of shortfall from required Tier 2 renewable sources; or

(ii) for industrial process load:

1. for each kilowatt–hour of shortfall from required Tier 1 renewable sources, a compliance fee of:

A. 0.8 cents in 2006, 2007, and 2008;

B. 0.5 cents in 2009 and 2010;

C. 0.4 cents in 2011 and 2012;

D. 0.3 cents in 2013 and 2014;

E. 0.25 cents in 2015 and 2016; and

F. except as provided in paragraph (3) of this subsection, 0.2 cents in 2017 and later; and

2. nothing for any shortfall from required Tier 2 renewable sources.

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

On page 4, in line 15, strike “through 2020”; in line 18, strike “2.” and substitute “3.”; in line 20, strike “3.” and substitute “4.”; in the same line, after “That” insert “Section 2 of”; and after line 22, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect June 1, 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 Davis, D.E., Chair, for the Committee on Economic Matters reported favorably with amendments:

**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)**

**SB0066/183293/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 66

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “**Digital Inclusion**” and substitute “**Statewide Broadband**”; in line 5, strike “Digital Inclusion” and substitute “Statewide Broadband”; strike beginning with “repealing” in line 19 down through “Board;” in line 20.

On page 2, in line 11, strike “Department” and substitute “Office”; strike beginning with “repealing” in line 11 down through “Fund;” in line 12; in lines 14 and 30, in each instance, strike “Digital Inclusion” and substitute “Statewide Broadband”; in line 27, after “terms;” insert, “making conforming changes;”; strike in their entirety lines 31 through 37, inclusive; and in line 45, strike “6.6–107” and substitute “6.5–107”.

On page 3, after line 2, insert:

“BY repealing and reenacting, with amendments,

Article – Economic Development

Section 13–504

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

and in line 6, strike “Digital Inclusion” and substitute “Statewide Broadband”; and after line 18, 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)”.

On page 4, strike beginning with “That” in line 20 down through “ENACTED,” in line 24.

#### AMENDMENT NO. 2

On page 4, after line 25, insert:

#### “Article – Economic Development

13–504.

The Board shall:

(1) assist in the deployment of broadband communication infrastructure in rural and underserved areas of the State;

(2) cooperate with public, private, and nonprofit entities to obtain, coordinate, and disseminate resources for the establishment of broadband communication services in rural and underserved areas of the State;

(3) review and approve the disbursement of funds under the Rural Broadband Assistance Fund under [§ 5–1102 of this article] § 6.5–107 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE and any other federal, State, and private financial resources that may be provided to assist the establishment of broadband communication services in rural and underserved areas of the State; and



(4) perform other functions that are consistent with the intent of this subtitle.”;

in lines 27 and 33, in each instance, strike “**DIGITAL INCLUSION**” and substitute “**STATEWIDE BROADBAND**”; and in lines 31 and 32, strike “**DIGITAL INCLUSION**” and substitute “**STATEWIDE BROADBAND**”.

On page 5, in line 2, strike “**DIGITAL INCLUSION**” and substitute “**STATEWIDE BROADBAND**”.

On page 10, in line 26, strike “**AND**” and substitute a comma; and in line 27, after “**FUND**” insert “**, AND THE RURAL BROADBAND ASSISTANCE FUND**”.

On page 14, strike beginning with “reversion” in line 4 down through “under” in line 5; in lines 26 and 27, in each instance, strike the bracket; in line 26, strike “Department” and substitute “**OFFICE**”; in line 27, after “the” insert “**MARYLAND RURAL BROADBAND COORDINATION**”; and in the same line, strike “this article” and substitute “**THE ECONOMIC DEVELOPMENT ARTICLE**”.

On page 15, in lines 14, 17, 26, and 31, strike “3.”, “4.”, “5.”, and “6.”, respectively, and substitute “2.”, “3.”, “4.”, and “5.”, respectively; in lines 20 and 21, in each instance, strike “Digital Inclusion” and substitute “Statewide Broadband”; and in line 33, after “Office” insert “of Statewide Broadband”.

On page 16, in lines 1, 10, 17, 22, and 27, strike “7.”, “8.”, “9.”, “10.”, and “11.”, respectively, and substitute “6.”, “7.”, “8.”, “9.”, and “10.”, respectively; in line 19, strike “Digital Inclusion” and substitute “Statewide Broadband”; and in lines 24 and 25, strike “Digital Inclusion” and substitute “Statewide Broadband”.

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:

**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)**

**SB0824/503193/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 824  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “declaring certain findings and the intent of the General Assembly;”; and strike beginning with “requiring” in line 22 down through “circumstances;” in line 24 and substitute “exempting counties and municipal corporations within the jurisdiction of the Washington Suburban Sanitary District from certain requirements.”

On page 2, in lines 1 and 2, strike “the Department of Commerce and”; in line 3, strike “appropriate” and substitute “use”; in the same line, strike “funds” and substitute “funding”; in line 4, after “terms;” insert “making a portion of this Act contingent on the taking effect of another Act;”; and strike in their entirety lines 6 through 16, inclusive, and substitute:

“BY adding to

Article – Housing and Community Development

Section 6.5–108

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

(As enacted by Chapter \_\_\_\_\_ (S.B. 66/H.B. 97) of the Acts of the General Assembly of 2021)”.

AMENDMENT NO. 2

On page 2, strike beginning with “Section(s)” in line 28 down through “That” in line 30.

On pages 2 and 3, strike in their entirety the lines beginning with line 32 on page 2 through line 24 on page 3, inclusive.

On page 5, strike in its entirety line 21; after line 21, insert:

**“Article – Housing and Community Development**

**6.5–108.”;**

and in line 22, after “**(A)**” insert “**THIS SECTION DOES NOT APPLY TO A COUNTY OR MUNICIPAL CORPORATION WITHIN THE WASHINGTON SUBURBAN SANITARY DISTRICT.**”

**(B)**”.

On page 6, in line 1, strike “**EFFECTED**” and substitute “**IMPLEMENTED**”; strike in their entirety lines 5 through 9, inclusive; and after line 22, insert:

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

On page 7, in lines 10 and 28, strike “**(3)**” and “**(4)**”, respectively, and substitute “**(2)**” and “**(3)**”, respectively; strike beginning with “**WITHIN**” in line 16 down through “**(3)**” in line 20; and strike beginning with the comma in line 20 down through the comma in line 21.

On page 8, strike beginning with “**THE**” in line 28 down through the comma in line 29.

On page 9, after line 3, insert:

“**(F) THIS SECTION DOES NOT APPLY TO A COUNTY OR MUNICIPAL CORPORATION WITHIN THE WASHINGTON SUBURBAN SANITARY DISTRICT.**”;

in line 5, strike “**appropriate**” and substitute “**use appropriated**”; after line 6, insert:

“**SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2021, contingent on the taking effect of Chapter \_\_\_\_\_ or (S.B. 66 or**

H.B. 97) of the Acts of the General Assembly of 2021, and if Chapter \_\_\_\_\_ or \_\_\_\_\_ (S.B. 66 or H.B. 97) does not take effect, Section 1 of this Act, with no further action required by the General Assembly, shall be null and void.”;

and in line 7, strike “4.” and substitute “5.”.

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:

**Senate Bill 933 – Senator Benson**

AN ACT concerning

**Financial Regulation – Access to Banking and Financial Services – Reporting**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**WAYS AND MEANS COMMITTEE REPORT NO. 32**

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 401 – Delegate Guyton**

AN ACT concerning

**Public Schools – Pregnant and Parenting Students – Policies and Reports**

**HB0401/265169/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 401

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “policy;” insert “providing for the construction of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 2, in line 4, strike “EXERCISES CARE, CUSTODY, OR CONTROL OVER” and substitute “IS THE MOTHER, FATHER, OR LEGAL GUARDIAN OF”; in line 10, after “EACH” insert “HIGH”; strike beginning with “IS” in line 12 down through “(II)” in line 13; in line 16, strike “(III)” and substitute “(II)”; after line 16, insert:

**“(2) PROVIDE LACTATING STUDENTS WITH ACCESS TO A REFRIGERATOR LOCATED REASONABLY CLOSE TO THE PRIVATE LACTATION SPACE REQUIRED UNDER ITEM (1) OF THIS SUBSECTION;”**;

in lines 17, 22, 24, and 26, strike “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “(3)”, “(4)”, “(5)”, and “(6)”, respectively; in line 17, strike “ASSIST AND ADVISE” and substitute “DESIGNATE AT LEAST ONE STAFF MEMBER TO CONNECT, TO THE EXTENT PRACTICABLE,”; and in line 18, strike “FINDING” and substitute “RESOURCES TO FIND”.

On page 3, after line 4, insert:

**“(E) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE A SCHOOL TO CONSTRUCT AN ADDITION OR NEW SPACE TO A SCHOOL BUILDING TO PROVIDE A PRIVATE LACTATION SPACE TO COMPLY WITH THE REQUIREMENTS OF THE POLICY ESTABLISHED UNDER 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.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 716 – Delegate Griffith**

AN ACT concerning

**Special Education – Individualized Education Programs – Educational Evaluations**

**HB0716/945067/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 716

(First Reading File Bill)

On page 3, strike beginning with “AFTER” in line 30 down through “SYSTEM” in line 31 and substitute “AS REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH”; in line 34, after “WITHIN” insert “:

I.”;

and in line 35, after “SYSTEM” insert “;OR

II. IF THE STATE IS UNDER A STATE OF EMERGENCY PROCLAIMED BY THE GOVERNOR, 90 DAYS AFTER THE DATE ON WHICH THE REQUEST WAS RECEIVED BY THE LOCAL SCHOOL SYSTEM”.

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 771 – Delegate Queen**

AN ACT concerning

**Public Schools – Centers for Disease Control and Prevention Surveys –  
Revisions**

**HB0771/445466/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 771

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 8, in each instance, after “Education” insert “, in coordination with the Maryland Department of Health,”; strike beginning with “repealing” in line 6 down through “circumstances;” in line 7 and substitute “requiring that certain actions taken by the State Department of Education be taken in coordination with the Maryland Department of Health;”; in line 8, strike “certain tiers and” and substitute “at least a certain number of certain”; strike beginning with “requiring” in line 9 down through the second “data” in line 10 and substitute “requiring that a certain report submitted by the Maryland Department of Health to the Governor and the General Assembly by a certain date in certain years include, beginning in a certain year, a certain data summary and trends report on certain data; requiring the Maryland Department of Health to publish a certain data summary and trends report on certain data on or before a certain date”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–1004

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 1 in line 22 and on page 2 in line 6, in each instance, after “Department” insert “, **IN COORDINATION WITH THE MARYLAND DEPARTMENT OF HEALTH,**”.

On page 2, in lines 1 and 2, strike the brackets; in line 1, strike “may” and substitute “, **IN COORDINATION WITH THE MARYLAND DEPARTMENT OF HEALTH:**

**(1) MAY**”;

in line 2, strike “SHALL” and substitute “; **AND**

**(2) SHALL**”;

in line 3, strike “ALL TIERS AND QUESTIONS IN” and substitute “**AT LEAST FIVE QUESTIONS FROM**”; and in line 5, strike “AND” and substitute “**OR**”.

On pages 2 and 3, strike in their entirety the lines beginning with line 31 on page 2 through line 3 on page 3, inclusive, and substitute:

“Article – Health – General

13–1004.

(a) Beginning in fiscal year 2007 and in every second year thereafter, the Department shall conduct a Tobacco Study which shall measure the same factors that are set forth in § 13–1003(c) of this subtitle and use the same methodology or model that was used for the Baseline Tobacco Study.

(b) To carry out the evaluation and surveillance functions of this subtitle, the Department may conduct any other tobacco study measuring the factors set forth in § 13–1003(c) of this subtitle and using a methodology or model that is consistent with but need not be identical to that used to conduct the Baseline Tobacco Study.

(c) (1) Subject to paragraphs (2) through (4) of this subsection, the Department shall contract with a higher education institution or private entity to conduct the Biennial Tobacco Study.

(2) The Department shall issue a request for proposal to select the entity that will conduct the Biennial Tobacco Study.

(3) The Department may contract with an entity to conduct one or more biennial tobacco studies.

(4) The Department shall use the criteria established in § 13–1003(e)(5) of this subtitle as a guide in administering the request for proposal process.

(d) On or before May 31 of each even-numbered fiscal year, beginning in fiscal year 2008, the Department shall submit a report to the Governor and, subject to § 2–1257 of the State Government Article, the General Assembly on [the]:

**(1) THE results of the Biennial Tobacco Study; AND**

**(2) BEGINNING IN FISCAL YEAR 2024, A STATE– AND COUNTY–LEVEL DATA SUMMARY AND TRENDS REPORT ON DATA COLLECTED UNDER § 7–420 OF THE EDUCATION ARTICLE.**



SECTION 2. AND BE IT FURTHER ENACTED, That, on or before May 31, 2023, the Maryland Department of Health shall publish a State– and county–level data summary and trends report on the data collected under § 7–420 of the Education Article, as enacted by Section 1 of this Act.”.

On page 3, in line 4, 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 Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

### **House Bill 820 – Delegate Rose**

AN ACT concerning

### **County Boards of Education – Computer Science Courses – Reporting Requirements**

**HB0820/665668/1**

BY: Committee on Ways and Means

#### AMENDMENTS TO HOUSE BILL 820 (First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike “**Computer Science**” and substitute “**Specialty**”; in lines 6 and 11, in each instance, strike “computer science” and substitute “specialty”; in line 10, after “website;” insert “defining a certain term;”; and strike in their entirety lines 13 through 17, inclusive.

#### AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 14 on page 2, inclusive.

On page 2, in line 16, after “(A)” insert “**IN THIS SECTION, “SPECIALTY COURSE” MEANS A HIGH SCHOOL COURSE OFFERED IN A PUBLIC HIGH SCHOOL THAT:**”

**(1) IS NOT OFFERED IN EVERY HIGH SCHOOL IN THE COUNTY;**

**(2) MAY NOT BE COUNTED TOWARD GRADUATION CREDIT REQUIREMENTS FOR ENGLISH, FINE ARTS, MATHEMATICS, PHYSICAL EDUCATION, HEALTH EDUCATION, SCIENCE, OR SOCIAL STUDIES; AND**

**(3) IS NOT A CAREER AND TECHNICAL EDUCATION COURSE THAT LEADS TO AN INDUSTRY RECOGNIZED OCCUPATIONAL-CREDENTIAL IN ACCORDANCE WITH § 7-205.1 OF THIS ARTICLE.**

**(B)**”;

and in lines 20 and 24, in each instance strike “COMPUTER SCIENCE” and substitute “SPECIALTY”.

On page 3, in line 5, strike “COMPUTER SCIENCE” and substitute “SPECIALTY COURSE”; in line 8, strike “COMPUTER SCIENCE INSTRUCTION” and substitute “THE SPECIALTY AREA”; and in lines 11 and 15, strike “(B)” and “(C)”, respectively, and substitute “(C)” 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.

### **WAYS AND MEANS COMMITTEE REPORT NO. 35**

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

#### **House Bill 1259 – Cecil County Delegation**

AN ACT concerning

#### **Horse Racing – Fair Hill Natural Resources Management Area**

**HB1259/475767/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1259

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 5 down through “manner;” in line 7; and strike in their entirety lines 14 through 18, inclusive.

AMENDMENT NO. 2

On page 2, in line 18, strike “9%” and substitute “**36% OF THAT AMOUNT**”.

On pages 2 and 3, strike in their entirety the lines beginning with line 23 on page 2 through line 13 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 Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1376 – Delegate Washington**

AN ACT concerning

**Primary and Secondary Education – Virtual Education – Requirements**

**HB1376/105765/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1376

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “a teacher preparation program that includes” and substitute “the Professional Standards and Teacher Education Board to design a certain course of”; in line 4, after “education” insert “; requiring the training”; in line 9, strike “to implement” and substitute “, in consultation with certain individuals, to design”; strike

beginning with “authorizing” in line 10 down through “Program;” in line 11 and substitute “requiring the Department to award grants to certain county boards of education that participate in the Pilot Program in a certain manner;”; and strike beginning with “requiring” in line 13 down through “system;” in line 15 and substitute “requiring a county board to adopt the universal learning management system under certain circumstances; requiring the Department to provide certain support to a county board that adopts the universal learning management system; prohibiting the Department from providing certain support to a county board that does not adopt the universal learning management system;”.

On pages 1 and 2, strike beginning with “authorizing” in line 18 on page 1 down through “education;” in line 20 on page 2 and substitute “repealing certain provisions of law related to online courses and services; authorizing a county board to develop or seek the development by the Department of a new virtual education course; establishing a process for the Department to develop or review the development of a new virtual education course; providing for the content of virtual education courses; repealing certain provisions of law related to the establishment of virtual schools; requiring the Department to develop guidelines for the appropriate development, review, and assessment of digital services; prohibiting the approval of a virtual school in the State on or before a certain date; requiring the Department, in consultation with certain experts and on or before a certain date, to study certain information related to virtual education; requiring the Department to develop criteria for the establishment of virtual schools on or before a certain date; requiring the Department to report on the results of the study and the criteria developed to the Governor and the General Assembly on or before a certain date; establishing certain baseline criteria for the establishment of virtual schools, including provisions related to entities authorized to establish virtual schools, the approval of virtual schools, employment at a virtual school, eligibility for enrollment in a virtual school, and other criteria related to the operation and administration of a virtual school; authorizing a county board to transition a public school to a temporary virtual school under certain circumstances; requiring each county board to adopt a temporary virtual education plan, on or before a certain date; providing for the content, updating, and implementation of a temporary virtual education plan; providing for the administration and operation of temporary virtual schools; requiring an administrator of a temporary virtual school to provide regular check-ins with students in a certain manner; requiring the administrator of a temporary virtual school to adopt a certain behavioral health plan; requiring the administrator of a temporary virtual school to develop a certain parent and family engagement plan; requiring an administrator of a temporary virtual school to communicate with students and their families in a certain manner; requiring a county board to establish learning centers under certain circumstances; requiring a county board to collect and publish on its website certain information if a public

school engaged in virtual education through a temporary virtual school during the previous school year; requiring the Department to administer grants to provide virtual education high school courses; providing for the content of grant eligible courses; establishing eligibility requirements for virtual education course grants; requiring the Department to adopt regulations to establish criteria for the award and administration of virtual education course grants; requiring the Governor to appropriate certain funds for certain virtual education grant programs in certain fiscal years; requiring the Department and county boards to report to the Governor and the General Assembly on the effects of certain virtual education grant programs on or before certain dates; requiring the Department to establish certain standards; requiring a county board to provide certain virtual education professional development; requiring the Department to provide funding for certain professional development and supports; requiring the Department to provide certain mental health supports for school personnel under certain circumstances;”.

On page 2, in line 22, after “education;” insert “authorizing a county board or public school to provide virtual education in a certain manner under certain circumstances;”; in line 24, after “closure;” insert “repealing certain of provisions of law related to the Maryland Virtual Learning Opportunities Fund; providing for the use of certain funds; providing for the construction of certain provisions of this Act;”; strike in their entirety lines 26 through 31, inclusive, and substitute:

“BY repealing

Article – Education

Section 7–1402 through 7–1407

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

in line 34, strike “6–121(b) and (f), 7–202.1,” and substitute “7–202.1”; in line 40, after “Section” insert “6–127 and”; and in the same line, strike “7–1404, 7–1406, and 7–1410” and substitute “7–1402 through 7–1408”.

On page 3, in line 3, strike “7–1401 through” and substitute “7–1002, 7–1401, and”; after line 5, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 7–1402 through 7–1407 of Article – Education of the Annotated Code of Maryland be repealed.”;

in line 6, strike “1.” and substitute “2. AND”; in the same line, after “IT” insert “FURTHER”; and in the same line, strike “BY THE GENERAL ASSEMBLY OF MARYLAND”.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 9 on page 3 through line 9 on page 5, inclusive, and substitute:

“6-127.

(A) THE PROFESSIONAL STANDARDS AND TEACHER EDUCATION BOARD SHALL DESIGN A COURSE OF TRAINING IN THE PEDAGOGY OF VIRTUAL EDUCATION TO BE OFFERED IN TEACHER PREPARATION PROGRAMS AND TO NEWLY HIRED TEACHERS DURING THE INDUCTION PROCESS.

(B) THE TRAINING DESIGNED UNDER THIS SECTION SHALL INCLUDE THE FOLLOWING BEST PRACTICE PRINCIPLES:

(1) METHODS FOR ACHIEVING THE ITEMS LISTED UNDER § 6-121(A) OF THIS SUBTITLE THROUGH VIRTUAL EDUCATION;

(2) IDENTIFYING THE OPTIMAL COMBINATION OF SYNCHRONOUS AND ASYNCHRONOUS INSTRUCTION;

(3) PROVIDING OPPORTUNITIES FOR INTERACTIVE INSTRUCTION;

(4) DELIVERING TARGETED AND RIGOROUS RACIALLY AWARE AND CULTURALLY RESPONSIVE INSTRUCTION;

(5) PROVIDING OPPORTUNITIES FOR STUDENT-REGULATED PERSONALIZED LEARNING;

(6) ALTERNATING HIGH AND LOW INTENSITY ACTIVITIES;

(7) USING DIGITAL TOOLS TO CREATE OPPORTUNITIES FOR STUDENT COLLABORATION; AND

(8) INCORPORATING OPPORTUNITIES TO PROMOTE STUDENT REFLECTION.

(C) THE DEPARTMENT SHALL PROVIDE GUIDANCE TO LOCAL SCHOOL SYSTEMS FOR THE PERIODIC PROFESSIONAL DEVELOPMENT AND SUPPORT FOR TEACHERS AND EDUCATION SUPPORT PROFESSIONALS TO ACHIEVE THE VIRTUAL EDUCATION BEST PRACTICE PRINCIPLES LISTED UNDER SUBSECTION (B) OF THIS SECTION.”.

AMENDMENT NO. 3

On page 5, in lines 27 and 28, strike “SHALL IMPLEMENT AND ADMINISTER THE PILOT PROGRAM” and substitute “, IN CONSULTATION WITH SUBJECT MATTER EXPERTS, SPECIALISTS IN COURSE DESIGN, CURRENT CERTIFICATED TEACHERS, AND CURRENT SCHOOL ADMINISTRATORS, SHALL DESIGN AND ADMINISTER THE PILOT PROGRAM BASED ON CURRENT RESEARCH AND BEST PRACTICES INTO INVERTED CLASSROOM AND BLENDED INSTRUCTIONAL MODELS””; and strike beginning with “A” in line 29 down through “PROGRAM.” in line 30 and substitute “THE DEPARTMENT SHALL AWARD A GRANT TO A COUNTY BOARD THAT HAS AT LEAST ONE PUBLIC SCHOOL IN ITS JURISDICTION IN WHICH ADMINISTRATORS AND TEACHERS AFFIRMATIVELY VOLUNTEER TO PARTICIPATE IN THE PILOT PROGRAM.”

(3) IN AWARDING GRANTS UNDER THE PILOT PROGRAM, TO THE EXTENT PRACTICABLE, THE DEPARTMENT SHALL GIVE PREFERENCE TO SCHOOLS THAT:

(i) ARE ELIGIBLE FOR FUNDING UNDER § 5-223 OF THIS ARTICLE IN THE FISCAL YEAR IN WHICH THE GRANT IS AWARDED;

(ii) REPRESENT THE GEOGRAPHIC DIVERSITY OF THE STATE;  
AND

(iii) CONTAIN TEACHER VOLUNTEERS FROM GROUPS HISTORICALLY UNDERREPRESENTED IN THE TEACHING PROFESSION.

(4) A TEACHER SELECTED TO PARTICIPATE IN THE PILOT PROGRAM SHALL RECEIVE PROFESSIONAL DEVELOPMENT IN VIRTUAL EDUCATION IN ACCORDANCE WITH § 7-1406 OF THIS TITLE.

(E) IN EACH OF FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$250,000 FOR THE PILOT PROGRAM.

(F) (1) USING DATA THAT MEET THE EXPECTATIONS OF STRONG OR MODERATE EVIDENCE AS DEFINED IN THE FEDERAL EVERY STUDENT SUCCEEDS ACT, THE DEPARTMENT SHALL EVALUATE THE PILOT PROGRAM FOR:

(I) ITS EFFICACY IN IMPROVING STUDENT OUTCOMES, WITH RESULTS DISAGGREGATED BY RACE, ETHNICITY, GENDER, DISABILITY STATUS, ENGLISH LANGUAGE LEARNER STATUS, AND INCOME; AND

(II) ITS REPLICABILITY IN PUBLIC SCHOOLS THROUGHOUT THE STATE.

(2) ON OR BEFORE DECEMBER 1, 2025, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE RESULTS OF THE EVALUATION.”.

AMENDMENT NO. 4

On page 7, in line 1, strike “**JULY 1, 2022**” and substitute “**SEPTEMBER 1, 2021**”; in line 3, after “**FOR**” insert “**EVENTUAL**”; and strike beginning with “**ON**” in line 6 down through “**SYSTEM.**” in line 8 and substitute “**IF A COUNTY BOARD HAS NOT, ON OR BEFORE AUGUST 31, 2021, CONTRACTED TO LICENSE A LEARNING MANAGEMENT SYSTEM OTHER THAN THE UNIVERSAL LEARNING MANAGEMENT SYSTEM ESTABLISHED BY THE DEPARTMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, ON OR BEFORE JULY 1, 2022, THE COUNTY BOARD SHALL ADOPT THE UNIVERSAL LEARNING MANAGEMENT SYSTEM ESTABLISHED BY THE DEPARTMENT.**”

(III) THE DEPARTMENT SHALL PROVIDE TECHNICAL SUPPORT, AID WITH PROFESSIONAL DEVELOPMENT, AND FINANCIAL SUPPORT TO A COUNTY



BOARD THAT ADOPTS THE UNIVERSAL LEARNING MANAGEMENT SYSTEM ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(IV) THE DEPARTMENT MAY NOT PROVIDE LEARNING MANAGEMENT BASED SUPPORT TO A COUNTY BOARD THAT DOES NOT ADOPT THE UNIVERSAL LEARNING MANAGEMENT SYSTEM ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

AMENDMENT NO. 5

On page 7, after line 27, insert:

“7-1002.

(a) The Department shall provide Maryland virtual learning opportunities that include:

(1) Offering a distance-learning program to provide Maryland public school students with equal opportunities to develop a strong academic foundation;

(2) Offering expanded educational choices not otherwise available to students through [online] VIRTUAL EDUCATION courses and services; and

(3) Expanding the professional development opportunities available to educational staff in Maryland public schools through [online] VIRTUAL EDUCATION courses and services.

(b) (1) [(i) A] SUBJECT TO SUBSECTION (C) OF THIS SECTION, A county board may DEVELOP OR SEEK THE DEVELOPMENT OF A NEW VIRTUAL EDUCATION COURSE TO BE OFFERED IN THE LOCAL SCHOOL SYSTEM.

(2) (I) A COUNTY BOARD MAY request that the Department develop A SPECIFIC NEW VIRTUAL EDUCATION COURSE.

(II) [or review and approve online] A COUNTY BOARD MAY DEVELOP A NEW VIRTUAL EDUCATION [courses and services] COURSE, SUBJECT TO THE DEPARTMENT’S REVIEW, under paragraph [(2)] (3) of this subsection IF:

1. THE DEPARTMENT DENIES THE COUNTY BOARD'S REQUEST FOR THE DEPARTMENT TO DEVELOP A SPECIFIC NEW VIRTUAL EDUCATION COURSE UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH; OR

2. THE COUNTY BOARD ELECTS TO DEVELOP A NEW VIRTUAL EDUCATION COURSE ITSELF.

[(ii)] (III) Within 15 days after the receipt of a request under subparagraph (i) of this paragraph, the Department shall determine whether [the development or review and approval of the online courses and services shall be delegated to a county board under paragraph (2)(ii) of this subsection] IT SHALL ACCEPT OR DENY THE REQUEST TO DEVELOP A NEW VIRTUAL EDUCATION COURSE.

[(iii)] (IV) If the Department [does not delegate the development or review and approval of the online courses and services to] ACCEPTS THE REQUEST OF a county board TO DEVELOP A SPECIFIC NEW VIRTUAL EDUCATION COURSE, the Department shall, SUBJECT TO SUBSECTION (C) OF THIS SECTION, develop [or review and approve online courses and services under paragraph (2) of this subsection] A VIRTUAL EDUCATION COURSE within 120 days after the receipt of a request made by a county board under subparagraph (i) of this paragraph.

[(2)] (3) (i) [Subject to subparagraph (ii) of this paragraph, the Department shall:

1. A. Develop online courses and services; or

B. Review and approve online courses and services;

2. Develop standards for teachers and other school system employees for the offering of courses or services on the Internet or through other developing technologies; and

3. Review courses and courseware to assure quality and alignment with the Maryland content standards and other appropriate standards.

(ii) Subject to subparagraph (v) of this paragraph, the Department may delegate the authority to develop or review and approve online courses and services to a county board.

(iii) If the Department delegates the authority to develop or review and approve online courses and services to a county board, the county board may impose reasonable fees to be paid by the vendor to cover the cost of reviewing and approving online courses and services.

(iv) A county board shall remit 15% of the fees collected under subparagraph (iii) of this paragraph to the Department.

(v) 1. A] AFTER A county board HAS FINISHED DEVELOPING A NEW VIRTUAL EDUCATION COURSE, THE COUNTY BOARD shall [request approval of the online course from] SUBMIT THE PROPOSED NEW COURSE TO the Department [when the county board has completed the development or] FOR review and approval [of online courses and services].

(II) [2.] Within 45 days after [a request] RECEIVING A PROPOSED NEW COURSE under subparagraph 1 of this subparagraph, the Department shall approve or disapprove the [online] NEW VIRTUAL EDUCATION course based on THE COURSE'S ADHERENCE TO SUBSECTION (C) OF THIS SECTION AND ANY ADDITIONAL criteria and guidelines developed by the Department.

[(3)] (4) (i) The development, review, and approval of [an online course or service] A NEW VIRTUAL EDUCATION COURSE conducted under this subsection shall include an assessment regarding the accessibility of the [online] VIRTUAL EDUCATION course [or service] to individuals with disabilities, including the blind.

(ii) The Department may contract with a third party to:

1. Develop an assessment regarding accessibility required under subparagraph (i) of this paragraph; or

2. Conduct an assessment of course accessibility required under subparagraph (i) of this paragraph that will determine the approval or denial status of the course and provide feedback to the [course provider] COUNTY BOARD.

(5) THE DEPARTMENT SHALL DEVELOP GUIDELINES FOR THE APPROPRIATE DEVELOPMENT, REVIEW, AND ASSESSMENT OF DIGITAL SERVICES.

- (c) [(1) There is a Maryland Virtual Learning Opportunities Fund.
- (2) The State Board may set reasonable fees for:
- (i) Developing or reviewing online courses and services;
- (ii) Processing approvals for online courses and services;
- (iii) Developing an assessment regarding the accessibility of an online course or service to individuals with disabilities, including the blind; and
- (iv) Assessing an online course for its accessibility to individuals with disabilities, including the blind.
- (3) The fees charged shall be set so as to produce funds to support maintenance of Maryland virtual learning opportunities.
- (4) The State Board shall pay all funds collected under this subtitle to the Comptroller of the State.
- (5) The Comptroller shall distribute the fees to the Maryland Virtual Learning Opportunities Fund.
- (6) The Fund is a continuing, nonlapsing fund not subject to § 7–302 of the State Finance and Procurement Article.
- (7) Any unspent portions of the Fund may not be transferred or revert to the General Fund of the State, but shall remain in the Fund to be used for the purposes specified in this subtitle.
- (8) The Legislative Auditor shall audit the accounts and transactions of the Fund as provided in § 2–1220 of the State Government Article.]
- (1) (I) ANY VIRTUAL EDUCATION COURSES OFFERED BY A COUNTY BOARD SHALL BE OFFERED THROUGH SYNCHRONOUS LEARNING.**

(II) A COUNTY BOARD MAY NOT ENROLL MORE STUDENTS IN A VIRTUAL EDUCATION COURSE THAN A TEACHER MAY REASONABLY BE EXPECTED TO MEANINGFULLY ENGAGE WITH DURING VIRTUAL EDUCATION.

(2) A TEACHER OF A VIRTUAL EDUCATION COURSE:

(I) MAY NOT BE REQUIRED TO SIMULTANEOUSLY INSTRUCT STUDENTS ATTENDING THE TEACHER'S CLASSROOM IN PERSON; AND

(II) SHALL HAVE OTHER DUTIES, INCLUDING TEACHING, MENTORING, AND LEADING DUTIES REQUIRED UNDER TITLE 6, SUBTITLE 10 OF THIS ARTICLE, REDUCED BY A REASONABLE AMOUNT TO COMPENSATE FOR THE TIME SPENT TEACHING THE VIRTUAL EDUCATION COURSE.

(d) The State Board may adopt regulations to implement the provisions of this section."

AMENDMENT NO. 6

On page 8, strike in their entirety lines 4 through 8, inclusive, and substitute:

"(C) "QUALITY ONLINE EDUCATION STANDARDS" MEANS THE NATIONAL STANDARDS FOR QUALITY ONLINE LEARNING PROGRAMS.

(D) "STUDENT ELIGIBLE FOR AID" MEANS A CHILD WHO MEETS THE CERTIFICATION OF INCOME ELIGIBILITY UNDER ANY OF THE FOLLOWING:

(1) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;

(2) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES;

(3) FOSTER CARE;

(4) HEAD START;

(5) EVEN START;

(6) MIGRANT STUDENTS;

**(7) HOMELESS STUDENTS;**

**(8) MEDICAID AND THE MARYLAND CHILDREN’S HEALTH PROGRAM, UP TO 189% OF THE FEDERAL POVERTY LEVEL;**

**(9) FREE OR REDUCED PRICE MEALS FOR SCHOOLS NOT PARTICIPATING IN THE UNITED STATES DEPARTMENT OF AGRICULTURE COMMUNITY ELIGIBILITY PROVISION; AND**

**(10) AN ALTERNATIVE FORM DEVELOPED BY THE DEPARTMENT FOR THE COMPENSATORY EDUCATION FORMULA UNDER § 5-222 OF THIS ARTICLE.”;**

in lines 9 and 12, strike “(D)” and “(E)”, respectively, and substitute “(E)” and “(F)”, respectively; in line 9, after the first “A” insert “PUBLIC”; in the same line, after “THAT” insert “IS CLOSED TO IN-PERSON ATTENDANCE DURING EMERGENCY CONDITIONS AND THAT”; and after line 14, insert:

**“(G) “VIRTUAL SCHOOL” MEANS A PUBLIC SCHOOL ESTABLISHED BY A COUNTY BOARD IN WHICH THE SCHOOL CONSISTENTLY AND PERMANENTLY IS ENGAGED IN VIRTUAL EDUCATION.”.**

On pages 8 through 14, strike in their entirety the lines beginning with line 15 on page 8 through line 10 on page 14, inclusive, and substitute:

**“7-1402.**

**(A) NO VIRTUAL SCHOOLS MAY BE APPROVED FOR OPERATION IN THE STATE ON OR BEFORE JULY 1, 2023.**

**(B) ON OR BEFORE JULY 1, 2023, THE DEPARTMENT, IN CONSULTATION WITH CURRENT PUBLIC SCHOOL TEACHERS, CURRENT PUBLIC SCHOOL ADMINISTRATORS, AND ACADEMIC EXPERTS SHALL:**

**(1) USING DATA THAT MEET THE EXPECTATIONS OF STRONG OR MODERATE EVIDENCE AS DEFINED IN THE FEDERAL EVERY STUDENT SUCCEEDS**

ACT, STUDY BEST PRACTICES FOR THE PROVISION OF VIRTUAL EDUCATION, INCLUDING:

1. THE SUCCESSES AND FAILURES OF VIRTUAL EDUCATION DURING THE COVID-19 PANDEMIC AND HOW LESSONS LEARNED CAN BE INCORPORATED INTO VIRTUAL EDUCATION GOING FORWARD;

2. HOW TO ENSURE EQUITABLE EDUCATIONS TO ALL STUDENTS IN A VIRTUAL EDUCATION SETTING;

3. WHETHER PARTICULAR STUDENTS EXCEL OR ARE HARMED UNDER VIRTUAL EDUCATION, THE CAUSES OF THOSE OUTCOMES, AND WHETHER STUDENT ENROLLMENT IN A VIRTUAL SCHOOL SHOULD BE LIMITED BASED ON THOSE OUTCOMES;

4. ACCOMMODATIONS THAT MAY NEED TO BE MADE IN ORDER TO PROVIDE SOME STUDENTS WITH A FAIR AND APPROPRIATE PUBLIC EDUCATION;

5. THE BEST METHODS TO SELECT STUDENTS FOR ENROLLMENT IN A VIRTUAL SCHOOL;

6. CRITERIA FOR SELECTING STAFF TO WORK IN AND ADMINISTRATORS TO LEAD VIRTUAL SCHOOLS;

7. METHODS TO ACCURATELY ASSESS STUDENT PROGRESS DURING VIRTUAL EDUCATION;

8. THE TYPES OF TOOLS AND RESOURCES THAT ARE NECESSARY FOR A STUDENT TO FULLY LEARN WHEN ENGAGED IN VIRTUAL EDUCATION AND HOW A COUNTY BOARD CAN PROVIDE THEM;

9. THE BEHAVIORAL HEALTH COSTS TO VIRTUAL EDUCATION AND HOW THEY MIGHT BE MITIGATED;

10. HOW BEST TO ACTIVELY INVOLVE PARENTS AND FAMILIES IN THE VIRTUAL EDUCATION PROCESS; AND

11. HOW NEEDED SERVICES, INCLUDING NUTRITIONAL SERVICES, MAY BE BEST PROVIDED TO A STUDENT ENROLLED IN A VIRTUAL SCHOOL; AND

(2) DEVELOP CRITERIA FOR THE ESTABLISHMENT OF VIRTUAL SCHOOLS THAT:

1. INCORPORATE THE DATA GATHERED UNDER ITEM (1) OF THIS SUBSECTION; AND

2. ARE AT LEAST AS RIGOROUS AS THE CRITERIA LISTED UNDER § 7-1403 OF THIS SUBTITLE.

(C) ON OR BEFORE SEPTEMBER 1, 2023, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE RESULTS OF THE STUDY AND THE CRITERIA DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION.

7-1403.

(A) (1) THE CRITERIA LISTED UNDER THIS SECTION SHALL FORM A BASELINE FOR THE CRITERIA ADOPTED BY THE DEPARTMENT UNDER § 7-1402 OF THIS SUBTITLE.

(2) THE DEPARTMENT'S CRITERIA MUST BE AT LEAST AS RIGOROUS AS THE CRITERIA LISTED UNDER THIS SECTION.

(B) (1) A COUNTY BOARD MAY APPLY TO THE STATE BOARD TO ESTABLISH A VIRTUAL SCHOOL IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SUBSECTION.

(2) A COUNTY BOARD'S APPLICATION MUST INCLUDE A RIGOROUS PROGRAM OF INSTRUCTION THAT INCLUDES AN EQUIVALENT METHOD FOR



SATISFYING ANY REQUIREMENT FOR PUBLIC SCHOOLS IN THE STATE IN A VIRTUAL EDUCATION SETTING.

(3) A COUNTY BOARD'S APPLICATION SHALL INCLUDE ANY ATTENDANCE CRITERIA THAT ARE MORE SPECIFIC THAN THOSE LISTED UNDER SUBSECTION (F) OF THIS SECTION.

(4) A COUNTY BOARD'S APPLICATION SHALL INCLUDE THE PLANNED STAFFING MODEL FOR THE VIRTUAL SCHOOL, INCLUDING PROVISIONS FOR STAFF RECRUITMENT, TRAINING, EVALUATION, AND PROFESSIONAL DEVELOPMENT THAT ARE IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION.

(C) (1) THE STATE BOARD SHALL REVIEW A COUNTY BOARD'S APPLICATION FOR A VIRTUAL SCHOOL WITHIN 120 CALENDAR DAYS OF RECEIPT.

(2) THE STATE BOARD MAY APPROVE AN APPLICATION FOR A VIRTUAL SCHOOL CONTINGENT ON:

(I) THE COUNTY BOARD'S ABILITY TO MEET TIMELINES ESTABLISHED IN THE APPLICATION; AND

(II) THE COUNTY BOARD'S ABILITY TO PROCURE SUITABLE EQUIPMENT AND SOFTWARE NECESSARY TO FORM A PLAN OF SUITABLY RIGOROUS INSTRUCTION.

(3) THE STATE BOARD'S DECISION TO APPROVE OR DENY AN APPLICATION TO FORM A VIRTUAL SCHOOL IS FINAL.

(D) A VIRTUAL SCHOOL MAY NOT BE ESTABLISHED THROUGH A CONTRACT WITH A FOR-PROFIT PRIVATE ENTITY THAT IS RESPONSIBLE FOR THE DAY-TO-DAY EDUCATION OF STUDENTS IN A VIRTUAL SCHOOL.

(E) (1) EMPLOYEES OF A VIRTUAL SCHOOL:

(I) ARE PUBLIC SCHOOL EMPLOYEES, AS DEFINED IN §§ 6-401(E) AND 6-501(G) OF THIS ARTICLE;

(II) ARE EMPLOYEES OF A PUBLIC SCHOOL EMPLOYER, AS DEFINED IN §§ 6-401(F) AND 6-501(H) OF THIS ARTICLE, IN THE COUNTY IN WHICH THE VIRTUAL SCHOOL IS FORMED; AND

(III) SHALL HAVE THE RIGHTS GRANTED UNDER TITLE 6, SUBTITLES 4 AND 5 OF THIS ARTICLE.

(2) IF A COLLECTIVE BARGAINING AGREEMENT UNDER TITLE 6, SUBTITLE 4 OR SUBTITLE 5 OF THIS ARTICLE IS ALREADY IN EXISTENCE IN THE COUNTY SEEKING TO FORM A VIRTUAL SCHOOL, THE EMPLOYEE ORGANIZATION AND THE PUBLIC SCHOOL EMPLOYER MAY MUTUALLY AGREE TO NEGOTIATE AMENDMENTS TO THE EXISTING AGREEMENT TO ADDRESS THE NEEDS OF THE PARTICULAR VIRTUAL SCHOOL, INCLUDING AMENDMENTS TO WORK DAYS, WORK HOURS, SCHOOL YEAR, EXTRA DUTY ASSIGNMENTS, AND PROCEDURES FOR TRANSFER THAT ARE CONSISTENT WITH PARAGRAPH (3) OF THIS SUBSECTION.

(3) A COUNTY BOARD THAT ESTABLISHES A VIRTUAL SCHOOL SHALL MAKE EVERY ATTEMPT TO CONFIRM THAT A STAFF MEMBER DESIRES TO WORK IN THE VIRTUAL SCHOOL BEFORE ASSIGNING THE STAFF MEMBER TO THE SCHOOL.

(F) (1) ONLY A STUDENT WHO IS ELIGIBLE TO ATTEND A PUBLIC SCHOOL IN THE COUNTY UNDER § 7-301 OF THIS TITLE, MAY ATTEND A VIRTUAL SCHOOL ESTABLISHED BY A COUNTY BOARD.

(2) ADMISSION TO A VIRTUAL SCHOOL IS ENTIRELY VOLUNTARY.

(G) A VIRTUAL SCHOOL SHALL PROVIDE THE FOLLOWING TO EACH ENROLLED STUDENT:

(1) ACCESS TO A SEQUENTIAL CURRICULUM APPROVED BY THE STATE BOARD THAT:

1. MEETS OR EXCEEDS THE STANDARDS ADOPTED BY THE COUNTY BOARD IN THE COUNTY IN WHICH THE VIRTUAL SCHOOL'S PRINCIPAL PLACE OF BUSINESS IS LOCATED; AND

**2. CONSISTS, AS MUCH AS IS PRACTICABLE, OF SYNCHRONOUS VIRTUAL EDUCATION;**

**(2) LEARNING OPPORTUNITIES PER ACADEMIC YEAR FOR AT LEAST THE SAME AMOUNT OF TIME REQUIRED FOR PUBLIC SCHOOL STUDENTS;**

**(3) REGULAR ASSESSMENT IN THE CORE AREAS OF INSTRUCTION AS REQUIRED BY REGULATIONS ADOPTED BY THE STATE BOARD UNDER § 7-1409 OF THIS SUBTITLE;**

**(4) QUALITY ONLINE EDUCATION STANDARDS; AND**

**(5) ALL NECESSARY INSTRUCTIONAL MATERIALS, INCLUDING ANY NECESSARY HARDWARE AND SOFTWARE.**

**(H) A VIRTUAL SCHOOL SHALL MAINTAIN AN ADMINISTRATIVE OFFICE IN THE COUNTY IN WHICH THE SCHOOL IS ESTABLISHED AND THE OFFICE SHALL BE CONSIDERED ITS PRINCIPAL PLACE OF BUSINESS.**

**(I) A VIRTUAL SCHOOL SHALL BE EVALUATED EACH YEAR BY THE COUNTY BOARD BASED ON THE FOLLOWING CRITERIA:**

**(1) THE EXTENT TO WHICH THE SCHOOL DEMONSTRATES INCREASES IN STUDENT ACHIEVEMENT ACCORDING TO COUNTY AND STATE ACADEMIC STANDARDS; AND**

**(2) THE ACCOUNTABILITY AND VIABILITY OF THE VIRTUAL SCHOOL, AS DEMONSTRATED BY ITS ACADEMIC, FISCAL, AND OPERATIONAL PERFORMANCE.**

**7-1404.**

**(A) IF THERE IS A SUSTAINED EMERGENCY, AS DECLARED BY THE GOVERNOR OR THE GOVERNING BODY OF A COUNTY, THAT PREVENTS REGULAR, IN-PERSON ATTENDANCE AT A PUBLIC SCHOOL OVER SEVERAL SCHOOL DAYS, A**

COUNTY BOARD MAY ELECT TO TRANSITION THE SCHOOL TO VIRTUAL EDUCATION, SUBJECT TO THE LIMITATIONS OF THIS SECTION.

(B) (1) ON OR BEFORE JUNE 1, 2022, A COUNTY BOARD SHALL, IN CONSULTATION WITH COUNTY ADMINISTRATORS AND SCHOOL STAFF, UPDATE THE COUNTY BOARD’S CONTINUITY OF LEARNING PLAN, IN EFFECT DURING THE COVID-19 PANDEMIC, TO FORM A TEMPORARY VIRTUAL EDUCATION PLAN THAT INCLUDES:

(I) ATTENTION TO STUDENT EQUITY THROUGHOUT ALL ASPECTS OF THE PLAN IN ORDER TO ENSURE THAT ALL STUDENTS ENGAGED IN VIRTUAL EDUCATION CONTINUE TO RECEIVE A THOROUGH AND FREE EDUCATION;

(II) A METHOD TO ACCURATELY MEASURE ATTENDANCE;

(III) A PROCESS TO PROVIDE A FREE AND APPROPRIATE PUBLIC EDUCATION TO A STUDENT WITH A DISABILITY ENROLLED IN TEMPORARY VIRTUAL EDUCATION;

(IV) A METHOD TO MEASURE LEARNING LOSS DURING THE COURSE OF VIRTUAL EDUCATION THAT:

1. INCLUDES BENCHMARKS AT THE INITIATION AND COMPLETION OF VIRTUAL EDUCATION AND PERIODICALLY WHILE IT IS IN EFFECT; AND

2. DOES NOT SIGNIFICANTLY INTERRUPT INSTRUCTION;

(V) INSTRUCTIONAL PROCEDURES DESIGNED TO GUARANTEE STUDENT ENGAGEMENT DURING SYNCHRONOUS VIRTUAL EDUCATION, INCLUDING:

1. ACTIVE PARTICIPATION;

2. VERIFIED PRESENCE DURING THE ENTIRETY OF CLASS TIME; AND

**3. WHEN APPROPRIATE, ACTIVATED STUDENT CAMERAS;**

**(VI) PROPER ASSIGNMENTS FOR ALL SCHOOL PERSONNEL THAT, TO THE EXTENT PRACTICABLE, REASONABLY BALANCE WORKLOADS;**

**(VII) A PLAN TO PROVIDE NECESSARY INSTRUCTIONAL MATERIAL TO STUDENTS IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION;**

**(VIII) A PLAN FOR REGULAR STUDENT CHECK-INS IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION;**

**(IX) A BEHAVIORAL HEALTH PLAN IN ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION;**

**(X) A PLAN FOR REGULAR COMMUNICATION WITH PARENTS IN ACCORDANCE WITH SUBSECTION (G) OF THIS SECTION; AND**

**(XI) A PROCESS TO TRANSITION FROM A TEMPORARY VIRTUAL SCHOOL BACK TO ORDINARY SCHOOL ATTENDANCE.**

**(2) A COUNTY BOARD SHALL UPDATE THE TEMPORARY VIRTUAL EDUCATION PLAN REQUIRED UNDER THIS SUBSECTION EVERY 2 YEARS.**

**(3) IF AN EMERGENCY REQUIRES THE CESSATION OF IN-SCHOOL ATTENDANCE AT A PUBLIC SCHOOL, A COUNTY BOARD IMMEDIATELY SHALL PUT THE TEMPORARY VIRTUAL EDUCATION PLAN INTO PLACE AND TRANSITION THE PUBLIC SCHOOL TO A TEMPORARY VIRTUAL SCHOOL.**

**(4) (I) AS SOON AS IS PRACTICABLE, THE COUNTY BOARD SHALL:**

**1. ADJUST THE TEMPORARY VIRTUAL EDUCATION PLAN TO FIT THE SPECIFIC NEEDS OF THE SCHOOLS AFFECTED AND THE PARTICULARITIES OF THE EMERGENCY; AND**

**2. SUBMIT THE ADJUSTED PLAN TO THE STATE BOARD.**

(II) IN ADJUSTING THE PLAN UNDER THIS PARAGRAPH, THE COUNTY BOARD SHALL DESIGNATE A LEAD VIRTUAL STAFF MEMBER WHO SHALL ASSIST STUDENTS AND STAFF WITH ENGAGEMENT IN VIRTUAL EDUCATION.

(5) WITHIN 10 CALENDAR DAYS OF RECEIPT OF A TEMPORARY VIRTUAL EDUCATION PLAN, THE STATE BOARD SHALL:

(I) ACCEPT THE PLAN; OR

(II) RETURN THE PLAN TO THE COUNTY BOARD FOR SPECIFIC MODIFICATION.

(6) IF AN ADJUSTED TEMPORARY VIRTUAL EDUCATION PLAN IS RETURNED, THE COUNTY BOARD SHALL MODIFY AND RESUBMIT THE PLAN WITHIN 5 CALENDAR DAYS OF THE DATE THE PLAN IS RETURNED.

(7) THE COUNTY BOARD SHALL PUBLISH THE MOST RECENT TEMPORARY VIRTUAL EDUCATION PLAN AVAILABLE ON THE COUNTY BOARD'S WEBSITE.

(C) A TEMPORARY VIRTUAL SCHOOL SHALL:

(1) TO THE EXTENT PRACTICABLE, PROVIDE EACH STUDENT WITH ACCESS TO THE SAME CURRICULUM, SUBJECT TO THE SAME STANDARDS, THAT THE STUDENT WOULD HAVE HAD ACCESS TO IF THE SCHOOL HAD NOT TRANSITIONED TO VIRTUAL EDUCATION;

(2) WHENEVER PRACTICABLE, PROVIDE INSTRUCTION THROUGH SYNCHRONOUS VIRTUAL EDUCATION; AND

(3) PROVIDE REGULAR ASSESSMENTS TO MEASURE LEARNING LOSS IN CORE AREAS OF INSTRUCTION.

(D) THE ADMINISTRATOR OF A TEMPORARY VIRTUAL SCHOOL SHALL PROVIDE APPROPRIATE INSTRUCTIONAL MATERIALS, INCLUDING ANY NECESSARY

HARDWARE OR SOFTWARE, TO THE PARENT OR GUARDIAN OF EACH ENROLLED STUDENT.

(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ADMINISTRATOR OF A TEMPORARY VIRTUAL SCHOOL SHALL REQUIRE A STAFF MEMBER TO CONDUCT REGULAR CHECK-INS WITH STUDENTS AT LEAST ONCE PER WEEK.

(2) IF A REGULAR CHECK-IN REVEALS THAT A STUDENT IS STRUGGLING WITH THE EDUCATIONAL, EMOTIONAL, BEHAVIORAL, OR PSYCHOLOGICAL STRESSORS OF VIRTUAL EDUCATION, AN ADMINISTRATOR SHALL REQUIRE A STAFF MEMBER TO CHECK IN WITH STRUGGLING STUDENTS MULTIPLE TIMES PER WEEK.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AND IN ACCORDANCE WITH THE BEHAVIORAL HEALTH PLAN ESTABLISHED UNDER SUBSECTION (F) OF THIS SECTION, AN ADMINISTRATOR MAY ASSIGN A COMMUNITY SCHOOL COORDINATOR, STAFF MEMBER, OR TEAM OF STAFF TO CONDUCT THE CHECK-INS REQUIRED UNDER THIS SUBSECTION.

(II) IF A STUDENT IS IDENTIFIED AS STRUGGLING WITH EMOTIONAL, BEHAVIORAL, OR PSYCHOLOGICAL STRESSORS IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION, AN ADMINISTRATOR SHALL ARRANGE FOR A SCHOOL PSYCHOLOGIST, A PUPIL PERSONNEL WORKER, A SCHOOL SOCIAL WORKER, A SCHOOL COUNSELOR, OR A BEHAVIORAL HEALTH SPECIALIST TO PERFORM ADDITIONAL CHECK-INS WITH THE STUDENT.

(F) (1) THE ADMINISTRATOR OF A TEMPORARY VIRTUAL SCHOOL SHALL DEVELOP A BEHAVIORAL HEALTH PLAN THAT INCLUDES:

(I) PROPER ASSIGNMENTS FOR ALL BEHAVIORAL AND MENTAL HEALTH STAFF;

(II) METHODS FOR ALL STUDENTS TO ACCESS BEHAVIORAL AND MENTAL HEALTH SUPPORTS, INCLUDING THROUGH TELEHEALTH IF NECESSARY;

(III) PROCEDURES FOR REFERRAL TO PROPER BEHAVIORAL AND MENTAL HEALTH SUPPORTS FOR STUDENTS WHO ARE STRUGGLING; AND

(IV) INCREASED ATTENTION AND CARE FOR STUDENTS STRUGGLING WITH THE EMOTIONAL, BEHAVIORAL, OR PSYCHOLOGICAL STRESSORS OF VIRTUAL EDUCATION.

(2) IN ESTABLISHING A BEHAVIORAL HEALTH PLAN UNDER THIS SUBSECTION, A TEMPORARY VIRTUAL SCHOOL ADMINISTRATOR MAY USE A MULTITIER SYSTEM OF SUPPORTS MODEL.

(G) (1) THE ADMINISTRATOR OF A TEMPORARY VIRTUAL SCHOOL SHALL DEVELOP A CULTURALLY APPROPRIATE PARENT AND FAMILY ENGAGEMENT PLAN, INCLUDING A SPECIFIC STRATEGY TO ENGAGE WITH:

(I) PARENTS AND FAMILIES OF STUDENTS FROM DIFFERENT ETHNIC AND RACIAL BACKGROUNDS;

(II) STUDENTS ELIGIBLE FOR AID; AND

(III) FAMILIES WHO PRIMARILY SPEAK A LANGUAGE OTHER THAN ENGLISH.

(2) AN ADMINISTRATOR OF A TEMPORARY VIRTUAL SCHOOL SHALL USE MULTIPLE METHODS OF COMMUNICATION DURING VIRTUAL EDUCATION TO ENSURE THAT STUDENTS AND PARENTS RECEIVE THE FOLLOWING INFORMATION:

(I) A DAILY SCHEDULE OF ACTIVITIES AND INSTRUCTION, INCLUDING THE ANTICIPATED SCHEDULE FOR UPCOMING SCHOOL DAYS;

(II) AN OVERVIEW OF SCHOOL PRIORITIES AND ACTIVITIES FOR THE NEXT 4 WEEKS; AND

(III) 1. A LIST OF THE SERVICES THAT ARE AVAILABLE, INCLUDING NUTRITIONAL OR TRANSPORTATION SERVICES AND LEARNING CENTERS ESTABLISHED IN ACCORDANCE WITH SUBSECTION (I) OF THIS SECTION; AND



2. INSTRUCTIONS ON HOW TO ACCESS THE SERVICES, INCLUDING THE LOCATIONS AND TIMES THE SERVICES WILL BE AVAILABLE.

(3) IF POSSIBLE, AN ADMINISTRATOR SHALL PROVIDE THE INFORMATION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN THE NATIVE SPOKEN LANGUAGE OF THE PARENTS OF EACH STUDENT.

(H) (1) A TEMPORARY VIRTUAL SCHOOL SHALL STRIVE TO PREVENT LEARNING LOSS BY:

(I) 1. ESTABLISHING A VIRTUAL TUTORING SYSTEM; OR

2. PROVIDING INSTRUCTIONAL TIME FOR VIRTUAL LEARNING THAT IS IN ADDITION TO THE DAILY AND HOURLY ATTENDANCE REQUIREMENTS UNDER § 7-103 OF THIS TITLE; AND

(II) DEVELOPING A PLAN TO FOCUS ON STUDENTS WITH THE GREATEST NEED AND THE MOST LEARNING LOSS, INCLUDING:

1. STUDENTS WITH DISABILITIES; AND

2. STUDENTS IN HISTORICALLY UNDERSERVED GROUPS, INCLUDING:

A. ENGLISH LANGUAGE LEARNERS; AND

B. STUDENTS ELIGIBLE FOR AID.

(2) IN COMPLETING ITS DUTIES UNDER THIS SUBSECTION, A TEMPORARY VIRTUAL SCHOOL MAY NOT REQUIRE STAFF MEMBERS WHOSE TERMS OF EMPLOYMENT ARE SUBJECT TO A COLLECTIVE BARGAINING AGREEMENT TO WORK IN EXCESS OF NEGOTIATED TERMS ON WORK HOURS.

(I) IF IT IS IN ACCORDANCE WITH PUBLIC HEALTH GUIDANCE, A COUNTY BOARD THAT HAS TRANSITIONED A PUBLIC SCHOOL TO A TEMPORARY VIRTUAL

SCHOOL SHALL:

(1) WHERE APPROPRIATE AND PRACTICABLE, ESTABLISH LEARNING CENTERS FOR USE DURING AN EXTENDED SCHOOL CLOSURE IN SUITABLE UNOCCUPIED BUILDINGS, INCLUDING STATE BUILDINGS THAT ARE NOT IN USE; AND

(2) IF FUNDING IS AVAILABLE DURING THE EXTENDED SCHOOL CLOSURE, ESTABLISH ADDITIONAL LEARNING CENTERS PRIORITIZING:

(I) COMMUNITY SCHOOLS ELIGIBLE FOR CONCENTRATION OF POVERTY GRANTS UNDER § 5-223 OF THIS ARTICLE; AND

(II) 1. AREAS WITH HIGH LEVELS OF ABSENTEEISM DURING THE EXTENDED SCHOOL CLOSURE; OR

2. IF THE DATA UNDER ITEM 1 OF THIS SUBPARAGRAPH IS UNAVAILABLE, AREAS WITH HIGH LEVELS OF ABSENTEEISM DURING THE PREVIOUS SCHOOL YEAR.

(J) (1) ON OR BEFORE AUGUST 15, 2021, AND EACH AUGUST 15 THEREAFTER WHEN APPLICABLE, EACH COUNTY BOARD SHALL COLLECT THE FOLLOWING DATA FROM EACH SCHOOL THAT ENGAGED IN VIRTUAL EDUCATION THROUGH A TEMPORARY VIRTUAL SCHOOL DURING THE PREVIOUS SCHOOL YEAR:

(I) THE LEARNING MODELS EMPLOYED, INCLUDING:

1. VIRTUAL EDUCATION;

2. IN-PERSON INSTRUCTION; AND

3. HYBRID INSTRUCTION;

(II) THE PROPORTION OF SCHOOL HOURS SPENT IN EACH LEARNING MODEL;

(III) STUDENT ATTENDANCE;

(IV) STUDENT ENGAGEMENT; AND

(V) TEACHER ATTENDANCE.

(2) EACH APPLICABLE YEAR, EACH COUNTY BOARD SHALL PUBLISH ON ITS WEBSITE THE DATA REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION DISAGGREGATED BY RACE, ETHNICITY, GENDER, DISABILITY STATUS, ENGLISH PROFICIENCY STATUS, AND INCOME.

7-1405.

(A) IN EACH OF FISCAL YEARS 2023 THROUGH 2025, THE DEPARTMENT SHALL ADMINISTER GRANTS IN ACCORDANCE WITH THIS SECTION TO A COUNTY BOARD TO PROVIDE VIRTUAL EDUCATION COURSES IN A PUBLIC HIGH SCHOOL IN THE COUNTY.

(B) (1) A VIRTUAL EDUCATION COURSE OFFERED UNDER THIS SECTION SHALL BE A COURSE FOR WHICH:

(i) THERE IS INSUFFICIENT STUDENT DEMAND TO OFFER THE COURSE IN EVERY HIGH SCHOOL IN A COUNTY; AND

(ii) THERE IS SUFFICIENT STUDENT DEMAND THROUGHOUT THE COUNTY TO ENSURE FULL COURSE ENROLLMENT.

(2) A VIRTUAL EDUCATION COURSE OFFERED UNDER THIS SECTION SHALL BE:

(i) BASED ON COUNTY CURRICULA; OR

(ii) IF THE COURSE IS NEWLY ESTABLISHED, DEVELOPED BY THE COUNTY BOARD IN CONSULTATION WITH SUBJECT MATTER EXPERTS AND REPRESENTATIVES FROM THE COLLECTIVE BARGAINING UNIT.

(3) (I) ENROLLMENT FOR A VIRTUAL EDUCATION COURSE OFFERED UNDER THIS SECTION SHALL BE ENTIRELY VOLUNTARY.

(II) PREFERENCE FOR ENROLLMENT IN A VIRTUAL EDUCATION COURSE OFFERED UNDER THIS SECTION SHALL BE GIVEN TO A STUDENT ELIGIBLE FOR AID.

(4) A TEACHER WHO TEACHES A VIRTUAL EDUCATION COURSE OFFERED UNDER THIS SECTION SHALL:

(I) BE AN EMPLOYEE OF THE COUNTY BOARD WITH A CERTIFICATE ISSUED BY THE STATE SUPERINTENDENT UNDER TITLE 6 OF THIS ARTICLE;

(II) BE PROPERLY CREDENTIALLED AND PROFESSIONALLY QUALIFIED TO TEACH THE COURSE;

(III) TEACH THE COURSE THROUGH SYNCHRONOUS VIRTUAL EDUCATION SOLELY TO STUDENTS ENGAGED IN VIRTUAL EDUCATION AND NOT SIMULTANEOUSLY TO STUDENTS ATTENDING IN PERSON AND TO STUDENTS ENGAGED IN VIRTUAL EDUCATION;

(IV) HAVE OTHER DUTIES, INCLUDING TEACHING, MENTORING, AND LEADING DUTIES REQUIRED UNDER TITLE 6, SUBTITLE 10 OF THIS ARTICLE, REDUCED BY A REASONABLE AMOUNT TO COMPENSATE FOR THE TIME SPENT TEACHING A VIRTUAL EDUCATION COURSE; AND

(V) RECEIVE PROFESSIONAL DEVELOPMENT IN VIRTUAL EDUCATION IN ACCORDANCE WITH § 7-1406 OF THIS SUBTITLE.

(C) TO BE ELIGIBLE TO APPLY FOR A GRANT UNDER THIS SECTION, A COUNTY BOARD THAT OFFERS VIRTUAL EDUCATION COURSES SHALL, IN CONSULTATION WITH SCHOOL ADMINISTRATORS AND STAFF, ESTABLISH AN EQUITY PLAN THAT:

(1) GUARANTEES THAT ALL STUDENTS ENGAGED IN VIRTUAL LEARNING RECEIVE A THOROUGH AND FREE EDUCATION, REGARDLESS OF THEIR BACKGROUNDS;

(2) INCLUDES INSTRUCTIONAL PROCEDURES DESIGNED TO GUARANTEE STUDENT ENGAGEMENT DURING SYNCHRONOUS VIRTUAL EDUCATION, INCLUDING:

(I) ACTIVE PARTICIPATION;

(II) VERIFIED PRESENCE DURING THE ENTIRETY OF CLASS TIME; AND

(III) WHEN APPROPRIATE, ACTIVATED STUDENT CAMERAS; AND

(3) ASSESSES STUDENT COURSE PERFORMANCE WITHOUT SIGNIFICANT INTERRUPTION TO INSTRUCTION.

(D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO ESTABLISH CRITERIA FOR THE AWARD AND ADMINISTRATION OF GRANTS UNDER THIS SECTION.

(E) IN EACH OF FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$500,000 TO THE DEPARTMENT FOR GRANTS TO ESTABLISH VIRTUAL EDUCATION COURSES IN ACCORDANCE WITH THIS SECTION.

(F) ON OR BEFORE DECEMBER 1, 2024, A COUNTY BOARD THAT OFFERED VIRTUAL EDUCATION COURSES UNDER THIS SECTION SHALL REPORT TO THE GOVERNOR AND THE STATE BOARD, FOR EACH YEAR A VIRTUAL EDUCATION COURSE WAS PROVIDED:

(1) THE NUMBER OF VIRTUAL EDUCATION COURSES PROVIDED IN ACCORDANCE WITH THIS SECTION;

(2) THE TYPES OF COURSES OFFERED;

(3) THE NUMBER OF STUDENTS WHO ENROLLED IN THE VIRTUAL EDUCATION COURSES AND WHICH HIGH SCHOOLS THEY WERE ENROLLED IN; AND

(4) DATA ON STUDENT OUTCOMES, INCLUDING COURSE PERFORMANCE, DISAGGREGATED BY RACE, ETHNICITY, GENDER, INCOME, ENGLISH LEARNER STATUS, AND DISABILITY STATUS.

7-1406.

(A) THE DEPARTMENT SHALL ESTABLISH STANDARDS FOR TRAINING TEACHERS ON THE PREPARATION OF VIRTUAL EDUCATION PLANS.

(B) A COUNTY BOARD SHALL PROVIDE PERIODIC PROFESSIONAL DEVELOPMENT AND SUPPORTS FOR TEACHERS FOLLOWING THE DEPARTMENT'S GUIDANCE REQUIRED UNDER § 6-127 OF THIS ARTICLE.

(C) THE DEPARTMENT SHALL PROVIDE FUNDING FOR THE PROFESSIONAL DEVELOPMENT AND SUPPORTS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.

(D) DURING PROLONGED PERIODS OF SCHOOL CLOSURE DURING WHICH A SCHOOL HAS ELECTED TO TRANSITION TO VIRTUAL EDUCATION, THE DEPARTMENT SHALL PROVIDE MENTAL HEALTH SUPPORTS FOR SCHOOL PERSONNEL.

7-1407.

(A) THE DEPARTMENT SHALL EXPAND COMPUTER AND INTERNET SECURITY INFRASTRUCTURE FOR VIRTUAL EDUCATION, INCLUDING STAFF TO MAINTAIN SECURITY.

(B) EACH LOCAL SCHOOL SYSTEM SHALL DEDICATE AT LEAST ONE STAFF MEMBER TO OVERSEE COMPUTER AND INTERNET SECURITY INFRASTRUCTURE FOR VIRTUAL EDUCATION.

7-1408.

(A) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO PROHIBIT THE PROVISION OF VIRTUAL INSTRUCTION THROUGH A SCHOOL THAT IS NEITHER A VIRTUAL SCHOOL NOR A TEMPORARY VIRTUAL SCHOOL.

(B) A COUNTY BOARD OR PUBLIC SCHOOL MAY PROVIDE VIRTUAL EDUCATION COURSES TO STUDENTS ENROLLED IN PUBLIC SCHOOLS THAT ARE NEITHER VIRTUAL SCHOOLS NOR TEMPORARY VIRTUAL SCHOOLS IF THE VIRTUAL EDUCATION COURSE:

(1) IS DEVELOPED IN ACCORDANCE WITH § 7-1002 OF THIS TITLE; OR

(2) (I) IS IN EXISTENCE ON JUNE 1, 2021;

(II) IS APPROVED BY THE COUNTY BOARD;

(III) ADHERES TO STATE-APPROVED STANDARDS;

(IV) IS PROVIDED THROUGH EXCLUSIVELY SYNCHRONOUS VIRTUAL EDUCATION; AND

(V) IS TAUGHT BY A TEACHER WHO:

1. IS NOT SIMULTANEOUSLY REQUIRED TO INSTRUCT STUDENTS ATTENDING THE TEACHER'S CLASSROOM IN PERSON AND THROUGH VIRTUAL EDUCATION; AND

2. HAS OTHER DUTIES, INCLUDING TEACHING, MENTORING, AND LEADING DUTIES REQUIRED UNDER TITLE 6, SUBTITLE 10 OF THIS ARTICLE, REDUCED BY A REASONABLE AMOUNT TO COMPENSATE FOR THE TIME SPENT TEACHING THE VIRTUAL EDUCATION COURSE.

(C) A STUDENT IN A PUBLIC SCHOOL MAY BE ENROLLED IN:

(1) EXCLUSIVELY VIRTUAL EDUCATION COURSES THAT MEET THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION; OR

**(2) A COURSE OF VIRTUAL EDUCATION INSTRUCTION IN A PUBLIC ELEMENTARY SCHOOL, IF THE COURSE OF INSTRUCTION:**

**(I) IS APPROVED BY THE COUNTY BOARD;**

**(II) ADHERES TO STATE-APPROVED STANDARDS;**

**(III) IS PROVIDED THROUGH EXCLUSIVELY SYNCHRONOUS VIRTUAL EDUCATION; AND**

**(IV) IS TAUGHT BY A TEACHER WHO:**

**1. IS NOT SIMULTANEOUSLY REQUIRED TO INSTRUCT STUDENTS ATTENDING THE TEACHER’S CLASSROOM IN PERSON AND THROUGH VIRTUAL EDUCATION; AND**

**2. HAS OTHER DUTIES, INCLUDING TEACHING, MENTORING, AND LEADING DUTIES REQUIRED UNDER TITLE 6, SUBTITLE 10 OF THIS ARTICLE, REDUCED BY A REASONABLE AMOUNT TO COMPENSATE FOR THE TIME SPENT TEACHING THE VIRTUAL EDUCATION COURSE.”**

On page 14, in line 11, strike “7-1411.” and substitute “7-1409.”; in line 13, strike “and approval”; and in line 14, strike “PERMANENT”.

On page 15, in line 1, after “LOSS” insert “, CAUSED BY THE EFFECTS OF THE COVID-19 PANDEMIC,”; after line 7, insert:

**“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before June 30, 2022, the State Department of Education shall use any funds held under the Maryland Virtual Learning Opportunities Fund on May 31, 2021, to provide grants under §§ 7-128 and 7-1405 of the Education Article as established by Section 2 of this Act.”**;

in line 8, strike “2.” and substitute “4.”; and in the same line, strike “July” and substitute “June”.

The preceding 6 amendments were read and adopted.



Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB1376/285469/1**

BY: Delegate Washington

AMENDMENT TO HOUSE BILL 1376, AS AMENDED

On page 36 of the Committee on Ways and Means Amendments (HB1376/105765/1), in line 10 of Amendment No. 6, strike "**THAT**" and substitute "**IF**:"

**(I) THE COURSES**;

in line 11, after the semicolon insert "**AND**"

**(II) THE STUDENT AND THE STUDENT'S FAMILY RECEIVE SUPPORTS IN THE MANNER PRESCRIBED UNDER § 7-1404(C) THROUGH (G) OF THIS SUBTITLE;**;

in line 13, strike "**THE**" and substitute ":

**(I) THE STUDENT AND THE STUDENT'S FAMILY RECEIVE SUPPORTS IN THE MANNER PRESCRIBED UNDER § 7-1404(C) THROUGH (G) OF THIS SUBTITLE; AND**

**(II) THE**;

and in lines 14, 15, 16, 18, and 19, strike "**(I)**", "**(II)**", "**(III)**", "**(IV)**", and "**1.**", respectively, and substitute "**1.**", "**2.**", "**3.**", "**4.**", and "**A.**", respectively.

On page 37 of the Committee on Ways and Means Amendments, in line 3, strike "**2.**" and substitute "**B.**".

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 136 Members present.

(See Roll Call No. 1064)

**CALENDAR OF THIRD READING SENATE BILLS NO. 23****Senate Bill 600 – Senator Smith**

AN ACT concerning

~~Office of the Attorney General~~ **Maryland Police Accountability Act of 2021 –  
Office of the State Prosecutor – Investigation and Prosecution of Deaths Caused  
by Police Officers**

**FLOOR COMMITTEE AMENDMENT****SB0600/603029/1**

BY: House Judiciary Committee

**AMENDMENTS TO SENATE BILL 600, AS AMENDED****AMENDMENT NO. 1**

On page 1 of the House Judiciary Committee Amendments (SB0600/602810/1), in line 7 of Amendment No. 1, strike “incident involving the death of a person caused by a police officer” and substitute “police-involved death of a civilian”; in lines 11 and 12, strike “incidents involving the death of a person caused by a police officer” and substitute “police-involved deaths of civilians; authorizing the Independent Investigative Unit to investigate certain crimes related to police misconduct; providing that the Independent Investigative Unit shall have the authority to act in a certain manner when conducting a certain investigation”; and in line 13, after “time;” insert “requiring, subject to a certain exception, that a certain report remain confidential through the adjudication of a certain criminal case;”.

**AMENDMENT NO. 2**

On page 4 of the House Judiciary Committee Amendments, in lines 7 and 8 and 12 and 13 of Amendment No. 2, in each instance, strike “**INCIDENT INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER**” and substitute “**POLICE-INVOLVED DEATH OF A CIVILIAN**”; and in line 12, strike “**AN**” and substitute “**A**”.

On page 4 of the House Judiciary Committee Amendments, in line 4 of Amendment No. 3, after “**(C)**” insert “**(1)**”; in lines 5 and 6, strike “**INCIDENTS INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER.**” and substitute “**POLICE-INVOLVED DEATHS OF CIVILIANS.**”

**(2) THE INDEPENDENT INVESTIGATIVE UNIT MAY INVESTIGATE ANY OTHER CRIMES RELATED TO POLICE MISCONDUCT THAT ARE DISCOVERED DURING AN INVESTIGATION UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

**(D) IN CONDUCTING AN INVESTIGATION UNDER SUBSECTION (C) OF THIS SECTION, THE INDEPENDENT INVESTIGATIVE UNIT MAY ACT WITH THE FULL POWERS, RIGHTS, PRIVILEGES, AND DUTIES OF A STATE’S ATTORNEY, INCLUDING THE USE OF A GRAND JURY IN ANY COUNTY.**”;

and in line 7, strike “**(D)**” and substitute “**(E) (1)**”.

On page 5 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 3, strike “**CONFIDENTIAL**”; in the same line, after “**REPORT**” insert “**CONTAINING DETAILED INVESTIGATIVE FINDINGS**”; in line 2, strike “**THAT:**” and substitute a period; strike in their entirety lines 3 through 11, inclusive, and substitute:

**(2) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE REPORT UNDER THIS SUBSECTION SHALL REMAIN CONFIDENTIAL THROUGH ADJUDICATION OF ANY ASSOCIATED CRIMINAL CASE AT THE TRIAL COURT LEVEL.**”;

and in line 12, strike “**(E)**” and substitute “**(F)**”.

On page 6 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 3, strike “**(F)**” and substitute “**(G)**”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

**SB0600/723127/1**

BY: Delegate Mautz

AMENDMENTS TO SENATE BILL 600, AS AMENDEDAMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0600/602810/1), in line 12 of Amendment No. 1, after “officer;” insert “requiring a certain law enforcement agency to oversee certain investigations;”.

AMENDMENT NO. 2

On page 4 of the House Judiciary Committee Amendments, in line 4 of Amendment No. 3, after “(C)” insert “(1)”; and in line 6, after “OFFICER.” insert:

**“(2) THE DEPARTMENT OF STATE POLICE SHALL OVERSEE INVESTIGATIONS CONDUCTED BY THE INDEPENDENT INVESTIGATIVE UNIT.”**

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

Affirmative – 45    Negative – 91    (See Roll Call No. 1065)

## FLOOR AMENDMENT

**SB0600/883126/1**

BY: Delegate Hartman

AMENDMENTS TO SENATE BILL 600, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in lines 3 and 4, strike “– **Investigation and Prosecution of Deaths Caused by Police Officers**”; and in line 5, strike “requiring a”.

On page 1 of the House Judiciary Committee Amendments (SB0600/602810/1), in Amendment No. 1, strike beginning with “certain” in line 5 down through “funding;” in line 17; and in line 20, strike “and investigation of deaths caused by police officers”.

On page 2 of the bill, strike in their entirety lines 8 through 12, inclusive.

On page 2 of the House Judiciary Committee Amendments, strike in their entirety lines 2 through 6 of Amendment No. 1, inclusive.

AMENDMENT NO. 2

On page 2 of the bill, strike in their entirety lines 27 through 30, inclusive.

On pages 3 and 4 of the House Judiciary Committee Amendments, strike beginning with “3-523.” in the third line from the bottom of page 3 of Amendment No. 1 down through “OFFICER.” in line 13 on page 4.

In the House Judiciary Committee Amendments, strike beginning with “(B)” in the seventh line from the bottom of page 4 of Amendment No. 3 down through “UNIT.” in line 6 on page 6.

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

Affirmative – 42    Negative – 91    (See Roll Call No. 1066)

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

The motion was rejected by a roll call vote as follows:

Affirmative – 42    Negative – 93    (See Roll Call No. 1067)

Read the third time and passed by yeas and nays as follows:

Affirmative – 98    Negative – 39    (See Roll Call No. 1068)

The Bill was then returned to the Senate.

### MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL:**                    **HB0006**  
**SPONSOR:**            Delegate Feldmark  
**SUBJECT:**            Economic Development – Maryland Technology Development  
                                 Corporation – Alterations

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate D. Barnes, Chairman  
Delegate Feldmark

Delegate Long.

The Senate appoints:

Senator Hayes, Chair  
Senator Augustine  
Senator Ready

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL:** SB0107  
**SPONSOR:** Senator Hayes  
**SUBJECT:** Labor and Employment – Secure Maryland Wage Act

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Hayes, Chair  
Senator Beidle  
Senator Augustine

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

**MESSAGE TO THE SENATE**

**BILL:** **SB0107**  
**SPONSOR:** Senator Hayes  
**SUBJECT:** Labor and Employment – Secure Maryland Wage Act

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Hayes, Chairman  
Senator Beidle  
Senator Augustine.

The House appoints:

Delegate Dumais, Chair  
Delegate Valderrama  
Delegate Qi

Said Bill is returned herewith.

By Order,  
  
Sylvia Siegert  
Chief Clerk

Read and adopted.

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL:** **SB0205**  
**SPONSOR:** Senator Hettleman  
**SUBJECT:** Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Simonaire, Chair  
Senator Pinsky  
Senator Washington

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

#### MESSAGE TO THE SENATE

**BILL:** **SB0205**  
**SPONSOR:** Senator Hettleman  
**SUBJECT:** Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Simonaire, Chairman  
Senator Pinsky  
Senator Washington.

The House appoints:

Delegate D.E. Davis, Chair  
Delegate T. Branch  
Delegate C. Watson

Said Bill is returned herewith.

By Order,

Sylvia Siegert



Chief Clerk

Read and adopted.

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL:** SB0762  
**SPONSOR:** Senator McCray  
**SUBJECT:** Maryland Electricians Act – Revisions

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chair  
Senator Washington  
Senator Reilly

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

**MESSAGE TO THE SENATE**

**BILL:** SB0762  
**SPONSOR:** Senator McCray  
**SUBJECT:** Maryland Electricians Act – Revisions

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Pinsky, Chairman  
Senator Washington  
Senator Reilly.

The House appoints:

Delegate Crosby, Chair  
Delegate Rogers  
Delegate Adams

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**MESSAGE FROM THE SENATE  
INTRODUCTORY SENATE BILLS NO. 35**

**Senate Bill 392 – Senator Augustine**

**EMERGENCY BILL**

AN ACT concerning

**Electricity and Gas – Limited–Income Mechanisms and Assistance**

FOR the purpose of authorizing certain utility companies to adopt a limited–income mechanism to benefit certain eligible limited–income customers, subject to the approval of the Public Service Commission; authorizing various forms that a mechanism may take; requiring a utility company to apply for approval of a mechanism by the Commission in certain manners; requiring a proposal for a mechanism to allocate certain costs across rate classes; providing for the required contents of a proposal for a mechanism; requiring the Office of Home Energy Programs to certify an eligible limited–income customer’s qualifications under certain circumstances; providing that an eligible limited–income customer who participates in a certain mechanism may also be eligible for certain other assistance programs; establishing that certain services provided to eligible limited–income customers under a certain mechanism are not subject to certain limitations; altering the eligibility criteria for certain assistance from the Electric Universal Service Program; altering the number of years within which a certain customer may not receive certain arrearage assistance from the Program; requiring the Department of

Human Services to provide certain applicants notice of and an opportunity to cure certain deficiencies in documentation; prohibiting the termination of certain service during a certain period; providing that arrearage assistance received in certain years from the Program does not count toward a certain limitation; requiring the Governor to make a certain appropriation in a certain amount for a certain fiscal year; establishing a Workgroup on Low–Income Utility Assistance to conduct a certain study of low–income energy assistance programs; providing for the membership, purpose, and staffing of the Workgroup; requiring the Workgroup to report to certain committees of the General Assembly on or before a certain date with certain recommendations; declaring the intent of the General Assembly; defining certain terms; providing for the termination of certain provisions of this Act; making this Act an emergency measure; and generally relating to limited–income customers and utility services.

BY adding to

Article – Public Utilities  
Section 4–308  
Annotated Code of Maryland  
(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 4–503 and 7–512.1(a) and (f)  
Annotated Code of Maryland  
(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities  
Section 7–512.1(b), (c), and (e)  
Annotated Code of Maryland  
(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Human Services  
Section 5–5A–01  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services  
Section 5–5A–07  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 811 – ~~Senator Hershey~~ Senators Hershey, Klausmeier, Kelley, Augustine, Beidle, Benson, Feldman, Hayes, Jennings, Kramer, and Ready**

**EMERGENCY BILL**

AN ACT concerning

**Unemployment Insurance – Computation of Earned Rate of Contribution –  
Applicable Table of Rates**

FOR the purpose of requiring ~~that the earned rate of contribution be calculated using certain tables of unemployment insurance rates for certain calendar years except under certain circumstances~~ the Governor, based on the availability of certain federal funds, to include in the annual budget bill for a certain fiscal year a certain appropriation to the Unemployment Insurance Trust Fund; authorizing the appropriation to be used for certain administrative costs, including the repayment of certain federal funds; requiring that the earned rate of contributions for a certain calendar year be calculated using a certain table of unemployment insurance rate; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the computation of the earned rate of contribution of unemployment insurance.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–612  
Annotated Code of Maryland  
(2016 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**SPECIAL ORDER CALENDAR NO. 81**

**Senate Bill 438 – Senators Washington, Hettleman, and Elfreth**

AN ACT concerning

**Public Schools – Pregnant and Parenting Students – Policies and Reports**

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

**SB0438/773027/1**

BY: Delegate Cox

AMENDMENT TO SENATE BILL 438

(Third Reading File Bill)

On page 3, in line 1, after “SCHOOL” insert “AND A STUDENT’S LEGAL RESIDENCE”.

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

Affirmative – 40    Negative – 96    (See Roll Call No. 1069)

## FLOOR AMENDMENT

**SB0438/613822/1**

BY: Delegate Cox

AMENDMENTS TO SENATE BILL 438

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “procedures” insert “, with certain exceptions”.

AMENDMENT NO. 2

On page 2, in line 27, after “PRACTICABLE,” insert “WITH ALL PARTIES RECEIVING PARENTAL OR GUARDIAN NOTICE AND CONSENT,”.

On page 3, in line 5, strike the second “AND”; and in line 7, after “HANDBOOK” insert “; AND”

**(7) EXCLUDE ANY ABORTION COUNSELING, INFORMATION, REFERRALS, SERVICES, OR RESOURCES**”.

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

Affirmative – 42    Negative – 92    (See Roll Call No. 1070)

Read the third time and passed by yeas and nays as follows:

Affirmative – 119    Negative – 15    (See Roll Call No. 1071)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 10  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 204 – Delegate Lierman**

AN ACT concerning

**Environment and Natural Resources – Complaints, Inspections, and  
Enforcement – Information Maintenance and Reporting**

Delegate Barve moved that the House concur in the Senate amendments.

**HB0204/123322/1**

BY: Senator Bailey

AMENDMENT TO HOUSE BILL 204  
(Third Reading File Bill)

On page 8, in lines 6 and 7, strike “**BEGINNING WITH THE REPORT DUE ON OR BEFORE SEPTEMBER 30, 2023, THE**” and substitute “**THE**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 97    Negative – 38    (See Roll Call No. 1072)

**JUDICIARY COMMITTEE REPORT NO. 43**

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

**Senate Bill 156 – Senator Kramer**

AN ACT concerning

**Public Safety – Law Enforcement – Veterinary Care of Retired Law  
Enforcement K-9s Act**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 581 – Senator Hettleman**

AN ACT concerning

**Action for Change of Name – Waiver of Publication Requirement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 623 – Senator Lee**

SECOND PRINTING

AN ACT concerning

**Criminal Law – Crimes Involving Computers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 752 – Senator Hayes**

AN ACT concerning

**Baltimore City – Police Officers – Promotional Appointments**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 862 – Senator Waldstreicher**

AN ACT concerning

**Arrest Warrants Issued by District Court Commissioners – Recall by Judge**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 914 – Senator McCray**

AN ACT concerning

**Sheriff of Baltimore City**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 44**

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

**Senate Bill 17 – Senators Carozza and West**

AN ACT concerning

**Criminal Law – Life-Threatening Injury Involving a Motor Vehicle or Vessel  
– Criminal Negligence  
(Wade’s Law)**

**SB0017/132812/1**

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 17

(Third Reading File Bill)

On page 2, in line 20, 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.

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

**Senate Bill 43 – Senators Elfreth and Hettleman**

AN ACT concerning

**Criminal Law – Law Enforcement Officers – Prohibition on Sexual Activity**

**SB0043/292414/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 43

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “establishing a certain exception to the prohibition;”.

AMENDMENT NO. 2

On page 3, in line 1, strike “(1) [“; strike beginning with the closing bracket in line 1 down through “A” in line 2; in lines 4, 9, and 12, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “(1)”, “(2)”, and “(3)”, respectively; strike beginning with “(2)” in line 14 down through “PERSON” in line 16; and in line 18, strike the period.

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:

**Senate Bill 105 – Senator Sydnor**

AN ACT concerning

**Peace Orders – Workplace Violence**

**SB0105/453324/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 105

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “specifying” in line 3 down through “employee” in line 5; and in line 10, after “petition;” insert “providing certain immunity from certain liability to a certain employer under certain circumstances”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 8 and 9.

On page 5, after line 5, insert:

**“(2) AN EMPLOYER SHALL BE IMMUNE FROM ANY CIVIL LIABILITY THAT MAY RESULT FROM THE FAILURE OF THE EMPLOYER TO FILE A PETITION ON BEHALF OF AN EMPLOYEE UNDER THE PROVISIONS OF THIS SUBTITLE.”;**

and in line 9, 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 Clippinger, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 250 – Senators Lee and Waldstreicher**

AN ACT concerning

**Criminal Law – Sexual Crimes – ~~Repeal of~~ Fourth Degree Sexual Offense and Spousal Defense**

**~~(Love Is No Defense to Sexual Crimes)~~**

**SB0250/133823/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 250  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Fourth Degree Sexual Offense and**” and substitute “**Repeal of**”; after line 4, insert:

**“(Love is No Defense to Sexual Crimes)”**;

in line 5, strike “altering the definition of “sexual contact””; and strike in their entirety lines 9 through 18, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 21, 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:

**Senate Bill 607 – Senator Jackson**

AN ACT concerning

**Criminal Law – Harm to Service Animals**

**SB0607/203422/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 607  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “or” and substitute a comma; in line 4, after “injuring” insert “, or interfering with the use of”; in line 5, strike “or” and substitute a comma; and in the same line, after “injure” insert “, or interfere with the use of”.

AMENDMENT NO. 2

On page 2, in line 25, strike “OR”; and in line 28, after “ANIMAL” insert “; OR

**(3) INTERFERE WITH THE USE OF A SERVICE ANIMAL OR ALLOW AN ANIMAL THAT THE PERSON OWNS OR OVER WHICH THE PERSON HAS IMMEDIATE CONTROL TO INTERFERE WITH THE USE OF A SERVICE ANIMAL**”.

On page 3, in line 3, after “VIOLATES” insert “SUBSECTION (B)(1) OR (2) OF”; after line 5, 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.”**;

and in line 6, 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.

**WAYS AND MEANS COMMITTEE REPORT NO. 36**

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 19 – Chair, Budget and Taxation Committee (By Request – Departmental – Commerce)**

AN ACT concerning

**Economic Development – Biotechnology Investment Incentive Tax Credit Program – Alterations**

**SB0019/875366/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 19

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “**Alterations**” insert “**and Study**”; in line 5, strike “definition” and substitute “definitions”; in the same line, after “of” insert ““qualified investor” and”; in line 6, after “program;” insert “prohibiting the Department of Commerce from issuing tax credit certificates to certain investors in certain biotechnology companies on or after a certain date;”; in line 9, after “year;” insert “altering certain reporting requirements; requiring the Department to conduct, in consultation with certain parties, certain studies and to report to the General Assembly on or before a certain date;”; in line 19, strike “10–725(a)(7),” and substitute “10–725(a)(6) and (7).”; in the same line, after “(b),” insert “(c)(3).”; and in the same line, strike “and (j)” and substitute “(h)(1), and (j)”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“(6) (i) “Qualified investor” means any individual or entity that invests at least \$25,000 in a qualified Maryland biotechnology company and that is required to file an income tax return in any jurisdiction.

(ii) “Qualified investor” does not include:

1. a qualified pension plan, individual retirement account, or other qualified retirement plan under the Employee Retirement Income Security Act of 1974, as amended, or fiduciaries or custodians under such plans, or similar tax–favored plans or entities under the laws of other countries; OR

2. A FOUNDER OR CURRENT EMPLOYEE OF THE QUALIFIED MARYLAND BIOTECHNOLOGY COMPANY, IF THE COMPANY HAS BEEN IN ACTIVE BUSINESS FOR MORE THAN 5 YEARS.”.

On page 3, after line 25, insert:

“(c) (3) (I) [The] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE Department shall:

[(i)] 1. approve all applications that qualify for credits under this section on a first–come, first–served basis; and

[(ii)] 2. within 30 days of receipt of an application, certify the amount of any approved tax credits to a qualified investor.

**(II) THE DEPARTMENT MAY NOT ISSUE ANY TAX CREDIT CERTIFICATES UNDER THIS SECTION AFTER JUNE 30, 2028.”.**

On page 4, after line 2, insert:

“(h) (1) In accordance with § 2.5–109 of the Economic Development Article, the Department shall report on:

(I) the initial tax credit certificates awarded under this section for the calendar year, INCLUDING THE NUMBER OF INITIAL TAX CREDIT CERTIFICATES AWARDED TO QUALIFIED INVESTORS FOR INVESTMENTS IN QUALIFIED MARYLAND BIOTECHNOLOGY COMPANIES THAT WERE NOT CERTIFIED BY THE DEPARTMENT IN THE PREVIOUS CALENDAR YEAR; AND

(II) FOR EACH QUALIFIED MARYLAND BIOTECHNOLOGY COMPANY THAT RECEIVES AN INVESTMENT FOR WHICH AN INITIAL TAX CREDIT CERTIFICATE IS AWARDED UNDER THIS SECTION FOR THE CALENDAR YEAR:

1. THE NUMBER OF YEARS THAT THE COMPANY HAS BEEN IN ACTIVE BUSINESS; AND

2. THE NUMBER OF YEARS THAT QUALIFIED INVESTORS IN THE COMPANY HAVE RECEIVED TAX CREDITS UNDER THIS SECTION.”;

after line 7, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2021, the Department of Commerce, in consultation with qualified experts in the biotechnology industry, shall:

(1) (i) study the methods and criteria by which the Department might award tax credits under the Biotechnology Investment Incentive Tax Credit Program on a competitive basis; and

(ii) develop strategies to increase awards of tax credits under the Program to early-stage biotechnology companies; and

(2) report to the General Assembly, in accordance with § 2-1257 of the State Government Article, on its findings and recommendations.”;

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 Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 80 – Senator Kagan**

AN ACT concerning

**Economic Development – Maryland Technology Development Corporation – Alterations**

**SB0080/285769/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 80

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “Act;” insert “providing for the application of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 3, in line 13, strike “HISTORICALLY BLACK”.

On page 6, in line 17, after “That” insert “the two term limit on a member of the Board of Directors appointed under § 10–403(b)(2)(iv) of the Economic Development Article, as enacted by Section 1 of this Act, may be applied only prospectively to any term being served on or after the effective date of this Act.”

SECTION 5. AND BE IT FURTHER ENACTED, That”.

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:

**Senate Bill 160 – Chair, Budget and Taxation Committee (By Request – Departmental – Commerce)**

AN ACT concerning

**Economic Development – Cybersecurity Investment Incentive Tax Credit Program – Expansion and Extension**

**SB0160/305063/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 160

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “**and**” and substitute a comma; in the same line, after “**Extension**” insert “, **and Study**”; in line 6, after “program;” insert “stating the purpose of the program;”; in line 15, after “program;” insert “requiring the Department of Commerce to conduct, in consultation with certain parties, a certain study and to report to the General Assembly on or before a certain date;”; and in line 21, after “2.5–109(a)(4)(vii)” insert “and 6–1007”.

AMENDMENT NO. 2

On page 2, after line 24, insert:



“6–1007.

(a) In this section, “investment”, “qualified investor”, and “qualified Maryland [cybersecurity] TECHNOLOGY company” have the meanings stated in § 10–733 of the Tax – General Article.

(b) For a qualified opportunity fund that is a qualified investor in a qualified Maryland [cybersecurity] TECHNOLOGY company under § 10–733 of the Tax – General Article, if the qualified Maryland [cybersecurity] TECHNOLOGY company, on or after March 1, 2018, is newly established in or expands into an opportunity zone in a county other than Allegany County, Dorchester County, Garrett County, or Somerset County:

(1) the Level 1 opportunity zone enhancement is 33% of the investment in a qualified Maryland [cybersecurity] TECHNOLOGY company, not to exceed \$300,000; and

(2) the Level 2 opportunity zone enhancement is 50% of the investment in the qualified Maryland [cybersecurity] TECHNOLOGY company, not to exceed \$500,000.

(c) The enhanced tax credit percentages and maximums authorized under subsection (b) of this section are in substitution for and not in addition to the percentages and maximums under § 10–733(d) of the Tax – General Article.”.

On page 4, in line 2, after “include” insert “:

1.”;

in line 5, after “countries” insert “;OR

2. A FOUNDER OR CURRENT EMPLOYEE OF THE QUALIFIED MARYLAND TECHNOLOGY COMPANY, IF THE COMPANY HAS BEEN IN ACTIVE BUSINESS FOR MORE THAN 5 YEARS”;

in line 8, strike “(b)(2)” and substitute “~~(B)(3)~~”; in line 17, after “(1)” insert “THE INNOVATION INVESTMENT INCENTIVE TAX CREDIT IS INTENDED TO FOSTER THE GROWTH OF MARYLAND’S TECHNOLOGY SECTORS BY INCENTIVIZING INVESTMENT IN EARLY-STAGE COMPANIES WITH THE GOAL OF INCREASING THE NUMBER OF COMPANIES DEVELOPING INNOVATIVE TECHNOLOGIES IN MARYLAND, INCREASING OVERALL INVESTMENTS IN CURRENT AND EMERGING TECHNOLOGY SECTORS, AND INCREASING THE NUMBER OF INDIVIDUAL INVESTORS ACTIVELY INVESTING IN MARYLAND’S TECHNOLOGY COMPANIES.

(2)”;

in lines 17 and 23, in each instance, strike “(2)” and substitute “(3)”; and in line 23, strike “(1)” and substitute “(2)”.

On page 5, in lines 25 and 27, in each instance, strike “(3)” and substitute “(4)”.

On page 12, after line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2021, the Department of Commerce shall:

(1) in consultation with qualified experts in the technology industry, study the methods and criteria by which the Department might award tax credits under the Innovation Investment Incentive Tax Credit program on a competitive basis; and

(2) report to the General Assembly, in accordance with § 2-1257 of the State Government Article, on its findings and recommendations.”;

and in line 12, 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 Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 196 – Chair, Budget and Taxation Committee (By Request – Departmental – Commerce)**

AN ACT concerning

**Economic Development – Research and Development Tax Credit – Alterations**

**SB0196/465762/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 196

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “stating the purpose of the Research and Development Tax Credit Program;”.

AMENDMENT NO. 2

On page 3, in line 13, after “(b)” insert:

**“(1) THE PURPOSE OF THE RESEARCH AND DEVELOPMENT TAX CREDIT PROGRAM IS TO FOSTER INCREASED RESEARCH ACTIVITIES AND EXPENDITURES IN MARYLAND.**

**(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:

**Senate Bill 283 – Senator Elfreth**

AN ACT concerning

**Student and Military Voter Empowerment Act**

**SB0283/475261/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 283

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “application;” insert “providing that a certain process may allow the use of a common access card only for certain purposes; prohibiting a certain process from allowing an individual to apply to register to vote solely using the card;”.

AMENDMENT NO. 2

On page 4, after line 32, insert:

**“(C) THE PROCESS REQUIRED TO BE ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION:**

**(1) MAY ALLOW THE USE OF A COMMON ACCESS CARD ONLY FOR THE PURPOSE OF VERIFYING IDENTITY AND ALLOWING AN INDIVIDUAL TO FULFILL THE SIGNATURE REQUIREMENT ON THE FEDERAL POST CARD APPLICATION; AND**

**(2) MAY NOT ALLOW AN INDIVIDUAL TO APPLY TO REGISTER TO VOTE SOLELY USING THE COMMON ACCESS CARD.”**

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:

**Senate Bill 314 – ~~Senator McCray~~ Senators McCray and Elfreth**

AN ACT concerning

**Board of Revenue Estimates and Bureau of Revenue Estimates – Organization and Operations**

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:

**Senate Bill 591 – Senators Zucker and Elfreth**

AN ACT concerning

**Bureau of Revenue Estimates – Tax Incidence Study – Scope and Intergovernmental Assistance**

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:

**Senate Bill 596 – Senator Washington**

AN ACT concerning

**Election Law – Early Voting Centers – Hours of Operation**

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:

**Senate Bill 919 – Senator Gallion**

AN ACT concerning

**Horse Racing – Fair Hill Natural Resources Management Area**

**SB0919/575069/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 919

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 5 down through “manner;” in line 7; and strike in their entirety lines 14 through 18, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 through line 29 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.

### **ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 37**

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

#### **Senate Bill 22 – Senator Young**

AN ACT concerning

#### **On-Site Sewage Disposal Systems – Inspection – Licensing**

Favorable report adopted.

#### **FLOOR COMMITTEE AMENDMENT**

#### **SB0022/893723/1**

BY: Environment and Transportation Committee

#### AMENDMENT TO SENATE BILL 22

(Third Reading File Bill)

On page 3, in line 9, after “INDIVIDUAL” insert “KNOWINGLY”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

#### **Senate Bill 144 – Senator Guzzone**

AN ACT concerning

#### **Electric Vehicle Recharging Equipment for Multifamily Units Act**

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:

**Senate Bill 227 – Senators Elfreth, Hester, and Pinsky**

AN ACT concerning

**Water Pollution – Stormwater Management Regulations and Watershed Implementation Plans – Review and Update**

**SB0227/790311/1**

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 227

(Third Reading File Bill)

On page 7, after line 9, insert:

**“E. THE MARYLAND ASSOCIATION OF SOIL CONSERVATION DISTRICTS;”**;

in lines 10 and 11, strike “**E.**” and “**F.**”, respectively, and substitute “**F.**” and “**G.**”, respectively; in line 10, strike “**AND**”; and in line 12, after “**EXPERIENCE**” insert “**; AND**”

**H. AN ASSOCIATION THAT HAS EXPERTISE IN STORMWATER RESTORATION PROJECTS”.**

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:

**Senate Bill 359 – Senator Rosapepe**

AN ACT concerning

**Department of Transportation and ~~Department of the Environment – Purple  
Line Tree Replacement Plan – Urban Tree Program – Establishment~~**

**SB0359/420811/1**

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 359

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “Act;” insert “providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 3, in line 11, after “**RESOURCES**” insert “**FOREST SERVICE**”.

On page 4, after line 7, insert:

**“(E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO ABROGATE OR LIMIT THE APPLICABILITY OF ANY REQUIREMENTS OR OTHER PROVISIONS IN THE NATURAL RESOURCES ARTICLE THAT APPLY TO THE REPLACEMENT OF TREES THAT ARE REMOVED DURING THE CONSTRUCTION OF A TRANSPORTATION FACILITY PROJECT.”**

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:

**Senate Bill 365 – Senator McCray**

AN ACT concerning

**Neighborhood Business Development Program – Food Desert Projects –  
Business Retention**

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:

**Senate Bill 483 – ~~Senator Hettleman~~ Senators Hettleman, Hester, Kagan, and Pinsky**

AN ACT concerning

**Solid Waste Management – Organics Recycling and Waste Diversion – Food Residuals**

**SB0483/640111/1**

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 483

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “procedures;” insert “requiring the Department of the Environment to issue a warning under certain circumstances;”.

AMENDMENT NO. 2

On page 5, in line 27, strike “A” and substitute “**THE DEPARTMENT SHALL ISSUE A WARNING TO A**”; in line 28, after “SECTION” insert “.

**(2) AFTER RECEIVING A WARNING ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PERSON WHO SUBSEQUENTLY VIOLATES THIS SECTION, OR ANY RULE OR REGULATION ADOPTED UNDER THIS SECTION,**”.

in line 31, strike “FIRST” and substitute “**SECOND**”; and in line 32, strike “SECOND” and substitute “**THIRD**”.

On page 6, in line 1, strike “THIRD” and substitute “**FOURTH**”; and in lines 2 and 4, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, 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:

**Senate Bill 692 – Senator Young**

AN ACT concerning

**State Planning – Preservation of Agricultural Land – Goal**

**SB0692/380618/1**

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 692

(Third 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, strike line 3 in its entirety; in line 4, strike “**(5)**” and substitute “**(4)**”; in the same line, strike “AND”; and after line 4, insert:

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

AMENDMENT NO. 3

On page 2, after line 5, 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 6, strike “2.” and substitute “3.”.

The preceding 3 amendments were read only.

Delegate Barve moved to make the Bill and Amendments a Special Order for Tuesday.

The motion was adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 1073)

### CALENDAR OF THIRD READING SENATE BILLS NO. 34

#### Senate Bill 9 – Senator Kramer

AN ACT concerning

**State Employees – Collective Bargaining – Applicability, Bargaining Processes,  
and Memorandums of Understanding**

Read the third time and passed by yeas and nays as follows:

Affirmative – 96    Negative – 39    (See Roll Call No. 1074)

The Bill was then returned to the Senate.

#### Senate Bill 30 – Senators Elfreth and Guzzone

AN ACT concerning

**State Finance and Procurement – Appropriation Reductions  
(Board of Public Works Budget Reduction Clarification Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 105    Negative – 31    (See Roll Call No. 1075)

The Bill was then returned to the Senate.

#### Senate Bill 60 – Senator Peters

AN ACT concerning

**State Debt – Annuity Bond Fund – Use of Bond Premiums**

Read the third time and passed by yeas and nays as follows:

Affirmative – 100    Negative – 36    (See Roll Call No. 1076)

The Bill was then returned to the Senate.

**Senate Bill 323 – ~~Senator Elfreth~~ Senators Elfreth, Griffith, Guzzone, King, McCray, Peters, Rosapepe, Young, and Zucker**

AN ACT concerning

**Maryland Arts Capital Grant Program**

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

The motion was rejected by a roll call vote as follows:

Affirmative – 38    Negative – 98    (See Roll Call No. 1077)

Read the third time and passed by yeas and nays as follows:

Affirmative – 115    Negative – 21    (See Roll Call No. 1078)

The Bill was then returned to the Senate.

**Senate Bill 684 – Senator Lam**

AN ACT concerning

**Maryland Licensure of Certified Midwives Act**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 1    (See Roll Call No. 1079)

The Bill was then returned to the Senate.

**Senate Bill 714 – Senators Kagan, Reilly, and Jackson**

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 – 136 Negative – 0 (See Roll Call No. 1080)

The Bill was then returned to the Senate.

**Senate Bill 789 – Senator McCray (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Visit Baltimore – Appropriation Calculation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1081)

The Bill was then returned to the Senate.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 1082)

### **ADJOURNMENT**

At 10:00 P.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 21, 2021, Calendar Day, Tuesday, April 6, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 21, 2021**  
**Calendar Day: Tuesday, April 6, 2021**  
**10:00 A.M. Session**

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The House met at 10:09 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. 1083)

**EXCUSED:**

Delegate Anderson – illness

Delegate Howard – business

Delegate Love – left early – doctor’s appointment

Delegate Thiam – left briefly – business

Delegate Valentino–Smith – personal

The Journal of March 20, 2021 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1084)

**CALENDAR OF THIRD READING SENATE BILLS NO. 37**

**Senate Bill 144 – Senator Guzzone**

AN ACT concerning

**Electric Vehicle Recharging Equipment for Multifamily Units Act**

Read the third time and passed by yeas and nays as follows:

Affirmative – 108    Negative – 28    (See Roll Call No. 1085)

The Bill was then returned to the Senate.

**Senate Bill 156 – Senator Kramer**

AN ACT concerning

**Public Safety – Law Enforcement – Veterinary Care of Retired Law  
Enforcement K-9s Act**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 1086)

The Bill was then returned to the Senate.

**Senate Bill 581 – Senator Hettleman**

AN ACT concerning

**Action for Change of Name – Waiver of Publication Requirement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 125    Negative – 10    (See Roll Call No. 1087)

The Bill was then returned to the Senate.

**Senate Bill 623 – Senator Lee**

SECOND PRINTING

AN ACT concerning

**Criminal Law – Crimes Involving Computers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 1088)

The Bill was then returned to the Senate.

**Senate Bill 752 – Senator Hayes**

AN ACT concerning

**Baltimore City – Police Officers – Promotional Appointments**

Read the third time and passed by yeas and nays as follows:

Affirmative – 103    Negative – 33    (See Roll Call No. 1089)

The Bill was then returned to the Senate.

**Senate Bill 862 – Senator Waldstreicher**

AN ACT concerning

**Arrest Warrants Issued by District Court Commissioners – Recall by Judge**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 1090)

The Bill was then returned to the Senate.

**Senate Bill 914 – Senator McCray**

AN ACT concerning

**Sheriff of Baltimore City**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131    Negative – 5    (See Roll Call No. 1091)

The Bill was then returned to the Senate.

**SPECIAL ORDER CALENDAR NO. 82**

**Senate Bill 692 – Senator Young**

AN ACT concerning

**State Planning – Preservation of Agricultural Land – Goal**

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

**SB0692/380618/1**

BY: Environment and Transportation Committee



AMENDMENTS TO SENATE BILL 692  
(Third 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, strike line 3 in its entirety; in line 4, strike “**(5)**” and substitute “**(4)**”; in the same line, strike “AND”; and after line 4, insert:

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

AMENDMENT NO. 3

On page 2, after line 5, 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 6, 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.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 1092)

## Senate Bill 178 – Senator Carter

AN ACT concerning

~~Public Information Act – Personnel Records – Investigations of Law  
Enforcement Officers  
(Anton’s Law)~~  
Maryland Police Accountability Act of 2021 – Personnel Records –  
Investigations of Law Enforcement Officers  
(Anton’s Law)

## FLOOR COMMITTEE AMENDMENT

SB0178/423520/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 178, AS AMENDEDAMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0178/562718/1), in lines 15 and 16 of Amendment No. 1, strike “deny inspection of” and substitute “redact”; and in line 16, after “record” insert “in a certain manner under certain circumstances; authorizing a custodian to redact a certain record in a certain manner”.

AMENDMENT NO. 2

On page 15, in Amendment No. 3, strike in their entirety lines 8 through 18, inclusive, and substitute:

**“(D) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A CUSTODIAN:**

**(1) SHALL REDACT THE PORTIONS OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION TO THE EXTENT THAT THE RECORD REFLECTS:**

**(I) MEDICAL INFORMATION OF THE PERSON IN INTEREST;**

**(II) PERSONAL CONTACT INFORMATION OF THE PERSON IN INTEREST OR A WITNESS; OR**

**(III) INFORMATION RELATING TO THE FAMILY OF THE PERSON IN INTEREST; AND**

**(2) MAY REDACT THE PORTION OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION TO THE EXTENT THAT THE RECORD REFLECTS WITNESS INFORMATION OTHER THAN PERSONAL CONTACT INFORMATION.**

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

**SB0178/503029/1**

BY: Delegate Adams

**AMENDMENTS TO SENATE BILL 178, AS AMENDED**

**AMENDMENT NO. 1**

On page 1 of the House Judiciary Committee Amendments (SB0178/562718/1), in Amendment No. 1, strike beginning with “repealing” in line 6 down through “warrant;” in line 7; and strike beginning with “requiring” in line 8 down through “circumstances;” in line 9.

**AMENDMENT NO. 2**

On page 6 of the House Judiciary Committee Amendments, in line 8 of Amendment No. 2, strike the brackets; in the same line, strike “**GROUND**”; in line 10, strike “1.” and substitute “**A.**”; in lines 9 and 12, in each instance, strike the bracket; and in line 12, strike “2.” and substitute “**B.**”.

On page 7 of the House Judiciary Committee Amendments, in Amendment No. 2, strike in their entirety lines 16 through 18, inclusive.

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

Affirmative – 46    Negative – 88    (See Roll Call No. 1093)

FLOOR AMENDMENT

**SB0178/683223/1**

BY: Delegate Buckel

AMENDMENTS TO SENATE BILL 178, AS AMENDEDAMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0178/562718/1), in line 14 of Amendment No. 1, after “exception;” insert “requiring a custodian to expunge a certain record in a certain manner under certain circumstances;”.

AMENDMENT NO. 2

On page 13 of the House Judiciary Committee Amendments, after line 15 of Amendment No. 3, insert:

**“(D) IF, AFTER AN INVESTIGATION OF A COMPLAINT DESCRIBED UNDER SUBSECTION (C) OF THIS SECTION, THE POLICE OFFICER IS EXONERATED OR THE COMPLAINT IS DETERMINED TO BE UNFOUNDED, THE CUSTODIAN SHALL EXPUNGE THE RECORD WITHOUT THE FILING OF A PETITION OR PAYMENT OF A FEE BY THE POLICE OFFICER WHO IS THE SUBJECT OF THE RECORD TO BE EXPUNGED.”**

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

Affirmative – 57    Negative – 79    (See Roll Call No. 1094)

## FLOOR AMENDMENT

**SB0178/363520/1**

BY: Delegate Thiam

AMENDMENT TO SENATE BILL 178, AS AMENDED

On page 10 of the House Judiciary Committee Amendments (SB0178/562718/1), in line 2 of Amendment No. 2, strike “**20**” and substitute “**15**”.

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

Affirmative – 50    Negative – 86    (See Roll Call No. 1095)

## FLOOR AMENDMENT

SB0178/713820/1

BY: Delegate Grammer

AMENDMENTS TO SENATE BILL 178, AS AMENDEDAMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0178/562718/1), in Amendment No. 1, strike beginning with “requiring” in line 4 down through “circumstances;” in line 9 and substitute “prohibiting a judicial officer from issuing a certain warrant;”.

On page 2 of the House Judiciary Committee Amendments, in line 19 of Amendment No. 1, strike “1-203(a)” and substitute “1-203(a)(2)(vi) and (4)”; and after line 21, insert:

“BY adding to

Article – Criminal Procedure

Section 1-203(a)(7)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On pages 3 through 8 of the House Judiciary Committee Amendments, in Amendment No. 2, strike in their entirety the lines beginning with line 4 on page 3 through line 12 on page 8, inclusive, and substitute:

“(a) (2) (vi) An application for a search warrant may NOT contain a request that the search warrant authorize the executing law enforcement officer to enter the building, apartment, premises, place, or thing to be searched without giving notice of the officer’s authority or purpose[, on the grounds that there is reasonable suspicion to believe that, without the authorization:

1. the property subject to seizure may be destroyed, disposed of, or secreted; or
2. the life or safety of the executing officer or another person may be endangered].”.

On page 8 of the House Judiciary Committee Amendments, in line 13 of Amendment No. 2, strike the brackets; and in the same line, strike “**(5)**”.

On pages 8 and 9 of the House Judiciary Committee Amendments, in Amendment No. 2, strike in their entirety the lines beginning with line 18 on page 8 through line 9 on page 9, inclusive.

On page 9 of the House Judiciary Committee Amendments, in line 10 of Amendment No. 2, strike “**(8)**” and substitute “**(7)**”.

On page 10 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 2, strike “**UNLESS EXECUTING A NO-KNOCK SEARCH WARRANT, A**” and substitute “**A**”.

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

Affirmative – 17    Negative – 104    (See Roll Call No. 1096)

#### FLOOR AMENDMENT

**SB0178/333525/1**

BY: Delegate Hornberger

#### AMENDMENTS TO SENATE BILL 178, AS AMENDED

##### AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0178/562718/1), in line 2 of Amendment No. 1, before “**Search**” insert “**Persistent Aerial Surveillance,**”; and in the same line, after “**Warrants**” insert a comma.

On page 2 of the House Judiciary Committee Amendments, in line 12 of Amendment No. 1, after “**Assembly;**” insert “**prohibiting persistent aerial surveillance by a certain unit, agency, or political subdivision to gather certain evidence or information in a criminal investigation; providing certain exceptions to the prohibition;**”; in line 13, before “**search**” insert “**persistent aerial surveillance,**”; and in the same line, after “**warrants**” insert a comma.

On page 3 of the House Judiciary Committee Amendments, in line 11 of Amendment No. 1, after “**3-523**” insert “**and 3-524**”.

##### AMENDMENT NO. 2

On page 20 of the House Judiciary Committee Amendments, in line 15 of Amendment No. 3, after "ASSEMBLY." insert

"3-524.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "AIRCRAFT" MEANS ANY DEVICE USED OR DESIGNED FOR NAVIGATION OF OR FLIGHT IN THE AIR.

(3) "PERSISTENT AERIAL SURVEILLANCE" MEANS THE USE OF AIRCRAFT TO RECORD VIDEO OR A CONCURRENT SERIES OF IMAGES OR PICTURES THAT WHEN VIEWED IN AGGREGATE DEPICT A PERSON'S ACTIONS OVER TIME.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A UNIT OR AN AGENCY OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE MAY NOT CONDUCT PERSISTENT AERIAL SURVEILLANCE TO GATHER EVIDENCE OR OTHER INFORMATION IN A CRIMINAL INVESTIGATION.

(C) A UNIT OR AN AGENCY OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE MAY CONDUCT PERSISTENT AERIAL SURVEILLANCE:

(1) IN ACCORDANCE WITH A VALID SEARCH WARRANT ISSUED BY A JUDGE;

(2) ON A LOCATION FOR THE PURPOSE OF EXECUTING AN ARREST WARRANT;

(3) IN FRESH PURSUIT OF A SUSPECT, AS DEFINED IN § 2-304 OF THE CRIMINAL PROCEDURE ARTICLE;

(4) TO ASSIST IN AN ACTIVE SEARCH AND RESCUE OPERATION;

(5) TO LOCATE AN ESCAPED PRISONER;

**(6) IF A LAW ENFORCEMENT OFFICER REASONABLY BELIEVES THAT THE USE OF AIRCRAFT IS NECESSARY TO PREVENT IMMINENT:**

**(I) SERIOUS BODILY HARM TO AN INDIVIDUAL; OR**

**(II) DESTRUCTION OF EVIDENCE; OR**

**(7) IF THE UNITED STATES SECRETARY OF HOMELAND SECURITY DETERMINES THAT CREDIBLE INTELLIGENCE INDICATES THAT THERE IS A HIGH RISK OF TERRORIST ATTACK BY A SPECIFIC INDIVIDUAL OR ORGANIZATION, TO COUNTER SUCH A RISK.”.**

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

Affirmative – 30    Negative – 95    (See Roll Call No. 1097)

FLOOR AMENDMENT

**SB0178/893223/1**

BY: Delegate Krebs

**AMENDMENTS TO SENATE BILL 178, AS AMENDED**

**AMENDMENT NO. 1**

On page 1 of the House Judiciary Committee Amendments (SB0178/562718/1), in line 14 of Amendment No. 1 strike “with a certain exception” and substitute “with certain exceptions”.

**AMENDMENT NO. 2**

On page 13 of the House Judiciary Committee Amendments, strike in their entirety lines 14 and 15 of Amendment No. 3 and substitute:

**“(2) FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING TYPES OF RECORDS ARE PERSONNEL RECORDS:**

**(I) RECORDS OF TECHNICAL INFRACTIONS; AND**



**(II) RECORDS OF UNSUSTAINED OR UNSUBSTANTIATED COMPLAINTS.**

On page 14 of the House Judiciary Committee Amendments, in line 7 of Amendment No. 3, after “**INFRACTION**” insert “**OR OF AN UNSUSTAINED OR UNSUBSTANTIATED COMPLAINT**”.

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

Affirmative – 50    Negative – 78    (See Roll Call No. 1098)

FLOOR AMENDMENT

**SB0178/723329/1**

BY: Delegate Griffith

**AMENDMENTS TO SENATE BILL 178, AS AMENDED**

**AMENDMENT NO. 1**

On page 1 of the House Judiciary Committee Amendments (SB0178/423520/1), strike beginning with “;” in line 3 of Amendment No. 1 down through “**manner**” in line 4.

**AMENDMENT NO. 2**

On page 1 of the House Judiciary Committee Amendments, in lines 4 and 5 of Amendment No. 2, strike “;”

**(1)**”;

in lines 8, 9, and 11, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**(1)**”, “**(2)**”, and “**(3)**”, respectively; and in line 10, strike “**OR**”.

On pages 1 and 2 of the House Judiciary Committee Amendments, strike beginning with “**AND**” in line 12 on page 1 of Amendment No. 2 down through “**REFLECTS**” in line 1 on page 2 and substitute “**OR**”

**(4)**”.

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

Affirmative – 42    Negative – 84    (See Roll Call No. 1099)

FLOOR AMENDMENT

**SB0178/893921/1**

BY: Delegate Cox

AMENDMENT TO SENATE BILL 178, AS AMENDED

On page 13 of the House Judiciary Committee Amendments (SB0178/562718/1), in line 8 of Amendment No. 3, strike “PARAGRAPH (2)” and substitute “PARAGRAPHS (2) AND (3)”; and after line 15, insert:

**“(3) A RECORD UNDER PARAGRAPH (1) OF THIS SUBSECTION IS A PERSONNEL RECORD FOR THE PURPOSES OF THIS SECTION IF THE RECORD RELATES TO A COMPLAINT, UNLESS THE COMPLAINT WAS MADE UNDER PENALTY OF PERJURY.”**

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

Affirmative – 44    Negative – 84    (See Roll Call No. 1100)

FLOOR AMENDMENT

**SB0178/173228/1**

BY: Delegate Cox

AMENDMENTS TO SENATE BILL 178, AS AMENDED

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0178/562718/1), in line 19 of Amendment No. 1, after “interest;” insert “requiring a person who obtains a certain record to sign a certain statement that prohibits the person from disclosing the record to a third party; providing that a person who violates a certain provision of this Act is guilty of a misdemeanor and on conviction is subject to certain penalties;”.

On page 3 of the House Judiciary Committee Amendments, in line 6 of Amendment No. 1, strike the second “and”; and in the same line, after “4-351” insert “, and 4-402”.

AMENDMENT NO. 2

On page 16 of the House Judiciary Committee Amendments, after line 4 of Amendment No. 3, insert:

**“(F) (1) A PERSON WHO OBTAINS A RECORD DESCRIBED UNDER SUBSECTION (A)(4) OF THIS SECTION SHALL SIGN A STATEMENT UNDER PENALTY OF PERJURY STATING THAT THE PERSON WILL NOT RELEASE THE RECORD TO A THIRD PARTY.**

**(2) IN ADDITION TO THE PENALTY ESTABLISHED IN § 4-402(B) OF THIS TITLE, A PERSON WHO RELEASES A RECORD TO A THIRD PARTY IN VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO THE PENALTY UNDER § 4-402(C) OF THIS TITLE.**

4-402.

(a) A person may not:

(1) willfully or knowingly violate any provision of this title;

(2) fail to petition a court after temporarily denying inspection of a public record; or

(3) by false pretenses, bribery, or theft, gain access to or obtain a copy of a personal record if disclosure of the personal record to the person is prohibited by this title.

(b) A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

**(C) A PERSON WHO RELEASES A RECORD IN VIOLATION OF § 4-351(F)(1) OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS AND A FINE NOT EXCEEDING \$5,000.”.**

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

Affirmative – 42    Negative – 86    (See Roll Call No. 1101)

FLOOR AMENDMENT

SB0178/893125/1

BY: Delegate Morgan

AMENDMENTS TO SENATE BILL 178, AS AMENDED

AMENDMENT NO. 1

On page 2 of the House Judiciary Committee Amendments (SB178/562718/1), in line 12 of Amendment No. 1, after “Assembly;” insert “requiring, beginning in certain years and with certain frequency thereafter, that the top law enforcement officer of each county be elected by certain voters; specifying the term of office for a certain law enforcement officer; providing that a certain law enforcement officer continues to serve until a certain successor is elected and qualifies;”.

On page 3 of the House Judiciary Committee Amendments, in line 11 of Amendment No. 1, after “3-523” insert “and 3-524”.

AMENDMENT NO. 2

On page 20 of the House Judiciary Committee Amendments, in line 15 of Amendment No. 3, after “ASSEMBLY.” insert:

“3-524.

**(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, BEGINNING WITH THE 2022 GENERAL ELECTION AND EVERY 4 YEARS THEREAFTER, THE TOP LAW ENFORCEMENT OFFICER OF EACH COUNTY SHALL BE ELECTED BY THE VOTERS OF THE COUNTY IN WHICH THE ELECTION OCCURS.**

**(B) BEGINNING WITH THE 2024 GENERAL ELECTION AND EVERY 4 YEARS THEREAFTER, THE TOP LAW ENFORCEMENT OFFICER OF BALTIMORE CITY SHALL BE ELECTED BY THE VOTERS OF BALTIMORE CITY.**

**(C) (1) THE TERM OF AN ELECTED OFFICER IS 4 YEARS.**

**(2) AT THE END OF A TERM, AN ELECTED OFFICER CONTINUES TO SERVE UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.”.**

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

Affirmative – 42 Negative – 91 (See Roll Call No. 1102)

Read the third time and passed by yeas and nays as follows:

Affirmative – 88 Negative – 46 (See Roll Call No. 1103)

The Bill was then returned to the Senate.

**AMENDED IN THE SENATE**

**House Bill 135 – Delegate K. Young**

EMERGENCY BILL

AN ACT concerning

**Pharmacists – Administration of Self-Administered Medications and  
Maintenance Injectable Medications  
(Christopher King Access to Treatment Act)**

Delegate Pendergrass moved that the House not concur in the Senate amendments.

**HB0135/744436/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 135

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “circumstances;” insert “prohibiting a pharmacist from administering a maintenance injectable medication unless the pharmacist provides the patient with a certain notice; requiring a pharmacist who charges a certain fee to provide a certain notice to a patient separate from any other forms or notices; prohibiting a pharmacist who charges a certain fee from collecting or attempting to collect the fee except under certain circumstances; requiring a pharmacist, to the extent practicable, to provide a certain form in a certain language or format to certain patients under certain circumstances;”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 13 through 15, inclusive.

AMENDMENT NO. 3

On page 3, in line 15, after “(II)” insert “1.”; in the same line, after “DISORDER” insert “; OR”

2. TREATS A SEXUALLY TRANSMITTED INFECTION AND IS NOT A VACCINE”;

and in line 29, strike “SUBSECTION (B)” and substitute “SUBSECTIONS (B) AND (C)”.

On page 4, after line 9, insert:

“(C) (1) A PHARMACIST MAY NOT ADMINISTER A MAINTENANCE INJECTABLE MEDICATION UNDER SUBSECTION (A)(2) OF THIS SECTION UNLESS THE PHARMACIST PROVIDES THE PATIENT WITH THE FOLLOWING WRITTEN NOTICE:

“IMPORTANT FINANCIAL INFORMATION

NOTICE OF PHARMACIST’S MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE AND MEDICAL BILLING DISCLOSURE

A. MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE.

THE PHARMACIST MAY CHARGE A SEPARATE FEE FOR ADMINISTERING A MAINTENANCE INJECTABLE MEDICATION THAT IS IN ADDITION TO THE COST OF YOUR MAINTENANCE INJECTABLE MEDICATION. THE PHARMACIST WILL INITIAL THE STATEMENT BELOW THAT APPLIES TO YOU.

\_\_\_\_\_ THE PHARMACIST DOES NOT CHARGE A SEPARATE FEE FOR ADMINISTERING A MAINTENANCE INJECTABLE MEDICATION.

\_\_\_\_\_ THE PHARMACIST CHARGES A SEPARATE FEE FOR ADMINISTERING A MAINTENANCE INJECTABLE MEDICATION IN THE AMOUNT OF \$ \_\_\_\_\_.

IF YOUR HEALTH BENEFIT PLAN DOES NOT COVER ALL OR PART OF THE PHARMACIST’S MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE, YOU MAY BE RESPONSIBLE FOR PAYING THE BALANCE. THE PHARMACIST WILL INITIAL THE SECTION BELOW THAT IS APPLICABLE TO YOUR INSURANCE COVERAGE.

PLEASE READ THE INITIALED SECTION AND ASK THE PHARMACIST ANY QUESTIONS YOU MAY HAVE.

SECTION 1. THIS SECTION APPLIES TO YOU. YOU HAVE A PLAN THAT LIKELY DOES NOT COVER THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE. YOU MUST PAY THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE IN FULL IF YOU CHOOSE TO HAVE THE MAINTENANCE INJECTABLE MEDICATION ADMINISTERED HERE. THE PHARMACIST WILL SUBMIT A CLAIM ON YOUR BEHALF. IF YOUR PLAN PAYS THE PHARMACIST ALL OR PART OF THE FEE, THE PHARMACIST WILL ISSUE YOU A REFUND WITHIN 30 DAYS AFTER RECEIPT OF PAYMENT FROM YOUR PLAN.

SECTION 2. THIS SECTION APPLIES TO YOU. YOUR PLAN FULLY COVERS THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE. YOU OWE \$0 FOR THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE. YOU WILL NOT BE BILLED TODAY OR IN THE FUTURE FOR TODAY'S MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE.

SECTION 3. THIS SECTION APPLIES TO YOU. YOU HAVE A PLAN THAT COVERS ALL OR PART OF THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE BUT THE PHARMACIST DOES NOT HAVE A CONTRACT WITH YOUR PLAN SO YOU MAY BE RESPONSIBLE FOR ALL OR PART OF THE FEE. YOU MUST PAY \$ \_\_\_ TODAY TO HAVE THE MAINTENANCE INJECTABLE MEDICATION ADMINISTERED. IF YOU HAVE OVERPAID, THE PHARMACIST WILL ISSUE YOU A REFUND WITHIN 30 DAYS AFTER RECEIPT OF PAYMENT FROM YOUR PLAN.

YOU COULD SAVE MONEY BY HAVING YOUR MAINTENANCE INJECTABLE MEDICATION ADMINISTERED BY A HEALTH CARE PROVIDER WHO HAS A CONTRACT WITH YOUR PLAN. BEFORE HAVING THE MAINTENANCE INJECTABLE MEDICATION ADMINISTERED AT THIS TIME, YOU SHOULD CONTACT YOUR PLAN TO DETERMINE YOUR COST FOR THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE IF DELIVERED BY A HEALTH CARE PROVIDER WHO HAS A CONTRACT WITH YOUR PLAN. YOU SHOULD ASK WHAT YOU WOULD PAY OUT-OF-POCKET FOR A COPAYMENT, COINSURANCE, OR A DEDUCTIBLE.

SECTION 4. THIS SECTION APPLIES TO YOU. THE PHARMACIST DOES HAVE A CONTRACT WITH YOUR PLAN AND THERE IS COVERAGE FOR THE PHARMACIST’S MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE. THE PHARMACIST HAS CONTACTED YOUR PLAN AND WAS INFORMED THAT YOUR OUT-OF-POCKET EXPENSES FOR THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE WILL BE:

        COPAYMENT

        COINSURANCE

        DEDUCTIBLE

        TOTAL

B. PAYMENT REQUIRED.

I AGREE TO PAY THE TOTAL PAYMENT FOR WHICH I AM RESPONSIBLE TODAY IN THE AMOUNT OF \$ \_\_\_\_\_. THE PHARMACIST WILL SUBMIT A CLAIM ON MY BEHALF AND I WILL BE REFUNDED ANY OVERPAYMENT WITHIN 30 DAYS AFTER THE PHARMACIST’S RECEIPT OF PAYMENT FROM MY PLAN.

C. INFORMED CONSENT REQUIRED.

THE PHARMACIST MAY NOT COLLECT OR ATTEMPT TO COLLECT PAYMENT FOR A MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE FROM YOU UNLESS THIS FORM IS PROPERLY COMPLETED BY THE PHARMACIST AND SIGNED BY YOU. THE PHARMACIST IS REQUIRED TO PROVIDE A COPY OF THIS COMPLETED FORM TO YOU.

BY SIGNING THIS FORM, I ACKNOWLEDGE THAT I WAS PROVIDED THIS COMPLETED FORM BEFORE BEING ADMINISTERED A MAINTENANCE INJECTABLE MEDICATION TODAY.

\_\_\_\_\_



SIGNATUREDATED. COMPLAINTS AND ADDITIONAL INFORMATION.

IF YOU HAVE A COMPLAINT RELATING TO THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE OR SERVICE, PLEASE FIRST CONTACT THE PHARMACIST.

IF THE COMPLAINT IS UNRESOLVED, YOU MAY THEN FILE THE COMPLAINT WITH THE STATE BOARD OF PHARMACY.

IF YOU NEED ADDITIONAL INFORMATION REGARDING YOUR MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE CHARGES OR IF YOU NEED ASSISTANCE MEDIATING A MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE COMPLAINT AGAINST A PHARMACIST, CONTACT THE HEALTH EDUCATION AND ADVOCACY UNIT OF THE OFFICE OF THE ATTORNEY GENERAL.

TO REQUEST THIS NOTICE IN AN ALTERNATIVE FORMAT, PLEASE CONTACT THE STATE BOARD OF PHARMACY.”.

(2) IF A PHARMACIST CHARGES ALL OR PART OF A FEE FOR ADMINISTERING A MAINTENANCE INJECTABLE MEDICATION UNDER SUBSECTION (A)(2) OF THIS SECTION, THE PHARMACIST:

(i) SHALL PROVIDE THE PATIENT WITH THE WRITTEN NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SEPARATE FROM ANY OTHER FORMS OR NOTICES; AND

(ii) MAY NOT COLLECT OR ATTEMPT TO COLLECT PAYMENT FROM A PATIENT UNLESS THE PHARMACIST PROVIDES THE PATIENT, BEFORE ADMINISTERING THE MAINTENANCE INJECTABLE MEDICATION, WITH:

1. A PROPERLY COMPLETED NOTICE AS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

**2. A COPY OF THE COMPLETED AND SIGNED NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

**(3) IF A PATIENT DOES NOT SPEAK ENGLISH OR REQUESTS THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN AN ALTERNATIVE FORMAT, THE PHARMACIST SHALL, TO THE EXTENT PRACTICABLE, PROVIDE THE NOTICE IN A LANGUAGE OR FORMAT THAT IS UNDERSTANDABLE TO THE PATIENT.”;**

in line 10, strike “(C)” and substitute “(D)”; and in lines 16, 19, and 23, strike “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively.

The preceding 3 amendments were read and not concurred in.

**HB0135/253022/1**

BY: Senator Lam

**AMENDMENTS TO HOUSE BILL 135**  
(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 22, after “Act;” insert “requiring the Maryland Department of Health, in consultation with certain entities, to report to the General Assembly on or before a certain date:”.

**AMENDMENT NO. 2**

On page 6, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 1, 2022, the Maryland Department of Health, in consultation with MedChi, The Maryland State Medical Society, the Maryland Nurses Association, and the Maryland Pharmacists Association, shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on pharmacist–administered maintenance injectable medications that treat sexually transmitted infections, including:

(1) a summary of the scope of pharmacy practices in other states as they relate to maintenance injectable medications that treat sexually transmitted infections;

(2) the status of the federal Centers for Disease Control and Prevention recommendation that clinics engage with local pharmacies to ensure continuity of care for sexually transmitted infection treatment during the COVID–19 public health emergency, as highlighted in the Centers for Disease Control and Prevention’s “Dear Colleagues” letter, dated April 6, 2020;

(3) a summary of best practices for the treatment of sexually transmitted infections and the corresponding roles for pharmacists; and

(4) whether the General Assembly should repeal any provisions of this Act regarding the administration of maintenance injectable medications that treat sexually transmitted infections.”;

and in line 13, strike “3.” and substitute “4.”.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL:** HB0135  
**SPONSOR:** Delegate Young, K.  
**SUBJECT:** Pharmacists – Admin of Self-Administered Medications and Maintenance Injectable Medications (Christopher King Access to Treatment Act)

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Kelly, Chair  
Delegate Cullison  
Delegate Kipke

Said Bill is returned herewith.

By Order,  
Sylvia Siegert  
Chief Clerk

Read and adopted.

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 1358 – Delegate Rogers**

AN ACT concerning

**Veterans Affairs – Office of Communications and Public Affairs – Veterans  
Advocacy and Education Act**

The Bill was re-referred to the Committee on Health and Government Operations.

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

**Senate Bill 81 – Senator Ellis**

AN ACT concerning

**Southern Maryland Rapid Transit Project – Funding**

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

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:

**Senate Bill 172 – Senators Hayes, Beidle, Benson, Ellis, Feldman, Kramer, Lee,  
Sydnor, Waldstreicher, Washington, ~~and Young~~ Young, Augustine,  
Corderman, Eckardt, Edwards, Elfreth, Griffith, Guzzone, Hershey,  
Jennings, Kelley, King, Klausmeier, McCray, Peters, Rosapepe, Salling, and  
Zucker**

EMERGENCY BILL

AN ACT concerning

**Maryland Health Equity Resource Act**

The Bill was re-referred to the Committee on Health and Government Operations.

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

**Senate Bill 187 – Senator Sydnor**

AN ACT concerning

**Criminal Procedure – Forensic Genetic Genealogical DNA Analysis, Searching,  
Regulation, and Oversight**

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

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

**Senate Bill 199 – Senators McCray and Zucker**

AN ACT concerning

**Transportation – Maryland Transit Administration – Funding Funding and  
MARC Rail Extension Study  
(Transit Safety and Investment Act)**

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:

**Senate Bill 261 – Senator Simonaire**

AN ACT concerning

**Anne Arundel County – Property Tax Credit for Business Entities – State of  
Emergency**

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 Environment and Transportation:

**Senate Bill 318 – Senators Bailey and Simonaire**

AN ACT concerning

**Natural Resources – Fishing and Hunting Rights**

The Bill was re-referred to the Committee on Environment and Transportation.

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

**Senate Bill 392 – Senator Augustine**

EMERGENCY BILL

AN ACT concerning

**Electricity and Gas – Limited-Income Mechanisms and Assistance**

The Bill was re-referred to the Committee on Economic Matters.

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

**Senate Bill 420 – Senator Carter**

AN ACT concerning

**Criminal Law – Drug Paraphernalia for Administration – Decriminalization**

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

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:

**Senate Bill 449 – Senator Kagan**

AN ACT concerning

**Public Information Act – Revisions  
(Equitable Access to Records Act)**

The Bill was re-referred to the Committee on Health and Government Operations.

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:

**Senate Bill 469 – Senator Washington**

AN ACT concerning

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

The Bill was re-referred to the Committee on Health and Government Operations.

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

**Senate Bill 515 – Senator Klausmeier**

EMERGENCY BILL

AN ACT concerning

**Criminal Procedure – Registered Sex Offenders – Entry Onto School Property**

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

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

**Senate Bill 546 – Senator McCray**

AN ACT concerning

**School Buildings – Drinking Water Outlets – Elevated Level of Lead  
(Safe School Drinking Water Act)**

The Bill was re-referred to the Committee on Environment and Transportation 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 Ways and Means:

**Senate Bill 659 – Senator Guzzone**

AN ACT concerning

**Historic Revitalization Tax Credit – Small Commercial Projects – Alterations**

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 Judiciary:

**Senate Bill 666 – Senator Peters**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Courts of Appeals and Special Appeals – Renaming**

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

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

**Senate Bill 681 – Senator Ready**

AN ACT concerning

**Motor Vehicles – Inspection Certificates – Exception**

The Bill was re-referred to the Committee on Environment and Transportation.

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

**Senate Bill 691 – Senator Hettleman**

AN ACT concerning

**Real Property – Landlord and Tenant – Reusable Tenant Screening Reports**

The Bill was re-referred to the Committee on Environment and Transportation.

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

**Senate Bill 716 – Senators Carozza, Hershey, and Lam**

AN ACT concerning

**Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere**

The Bill was re-referred to the Committee on Environment and Transportation.

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



**Senate Bill 723 – Senator Hester**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Food System Resiliency Council**

The Bill was re-referred to the Committee on Environment and Transportation.

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:

**Senate Bill 736 – Senator Augustine**

~~**EMERGENCY BILL**~~

AN ACT concerning

**Health Occupations – Pharmacists – Administration of Vaccinations Children’s Vaccines – Study and Temporary Authority**

The Bill was re-referred to the Committee on Health and Government Operations.

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

**Senate Bill 811 – ~~Senator Hershey~~ Senators Hershey, Klausmeier, Kelley, Augustine, Beidle, Benson, Feldman, Hayes, Jennings, Kramer, and Ready**

**EMERGENCY BILL**

AN ACT concerning

**Unemployment Insurance – Computation of Earned Rate of Contribution – Applicable Table of Rates**

The Bill was re-referred to the Committee on Economic Matters.

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:

**Senate Bill 887 – Senators Elfreth and Simonaire**

AN ACT concerning

**Property Tax Credit – Business Entities – State of Emergency**

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 Environment and Transportation:

**Senate Bill 888 – Senator Beidle**

AN ACT concerning

**Anne Arundel County – Speed Monitoring Systems – Maryland Route 175  
(Jessup Road)**

The Bill was re-referred to the Committee on Environment and Transportation.

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:

**Senate Bill 948 – Senator Klausmeier (By Request – Departmental – Veterans  
Affairs)**

AN ACT concerning

**Veterans Affairs – Office of Communications and Public Affairs – Veterans  
Advocacy and Education Act**

The Bill was re-referred to the Committee on Health and Government Operations.

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

**Senate Bill 958 – Senators Zucker and Peters**

AN ACT concerning

**Nonpublic Special Education Schools – State Contribution – Increase**

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

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

**House Bill 1030 – Delegate Saab**

AN ACT concerning

**State Board of Dental Examiners – Membership – Nomination and Appointment Process**

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:

**Senate Bill 132 – Chair, Judicial Proceedings Committee (By Request – Departmental – Secretary of State)**

AN ACT concerning

**Inspection of Public Records – Notaries Public – Disclosure of Home Address and Phone Number**

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:

**Senate Bill 139 – Senators Carozza and Beidle**

AN ACT concerning

**Interstate Occupational Therapy Licensure Compact**

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:

**Senate Bill 284 – Senator Simonaire**

AN ACT concerning

**Maryland Veterans Service Animal Program – Definitions**

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:

**Senate Bill 652 – Senator Klausmeier**

AN ACT concerning

**Public Health – Long-Term Care Planning**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 25**

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

**House Bill 108 – Delegate Charkoudian**

AN ACT concerning

**Behavioral Health Crisis Response Services – Modifications**

**HB0108/126083/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 108

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “standards;” in line 5; in line 5, after the second “the” insert “Maryland”; and in the same line, after “Department” insert “of Health”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 9 through 11, inclusive; in line 12, strike the brackets; and in the same line, strike “(5)”.

On page 4, in lines 1 and 8, strike the brackets; in the same lines, strike “(6)” and “(7)”, respectively; in line 27, strike “\$8,000,000” and substitute “\$5,000,000”; and in line 28, strike “\$9,000,000” and substitute “\$5,000,000”.

On page 5, in line 1, strike “\$10,000,000” and substitute “\$5,000,000”.

On page 6, strike beginning with “LIMITING” in line 4 down through “(II)” in line 6; and in line 9, strike “(III)” and substitute “(II)”.

On page 7, in line 2, strike “9-1-1 DISPATCH,”; in line 4, strike the brackets; strike in their entirety lines 5 and 6; in line 7, strike the brackets; and in the same line, strike “(IV)”.

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 652 – Delegate Qi**

AN ACT concerning

**Health Facilities – Residential Service Agencies – Guidance and Reporting**

**HB0652/946589/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 652

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “information” insert “on a certain form and”; in lines 8 and 9, strike “or renewing a” and substitute “an initial”; in line 9, after “agency” insert “and with certain frequency thereafter; requiring that a certain form developed by the Maryland Department of Health include a certain checkbox”; and strike beginning with “requiring” in line 11 down through “Health;” in line 12, and substitute “requiring the Maryland Department of Labor and the Maryland Department of Health to submit certain reports to certain committees of the General Assembly on or before a certain date:”.

#### AMENDMENT NO. 2

On page 4, in line 11, strike “EMPLOYMENT” and substitute “USE”; in line 12, strike “EMPLOYED”; in line 27, strike “OR RENEWING A” and substitute “AN INITIAL”; in line 28, after “AGENCY” insert “AND EVERY 3 YEARS THEREAFTER”; and in line 29, after “DEPARTMENT,” insert “ON A FORM DEVELOPED BY THE DEPARTMENT AND”.

On page 5, after line 7, insert:

**“(3) A FORM DEVELOPED BY THE DEPARTMENT FOR USE UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A CHECKBOX BY WHICH A RESIDENTIAL SERVICE AGENCY THAT RECEIVES MEDICAID REIMBURSEMENT FOR THE PROVISION OF HOME CARE OR SIMILAR SERVICES BY A PERSONAL CARE AIDE SHALL INDICATE WHETHER THE RESIDENTIAL SERVICE AGENCY USES PERSONAL CARE AIDES DESIGNATED AS INDEPENDENT CONTRACTORS.”;**

strike in their entirety lines 8 through 14, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before November 1, 2021, the following reports shall be submitted to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article:

(1) The Maryland Department of Labor shall report on the strategies undertaken by the Commissioner of Labor and Industry to educate residential service agencies, as well as workers, on understanding the laws governing the classification of independent contractors and employees, including the different tests used by State agencies in determining whether a worker is an independent contractor or an employee; and

(2) The Maryland Department of Health shall report on the steps taken to bring the rates for personal care aides in–line with the cost of delivering services as shown

inadequate in the report issued by the Maryland Department of Health in accordance with Chapter 798 of 2018 and on turnover of personal care aides under the Maryland Medical Assistance Program.”;

in line 15, strike “2.” and substitute “3.”; in line 16, 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:

**Senate Bill 84 – Senators Young and Waldstreicher**

AN ACT concerning

**Pharmacists – Administration of Self-Administered Medications and  
Maintenance Injectable Medications**

**SB0084/556081/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 84

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; after line 3, insert:

**“(Christopher King Access to Treatment Act)”;**

and strike beginning with “prohibiting” in line 8 down through “circumstances;” in line 15.

On page 2, in line 1, strike “administration” and substitute “administering”; and in line 5, after “Act;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 3, in line 17, strike “1.”; and strike beginning with the semicolon in line 17 down through “VACCINE” in line 20.

On page 4, in line 6, strike “SUBSECTIONS (B) AND (C)” and substitute “SUBSECTION (B)”.

On pages 4 through 7, strike in their entirety the lines beginning with line 18 on page 4 through line 25 on page 7, inclusive.

On page 7, in line 26, strike “(D)” and substitute “(C)”; in the same line, strike “**2022**” and substitute “**2021**”; and after line 28, insert:

**“(I) FOR NOTIFYING A PATIENT ABOUT PAYMENT FOR SERVICES BEFORE THE PHARMACIST ADMINISTERS A MAINTENANCE INJECTABLE MEDICATION;”**;

and in line 29, strike “(I)” and substitute “(II)”.

On page 8, in lines 1 and 4, strike “(II)” and “(III)”, respectively, and substitute “(III)” and “(IV)”, respectively.

On page 9, in line 17, after “**PRACTITIONER,**” insert “**FOR PATIENT ASSESSMENT REGARDING AND**”; in line 18, strike “**THE ADMINISTRATION OF**” and substitute “**ADMINISTERING**”; and strike in their entirety, lines 23 and 24 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.”**

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:

**Senate Bill 286 – Senator Augustine**



AN ACT concerning

**Behavioral Health Crisis Response Services – Modifications**

**SB0286/706780/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 286

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “standards;” in line 5; in line 5, after the second “the” insert “Maryland”; and in the same line, after “Department” insert “of Health”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 14 through 16, inclusive; in line 17, strike the brackets; and in the same line, strike “(5)”.

On page 4, in lines 5 and 12, strike the brackets; in the same lines, strike “(6)” and “(7)”, respectively.

On page 5, in line 2, strike “\$8,000,000” and substitute “\$5,000,000”; in line 3, strike “\$9,000,000” and substitute “\$5,000,000”; and in line 4, strike “\$10,000,000” and substitute “\$5,000,000”.

On page 6, strike beginning with “LIMITING” in line 10 down through “(II)” in line 12; and in line 15, strike “(III)” and substitute “(II)”.

On page 7, in line 5, strike “9-1-1 DISPATCH,”; in line 7, strike the brackets; strike in their entirety lines 8 and 9; in line 10, strike the brackets; and in the same line, strike “(IV)”.

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:

**Senate Bill 379 – Senator Lam**

AN ACT concerning

**Health Occupations – ~~Registration~~ Licensing of Audiology Assistants**

**SB0379/606887/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 379

(Third Reading File Bill)

On page 3, in line 4, strike “REGISTERED” and substitute “LICENSED”.

On page 5, in line 13, strike “REGISTRATION” and substitute “A LICENSE”; and in line 17, strike “LICENSURE” and substitute “LICENSE”.

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:

**Senate Bill 384 – Senator Kelley**

AN ACT concerning

**Health Facilities – Residential Service Agencies – ~~Compliance With State Labor Laws~~ Guidance and Reporting**

**SB0384/333922/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 384

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “information” insert “on a certain form and”; in line 11, after “thereafter,” insert “requiring that a certain form developed by the Maryland Department of Health include a certain checkbox;”; and strike beginning with “requiring” in line 12 down through “Health;” in line 14 and substitute “requiring the Maryland Department of Labor and the Maryland Department of Health to submit certain reports to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 4, in line 16, strike “EMPLOYMENT” and substitute “USE”; and in line 17, strike “EMPLOYED”.

On page 5, in line 4, after “DEPARTMENT,” insert “ON A FORM DEVELOPED BY THE DEPARTMENT AND”; after line 13, insert:

**“(3) A FORM DEVELOPED BY THE DEPARTMENT FOR USE UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A CHECKBOX BY WHICH A RESIDENTIAL SERVICE AGENCY THAT RECEIVES MEDICAID REIMBURSEMENT FOR THE PROVISION OF HOME CARE OR SIMILAR SERVICES BY A PERSONAL CARE AIDE SHALL INDICATE WHETHER THE RESIDENTIAL SERVICE AGENCY USES PERSONAL CARE AIDES DESIGNATED AS INDEPENDENT CONTRACTORS.”;**

strike in their entirety lines 14 through 20, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before November 1, 2021, the following reports shall be submitted to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article:

(1) the Maryland Department of Labor shall report on the strategies undertaken by the Commissioner of Labor and Industry to educate residential service agencies, as well as workers, on understanding the laws governing the classification of independent contractors and employees, including the different tests used by State agencies in determining whether a worker is an independent contractor or an employee; and

(2) the Maryland Department of Health shall report on the steps taken to bring the rates for personal care aides in–line with the cost of delivering services as shown inadequate in the report issued by the Maryland Department of Health in accordance with

Chapter 798 of 2018 and on turnover of personal care aides under the Maryland Medical Assistance Program.”;

in line 21, strike “2.” and substitute “3.”; and in line 22, 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:

**Senate Bill 507 – Senators Kelley, Feldman, Guzzone, Carter, and Beidle**

AN ACT concerning

**Division of Consumer Protection – Assisted Living Programs**

**SB0507/846185/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 507

(Third Reading File Bill)

On page 1, in line 8, strike “at the request of the resident”.

On page 2, in line 29, strike “AT THE REQUEST OF THE RESIDENT”.

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:

**Senate Bill 745 – Senator Elfreth**

AN ACT concerning

**Health Occupations – State Board of Massage Therapy Examiners – Revisions**

**SB0745/916883/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 745

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 17 down through “rendered;” in line 19.

On page 2, strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 2

On page 3, in line 7, strike the brackets.

On page 9, strike in their entirety lines 11 through 16, 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 857 – Senators Hester and Smith**

AN ACT concerning

**Health – Maryland ~~Community~~ Behavioral Health and Public Safety Center of Excellence – Establishment**

**SB0857/776688/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 857

(Third Reading File Bill)

On page 4, in line 21, after “**TRAINING**” insert “**FOR THEIR VALIDITY AND**”.

On page 7, in line 22, after “**CONSISTENT,**” insert “**APPROPRIATE,**”; and in line 23, after “**PROCESSES**” insert “**THAT ARE PROPERLY APPLIED**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE SENATE  
INTRODUCTORY SENATE BILLS NO. 36**

**Senate Bill 334 – Senator Carter**

AN ACT concerning

**Water Pollution Control – Intervention in Civil Actions – Rights and Authority**

FOR the purpose of establishing that a person who meets the threshold standing requirements under the federal Clean Water Act has an unconditional right and the authority to intervene in a certain civil action that the State ~~brings~~ initiates to require compliance with certain water pollution control measures; requiring a person exercising a certain right of intervention to intervene in accordance with the applicable practices, procedures, and laws in the State; establishing that a person who meets certain requirements to intervene has the same rights as an interested person or aggrieved party under the federal Clean Water Act; and generally relating to intervention in civil actions on water pollution control.

BY adding to

Article – Environment

Section 9-344.1

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 460 – Senator Feldman**

AN ACT concerning

**Economic Development – Advanced Clean Energy and Clean Energy Innovation Investments and Initiatives**

FOR the purpose of altering references to the term “clean energy” to be “advanced clean energy” for purposes of certain provisions of law concerning the Maryland Clean Energy Center and the Maryland Energy Innovation Institute; altering certain findings of the General Assembly, the purposes of certain provisions of law concerning the development of clean energy industries in the State, and the purposes, powers, and duties of the Center and the Institute to include certain actions supporting clean energy innovation; designating the Center as the State green bank; altering the membership of the Board of Directors of the Center; authorizing the Center to enter into certain financing transactions with, on behalf of, or for the benefit of certain State agencies for certain purposes; requiring the Department of General Services and the Department of Budget and Management to work with the Center for certain purposes; requiring the Maryland Technology Development Corporation and the Institute to coordinate with each other in supporting certain technology companies; requiring the Institute and the Center to implement a certain accelerator program in a certain manner and to consult with certain State agencies; altering a certain reporting requirement to include certain information regarding clean energy innovation in the State; altering the purposes of the Maryland Strategic Energy Investment Fund to include providing a certain amount of funding each fiscal year to the Maryland Energy Innovation Fund; clarifying the amount of certain funding provided in a certain fiscal year; specifying the manner in which the funds may be used; providing for the elimination of the position of a certain member of the Board; making conforming changes; defining certain terms and altering certain definitions; and generally relating to the Maryland Clean Energy Center, the Maryland Energy Innovation Institute, and clean energy.

BY renumbering

Article – Economic Development  
Section 10–801(g) through (p), respectively  
to be Section 10–801(h) through (p) and (r), respectively  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development  
Section 9–101(a) and (c), 10–401(a) and (c), 10–402(a), 10–801(a) and (b), 10–806(a)  
and (e), 10–807(a), 10–828(a), (c), and (d), 10–829(a), and 10–830(a)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Economic Development  
Section 10–402(d), 10–801(c), (g), and (q), and 10–821.1  
Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–801(c) through (e), 10–802, 10–806(d), 10–807(b), 10–820, 10–823,  
10–826, 10–829(d), 10–830(b), 10–834, 10–835, and 10–839

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing

Article – Economic Development

Section 10–801(f)

Annotated Code of Maryland

(2018 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) and (f–4)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**Senate Bill 577 – Senators McCray and Edwards**

AN ACT concerning

**Economic Development – Makerspace Initiative Pilot Program**

FOR the purpose of establishing the Makerspace Initiative Pilot Program in the Maryland Technology Development Corporation; establishing the purposes of the Program; requiring the Corporation to partner with a certain entity to provide technical assistance to certain nonprofit entities; authorizing the Corporation to award certain financial assistance to local governments, certain designees of local governments, and certain nonprofit entities for the establishment of makerspaces in the State;



requiring the Corporation, ~~after consulting with the Secretary of Commerce,~~ to adopt certain standards; authorizing the Corporation to award financial assistance subject to certain limitations; requiring a recipient of financial assistance to provide certain matching funds or in-kind contributions; prohibiting the Corporation from awarding financial assistance within a single county exceeding a certain amount except under certain circumstances; establishing the Makerspace Initiative Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Executive Director of the Maryland Technology Development Corporation or the Executive Director'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; requiring the Governor, for certain fiscal years, to include a certain appropriation in the annual budget bill for 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; defining certain terms; providing for the termination of this Act; and generally relating to the Makerspace Initiative Pilot Program.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section ~~9-101(a) and (c) and~~ 10-401(a) through (c)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Economic Development  
Section 10-473 through 10-477 to be under the new part “Part VIII. Makerspace Initiative Pilot 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 Rules and Executive Nominations.

**YEAS AND NAYS NO. 7  
HOUSE BILLS PASSED IN THE SENATE**

NUMBER	SPONSOR	CONTENT
HB 115	Del. Moon	Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties
HB 186	Del. Malone	Courts – Court Dog Program – Veterans Treatment Courts
HB 193	Del. Guyton	Criminal Procedure – Victims of Crime – Private Room
HB 257	Del. Qi	Maryland Commission on Civil Rights – Employment Discrimination – Reporting
HB 277	Del. Atterbear	Criminal Law – First–Degree Child Abuse – Continuing Course of Conduct
HB 290	Del. Hill	Employment Discrimination – Time for Filing Complaints
HB 321	Del. Ebersole	Public Buildings – Changing Facilities – Requirements
HB 384	Del. Sample–Hughes	Real Property – Sale of Mobile Home Parks – Notice Requirements
HB 445	Del. Dumais	Criminal Procedure – Charging Procedures – Citations
HB 449	Del. Bartlett	Family Law – Marriage – Licenses and Records
HB 519	Del. Barve	Vehicle Equipment – Safety Glass – Replacement Standards

NUMBER	SPONSOR	CONTENT
HB 593	Del. Fraser–Hidalgo	Condominiums and Homeowners Associations – Meeting Requirements
HB 646	Del. Valentino–Smith	Child Abuse and Neglect – Memorandum of Understanding With Military Family Advocacy Program
HB 730	The Speaker	Driver’s Licenses, Learner’s Instructional Permits, and Identification Cards – Applications and Renewals
HB 742	Del. Dumais	Compensation to Individual Erroneously Convicted, Sentenced, and Confined (The Walter Lomax Act)
HB 794	Carroll County Delegation	Carroll County – Sheriff – Salary
HB 860	Del. Gilchrist	State Planning – Preservation of Agricultural Land – Goal
HB 881	Del. Valentino–Smith	Mental Health Facilities – Sexual Abuse and Harassment – Reporting and Prevention
HB 882 (Emerg)	Del. Barron	Workgroup to Study Partial Expungement
HB 1072	Charles County Delegation	Charles County – Community Service and Pretrial Release Programs – Authorization
HB 1074	Del. R. Watson	Vehicle Laws – Commercial Motor Carriers – Safety, Inspection, Performance, and Insurance Information (James Cohran’s Law)
HB 1266	Del. W. Fisher	Estates and Trusts – Wills – Custodianship
HB 1315	Del. Fraser–Hidalgo	Motor Vehicles – Inspection Certificates – Exception

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NUMBER	SPONSOR	CONTENT
HB 1317	Del. Smith	Barbers – Employment of Apprentice Barbers – Alterations

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Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL:**                **HB0670**  
**SPONSOR:**         Speaker  
**SUBJECT:**         Police Reform and Accountability Act of 2021

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Clippinger, Chairman  
Delegate Atterbeary  
Delegate Moon.

In addition, the House has appointed in advisory capacity: Delegate Kipke.

The Senate appoints:

Senator Smith, Chair  
Senator Carter  
Senator Jackson

In addition, the Senate has appointed in advisory capacity: Senator Hough.

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 44**

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

**Senate Bill 103 – Senator Kramer**

AN ACT concerning

**Business Regulation – Retail Pet Stores – Modifications  
(No More Puppy- and Kitten-Mills Act of 2021)**

**SB0103/883894/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 103

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “**Domestic Animals – Retail Pet Stores and the Task Force to Study Canine Breeding Facilities and Sourcing Standards**”; in line 8, after “definition;” insert “establishing the Task Force to Study Canine Breeding Facilities and Sourcing Standards; 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 certain committees of the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act;”; and in line 9, after “stores” insert “and the Task Force to Study Canine Breeding Facilities and Sourcing Standards”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 23 down through “(I)” in line 24; and strike beginning with “; AND” in line 25 down through “LOCATION” in line 28.

On page 3, in line 18, after “That” insert “:

(a) There is a Task Force to Study Canine Breeding Facilities and Sourcing Standards.

(b) The Task Force 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 Agriculture, or the Secretary's designee;

(4) the Attorney General, or the Attorney General's designee; and

(5) the following members, selected by the Secretary of Agriculture:

(i) a small animal veterinarian with significant experience working with canine breeders;

(ii) an expert in canine behavior with priority given to a specialist from a State university or college;

(iii) a representative of the American Kennel Club;

(iv) a representative of Bailing Out Benji;

(v) a representative of Maryland Votes for Animals;

(vi) a representative of American Humane;

(vii) a representative of the Humane Society of the United States;

(viii) an attorney with a practice concentration in animal welfare law;

and

(iv) an owner of a small retail pet store.

(c) The Governor shall request that a representative from the U.S. Department of Agriculture's Animal Care program participate in the Task Force.

(d) The President of the Senate and the Speaker of the House shall jointly designate the chair of the Task Force.

(e) The Department of Agriculture shall provide staff for the Task Force.

(f) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(g) (1) The Task Force shall study canine breeding facilities, including online sales of canines through breeding facilities.

(2) In conducting the study required under paragraph (1) of this subsection, the Task Force shall:

(i) review any achievements made in the past 20 years in combating substandard canine breeding practices;

(ii) identify and assess current efforts being taken in the State, other states, and the federal government to address substandard canine breeding practices;

(iii) identify nongovernmental comprehensive standards for canine breeding and tour facilities in full compliance with those standards;

(iv) determine if any gaps exist between current State, federal, and nongovernmental comprehensive standards for canine breeding;

(v) recommend actions necessary to harmonize canine breeding standards in the State with those of the U.S. Department of Agriculture; and

(vi) recommend any legislative actions necessary to create standards for any person who sells or negotiates the sale or purchase of dogs in the State.

(h) On or before December 1, 2021, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State

Government Article, the Senate Finance Committee and the House Economic Matters Committee.

SECTION 3. AND BE IT FURTHER ENACTED, That”;

and in line 19, after “2021.” insert “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.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 26**

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

**House Bill 132 – Delegate Bagnall**

AN ACT concerning

**Health – Mental and Emotional Disorders – Consent  
(Mental Health Access Initiative)**

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

The motion was adopted.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 38**

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

**Senate Bill 77 – Senator Griffith**

AN ACT concerning

**Energy Efficiency – Net-Zero Homes – Contract Preferences**



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:

**Senate Bill 159 – ~~Senator Waldstreicher~~ Senators Waldstreicher, Smith, Bailey, Carter, Cassilly, Hettleman, Hough, Jackson, Lee, Sydnor, and West**

AN ACT concerning

~~Criminal Law~~ **Local Government – Humane Society and Animal Control Officers – Education and Training Requirements**

**SB0159/360418/1**

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 159

(Third Reading File Bill)

On page 1, in line 17, strike “13-110” and substitute “1-1314”.

On page 2, in line 16, strike “13-110” and substitute “1-1314”; in line 17, after “**(A)**” insert “**THIS SECTION APPLIES TO ALL COUNTIES AND MUNICIPALITIES.**”

**(B)**”;

strike beginning with “MUNICIPAL” in line 20 down through “CORPORATION” in line 21 and substitute “**MUNICIPALITY**”; and in line 28, strike “**THE CODE**” and substitute “**THE ANNOTATED CODE OF MARYLAND**”.

On page 3, in line 7, strike “**MUNICIPAL CORPORATION**” and substitute “**MUNICIPALITY**”; in line 10, strike “**(B)**” and substitute “**(C)**”; and strike beginning with “MUNICIPAL” in line 12 down through “CORPORATION” in line 13 and substitute “**MUNICIPALITY**”.

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:

**Senate Bill 324 – Senators Elfreth and Bailey**

AN ACT concerning

**Environment and Natural Resources – Complaints, Inspections, and  
Enforcement – Information Maintenance and Reporting**

**SB0324/880911/1**

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 324

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, strike “and”; and in the same line, after “enforcement” insert “, and sewage overflow”.

AMENDMENT NO. 2

On page 6, in line 30, strike “AND”.

On page 7, in line 2, 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”;**

in line 20, strike “, THE TOTAL NUMBER OF”; in line 21, strike “INSPECTIONS” and substitute “THE TOTAL NUMBER OF INSPECTIONS”; in line 24, strike “CITATIONS” and substitute “THE TOTAL NUMBER OF CITATIONS”; and in line 25, strike “VIOLATIONS” and substitute “THE TOTAL NUMBER OF VIOLATIONS”.

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:

**Senate Bill 338 – Senator Simonaire**

AN ACT concerning

**Local Government – Animal Control Facilities – Adoption Fee Waiver for  
Veterans  
(Pets for Vets Act of 2021)**

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:

**Senate Bill 687 – Senator Smith**

AN ACT concerning

**State and Local Housing Programs – Affirmatively Furthering Fair Housing**

**SB0687/940719/1**

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 687  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 21 down through the semicolon in line 23 and substitute “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;”.

#### AMENDMENT NO. 2

On page 3, strike beginning with “**(1)**” in line 12 down through “**(B)**” in line 20; and in line 20, strike “**2022**” and substitute “**2023**”.

On page 5, in lines 1 and 4, strike “**(C)**” and “**(D)**”, respectively, and substitute “**(B)**” and “**(C)**”, respectively; and in line 1, strike “**(B)**” and substitute “**(A)**”.

On page 8, in line 19, strike “**2022**” and substitute “**2023**”; in line 23, strike “**MUNICIPAL CORPORATION**” and substitute “**LOCAL JURISDICTION**”; strike beginning with “**DEPARTMENT**” in line 23 down through “**DEVELOPMENT**” in line 25 and substitute “**DEPARTMENT OF PLANNING, IN CONSULTATION WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT,**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### CONFERENCE COMMITTEE REPORT

**BILL NO.: HB 517      SPONSOR: Delegate Watson, C.**  
**SUBJECT: Clean Energy Loan Program – Remediation and Resiliency**

**THIRD READING CALENDAR      HOUSE NO. 61      SENATE NO. 13**

Hon. William C. Ferguson, IV, President of the Senate  
 Hon. Adrienne A. Jones, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the Education, Health, and Environmental Affairs Committee Amendments (HB0517/614136/1) be rejected.

Senate Members:

House Members:

Chair, **Katie Fry Hester**

Chair, **Anne Healey**

**Cheryl C. Kagan**

**Andrea Fletcher**

**Harrison**

**Arthur Ellis**

**William J. Wivell**

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk

( ) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 107    Negative – 25    (See Roll Call No. 1104)

The Bill was then sent to the Senate.

**CONCURRENCE CALENDAR NO. 11  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 540 – Delegate Morgan**

AN ACT concerning

**Interstate Occupational Therapy Licensure Compact**

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB0540/494534/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 540

(Third Reading File Bill)

On page 11, in line 26, after “**SINGLE-STATE**” insert “**LICENSE.**”.

On page 13, in line 20, strike “THERAPISTS” and substitute “THERAPIST’S”; and in line 25, strike “THERAPISTS” and substitute “THERAPIST’S”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 1105)

### AMENDED IN THE SENATE

#### House Bill 599 – Delegate Kelly

AN ACT concerning

#### Public Health – Long-Term Care Planning

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB0599/677372/1**

BY: Finance Committee

#### AMENDMENTS TO HOUSE BILL 599

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 7, after “languages;” insert “requiring the Department to ensure that certain materials are understandable to individuals with limited literacy skills;”.

#### AMENDMENT NO. 2

On page 2, in line 17, strike “MAKE” and substitute “;”

**(1) MAKE;**

and in line 19, after “NECESSARY” insert “; **AND**”

**(2) ENSURE THAT THE MATERIALS PUBLISHED UNDER THIS SECTION ARE UNDERSTANDABLE TO INDIVIDUALS WITH LIMITED LITERACY SKILLS”.**

The preceding 2 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 – 134    Negative – 0    (See Roll Call No. 1106)

**AMENDED IN THE SENATE**

**House Bill 849 – Delegate Rosenberg**

AN ACT concerning

**Public Health – Medical Records – Fees**

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB0849/557475/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 849

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 11 down through “fee;” in line 13; and strike beginning with “altering” in line 19 down through “record;” in line 20.

AMENDMENT NO. 2

On page 2, in line 33, strike the brackets.

On page 4, in line 27, strike the brackets; and in the same line, strike “**(3)**”.

The preceding 2 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 – 134    Negative – 0    (See Roll Call No. 1107)

**AMENDED IN 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**

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB0871/744739/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENTS TO HOUSE BILL 871**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 8, after “Services;” insert “requiring the Procurement Improvement Council to report to certain committees of the General Assembly on or before a certain date;”.

**AMENDMENT NO. 2**

On page 7, after line 23, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2022, the Procurement Improvement Council shall submit a 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, that provides:

(1) guidelines on how to identify entities that are required to publish notices of procurement and awards of procurement on eMaryland Marketplace under § 17–502(a) of the State Finance and Procurement Article;

(2) guidelines on how to identify entities that do not comply with the requirement to publish notices of procurement and awards of procurement on eMaryland Marketplace and the reasons why the entities do not publish the required notices and awards; and



(3) recommendations on strategies and enforcement mechanisms to improve compliance by entities required to publish notices of procurement and awards of procurement on eMaryland Marketplace, including any necessary legislation to authorize or implement the strategies and enforcement mechanisms.”;

and in lines 24 and 29, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively.

The preceding 2 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 – 134    Negative – 0    (See Roll Call No. 1108)

### AMENDED IN THE SENATE

#### House Bill 989 – Delegate Krebs

AN ACT concerning

#### Public Safety – 9–1–1 Emergency Telephone System – Alterations

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB0989/207878/1**

BY: Finance Committee

#### AMENDMENTS TO HOUSE BILL 989

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 2, in line 6, after “Assembly;” insert “requiring the Board to report certain information to the General Assembly on or before a certain date;”.

#### AMENDMENT NO. 2

On page 6, in line 30, after “PROJECTS” insert “, INCLUDING RECRUITMENT PROJECTS DESIGNED TO REACH MINORITIES”.

On page 12, after line 8, insert:

“(c) On or before December 31, 2021, the Commission to Advance Next Generation 9–1–1 Across Maryland shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article:

(1) any available demographic information for 9–1–1 specialists, including race and gender, listed by county and statewide;

(2) prerequisites for employment as a 9–1–1 specialist, including certification and education requirements;

(3) the salary range and average salary of 9–1–1 specialists in the State;  
and

(4) a plan to provide implicit bias training to 9–1–1 specialists.”.

The preceding 2 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 – 135    Negative – 0    (See Roll Call No. 1109)

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1110)

### **CALENDAR OF THIRD READING SENATE BILLS NO. 39**

**Senate Bill 19 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Commerce)**

AN ACT concerning

**Economic Development – Biotechnology Investment Incentive Tax Credit  
Program – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 38 (See Roll Call No. 1111)

The Bill was then returned to the Senate.

**Senate Bill 80 – Senator Kagan**

AN ACT concerning

**Economic Development – Maryland Technology Development Corporation –  
Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1112)

The Bill was then returned to the Senate.

**Senate Bill 160 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Commerce)**

AN ACT concerning

**Economic Development – Cybersecurity Investment Incentive Tax Credit  
Program – Expansion and Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 99 Negative – 36 (See Roll Call No. 1113)

The Bill was then returned to the Senate.

**Senate Bill 196 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Commerce)**

AN ACT concerning

**Economic Development – Research and Development Tax Credit – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1114)

The Bill was then returned to the Senate.

**Senate Bill 283 – Senator Elfreth**

AN ACT concerning

**Student and Military Voter Empowerment Act**

Read the third time and passed by yeas and nays as follows:

Affirmative – 107    Negative – 28    (See Roll Call No. 1115)

The Bill was then returned to the Senate.

**Senate Bill 607 – Senator Jackson**

AN ACT concerning

**Criminal Law – Harm to Service Animals**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134    Negative – 0    (See Roll Call No. 1116)

The Bill was then returned to the Senate.

**Senate Bill 919 – Senator Gallion**

AN ACT concerning

**Horse Racing – Fair Hill Natural Resources Management Area**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 1    (See Roll Call No. 1117)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 40****Senate Bill 17 – Senators Carozza and West**

AN ACT concerning

**Criminal Law – Life-Threatening Injury Involving a Motor Vehicle or Vessel  
– Criminal Negligence  
(Wade’s Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132    Negative – 1    (See Roll Call No. 1118)

The Bill was then returned to the Senate.

**Senate Bill 22 – Senator Young**

AN ACT concerning

**On-Site Sewage Disposal Systems – Inspection – Licensing**

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

The motion was adopted.

**Senate Bill 43 – Senators Elfreth and Hettleman**

AN ACT concerning

**Criminal Law – Law Enforcement Officers – Prohibition on Sexual Activity**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95    Negative – 39    (See Roll Call No. 1119)

The Bill was then returned to the Senate.

**Senate Bill 105 – Senator Sydnor**

AN ACT concerning

**Peace Orders – Workplace Violence**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 1120)

The Bill was then returned to the Senate.

**Senate Bill 227 – Senators Elfreth, Hester, and Pinsky**

AN ACT concerning

**Water Pollution – Stormwater Management Regulations and Watershed  
Implementation Plans – Review and Update**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95    Negative – 40    (See Roll Call No. 1121)

The Bill was then returned to the Senate.

**Senate Bill 250 – Senators Lee and Waldstreicher**

AN ACT concerning

**Criminal Law – Sexual Crimes – ~~Repeal of Fourth Degree Sexual Offense and Spousal Defense~~  
~~(Love Is No Defense to Sexual Crimes)~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 115    Negative – 18    (See Roll Call No. 1122)

The Bill was then returned to the Senate.

**Senate Bill 359 – Senator Rosapepe**

AN ACT concerning

**Department of Transportation and Department of the Environment – ~~Purple Line Tree Replacement Plan~~ – Urban Tree Program – Establishment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 116    Negative – 18    (See Roll Call No. 1123)

The Bill was then returned to the Senate.

**Senate Bill 483 – ~~Senator Hettleman~~ Senators Hettleman, Hester, Kagan, and Pinsky**

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 – 95    Negative – 40    (See Roll Call No. 1124)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 38**

**Senate Bill 314 – ~~Senator McCray~~ Senators McCray and Elfreth**

AN ACT concerning

**Board of Revenue Estimates and Bureau of Revenue Estimates – Organization and Operations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 108    Negative – 28    (See Roll Call No. 1125)

The Bill was then returned to the Senate.

**Senate Bill 365 – Senator McCray**

AN ACT concerning

**Neighborhood Business Development Program – Food Desert Projects – Business Retention**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 1126)

The Bill was then returned to the Senate.

**Senate Bill 591 – Senators Zucker and Elfreth**

AN ACT concerning

**Bureau of Revenue Estimates – Tax Incidence Study – Scope and Intergovernmental Assistance**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 1    (See Roll Call No. 1127)

The Bill was then returned to the Senate.

**Senate Bill 596 – Senator Washington**

AN ACT concerning

**Election Law – Early Voting Centers – Hours of Operation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 118    Negative – 18    (See Roll Call No. 1128)

The Bill was then returned to the Senate.

**YEAS AND NAYS NO. 8  
HOUSE BILLS PASSED IN THE SENATE**

NUMBER	SPONSOR	CONTENT
HB 9	Del. Shetty	Family Law – Mandatory Reporter Training
HB 39	Del. Shetty	Action for Change of Name – Waiver of Publication Requirement
HB 128	Del. Stewart	Criminal Law – Hate Crimes – Protected Groups and Penalties
HB 231	Del. Palakovich Carr	Crimes – Mitigation and Defense – Race, Color, National Origin, Sex, Gender Identity, or Sexual Orientation
HB 248	Del. Shetty	Condominiums and Homeowners Associations – Rights and Restrictions – Composting
HB 250	Del. Fraser–Hidalgo	Commercial Motor Vehicles – Inspections
HB 297	Del. Pena–Melnyk	Maryland Lynching Truth and Reconciliation Commission – Reporting and Sunset Extension
HB 301	Del. Shetty	Estates and Trusts – Maryland Revised Uniform Anatomical Gift Act – Revisions
HB 322	Del. Hill	Real Property – Restrictions on Use – Low–Impact Landscaping
HB 356	Del. Qi	Corporations and Associations – Filing Fee Study
HB 441	Del. McKay	Department of Assessments and Taxation – Identification Number for Business – Task Force



NUMBER	SPONSOR	CONTENT
HB 497	Del. Boyce	Property Tax Credit – Urban Agricultural Property – Repeal of Repayment Requirement
HB 528	St. Mary's County Delegation	St. Mary's County – Repeal of Impact Fee – Authorization of Building Excise Tax
HB 530	St. Mary's County Delegation	St. Mary's County – Gaming – Administration of Bingo Licenses
HB 571 (Emerg)	Montgomery County Delegation	Montgomery County – Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Property Tax Abatement MC 20–21
HB 643	Del. Palakovich Carr	Public Health – Cosmetic Products – Ingredient Prohibition
HB 711	Del. D. Jones	Income Tax – Subtraction Modification – Donations to Diaper Banks and Other Charitable Entities
HB 744	Del. Dumais	Courts – Counsel Appearance Fees – Domestic Violence
HB 781	Del. Dumais	Corporations and Real Estate Investment Trusts – Miscellaneous
HB 813	St. Mary's County Delegation	St. Mary's County – Public Facilities Bond
HB 861	Del. Palakovich Carr	Real Property – Landlord and Tenant – Reusable Tenant Screening Reports
HB 862	St. Mary's County Delegation	St. Mary's County and Metropolitan Commission – Debt Limitations
HB 885 (Const)	Del. R. Watson	Courts of Appeals and Special Appeals – Renaming

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NUMBER	SPONSOR	CONTENT
HB 1000	Del. Pippy	Estates and Trusts – Guardian of Property of Minor or Disabled Person – Prohibition on Distribution or Disbursement
HB 1023	Del. Holmes	Real Property – Condominiums, Homeowners Associations, and Cooperative Housing Corporations – Virtual Meetings
HB 1178	Del. Brooks	Income Tax – Subtraction Modification – First-Time Homebuyer Savings Accounts
HB 1209	Del. Luedtke	Sales and Use Tax – Peer-to-Peer Car Sharing – Alterations
HB 1279	Del. Luedtke	Regional Institution Strategic Enterprise Zone Program – Alterations

Read and ordered journalized.

### QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 1129)

### ADJOURNMENT

At 2:00 P.M. on motion of Delegate Luedtke the House adjourned until 11:00 A.M. on Legislative Day March 22, 2021, Calendar Day, Wednesday, April 7, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 22, 2021**  
**Calendar Day: Wednesday, April 7, 2021**  
**11:00 A.M. Session**

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The House met at 11:21 A.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

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

(See Roll Call No. 1130)

**EXCUSED:**

Delegate Anderson – illness

Delegate Howard – illness

The Journal of March 21, 2021 was read and approved.

**APPROPRIATIONS COMMITTEE REPORT NO. 19**

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 155 – ~~Senator Washington~~ Senators Washington and Ellis**

AN ACT concerning

**Higher Education – Tuition Exemption for Foster Care Recipients and  
Homeless Youth – Alterations and Reports**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 244 – Senator Lam**

AN ACT concerning

**Maryland Funding Accountability and Transparency Act – Nonbudgeted State  
Agencies**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 405 – Senator Augustine**

AN ACT concerning

**Higher Education – Student Identification Cards – Required Information**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 439 – Senators Ready and West**

AN ACT concerning

**Public Institutions of Higher Education – Student Athletes  
(Jordan McNair Safe and Fair Play Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 516 – Senator Klausmeier**

AN ACT concerning

**State Board of Environmental Health Specialists – Fees – General Fund**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 641 – Senator Elfreth (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Fiduciary Insurance**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**APPROPRIATIONS COMMITTEE REPORT NO. 20**

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 85 – Senator Rosapepe**

AN ACT concerning

**Creating 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:

**Senate Bill 413 – Senator Guzzone**

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:

**Senate Bill 477 – Senators McCray, Sydnor, Carter, Hayes, and Washington**

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 with amendments:

**Senate Bill 509 – Senator Peters**

AN ACT concerning

**National Capital Strategic Economic Development Program – Eligibility**

**SB0509/104060/1**

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 509  
(Third 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 20 and 22, in each instance, strike “through 2025” and substitute “AND EACH FISCAL YEAR THEREAFTER”; in line 27, strike the first comma and substitute “:

**(1) IN PRINCE GEORGE’S COUNTY,**;

and in line 28, 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:

**Senate Bill 526 – Senators McCray, Lam, Sydnor, Hettleman, and Washington**

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:

**Senate Bill 660 – Senator Guzzone**

AN ACT concerning

**State Lottery Fund – Maryland Humanities Council – Funding**

**SB0660/134967/1**

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 660

(Third Reading File Bill)

On page 2, in line 7, strike the closing bracket; in line 11, before “\$150,000” insert “(ii)”; and in line 12, after “programming” insert a closing bracket.

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:

**Senate Bill 699 – Senator McCray**



AN ACT concerning

**Baltimore Regional Neighborhood Initiative Program Fund**

**SB0699/334262/1**

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 699

(Third Reading File Bill)

On page 2, in line 23, 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:

**Senate Bill 717 – Senator Zucker**

AN ACT concerning

**State Personnel – Collective Bargaining – Exclusive Representative Access to  
New Employees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 720 – Senator Zucker**

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 with amendments:

**Senate Bill 767 – Senator Washington**

AN ACT concerning

**Higher Education – Hunger-Free Campus Grant Program – Established**

**SB0767/844061/1**

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 767

(Third 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 13, after “EDUCATION” insert “OR REGIONAL HIGHER EDUCATION CENTER”.

On page 3, in line 5, after “EDUCATION” insert “OR REGIONAL HIGHER EDUCATION CENTER”.

On page 4, in line 4, after “PANTRY” insert “, IF APPLICABLE”; in line 12, after “EDUCATION” insert “OR REGIONAL HIGHER EDUCATION CENTERS”; and in line 26, after “PANTRY” insert “, IF APPLICABLE”.

On page 5, in line 2, after “EDUCATION” insert “OR REGIONAL HIGHER EDUCATION CENTER”; and in line 28, 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:

**Senate Bill 882 – Senator Guzzone**

AN ACT concerning

**Operating Budget – Education Programs – Mandated Funding**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 913 – Senators McCray, Washington, and Lam**

AN ACT concerning

**Human Services – Supplemental Nutrition Assistance Program – Heat and Eat Program and Study on Maryland Energy Assistance Program Eligibility**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: HB0135**

**SPONSOR: Delegate Young, K.**

**SUBJECT: Pharmacists – Admin of Self-Administered Medications and Maintenance Injectable Medications (Christopher King Access to Treatment Act)**

The Senate recedes from its position on HB0135.

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 39**

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

**Senate Bill 349 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Drinking Water Revolving Loan Fund – Use of Funds**

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:

**Senate Bill 453 – Senator Edwards**

AN ACT concerning

**Allegheny 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:

**Senate Bill 616 – Senator McCray**

AN ACT concerning

**Baltimore City – Soil Conservation District – Authority to Establish**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 45**

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

**Senate Bill 78 – Senator Waldstreicher**

AN ACT concerning

~~Public Safety – Law Enforcement and Emergency Medical Services Providers –  
Administration of Ketamine~~  
**Maryland Institute for Emergency Medical Services Systems – Administration  
of Ketamine – Data Collection**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 270 – Senators Waldstreicher and Augustine**

AN ACT concerning

**Crimes – Indecent Exposure – Definition**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 335 – Senator Sydnor**

AN ACT concerning

**Courts – Nongovernmental Corporate Parties – Disclosure Statements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 46**

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

**Senate Bill 86 – Chair, Finance Committee (By Request – Departmental – Labor)**

AN ACT concerning

**Correctional Education – Changes to Mandatory Education Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 109 – Chair, Judicial Proceedings Committee (By Request – Departmental – Secretary of State)**

AN ACT concerning

**Secretary of State – Address Confidentiality Programs – Merger of Programs and Expanded Participant Eligibility**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 118 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Correctional Services – Warrant Apprehension Unit – Transfer**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 146 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Juvenile Services)**

AN ACT concerning

**Department of Juvenile Services – Deputy Secretaries**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 267 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Human Services)**

AN ACT concerning

**Family Law – Investigation of Suspected Child Abuse and Neglect – Preliminary  
Report to State’s Attorney**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 342 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – General Services)**

AN ACT concerning

**Maryland Military Department – Sale of Superfluous Armories**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 47**

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

**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)**

**SB0327/662414/1**

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 327

(Third Reading File Bill)

On page 10, after line 24, insert:

**“(B) A PARTY WHO BRINGS AN ACTION UNDER THIS SUBTITLE TO RECOVER FOR INJURY OR LOSS AND IS AWARDED COMPENSATORY DAMAGES MAY ALSO SEEK AND THE COURT MAY AWARD AN AMOUNT NOT EXCEEDING THREE TIMES THE COMPENSATORY DAMAGES AND PREJUDGMENT INTEREST.”;**

and in line 29, strike **“(B)”** and substitute **“(C)”**.

On page 11, in lines 10 and 13, strike **“(C)”** and **“(D)”**, respectively, and substitute **“(D)”** and **“(E)”**, respectively.

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. 27**



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

**Senate Bill 5 – Senators Griffith, Benson, Ellis, Kelley, Washington, ~~and West~~ West, Guzzone, Feldman, Augustine, Beidle, Corderman, Eckardt, Edwards, Elfreth, King, Hayes, Klausmeier, Kramer, McCray, Peters, Rosapepe, Salling, Young, and Zucker**

AN ACT concerning

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

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:

**Senate Bill 13 – Senator Eckardt**

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:

**Senate Bill 111 – Senator Kramer**

AN ACT concerning

**Health Care Facilities – Dialysis Treatment Services – Training (David Selby Dialysis Parity Act)**

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:

**Senate Bill 514 – Senators Feldman, Augustine, Carter, Hettleman, Kelley, Lee,  
~~and Pinsky~~ Pinsky, Benson, Hayes, Hershey, and Jennings**

AN ACT concerning

**Health Facilities – Hospitals – Medical Debt Protection**

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:

**Senate Bill 744 – Senator Eckardt**

AN ACT concerning

**State Board of Nursing – Certified Nursing Assistant Advisory Committee –  
Membership and Meetings**

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:

**Senate Bill 815 – Senator Klausmeier**

AN ACT concerning

**Mental Health Facilities – Sexual Abuse and Harassment – Reporting and  
Prevention**

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:

**Senate Bill 923 – Senator Washington**

AN ACT concerning

**Maryland Medical Assistance Program – Eligibility ~~and Disenrollment~~**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 28**

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

**House Bill 607 – Delegate Kipke**

EMERGENCY BILL

AN ACT concerning

**State Health and Welfare Benefits Program – Requirements for Selection of Pharmacy Benefits Manager**

**HB0607/776280/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 607

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in the sponsor line, strike “Delegate Kipke” and substitute “Health and Government Operations Committee”; strike in their entirety lines 2 and 3 and substitute:

**“Judges’ Retirement System – Retiree Health Benefits – Mandatory Retirement”**;

strike beginning with “requiring” in line 4 down through “Program” in line 12 and substitute “establishing the eligibility for State retiree health benefits for a retiree of the Judges’ Retirement System and the retiree’s spouse and dependent children when a retiree of the Judges’ Retirement System retired at a mandatory retirement age with less than a certain number of years of creditable service; providing for the calculation of a certain State subsidy; and generally relating to retiree health benefits”; and strike in their entirety lines 13 through 17, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 2–508(a)(1), (2)(ii), and (4)(ii)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–508(b)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“2–508.

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

(2) “Creditable service” means:

(ii) service while a member of the Judges’ Retirement System under Title 27 of this article;

(4) “State service” means service with the State by:

(ii) a member of the Judges’ Retirement System under Title 27 of this article;

(b) (1) This subsection applies to a retiree who:

(i) began State service on or before June 30, 2011; or

(ii) 1. began State service on or after July 1, 2011; and

2. is a retiree of the Judges’ Retirement System.

(2) A retiree may enroll and participate in the health insurance benefit options established under the Program if the retiree:

(i) ended State service with at least 10 years of creditable service and within 5 years before the age at which a vested retirement allowance normally would begin;

(ii) ended State service with at least 16 years of creditable service;

(iii) ended State service on or before June 30, 1984;

(iv) retired directly from State service with a State retirement allowance on or after July 1, 1984, and had at least 5 years of creditable service; [or]

(v) retired directly from State service with a State disability retirement allowance on or after July 1, 1984; OR

**(VI) RETIRED DIRECTLY FROM STATE SERVICE IN THE JUDGES' RETIREMENT SYSTEM AT THE MANDATORY RETIREMENT AGE REQUIRED BY ARTICLE IV, § 3 OF THE MARYLAND CONSTITUTION WITH LESS THAN 5 YEARS OF CREDITABLE SERVICE.**

(3) (i) The surviving spouse or dependent child of a deceased retiree who was eligible to enroll may enroll and participate in the health insurance benefit options established under the Program as long as the spouse or child is receiving a periodic allowance under Division II of this article or the Maryland Transit Administration Retirement Plan under § 7-206 of the Transportation Article.

(ii) Subparagraph (i) of this paragraph does not apply to a deceased retiree's spouse or dependent child who receives an Option 1, Option 4, or Option 7 benefit under Division II of this article or a lump-sum payment of benefits under the Maryland Transit Administration Retirement Plan under § 7-206 of the Transportation Article.

(4) (i) If a retiree receives a State disability retirement allowance or has 16 or more years of creditable service, the retiree or the retiree's surviving spouse or dependent child is entitled to the same State subsidy allowed a State employee.

(ii) In all other cases, if a retiree has at least 5 years of creditable service, the retiree or the retiree's surviving spouse or dependent child is entitled to 1/16 of the State subsidy allowed a State employee for each year of the retiree's creditable service up to 16 years.

(iii) Notwithstanding subparagraph (ii) of this paragraph and subsection (a)(4)(i) of this section, if a retiree is an additional employee or agent of the State Racing Commission, for the purposes of determining a retiree’s State subsidy, creditable service shall be determined with respect to service as an additional employee or agent beginning from the initial date of employment or January 1, 1986, whichever is later.

**(IV) 1. THIS PARAGRAPH APPLIES ONLY TO A RETIREE OF THE JUDGES’ RETIREMENT SYSTEM WHO RETIRED DIRECTLY FROM STATE SERVICE AT THE MANDATORY RETIREMENT AGE REQUIRED BY ARTICLE IV, § 3 OF THE MARYLAND CONSTITUTION WITH LESS THAN 5 YEARS OF CREDITABLE SERVICE.**

**2. NOTWITHSTANDING SUBPARAGRAPH (II) OF THIS PARAGRAPH, A RETIREE OF THE JUDGES’ RETIREMENT SYSTEM OR THE RETIREE’S SURVIVING SPOUSE OR DEPENDENT CHILD IS ENTITLED TO 1/16 OF THE STATE SUBSIDY ALLOWED A STATE EMPLOYEE FOR EACH YEAR OF THE RETIREE’S CREDITABLE SERVICE.”**

On pages 1 through 6, strike in their entirety the lines beginning with line 21 on page 1 through line 11 on page 6, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2021.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Wilkins moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

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

**Senate Bill 100 – ~~Senator Kelley~~ Senators Kelley, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Klausmeier, Kramer, and Ready**

AN ACT concerning

**Task Force on Oral Health in Maryland**

**SB0100/626080/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 100  
(Third Reading File Bill)

On page 2, in line 18, strike “and”; and after line 19, insert:

“(xi) the Maryland Rural Health Association; and”.

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:

**Senate Bill 298 – Senator Reilly**

AN ACT concerning

**State Board of Pharmacy – Pharmacy Closure – Notice to Customers  
(The Dennis Robin Act)**

**SB0298/346287/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 298  
(Third Reading File Bill)

On page 1, in line 18, after “DAYS,” insert “AT LEAST 14 DAYS BEFORE THE ANTICIPATED CLOSING OF THE PHARMACY,”.

On page 2, strike in their entirety lines 1 and 2; in lines 3, 4, 6, and 7, strike “**(I)**”, “**1.**”, “**2.**”, and “**(II)**”, respectively, and substitute “**(1)**”, “**(I)**”, “**(II)**”, and “**(2)**”, respectively; and strike beginning with “**; OR**” in line 8 down through “**PHARMACY**” in line 12.

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:

**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**

**SB0523/656088/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 523

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 6, strike “and make the list available on its website”.

AMENDMENT NO. 2

On page 9, strike line 5 in its entirety; and in line 6, 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:

**Senate Bill 836 – Senators Beidle and Elfleth**

AN ACT concerning



~~State Board of Dental Examiners —Disciplinary Action—Disclosure  
Requirements and Licensee Profiles~~ Disciplinary Process and Actions Task  
Force

SB0836/326588/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 836  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike “Task Force” and substitute “Report”.

On page 2, strike beginning with “establishing” in line 13 down through “expenses;” in line 16; in line 17, strike “Task Force” and substitute “State Board of Dental Examiners”; in line 18, strike “Task Force” and substitute “Board”; and strike beginning with “Disciplinary” in line 20 down through “Force” in line 21.

AMENDMENT NO. 2

On pages 2 through 3, strike in their entirety the lines beginning with line 29 on page 2 through line 19 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, in line 20, strike “(f)” and substitute “(a)”; in the same line, strike “Task Force” and substitute “State Board of Dental Examiners”; after line 27, insert:

“(vi) the average time between steps in the disciplinary process, including:

1. the issuance of an Order of Summary Suspension;
2. a Show Cause Hearing;
3. a Case Resolution Conference;
4. execution of a Consent Order;
5. a full evidentiary hearing; and

6. issuance of a Final Board Order;

(vii) instances in which the time between steps in the disciplinary process were longer than the averages studied under item (vi) of this item and explanations for why those instances deviated from the average;

in line 28, strike “(vi)” and substitute “(viii)”; and in line 29, strike “and”.

On page 4, in line 1, strike “(vii)” and substitute “(ix)”; in line 2, strike “and”; after line 2, insert:

“(x) Board rules and guidelines for show cause hearings, including when licensees may waive rights to a show cause hearing;

(xi) how the Board’s disciplinary processes and actions compare to the processes and actions of other boards established under the Health Occupations Article;

(xii) how the Board’s disciplinary processes and actions compare to the processes and actions of boards that license, regulate, and discipline dentists and dental hygienists in other states; and

(xiii) how the Board’s disciplinary processes and actions compare to best practices established or recommended by policy experts; and”;

in line 6, strike “(g)” and substitute “(b)”; in the same line strike “December” and substitute “November”; and in line 7, strike “Disciplinary Process and Actions Task Force”.

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. 29**

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

**Senate Bill 41 – Senator Augustine**

AN ACT concerning

**Health – Mental and Emotional Disorders – Consent  
(Mental Health Access Initiative)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**WAYS AND MEANS COMMITTEE REPORT NO. 37**

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 582 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Sales and Use Tax Exemption – Federal Facilities  
Redevelopment Areas**

**HB0582/985861/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 582  
(First Reading File Bill)

On page 2, in line 14, strike “AND”; and strike beginning with “WAS” in line 15 down through “IN” in line 16 and substitute “WAS TRANSFERRED FROM THE FEDERAL GOVERNMENT TO THE STATE OR TO AN ENTITY ESTABLISHED UNDER TITLE 11, SUBTITLE 4 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

(III) IS ENTIRELY UNDER THE ENVIRONMENTAL OVERSIGHT AND MANAGEMENT OF:

1. THE STATE HAZARDOUS SUBSTANCE RESPONSE PLAN UNDER TITLE 7, SUBTITLE 2 OF THE ENVIRONMENT ARTICLE; OR

2.”

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:

**Senate Bill 102 – Senator Eckardt**

AN ACT concerning

**Income Tax – Credits for Preceptors in Areas With Health Care Workforce Shortages**

**SB0102/265061/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 102  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “altering the number of training hours that a licensed physician is required to perform in a preceptor program rotation in order to qualify for a certain credit against the State income tax; clarifying the issuance of a credit certificate in certain preceptorship programs;”.

On page 2, in line 4, strike “repealing” and substitute “extending”; in line 6, after “shortages;” insert “requiring the Department to report to the General Assembly on or before a certain date;”; in the same line, after “application” insert “and termination”; and after line 9, insert:

“BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–738 and 10–739  
Annotated Code of Maryland  
(2016 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 32, insert:

“Article – Tax – General

10–738.

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

(2) “Department” means the Maryland Department of Health.

(3) “Licensed physician” means an individual who is licensed to practice medicine under Title 14 of the Health Occupations Article.

(4) “Preceptorship program” means an organized system of clinical experience that, for the purpose of attaining specified learning objectives, pairs an enrolled student of a Liaison Committee on Medical Education–accredited medical school in the State or an individual in a postgraduate medical training program in the State with a licensed physician who meets the qualifications as a preceptor.

(b) (1) Subject to the limitations of this section, a licensed physician may claim a credit against the State income tax in the amount stated on the tax credit certificate issued under subsection (c) of this section for the taxable year in which the licensed physician served without compensation as a physician preceptor in a preceptorship program authorized by an accredited medical school in the State and worked:

(i) a minimum of three rotations, each consisting of [160] 100 hours of community–based clinical training; and

(ii) in an area of the State identified as having a health care workforce shortage by the Department, in consultation with the Governor’s Workforce Development Board.

(2) (i) The total amount of the credit allowed under this section for any taxable year may not exceed the State income tax imposed for that taxable year.

(ii) Any unused amount of the credit for any taxable year may not be carried over to any other taxable year.

(c) (1) On application by a licensed physician, the Department shall issue a credit certificate in the amount of \$1,000 for each student [for whom] **ROTATION OF THE MINIMUM NUMBER OF HOURS REQUIRED UNDER SUBSECTION (B)(1)(I) OF THIS SECTION FOR WHICH** the licensed physician served as a physician preceptor without compensation.

(2) The application shall contain:

(i) the name of the licensed physician;

(ii) information identifying the physician preceptorship in which the licensed physician participated;

(iii) the number and names of the students for whom the individual served as a physician preceptor without compensation; and

(iv) any other information that the Department requires.

(3) For any taxable year, the amount of tax credit stated in the tax credit certificate may not exceed \$10,000.

(4) The Department shall:

(i) approve all applications that qualify for a tax credit certificate under this subsection on a first-come, first-served basis; and

(ii) notify a taxpayer within 45 days of receipt of the taxpayer's application of its approval or denial.

(5) (i) For each taxable year, the total amount of tax credit certificates that may be issued by the Department under this section may not exceed \$100,000.

(ii) If the aggregate amount of tax credit certificates issued under this section during a taxable year total less than the amount authorized under this paragraph, any excess amount may be issued under tax credit certificates in the next taxable year.

(d) On or before January 31 of each taxable year, the Department shall:

(1) report to the Comptroller on the tax credit certificates issued under this section during the prior taxable year; and

(2) report to the General Assembly, in accordance with § 2-1257 of the State Government Article, on the utilization of the credit established under this section.

(e) The Department, in consultation with the Governor's Workforce Development Board, shall adopt regulations to carry out the provisions of this section, including the criteria and procedures for application for, approval of, and monitoring eligibility for the tax credit authorized under this section.

10-739.

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

(2) "Department" means the Maryland Department of Health.

(3) "Licensed physician" means an individual who is licensed to practice medicine under Title 14 of the Health Occupations Article.

(4) "Nurse practitioner" has the meaning stated in § 8-101 of the Health Occupations Article.

(5) "Preceptorship program" means an organized system of clinical experience that, for the purpose of attaining specified learning objectives, pairs a nurse

practitioner student enrolled in a nursing education program that is recognized by the State Board of Nursing with a nurse practitioner or licensed physician who meets the qualifications as a preceptor.

(b) (1) Subject to the limitations of this section, a nurse practitioner or licensed physician may claim a credit against the State income tax in the amount stated on the tax credit certificate issued under subsection (c) of this section for the taxable year in which the nurse practitioner or licensed physician served without compensation as a preceptor in a preceptorship program approved by the State Board of Nursing and worked:

(i) a minimum of three rotations, each consisting of at least 100 hours of community-based clinical training; and

(ii) in an area of the State identified as having a health care workforce shortage by the Department, in consultation with the Governor's Workforce Development Board.

(2) (i) The total amount of the credit allowed under this section for any taxable year may not exceed the State income tax imposed for that taxable year.

(ii) Any unused amount of the credit for any taxable year may not be carried over to any other taxable year.

(c) (1) On application by a nurse practitioner or licensed physician, the Department shall issue a credit certificate in the amount of \$1,000 for each nurse practitioner student [for whom] **ROTATION OF THE MINIMUM NUMBER OF HOURS REQUIRED UNDER SUBSECTION (B)(1)(I) OF THIS SECTION FOR WHICH** the nurse practitioner or licensed physician served as a preceptor without compensation.

(2) The application shall contain:

(i) the name of the nurse practitioner or licensed physician;

(ii) information identifying the preceptorship in which the nurse practitioner or licensed physician participated;

(iii) the number and names of the nurse practitioner students for whom the individual served as a preceptor without compensation; and

(iv) any other information that the Department requires.

(3) For any taxable year, the amount of tax credit stated in the tax credit certificate may not exceed \$10,000.

(4) The Department shall:

(i) approve all applications that qualify for a tax credit certificate under this subsection on a first-come, first-served basis; and

(ii) notify a taxpayer within 45 days of receipt of the taxpayer's application of its approval or denial.

(5) (i) For each taxable year, the total amount of tax credit certificates that may be issued by the Department under this section may not exceed the lesser of:

1. the total funds in the Nurse Practitioner Preceptorship Tax Credit Fund for that year; or

2. \$100,000.

(ii) If the aggregate amount of tax credit certificates issued under this section during a taxable year total less than the amount authorized under this paragraph, any excess amount may be issued under tax credit certificates in the next taxable year.

(d) (1) In this section, "Fund" means the Nurse Practitioner Preceptorship Tax Credit Fund established under paragraph (2) of this subsection.

(2) There is a Nurse Practitioner Preceptorship Tax Credit Fund.

(3) The Department shall administer the Fund.

(4) The purpose of the Fund is to offset the costs of the tax credit available under this section.

(5) The Fund is a special continuing, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(6) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(7) The Fund consists of:

(i) revenue distributed to the Fund under § 8-206 of the Health Occupations Article;

(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.

(8) The money in the Fund shall be invested and reinvested by the State Treasurer, and interest and earnings shall be credited to the General Fund of the State.



(9) (i) Except as otherwise provided in this paragraph, money credited or appropriated to the Fund shall remain in the Fund.

(ii) 1. Within 15 days after the end of each calendar quarter, the Department shall notify the Comptroller as to each credit certificate issued during the quarter.

2. On notification that a credit certificate has been issued by the Department, the Comptroller shall transfer an amount equal to the credit amount stated in the tax credit certificate from the Fund to the General Fund of the State.

(e) On or before January 31 each taxable year, the Department shall:

(1) report to the Comptroller on the tax credit certificates issued under this section during the prior taxable year; and

(2) report to the General Assembly, in accordance with § 2-1257 of the State Government Article, on the utilization of the credit established under this section.

(f) The Department, in consultation with the Governor's Workforce Development Board, shall adopt regulations to carry out the provisions of this section, including the criteria and procedures for application for, approval of, and monitoring eligibility for the tax credit authorized under this section.

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

On page 7, in lines 6, 20, and 22, strike “2.”, “3.”, and “4.”, respectively, and substitute “3.”, “6.”, and “7.”, respectively; in lines 10, 13, 16, and 19, in each instance, strike the bracket; in lines 11 and 17, in each instance, strike “5” and substitute “10”; in the same lines, in each instance, strike “2021” and substitute “2026”; after line 19, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1, 2025, the Maryland Department of Health shall report to the General Assembly, in accordance with § 2-1257 of the State Government Article, on:

(1) the number of preceptor programs offered in the State during the immediately preceding 5 years;

(2) the number of health care practitioners who have claimed the income tax credits allowed under §§ 10-738, 10-739, and 10-751 of the Tax – General Article, as enacted under Sections 1 and 2 of this Act, during the immediately preceding 5 years; and

(3) whether the income tax credits allowed under §§ 10-738, 10-739, and 10-751 of the Tax – General Article, as enacted under Sections 1 and 2 of this Act, contributed to the expansion of preceptorships over the course of the immediately preceding

5 years in areas of the State identified as having health workforce shortages by the Department.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be applicable to all taxable years beginning after December 31, 2020.”;

in line 20, strike “1” and substitute “2”; in the same line, after “Act” insert “shall take effect July 1, 2021, and”; in line 21, after “2021.” insert “It shall remain effective for a period of 5 years and, at the end of June 30, 2026, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”; and in line 22, after “That” insert “, except as provided in Section 6 of 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.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 133 – Senator Rosapepe**

AN ACT concerning

**Local Tax Relief for Working Families Act of 2021**

Favorable report adopted.

Delegate Chisholm 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:

**Senate Bill 257 – Senator Guzzone**

AN ACT concerning

**Sales and Use Tax – Vendor Collection Credit – Job Training**

**SB0257/145762/1**

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 257  
(Third Reading File Bill)

On page 3, in line 19, 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:

**Senate Bill 294 – Senators Gallion, Hershey, and Peters**

AN ACT concerning

**Cecil County – Sales and Use Tax Exemption – Federal Facilities  
Redevelopment Areas**

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:

**Senate Bill 609 – ~~Senator Augustine~~ Senators Augustine and Hayes**

AN ACT concerning

**Economic Development – Maryland Industrial Development Financing  
Authority – Marketing Plan**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**CONCURRENCE CALENDAR NO. 12  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 173 – Delegates Feldmark, Ebersole, Kerr, Hill, and Hornberger**

AN ACT concerning

**Community Colleges – State Funding – Revision**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0173/839936/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 173

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Community Colleges**” and substitute “**Institutions of Higher Education**”; in line 3, after “of” insert “requiring the University of Maryland School of Medicine to provide certain clinical care at the University of Maryland Capital Region Medical Center and certain rural hospitals by assigning certain faculty to the Center and certain rural hospitals who specialize in certain areas; requiring the Governor, for certain fiscal years, to include in the annual budget bill an appropriation to implement certain requirements regarding the provision of certain clinical care; providing that certain funding is supplemental and may not supplant existing funds;”; in line 4, strike “and” and substitute a comma; in line 5, after “College” insert “, and a certain appropriation for certain private nonprofit institutions of higher education”; in line 7, strike “community colleges” and substitute “institutions of higher education”; after line 7, insert:

“BY adding to

Article – Education

Section 12–120 and 12–121

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

in line 15, strike “and” and substitute a comma; and in the same line, after “16–512(a)(2)” insert “, and 17–104(d)”.

AMENDMENT NO. 2

On page 3, after line 24, insert:

“17–104.

(d) For purposes of this section, the State’s General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State for a fiscal year shall include [noncapital]:

(1) NONCAPITAL appropriations from the Higher Education Investment Fund; AND

(2) APPROPRIATIONS, REGARDLESS OF WHERE THEY ARE BUDGETED, DESIGNATED FOR THE GENERAL OPERATION OF 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE, INCLUDING PERSONNEL-RELATED APPROPRIATIONS.”.

AMENDMENT NO. 3

On page 1, after line 20, insert:

“12-120.

(A) THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE SHALL PROVIDE CLINICAL CARE AT THE UNIVERSITY OF MARYLAND CAPITAL REGION MEDICAL CENTER BY ASSIGNING TO THE CENTER FACULTY WHO SPECIALIZE IN THE FOLLOWING:

- (1) NEUROSCIENCE;
- (2) OBSTETRICS AND GYNECOLOGY;
- (3) ONCOLOGY; AND
- (4) VASCULAR NEUROLOGY.

(B) (1) FOR FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$5,000,000 TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(2) FUNDS PROVIDED IN ACCORDANCE WITH THIS SUBSECTION SHALL SUPPLEMENT AND MAY NOT SUPPLANT ANY OTHER FUNDING PROVIDED TO THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE.

12-121.

(A) THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE SHALL PROVIDE SPECIALIZED CLINICAL CARE AT RURAL HOSPITALS OPERATED BY THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM BY ASSIGNING FACULTY WHO SPECIALIZE IN ESSENTIAL AREAS TO EACH RURAL HOSPITAL.

(B) (1) FOR FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$2,000,000 TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

**(2) FUNDS PROVIDED IN ACCORDANCE WITH THIS SUBSECTION SHALL SUPPLEMENT AND MAY NOT SUPPLANT ANY OTHER FUNDING PROVIDED TO THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE.”.**

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 – 134    Negative – 0    (See Roll Call No. 1131)

### AMENDED IN THE SENATE

#### House Bill 904 – Delegate Bridges

AN ACT concerning

#### **State Personnel – Collective Bargaining – Exclusive Representative Access to New Employees**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0904/117570/1**

BY: Finance Committee

#### AMENDMENTS TO HOUSE BILL 904

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in lines 12 and 13, strike “and a new employee”; in line 13, after “meet” insert “with a new employee”; in line 19, after “include” insert “and exclude”; and in the same line, after “information;” insert “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;”.

#### AMENDMENT NO. 2

On page 2, in line 31, strike “AND A NEW EMPLOYEE”; and in line 32, after “MEET” insert “WITH A NEW EMPLOYEE”.

On page 3, in line 16, before “in” insert an opening bracket; in the same line, strike the third opening bracket; in line 17, after the closing bracket insert “**OF**”; in the same line, after “EMPLOYEE” insert “**IN A BARGAINING UNIT REPRESENTED BY THE EXCLUSIVE REPRESENTATIVE**”; in line 25, strike “24 HOURS” and substitute “**5 DAYS**”; in the same line, strike “AND”; in line 26, after “(II)” insert “**EXCEPT AS PROVIDED IN ITEM (III) OF THIS PARAGRAPH,**”; in the same line, strike “AND” and substitute a comma; in the same line, after “UNIT” insert “**, AND ALL EMPLOYEE IDENTIFICATION NUMBERS, INCLUDING WORKDAY NUMBERS;**”; in line 27, strike the period; and after line 27, insert:

**“(III) EXCLUDE THE NEW EMPLOYEE’S SOCIAL SECURITY NUMBER; AND**

**(IV) BE CONSIDERED CONFIDENTIAL BY AN EXCLUSIVE REPRESENTATIVE.**

**(4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN EXCLUSIVE REPRESENTATIVE MAY NOT DISCLOSE THE INFORMATION IN A NOTICE.**

**(II) THE EXECUTIVE REPRESENTATIVE MAY AUTHORIZE A THIRD-PARTY CONTRACTOR TO USE THE INFORMATION IN A NOTICE, AS DIRECTED BY THE EXCLUSIVE REPRESENTATIVE, TO FULFILL THE EXCLUSIVE REPRESENTATIVE’S STATUTORY DUTIES.”.**

The preceding 2 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 – 95    Negative – 41    (See Roll Call No. 1132)

### AMENDED IN THE SENATE

#### House Bill 905 – Delegate Bridges

AN ACT concerning

#### Education – Workforce Development Sequence Scholarships – Eligibility

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0905/224738/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 905  
(Third Reading File Bill)

On page 2, strike beginning with “**(I)**” in line 7 down through “**(II)**” in line 9.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1133)

**AMENDED IN THE SENATE**

**House Bill 937 – Delegate McIntosh**

AN ACT concerning

**State Lottery Fund – Maryland Humanities Council – Funding**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0937/259833/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 937  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert “making certain technical corrections;”; and after lines 12 and 17, in each instance, insert “(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)”.

AMENDMENT NO. 2

On page 2, in line 4, strike the colon; in line 5, strike “(i)”; in line 6, after “title” insert an opening bracket; in the same line, strike “AND” and substitute “and”; strike beginning with “\$350,000” in line 7 down through “(iii)” in line 10; in line 35, strike “[and]”; and after line 35, insert:

“(v) after June 30, 2020, into the Michael Erin Busch Sports Fund established under § 10–612.2 of the Economic Development Article from the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions”



under subsection (a) of this section and items (i) [, (ii), and (iii)] **THROUGH (IV)** of this paragraph, an amount equal to \$1,000,000 in each fiscal year; [and]".

On page 3, in line 1, strike "**(V)**" and substitute "**(VI)**"; in lines 4 and 5, strike "**(I), (II), (III), AND (IV)**" and substitute "**(I) THROUGH (V)**"; in line 7, strike "(v)" and substitute "[(vi)] **(VII)**"; and in line 9, strike "(i), (ii), (iii), [and] (iv), **AND (V)**" and substitute "**(I) THROUGH (VI)**".

The preceding 2 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 – 134    Negative – 0    (See Roll Call No. 1134)

### **SPECIAL ORDER CALENDAR NO. 83**

#### **House Bill 132 – Delegate Bagnall**

AN ACT concerning

#### **Health – Mental and Emotional Disorders – Consent (Mental Health Access Initiative)**

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

Favorable report adopted.

FLOOR AMENDMENT

**HB0132/413628/1**

BY: Delegate Arikan

#### AMENDMENTS TO HOUSE BILL 132 (First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 10, after "care;" insert "providing that a health care provider who provides certain services to a minor who consents under certain provisions of law may be held liable for a medical injury and is subject to certain provisions of law regardless of whether the health care provider provided certain notice;".

##### AMENDMENT NO. 2

On page 2, after line 35, insert:

“(E) A HEALTH CARE PROVIDER WHO PROVIDES CONSULTATION, DIAGNOSIS, OR TREATMENT FOR A MENTAL OR EMOTIONAL DISORDER TO A MINOR WHO CONSENTS UNDER THIS SECTION MAY BE HELD LIABLE FOR A MEDICAL INJURY AND IS SUBJECT TO THE PROVISIONS OF TITLE 3, SUBTITLE 2A OF THE COURTS ARTICLE REGARDLESS OF WHETHER THE HEALTH CARE PROVIDES NOTICE TO THE PARENT, GUARDIAN, OR CUSTODIAN OF THE MINOR UNDER SUBSECTION (C) OF THIS SECTION.”.

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

Affirmative – 44    Negative – 87    (See Roll Call No. 1135)

#### FLOOR AMENDMENT

**HB0132/953029/1**

BY: Delegate Rose

#### AMENDMENTS TO HOUSE BILL 132 (First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 6, strike “providing that” and substitute “requiring, rather than authorizing.”; in line 7, strike “may decide” and substitute “, or, under certain circumstances, a member of certain medical staff.”; in line 8, strike “under certain provisions of law”; and in line 10, after “care;” insert “repealing a certain provision of law rendered obsolete by a certain provision of this Act.”.

##### AMENDMENT NO. 2

On page 2, strike beginning with “(1)” in line 17 down through “without” in line 18 and substitute “**WITHOUT**”; in line 20, strike “may, but need not,” and substitute “**SHALL**”; and strike beginning with the period in line 22 down through “**SUBSECTION**” in line 30.

The preceding 2 amendments were read only.

Delegate Pendergrass moved to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

#### CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 670**

SPONSOR: **Speaker**

SUBJECT: **Police Reform and Accountability Act of 2021**

THIRD READING CALENDAR

HOUSE NO. **39**

SENATE NO. **18**

Hon. William C. Ferguson, IV, President of the Senate  
Hon. Adrienne A. Jones, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That the Judicial Proceedings Committee Amendments (HB0670/668370/1) be rejected.
- (2) That Senator Carter's Amendments (HB0670/663420/1) be rejected.
- (3) That Senator Young's Amendments (HB0670/663123/1) be rejected.
- (4) That Senator West's Amendments (HB0670/703522/1) be rejected.
- (5) That Senator West's Amendments (HB0670/323826/1) be rejected.
- (6) That Senator West's Amendments (HB0670/663127/1) be rejected.
- (7) That Senator Cassilly's Amendments (HB0670/273821/1) be rejected.
- (8) That Senator Hettleman's Amendments (HB0670/583724/1) be rejected.
- (9) That the attached Conference Committee Amendments (HB0670/513722/1) be adopted.

**HB0670/513722/1**

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 670  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures"; strike beginning with "requiring" in line 6 down through "warrant;" in line 15; in line 17, after "exception;" insert "providing that a police officer's failure to comply with a certain requirement may be grounds for a certain disciplinary action against the officer and may not serve as the basis for the exclusion of certain evidence under a certain rule;"; and in line 19, after "lawfully" insert "and safely".

On page 2, in line 16, after "omissions" insert "or violations of constitutional rights"; strike beginning with "requiring" in line 17 down through "interest;" in line 27; in line 29, after "administer" insert "certain test and"; strike beginning with "on" in line 29 down through "Commission;" in line 32; strike beginning with "requiring" in line 33 down through "times;" in line 36 and substitute "requiring the Commission to revoke the certification of a police officer under certain circumstances; requiring the Commission to create a certain database;"; and in line 45, after "officer;" insert "establishing certain requirements for an individual who applies for a position as a police officer;".

On page 3, strike beginning with "requiring" in line 18 down through "footage;" in line 20 and substitute "requiring law enforcement agencies to submit certain reports to the Commission; requiring the Commission to post certain information on its website; prohibiting the Governor's Office of Crime Prevention, Youth, and Victim Services from

making certain funds available under certain circumstances;” and strike beginning with “altering” in line 22 down through “undergo” in line 47.

On page 4, strike beginning with “less” in line 1 down through “Assembly;” in line 19; in line 25, strike “and policies”; in line 34, after “membership” insert “staffing, budget, and procedures”; and strike beginning with “establishing” in line 34 down through “board” in line 35 and substitute “requiring a police accountability board to make a certain report and recommendations annually”.

On page 5, in line 5, strike “requiring” and substitute “authorizing”; in line 6, after “circumstances;” insert “requiring a police officer to be provided certain items and notified of certain information before a trial board proceeding begins;”; in line 14, after “exceptions;” insert “providing that a law enforcement agency has the burden of proof by a preponderance of the evidence in certain proceedings; providing that a police officer may be disciplined only for cause;”; in line 16, strike “and requiring”; in line 17, after “requiring” insert “and authorizing”; strike beginning with “providing” in line 25 down through “circumstances;” in line 26; strike beginning with “requiring” in line 29 down through “period;” in line 33 and substitute “requiring the Maryland Police Training and Standards Commission to adopt certain regulations;”; strike beginning with “and” in line 33 down through “representation” in line 34 and substitute “may have the assistance of a representative”; in line 39, after “officers;” insert “prohibiting certain records from being expunged or destroyed;”; and strike beginning with “authorizing” in line 40 down through “order to” in line 47.

On page 6, strike in their entirety lines 1 through 3, inclusive; strike beginning with “providing” in line 5 down through “Act;” in line 6; strike beginning with “for” in line 10 down through “providing” in line 11; in line 11, after “provisions of this Act;” insert “making certain provisions of this Act contingent on the taking effect of another Act;”; and strike in their entirety lines 30 through 34, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 37 on page 7 through line 11 on page 8, inclusive.

On page 8, in line 14, strike “3-113” and substitute “3-114”; in line 15, strike “, 3-508, 3-523, and 3-524” and substitute “and 3-508”; in lines 20 and 21, strike “3-511, 3-514, 3-515, and 3-516” and substitute “3-514, and 3-515”; and strike in their entirety lines 24 through 28, inclusive.

On page 65, in lines 19, 24, and 32, strike “7.”, “8.”, and “10.”, respectively, and substitute “6.”, “7.”, and “8.”, respectively.

On page 66, in lines 6 and 15, strike “11.” and “12.”, respectively, and substitute “9.” and “10.”, respectively.

## AMENDMENT NO. 2

On pages 9 through 14, strike in their entirety the lines beginning with line 33 on page 9 through line 3 on page 14, inclusive, and substitute:

“Article – Criminal Procedure”.

AMENDMENT NO. 3

On page 14, in line 12, strike “BADGE NUMBER” and substitute “IDENTIFICATION NUMBER ISSUED BY THE LAW ENFORCEMENT AGENCY THE OFFICER IS REPRESENTING”; in line 16, after “(B)” insert “A POLICE OFFICER’S FAILURE TO COMPLY WITH SUBSECTION (A) OF THIS SECTION:

(1) MAY BE GROUNDS FOR ADMINISTRATIVE DISCIPLINARY ACTION AGAINST THE OFFICER; AND

(2) MAY NOT SERVE AS THE BASIS FOR THE EXCLUSION OF EVIDENCE UNDER THE EXCLUSIONARY RULE.

(C)”;

and in line 18, after “LAWFULLY” insert “AND SAFELY”.

AMENDMENT NO. 4

On page 17, in line 16, strike “4-YEAR”; strike beginning with “IN” in line 16 down through “JUSTICE” in line 17 and substitute “THAT WOULD FURTHER THE STUDENT’S CAREER IN LAW ENFORCEMENT”; in line 19, strike “4-YEAR”; and in line 20, strike “IN CRIMINAL LAW, CRIMINOLOGY, OR CRIMINAL JUSTICE” and substitute “THAT WOULD FURTHER THE POLICE OFFICER’S CAREER IN LAW ENFORCEMENT”.

On page 18, strike beginning with “IN” in line 5 down through “JUSTICE” in line 6 and substitute “THAT WOULD FURTHER THE RECIPIENT’S CAREER IN LAW ENFORCEMENT”.

AMENDMENT NO. 5

On pages 19 and 20, strike in their entirety the lines beginning with line 12 on page 19 through line 24 on page 20, inclusive.

AMENDMENT NO. 6

On page 21, in line 5, after “FROM” insert “INTENTIONAL”; in line 6, after “OMISSIONS” insert “OR A VIOLATION OF A CONSTITUTIONAL RIGHT”; in line 8, strike “1.”; in the same line, strike “ITEM 2 OF THIS ITEM AND”; in line 10, after “\$890,000” insert “FOR ALL CLAIMS ARISING OUT OF THE SAME INCIDENT OR OCCURRENCE, REGARDLESS OF THE NUMBER OF CLAIMANTS OR BENEFICIARIES WHO SHARE IN THE AWARD”; strike in their entirety lines 11 through 20, inclusive; and in line 21, strike “2.” and substitute “(II)”.

On page 22, in line 1, after “FROM” insert “INTENTIONAL”; in line 2, after “OMISSIONS” insert “OR A VIOLATION OF A CONSTITUTIONAL RIGHT”; in line 4, strike “A.”; in the same line, strike “ITEM B OF THIS ITEM AND”; in line 6, strike “SHALL” and substitute “MAY”; in the same line, after “\$890,000” insert “FOR ALL CLAIMS ARISING OUT OF THE SAME INCIDENT OR OCCURRENCE, REGARDLESS OF THE NUMBER OF CLAIMANTS OR BENEFICIARIES WHO SHARE IN THE AWARD”; in the same line, after the semicolon, insert “AND”; strike in their entirety lines 7 through 16, inclusive; and in line 17, strike “B.” and substitute “2.”.

#### AMENDMENT NO. 7

On pages 22 through 28, strike in their entirety the lines beginning with line 22 on page 22 through line 2 on page 28, inclusive.

On page 65, strike in their entirety lines 28 through 31, inclusive.

#### AMENDMENT NO. 8

On page 28, strike in their entirety lines 15 and 16.

On pages 29 and 30, strike in their entirety the lines beginning with line 9 on page 29 through line 4 on page 30, inclusive.

#### AMENDMENT NO. 9

On page 41, before line 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

#### Article – Public Safety”;

in lines 13, 16, 17, and 27, in each instance, strike the bracket; strike line 15 in its entirety; in lines 16, 17, 19, and 25, strike “(10)”, “(11)”, “(12)”, and “(9)”, respectively, and substitute “(9)”, “(10)”, “(11)”, and “(12)”, respectively; in line 19, after “a” insert “CIVILIAN”; in line 20, after “Justice;” insert “AND”; and strike in their entirety lines 21 through 24, inclusive.

On page 42, in lines 1, 2, and 3 in each instance, strike the bracket; in lines 1, 2, and 3, in each instance, strike “individual” and substitute “CIVILIAN”; in line 1, after “policing” insert “WHO DOES NOT HAVE RELATIONSHIPS TO LAW ENFORCEMENT”; in line 2, after “standards” insert “WHO DOES NOT HAVE RELATIONSHIPS TO LAW ENFORCEMENT”; in lines 2, 3, and 5, strike “(II)”, “(III)”, and “(IV)”, respectively; in line 3, strike “WITHOUT” and substitute “WHO DOES NOT HAVE”; in line 5, strike the first set of brackets; in the same line, strike “NINE” and substitute “THREE”; in the same line, strike “without” and substitute “WHO REPRESENT DIFFERENT GEOGRAPHIC AREAS OF THE STATE AND DO NOT HAVE”.

On page 46, after line 4, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article – Public Safety”.**

**AMENDMENT NO. 10**

On pages 49 and 50, strike in their entirety the lines beginning with line 21 on page 49 through line 23 on page 50, inclusive.

**AMENDMENT NO. 11**

On pages 51 and 52, strike in their entirety the lines beginning with line 34 on page 51 through line 12 on page 52, inclusive.

**AMENDMENT NO. 12**

On pages 53 through 57, strike in their entirety the lines beginning with line 16 on page 53 through line 26 on page 57, inclusive.

On pages 58 and 59, strike in their entirety the lines beginning with line 26 on page 58 through line 20 on page 59, inclusive.

**AMENDMENT NO. 13**

On page 58, strike in their entirety lines 6 through 15, inclusive.

**AMENDMENT NO. 14**

On page 28, in lines 17, 19, 22, and 29, strike “**(F)**”, “**(G)**”, “**(H)**”, and “**(I)**”, respectively, and substitute “**(E)**”, “**(F)**”, “**(G)**”, and “**(H)**”, respectively.

On page 29, in lines 2, 4, and 6, strike “**(J)**”, “**(K)**”, and “**(L)**”, respectively, and substitute “**(I)**”, “**(J)**”, and “**(K)**”, respectively.

On page 30, in line 13, after “**(4)**” insert “**(I)**”; in line 14, after “**COMMITTEES**” insert “**; AND**”

**(II) ON OR BEFORE DECEMBER 31 EACH YEAR, SUBMIT A REPORT TO THE GOVERNING BODY OF THE COUNTY THAT:**

**1. IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS OF POLICE OFFICERS IN THE COUNTY; AND**

**2. MAKES RECOMMENDATIONS ON CHANGES TO POLICY THAT WOULD IMPROVE POLICE ACCOUNTABILITY IN THE COUNTY”;**

strike beginning with “**THE**” in line 15 down through “**BY**” in line 16; and in line 17, strike “**LEGISLATIVE BODY**” and substitute “**GOVERNING BODY SHALL:**”

1. ESTABLISH THE MEMBERSHIP OF A POLICE ACCOUNTABILITY BOARD;
2. ESTABLISH THE BUDGET AND STAFF FOR A POLICE ACCOUNTABILITY BOARD;
3. APPOINT A CHAIR OF THE POLICE ACCOUNTABILITY BOARD WHO HAS RELEVANT EXPERIENCE TO THE POSITION; AND
4. ESTABLISH THE PROCEDURES FOR RECORD KEEPING BY A POLICE ACCOUNTABILITY BOARD”.

On page 31, strike beginning with the colon in line 2 down through “(II)” in line 5; strike beginning with “OR” in line 5 down through “PERJURY” in line 6; after line 6, insert:

“(D) A COMPLAINT OF POLICE MISCONDUCT FILED WITH A POLICE ACCOUNTABILITY BOARD SHALL BE FORWARDED TO THE APPROPRIATE LAW ENFORCEMENT AGENCY WITHIN 3 DAYS AFTER RECEIPT BY THE BOARD.”;

in lines 7 and 25, strike “3-104.” and “3-105.”, respectively, and substitute “3-103.” and “3-104.”, respectively; strike beginning with the colon in line 20 down through “(II)” in line 23; and strike beginning with “OR” in line 23 down through “PERJURY” in line 24.

On page 32, in line 3, after “BOARD” insert “, OR ANOTHER MEMBER OF THE ACCOUNTABILITY BOARD DESIGNATED BY THE CHAIR OF THE ACCOUNTABILITY BOARD”; strike in their entirety lines 4 through 16, inclusive; in line 17, strike “(IV)” and substitute “(II)”; in the same line, strike “ONE CIVILIAN” and substitute “TWO CIVILIAN MEMBERS”; in line 19, strike “(V)” and substitute “(III)”; strike beginning with the first “THE” in line 19 down through “COUNTY” in line 20 and substitute “TWO CIVILIAN MEMBERS SELECTED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNTY”; in line 22, after “STATEWIDE” insert “AND BI-COUNTY”; and strike in their entirety lines 25 through 29, inclusive, and substitute:

- “(I) THREE CIVILIAN MEMBERS APPOINTED BY THE GOVERNOR;
- (II) ONE CIVILIAN MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE; AND
- (III) ONE CIVILIAN MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE.”.



On page 33, strike in their entirety lines 1 through 4, inclusive; in lines 24 and 26, strike “(4)”, and “(5)”, respectively, and substitute “(6)”, and “(7)”, respectively; in line 23, strike “3-106” and substitute “3-105”; after line 23, insert:

**“(4) REVIEW ANY BODY CAMERA FOOTAGE THAT MAY BE RELEVANT TO THE MATTERS COVERED IN THE COMPLAINT OF MISCONDUCT;**

**(5) AUTHORIZE A POLICE OFFICER CALLED TO APPEAR BEFORE AN ADMINISTRATIVE CHARGING COMMITTEE TO BE ACCOMPANIED BY A REPRESENTATIVE;**”;

and in line 27, after “AGENCY” insert “, THE POLICE OFFICER,”.

On page 34, in line 8, strike “A” and substitute “ANY”; in line 11, strike “AND ADDITIONALLY” and substitute “OR”; in line 14, after “UNTIL” insert “FINAL”; and in line 15, strike “3-106.” and substitute “3-105.”.

On page 35, after line 2, insert:

**“(5) AT LEAST 30 DAYS BEFORE A TRIAL BOARD PROCEEDING BEGINS, THE POLICE OFFICER SHALL BE:**

**(I) PROVIDED A COPY OF THE INVESTIGATORY RECORD:**

**(II) NOTIFIED OF THE CHARGES AGAINST THE POLICE OFFICER;**

**AND**

**(III) NOTIFIED OF THE DISCIPLINARY ACTION BEING RECOMMENDED.**”;

in line 3, strike “3-107.” and substitute “3-106.”; in line 6, after “SECTION” insert “TO ADJUDICATE MATTERS FOR WHICH A POLICE OFFICER IS SUBJECT TO DISCIPLINE”; in line 11, after “COURT” insert “, APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNTY;”; in line 12, after “A CIVILIAN” insert “WHO IS NOT A MEMBER OF AN ADMINISTRATIVE CHARGING COMMITTEE,”; and in line 15, after “MISCONDUCT” insert “APPOINTED BY THE HEAD OF THE LAW ENFORCEMENT AGENCY” .

On page 36, after line 11, insert:

**“(G) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A LAW ENFORCEMENT AGENCY HAS THE BURDEN OF PROOF BY A PREPONDERANCE OF THE EVIDENCE IN ANY PROCEEDING UNDER THIS SUBTITLE.**

**(H) A POLICE OFFICER MAY BE DISCIPLINED ONLY FOR CAUSE.**”;

in lines 12 and 21, strike “(G)” and “(H)”, respectively, and substitute “(I)” and “(J)”, respectively; in line 17, after “STATEWIDE” insert “OR BI-COUNTY”; and in line 22, strike “3-108.” and substitute “3-107.”.

On page 37, strike in their entirety lines 4 through 13, inclusive, and substitute:

**“(B) (1) A CHIEF OR A CHIEF’S DESIGNEE MAY SUSPEND A POLICE OFFICER WITHOUT PAY AND SUSPEND THE POLICE OFFICER’S POLICE POWERS ON AN EMERGENCY BASIS IF THE POLICE OFFICER IS CHARGED WITH:**

**(I) A DISQUALIFYING CRIME, AS DEFINED IN § 5-101 OF THIS ARTICLE;**

**(II) A MISDEMEANOR COMMITTED IN THE PERFORMANCE OF DUTIES AS A POLICE OFFICER; OR**

**(III) A MISDEMEANOR INVOLVING DISHONESTY, FRAUD, THEFT, OR MISREPRESENTATION.”;**

strike beginning with “POLICE” in line 15 down through “BASED” in line 17 and substitute “CRIMINAL CHARGE OR CHARGES AGAINST THE POLICE OFFICER RESULT IN:

**(I) A FINDING OF NOT GUILTY;**

**(II) AN ACQUITTAL;**

**(III) A DISMISSAL; OR**

**(IV) A NOLLE PROSEQUI”;**

in line 18, after “(C)” insert “(1)”; in line 19, strike “OR” and substitute “A FELONY.”

**(2) THE CHIEF MAY TERMINATE THE EMPLOYMENT OF A POLICE OFFICER WHO:**

**(1);**

in the same line, strike the “FOR:” and substitute “FOR”; in line 20, strike “(1)”; in the same line, after “FELONY;” insert “OR”; in line 21, strike “(2)” and substitute “(II)”; in the same line, strike “A” and substitute “IS CONVICTED OF:”

**1. A;**

strike line 23 in its entirety and substitute:

**“2. MISDEMEANOR SECOND DEGREE ASSAULT; OR”**;

and in line 24, strike “**(4)**” and substitute “**3.**”.

On page 38, in lines 1 and 6, in each instance, strike “**DESCRIBED IN**” and substitute “**UNDER**”; in line 5, after “**(3)**” insert “**(I)**”; after line 9, insert:

**“(II) IF A POLICE OFFICER IS REQUIRED TO SUBMIT TO A POLYGRAPH EXAMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE RESULTS OF THE POLYGRAPH EXAMINATION ARE NOT ADMISSIBLE OR DISCOVERABLE IN A CRIMINAL OR CIVIL PROCEEDING AGAINST THE POLICE OFFICER.”**;

strike in their entirety lines 10 through 13, inclusive; in line 14, strike “**3-109.**” and substitute “**3-108.**”; and in line 28, after “**STATEMENT**” insert “**, IF ANY.**”.

On page 39, strike in their entirety lines 12 through 21, inclusive; in lines 22 and 26, strike “**3-110.**” and “**3-111.**”, respectively, and substitute “**3-109.**” and “**3-110.**”, respectively; and in line 24, strike “**HAVE THE RIGHT TO REPRESENTATION**” and substitute “**MAY HAVE THE ASSISTANCE OF A REPRESENTATIVE**”.

On page 40, in lines 20 and 23, strike “**3-112.**” and “**3-113.**”, respectively, and substitute “**3-111.**” and “**3-112.**”, respectively; and strike in their entirety lines 24 through 28, inclusive.

On page 41, strike line 1 in its entirety and substitute:

**“A RECORD RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER, INCLUDING AN INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS RELATING TO A DISCIPLINARY DECISION, MAY NOT BE:**

**(1) EXPUNGED; OR**

**(2) DESTROYED BY A LAW ENFORCEMENT AGENCY.**

**3-113.**

**(A) THE INVESTIGATING UNIT OF A LAW ENFORCEMENT AGENCY SHALL IMMEDIATELY REVIEW A COMPLAINT BY A MEMBER OF THE PUBLIC ALLEGING POLICE OFFICER MISCONDUCT.**

**(B) AN ADMINISTRATIVE CHARGING COMMITTEE SHALL REVIEW AND MAKE A DETERMINATION OR ASK FOR FURTHER REVIEW WITHIN 30 DAYS AFTER COMPLETION OF THE INVESTIGATING UNIT’S REVIEW.**

**(C) THE PROCESS OF REVIEW BY THE INVESTIGATING UNIT THROUGH DISPOSITION BY THE ADMINISTRATIVE CHARGING COMMITTEE SHALL BE COMPLETED WITHIN 1 YEAR AND 1 DAY AFTER THE FILING OF A COMPLAINT BY A CITIZEN.**

**3-114.**

**THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.”.**

On page 45, in line 6, strike “ANNUALLY”; in the same line, after “ASSESSMENT” insert “EVERY TWO YEARS”; and in the same line, strike the second “A” and substitute “AN ANNUAL”.

**AMENDMENT NO. 15**

On pages 63 through 65, strike in their entirety the lines beginning with line 12 on page 63 through line 18 on page 65, inclusive.

**AMENDMENT NO. 16**

On page 65, in line 20, strike “2021” and substitute “2022”; in line 24, strike “Section 4 of this Act” and substitute “§ 5–303 of the Courts and Judicial Proceedings Article, as enacted by Section 3 of this Act, and § 12–103 of the State Government Article, as enacted by Section 3 of this Act.”; in line 26, after “omission” insert “or violation of a constitutional right”; in line 27, strike “September 30, 2021” and substitute “June 30, 2022”; and strike beginning with “Section” in line 32 down through “shall” in line 33 and substitute “Title 3, Subtitle 1 of the Public Safety Article, as enacted by Section 3 of this Act, shall”.

On page 66, strike in their entirety lines 21 through 24, inclusive, and substitute:

**“SECTION 11. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect July 1, 2022, contingent on the taking effect of Chapter \_\_\_\_\_ (S.B. 71) of the Acts of the General Assembly of 2021, and if Chapter \_\_\_\_\_ (S.B. 71) does not take effect, Section 4 of this Act, with no further action required by the General Assembly, shall be null and void.**

**SECTION 12. AND BE IT FURTHER ENACTED, That, except as provided in Section 11 of this Act, this Act shall take effect July 1, 2022.”.**

Senate Members:

House Members:

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Chair, **William C. Smith, Jr.**

Chair, **Luke Clippinger**

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**Jill P. Carter**

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**Vanessa E. Atterbeary**

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**Michael A. Jackson**

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**David Moon**

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Read in the Senate:

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Read in the House of Delegates:

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Amendment Office Delivers Report to:

(X) Chief Clerk  
( ) Secretary, Senate

Conference Committee Report read and adopted.

Delegate Kipke moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 106 Members present.

(See Roll Call No. 1136)

**RECESS**

At 1:08 P.M. on motion of Delegate Luedtke the House recessed until 2:00 P.M. on Legislative Day, March 22, 2021, Calendar Day, Wednesday, April 7, 2021.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: March 22, 2021**  
**Calendar Day: Wednesday, April 7, 2021**

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At 2:20 P.M. the House resumed its session and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 1137)

**EXCUSED:**

Delegate Anderson – illness

Delegate Howard – illness

**SPECIAL ORDERS**

**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: ON 3RD READING AND FINAL PASSAGE (CCR ADOPTED).

Read the third time and passed by yeas and nays as follows:

Affirmative – 98    Negative – 40    (See Roll Call No. 1138)

The Bill was then sent to the Senate.

**SPECIAL ORDERS**

**House Bill 132 – Delegate Bagnall**

AN ACT concerning

**Health – Mental and Emotional Disorders – Consent**

**(Mental Health Access Initiative)**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED. FLOOR AMENDMENT DELEGATE ROSE #953029/1 PENDING.

FLOOR AMENDMENT

**HB0132/953029/1**

BY: Delegate Rose

AMENDMENTS TO HOUSE BILL 132

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “providing that” and substitute “requiring, rather than authorizing;”; in line 7, strike “may decide” and substitute “, or, under certain circumstances, a member of certain medical staff;”; in line 8, strike “under certain provisions of law”; and in line 10, after “care;” insert “repealing a certain provision of law rendered obsolete by a certain provision of this Act;”.

AMENDMENT NO. 2

On page 2, strike beginning with “(1)” in line 17 down through “without” in line 18 and substitute “**WITHOUT**”; in line 20, strike “may, but need not,” and substitute “**SHALL**”; and strike beginning with the period in line 22 down through “**SUBSECTION**” in line 30.

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

Affirmative – 49    Negative – 87    (See Roll Call No. 1139)

FLOOR AMENDMENT

**HB0132/413522/1**

BY: Delegate Cox

AMENDMENTS TO HOUSE BILL 132

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “clinic;” insert “requiring a health care provider to describe certain alleged harm to a minor and provide the description to certain persons before the health care provider makes a certain determination;”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

**“(C) BEFORE A HEALTH CARE PROVIDER DETERMINES A MINOR TO BE MATURE AND CAPABLE OF GIVING INFORMED CONSENT TO CONSULTATION, DIAGNOSIS, OR TREATMENT OF A MENTAL OR EMOTIONAL DISORDER, THE HEALTH CARE PROVIDER SHALL:**

**(1) DESCRIBE, IN WRITING, ANY ALLEGED HARM TO THE MINOR THAT COULD OR WOULD OCCUR IF THE HEALTH CARE PROVIDER WERE TO DISCLOSE INFORMATION ABOUT THE TREATMENT THAT IS NEEDED BY OR PROVIDED TO THE MINOR TO A PARENT, GUARDIAN, OR CUSTODIAN OF THE MINOR OR THE SPOUSE OF THE PARENT; AND**

**(2) PROVIDE THE DESCRIPTION TO THE LOCAL DEPARTMENT OF SOCIAL SERVICES AND THE STATE’S ATTORNEY FOR THE COUNTY IN WHICH THE MINOR RESIDES.”;**

and in lines 17 and 33, strike “(c)” and “(d)”, respectively, and substitute “**(D)**” and “**(E)**”, respectively.

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

Affirmative – 48    Negative – 86    (See Roll Call No. 1140)

FLOOR AMENDMENT

**HB0132/223129/1**

BY: Delegate McComas

AMENDMENTS TO HOUSE BILL 132

(First Reading File Bill)

AMENDMENT NO. 1



On page 1, strike in their entirety lines 2 and 3 and substitute “**Task Force on the Treatment of Mental and Emotional Disorders in Children**”; strike beginning with “altering” in line 4 down through “minors” in line 11 and substitute “establishing the Task Force on the Treatment of Mental and Emotional Disorders in Children; 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 the consultation, diagnosis, and treatment of mental and emotional disorders in minors who are a certain age; 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 Task Force on the Treatment of Mental and Emotional Disorders in Children”; and strike in their entirety line 12 through 16, inclusive.

#### AMENDMENT NO. 2

On page 1, in line 18, strike “the Laws of Maryland read as follows”; and after line 18, insert:

“(a) There is a Task Force on the Treatment of Mental and Emotional Disorders in Children.

(b) The Task Force consists of the following members:

- (1) the Attorney General of Maryland, or the Attorney General’s designee;
- (2) the State Public Defender, or the Public Defender’s designee;
- (3) the Secretary of Juvenile Services, or the Secretary’s designee;
- (4) the Secretary of Human Services, or the Secretary’s designee;
- (5) the State Director of Maryland’s Court Appointed Special Advocate Association, or the State Director’s designee;
- (6) the Executive Director of the State Council on Child Abuse and Neglect, or the Executive Director’s designee;
- (7) the Executive Director of the Governor’s Office for Children, or the Executive Director’s designee;
- (8) one social worker who specializes in working with children, designated by the Dean of the University of Maryland School of Social Work;

(9) one representative from the Maryland School Psychologists' Association, designated by the President of the Association;

(10) one representative from the Maryland Psychiatric Society who specializes in working with children, designated by the President of the Society;

(11) one representative from the Maryland Psychological Association who specializes in working with children, designated by the President of the Association; and

(12) one representative of each of two different children advocacy organizations in the State, appointed jointly by the President of the Senate and the Speaker of the House.

(c) The Governor shall designate the chair of the Task Force.

(d) The Office of the Governor shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall study and make recommendations regarding the consultation, diagnosis, and treatment of mental and emotional disorders in minors who are at least 12 years old, including who may consent for and be notified of the child's treatment.

(g) On or before December 1, 2022, 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.”.

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 35 on page 2, inclusive.

On page 3, in line 2, after “2021.” insert “It shall remain effective for a period of 2 years and, at the end of September 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 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 45    Negative – 90    (See Roll Call No. 1141)

FLOOR AMENDMENT

HB0132/153628/1

BY: Delegate Cox

AMENDMENTS TO HOUSE BILL 132

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “clinic;” insert “providing that the capacity of a minor to consent to certain consultation, diagnosis, and treatment does not include the capacity to consent to consultation, advice, or treatment regarding euthanasia or physician–assisted suicide;”.

AMENDMENT NO. 2

On page 2, in line 13, strike “OR”; in line 16, after “DISORDER” insert “;  
OR”

(III) CONSENT TO CONSULTATION, ADVICE, OR TREATMENT REGARDING EUTHANASIA OR PHYSICIAN–ASSISTED SUICIDE.”.

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

Affirmative – 42    Negative – 93    (See Roll Call No. 1142)

Delegate Lierman moved the previous question.

The motion was 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. 1143)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 101**

**House Bill 401 – Delegate Guyton**

AN ACT concerning

**Public Schools – Pregnant and Parenting Students – Policies and Reports**

Read the third time and passed by yeas and nays as follows:

Affirmative – 125    Negative – 12    (See Roll Call No. 1144)

The Bill was then sent to the Senate.

**House Bill 716 – Delegate Griffith**

AN ACT concerning

**Special Education – Individualized Education Programs – Educational Evaluations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1145)

The Bill was then sent to the Senate.

**House Bill 771 – Delegate Queen**

AN ACT concerning

**Public Schools – Centers for Disease Control and Prevention Surveys – Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 103    Negative – 35    (See Roll Call No. 1146)

The Bill was then sent to the Senate.

**House Bill 820 – Delegate Rose**

AN ACT concerning

**County Boards of Education – ~~Computer Science~~ Specialty Courses – Reporting Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1147)

The Bill was then sent to the Senate.

**House Bill 1259 – Cecil County Delegation**

AN ACT concerning

**Horse Racing – Fair Hill Natural Resources Management Area**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 1    (See Roll Call No. 1148)

The Bill was then sent to the Senate.

**House Bill 1376 – Delegate Washington**

AN ACT concerning

**Primary and Secondary Education – Virtual Education – Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97    Negative – 41    (See Roll Call No. 1149)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 102**

**House Bill 108 – Delegate Charkoudian**

AN ACT concerning

**Behavioral Health Crisis Response Services – Modifications**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1150)

The Bill was then sent to the Senate.

**House Bill 652 – Delegate Qi**

AN ACT concerning

**Health Facilities – Residential Service Agencies – Guidance and Reporting**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97    Negative – 41    (See Roll Call No. 1151)

The Bill was then sent to the Senate.

**House Bill 1030 – Delegate Saab**

AN ACT concerning

**State Board of Dental Examiners – Membership – Nomination and Appointment Process**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1152)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 35**

**Senate Bill 65 – Senator Kelley**

AN ACT concerning

**Electricity – Renewable Energy Portfolio Standard – Qualifying Biomass**

Delegate D.E. Davis moved to make the Bill a Special Order for Saturday.

The motion was adopted.

**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)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 120    Negative – 17    (See Roll Call No. 1153)

The Bill was then returned to the Senate.

**Senate Bill 489 – Senators Beidle and Elfreth**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Class MT License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1154)

The Bill was then returned to the Senate.

**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)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 118    Negative – 18    (See Roll Call No. 1155)

The Bill was then returned to the Senate.

**Senate Bill 933 – Senator Benson**

AN ACT concerning

**Financial Regulation – Access to Banking and Financial Services – Reporting**

Read the third time and passed by yeas and nays as follows:

Affirmative – 122    Negative – 14    (See Roll Call No. 1156)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 42**

**Senate Bill 84 – Senators Young and Waldstreicher**

AN ACT concerning

**Pharmacists – Administration of Self-Administered Medications and  
Maintenance Injectable Medications**

Read the third time and passed by yeas and nays as follows:

Affirmative – 130    Negative – 7    (See Roll Call No. 1157)

The Bill was then returned to the Senate.

**Senate Bill 286 – Senator Augustine**

AN ACT concerning

**Behavioral Health Crisis Response Services – Modifications**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 1    (See Roll Call No. 1158)

The Bill was then returned to the Senate.

**Senate Bill 379 – Senator Lam**

AN ACT concerning

**Health Occupations – ~~Registration~~ Licensing of Audiology Assistants**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 2    (See Roll Call No. 1159)

The Bill was then returned to the Senate.

**Senate Bill 384 – Senator Kelley**

AN ACT concerning

**Health Facilities – Residential Service Agencies – ~~Compliance With State Labor  
Laws~~ Guidance and Reporting**

Read the third time and passed by yeas and nays as follows:

Affirmative – 98    Negative – 40    (See Roll Call No. 1160)

The Bill was then returned to the Senate.



**Senate Bill 507 – Senators Kelley, Feldman, Guzzone, Carter, and Beidle**

AN ACT concerning

**Division of Consumer Protection – Assisted Living Programs**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1161)

The Bill was then returned to the Senate.

**Senate Bill 692 – Senator Young**

AN ACT concerning

**State Planning – Preservation of Agricultural Land – Goal**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 1    (See Roll Call No. 1162)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 41**

**Senate Bill 77 – Senator Griffith**

AN ACT concerning

**Energy Efficiency – Net-Zero Homes – Contract Preferences**

Read the third time and passed by yeas and nays as follows:

Affirmative – 113    Negative – 23    (See Roll Call No. 1163)

The Bill was then returned to the Senate.

**Senate Bill 132 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Secretary of State)**

AN ACT concerning

**Inspection of Public Records – Notaries Public – Disclosure of Home Address  
and Phone Number**

Read the third time and passed by yeas and nays as follows:

Affirmative – 117    Negative – 21    (See Roll Call No. 1164)

The Bill was then returned to the Senate.

**Senate Bill 139 – Senators Carozza and Beidle**

AN ACT concerning

**Interstate Occupational Therapy Licensure Compact**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 1165)

The Bill was then returned to the Senate.

**Senate Bill 284 – Senator Simonaire**

AN ACT concerning

**Maryland Veterans Service Animal Program – Definitions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1166)

The Bill was then returned to the Senate.

**Senate Bill 338 – Senator Simonaire**

AN ACT concerning

**Local Government – Animal Control Facilities – Adoption Fee Waiver for  
Veterans  
(Pets for Vets Act of 2021)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 1    (See Roll Call No. 1167)

The Bill was then returned to the Senate.

**Senate Bill 652 – Senator Klausmeier**

AN ACT concerning

**Public Health – Long-Term Care Planning**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 1    (See Roll Call No. 1168)

The Bill was then returned to the Senate.

**CONFERENCE COMMITTEE REPORT**

BILL NO.: HB 6                      SPONSOR: Delegate Feldmark  
SUBJECT: Economic Development – Maryland Technology  
Development Corporation – Alterations  
THIRD READING CALENDAR            HOUSE NO. 10            SENATE NO. 14

Hon. William C. Ferguson, IV, President of the Senate  
Hon. Adrienne A. Jones, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That the Finance Committee Amendments (HB0006/677778/1) be rejected.
- (2) That Senator Hayes’s Amendments (HB0006/443823/1) be rejected.
- (3) That the attached Conference Committee Amendments (HB0006/595668/1) be adopted.

**HB0006/595668/1**

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 6  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “Act;” insert “providing for the application of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 3, in line 13, after “UNIVERSITY” insert “, EXCEPT THAT ANY SINGLE COLLEGE OR UNIVERSITY MAY NOT BE REPRESENTED FOR MORE THAN TWO CONSECUTIVE TERMS”.

On page 6, in line 17, after “That” insert “the two term limit on a member of the Board of Directors appointed under § 10–403(b)(2)(iv) of the Economic Development Article, as enacted by Section 1 of this Act, may be applied only prospectively to any term being served on or after the effective date of this Act.”

SECTION 5. AND BE IT FURTHER ENACTED, That”.

Senate Members:

House Members:

Chair, **Antonio Hayes**

Chair, **Darryl Barnes**

**Malcolm Augustine**

**Jessica Feldmark**

**Justin Ready**

**Robert B. Long**

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

Chief Clerk  
 Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1169)

The Bill was then sent to the Senate.

**CONCURRENCE CALENDAR NO. 14  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 852 – Delegate Kaiser**

AN ACT concerning

**Property Tax – Tax Sales – Homeowner Protection Program**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB0852/449532/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 852  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 15, after “date;” insert “requiring a certain report issued by the Department each year to include certain information and recommendations concerning the Program;”; and in line 32, after “14–812(b)” insert “and 14–880”.

AMENDMENT NO. 2

On page 6, after line 16, insert:

“14–880.

(a) Each year, the Department shall issue a report that includes:

(1) an analysis and summary of the information collected through the survey under § 14–879 of this part; and

(2) the following information concerning the activities of the State Tax Sale Ombudsman established under § 2–112 of this article in the preceding taxable year:

(i) the number of homeowners who contacted the Ombudsman;

(ii) the number of homeowners assisted by the Ombudsman to apply for each of the tax credits under § 9–104 or § 9–105 of this article;

(iii) the number of homeowners assisted by the Ombudsman to apply for other discount programs or public benefits and a brief summary of those programs and benefits;

(iv) the number of homeowners referred by the Ombudsman to legal services, housing counseling, and other social services, and a brief summary of those services; [and]

(V) THE NUMBER OF HOMEOWNERS ENROLLED IN THE HOMEOWNER PROTECTION PROGRAM UNDER PART VII OF THIS SUBTITLE;

(VI) A SUMMARY OF THE IMPLEMENTATION OF THE HOMEOWNER PROTECTION PROGRAM UNDER PART VII OF THIS SUBTITLE;

(VII) ANY STATUTORY OR ADMINISTRATIVE CHANGES THE OMBUDSMAN RECOMMENDS TO IMPROVE THE ADMINISTRATION OF THE HOMEOWNER PROTECTION PROGRAM UNDER PART VII OF THIS SUBTITLE; AND

[(v)] (VIII) any other relevant information.

(b) On or before November 15 each year, the Department shall:

(1) publish the report required under subsection (a) of this section on the Department’s website; and

(2) submit the report required under subsection (a) of this section, in accordance with § 2–1257 of the State Government Article, to the Senate Budget and Taxation Committee and the House Committee on Ways and Means.”.

On page 18, after line 25, insert:

“(1) TAX AND INTEREST PAYMENTS MADE TO THE DEPARTMENT BY HOMEOWNERS ENROLLED IN THE PROGRAM;”.

On page 19, in lines 1, 3, and 4, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively.

The preceding 2 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 – 137    Negative – 1    (See Roll Call No. 1170)

#### AMENDED IN 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**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB0901/649237/1**

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 901

(Third Reading File Bill)

On page 3, in line 32, strike “The” and substitute “ON OR BEFORE NOVEMBER 1 EACH YEAR, THE”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1171)

**AMENDED IN THE SENATE**

**House Bill 1060 – Delegate Patterson**

AN ACT concerning

**Charles County – Board of Education – Membership Alterations**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB1060/514034/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1060

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 25, strike “Seven” and substitute “NINE”; in line 27, strike “SEVEN” and substitute “NINE”; and in line 28, strike “ONE MEMBER” and substitute “TWO MEMBERS”.

On page 3, in line 3, strike “THREE MEMBERS” and substitute “ONE MEMBER”.

On page 4, in line 5, after “All” insert “ELECTED”; and in the same line, strike “, EXCEPT THE STUDENT MEMBER,”.

AMENDMENT NO. 2

On page 7, in line 15, strike “members” and substitute “member”.

The preceding 2 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 – 114    Negative – 24    (See Roll Call No. 1172)

**AMENDED IN THE SENATE**

**House Bill 1182 – Delegate Kipke**

AN ACT concerning

**Tax – Property – Tax Sales**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB1182/189435/1**

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1182

(Third Reading File Bill)

On page 3, in line 29, strike “6” and substitute “15”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 132    Negative – 5    (See Roll Call No. 1173)



CONCURRENCE CALENDAR NO. 15  
HOUSE BILLS AMENDED IN THE SENATE

AMENDED IN THE SENATE

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

AN ACT concerning

**Preserve Telehealth Access Act of 2021**

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB0123/597079/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 123

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 8 down through “circumstances;” in line 9 and substitute “prohibiting the Program from excluding from coverage a certain health care service provided to a Program recipient in person for a certain reason;”.

On page 2, in line 8, before “establishing” insert “requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide certain coverage for certain services delivered through telehealth regardless of the location of the patient at the time the services are provided;”; strike beginning with “requiring” in line 15 down through “services” in line 16 and substitute “excluding from coverage or denying coverage for certain services provided in a certain manner for a certain reason;”; and in line 18, before “prohibiting” insert “requiring the Department to revise certain regulations for a certain purpose on or before a certain date; requiring the Maryland Insurance Administration to study a certain matter and provide certain findings and recommendations from the study to the Maryland Health Care Commission for inclusion in a certain report; requiring the Maryland Insurance Administration to consider the requirements of this Act when proposing certain revisions to certain regulations;”.

AMENDMENT NO. 2

On page 4, in line 15, after “provide” insert “, SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET,”.

#### AMENDMENT NO. 3

On page 8, in lines 32 and 33, strike “REQUIRE A PROGRAM RECIPIENT TO USE TELEHEALTH IN LIEU OF IN-PERSON SERVICE DELIVERY FOR BEHAVIORAL HEALTH SERVICES” and substitute “EXCLUDE FROM COVERAGE A BEHAVIORAL HEALTH CARE SERVICE PROVIDED TO A PROGRAM RECIPIENT IN PERSON SOLELY BECAUSE THE SERVICE MAY ALSO BE PROVIDED THROUGH TELEHEALTH”.

#### AMENDMENT NO. 4

On page 11, in line 26, after “telehealth” insert “REGARDLESS OF THE LOCATION OF THE PATIENT AT THE TIME THE TELEHEALTH SERVICES ARE PROVIDED”.

#### AMENDMENT NO. 5

On pages 11 and 12, strike beginning with “WHEN” in line 30 on page 11 down through “SERVICES” in line 1 on page 12 and substitute “MAY NOT EXCLUDE FROM COVERAGE OR DENY COVERAGE FOR A BEHAVIORAL HEALTH CARE SERVICE THAT IS A COVERED BENEFIT UNDER A HEALTH INSURANCE POLICY OR CONTRACT WHEN PROVIDED IN PERSON SOLELY BECAUSE THE BEHAVIORAL HEALTH CARE SERVICE MAY ALSO BE PROVIDED THROUGH A COVERED TELEHEALTH BENEFIT”.

#### AMENDMENT NO. 6

On page 12, in line 7, strike “(1)” and substitute “(I)”.

On page 13, in lines 14 and 15, strike “THIRD PARTY” and substitute “THIRD-PARTY”.

On page 14, in lines 14 and 35, in each instance, strike the period.

On page 15, in line 31, after “health” insert a comma; and in line 33, after “providers” insert a comma.

On page 16, in line 1, after “Article” insert a comma; in the same line, after “by” insert “Section 1 of”; in the same line, after “Act,” insert “and”; in line 13, after “care” insert a comma; and in line 20, after “Article” insert “, as specified in Section 3 of this Act”.

On page 17, in line 14, strike “Sections 1 and 2” and substitute “Section 1”.

AMENDMENT NO. 7

On page 15, before line 1, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2021, the Maryland Department of Health shall revise its regulations regarding telehealth reimbursed by the Maryland Medical Assistance Program to ensure that requirements for reimbursement of mental health and substance use disorder services delivered through telehealth comply with the federal Mental Health Parity and Addiction Equity Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Insurance Administration shall:

(1) (i) study how telehealth can support efforts to ensure health care provider network sufficiency;

(ii) study the impact of changes in access to and coverage of telehealth services under health benefit plans offered by health insurance carriers on the ability of consumers to choose in-person care versus telehealth care as the modality of receiving a covered service; and

(iii) provide any findings and recommendations from its study to the Maryland Health Care Commission for inclusion in the report required under Section 4 of this Act; and

(2) consider the requirements of this Act when proposing any revisions to regulations relating to network adequacy.”;

and in line 1, strike “2.” and substitute “4.”.

On page 17, in line 6, strike “3.” and substitute “5.”; in lines 9, 27, and 28, in each instance, strike “2.” and substitute “4.”; in line 32, strike “4.” and substitute “6.”; and in line 35, strike “5.” and substitute “7.”.

The preceding 7 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 – 138    Negative – 0    (See Roll Call No. 1174)

**AMENDED IN THE SENATE**

**House Bill 463 – Delegate Barron**

EMERGENCY BILL

AN ACT concerning

**Maryland Health Equity Resource Act**

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB0463/823920/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 463

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “grants;” insert “requiring the Commission to give certain consideration to certain proposals;”; in line 13, after “used;” insert “altering the purposes of the Maryland Health Benefit Exchange Fund; altering the purposes for which the Maryland Health Benefit Exchange Fund may be used; requiring the Governor to transfer and appropriate a certain amount to the Health Equity Resource Community Reserve Fund in certain fiscal years;”; in the same line, strike the comma; in line 14, strike “on or before a certain date;”; in the same line, strike “Secretary of Health” and substitute “Community Health Resources Commission”; in line 17, strike the first “Secretary” and substitute “Commission”; strike beginning with “Secretary to” in line 17 down through “the” in line 18; in line 18, after “Disparities” insert “to provide certain technical assistance in implementing certain provisions of this Act; requiring any other unit in the Maryland Department of Health to provide certain assistance at the request of the Commission”; in line 20, strike “Secretary” and substitute “Commission”; in line 22, strike “purposes” and substitute “duties”; and in line 23, strike “chairs” and substitute “chair”.

On page 2, in line 1, strike “requiring the Secretary” and substitute “authorizing the Commission”; in lines 4, 9, 11, 28, and 30, in each instance, strike “Secretary” and substitute “Commission”; in line 7, after “elements;” insert “requiring the application to allocate certain funding to cover certain costs for a certain employee; authorizing nonprofit community-based organizations, nonprofit hospitals, institutions of higher education, federally qualified health centers, and local government agencies to contract with a historically black college or university in the State to provide certain services under certain circumstances;”; in line 13, strike “Secretary’s” and substitute “Commission’s”; and in line 14, after “final;” insert “authorizing certain health care providers who practice in Health Equity Resource Communities to receive certain assistance and grants; authorizing certain nonprofit community-based organizations, nonprofit hospitals, institutions of higher education, and local government agencies to receive certain grants; establishing a Health Equity Resource Community Reserve Fund; establishing the purpose and contents of the Fund; requiring the Commission to administer the Fund; requiring the State Treasurer to invest the money of the Fund in a certain manner; requiring the 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 3, in line 3, strike “20-1406” and substitute “20-1408”; and after line 6, insert:

“BY repealing and reenacting, without amendments,

Article – Insurance

Section 31-107(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 31-107(b) and (f)

Annotated Code of Maryland

(2017 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)”.

#### AMENDMENT NO. 2

On page 4, in line 13, after “**(2)**” insert “**(I)**”; in line 15, strike “IN THE DEPARTMENT” and substitute “UNDER TITLE 20, SUBTITLE 14.”

**(II) CRISP SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION BY MAINTAINING A DATA SET AND SUPPORTING PROGRAM EVALUATION FOR THE PROGRAM**”;

in line 25, strike “SUSTAINABLE” and substitute “SELF–SUSTAINABLE”; after line 30, insert:

**“(V) THE COMMISSION SHALL GIVE SPECIAL CONSIDERATION TO PROPOSALS FROM AREAS PREVIOUSLY DESIGNATED AS A HEALTH ENTERPRISE ZONE.”**

On page 5, in line 1, strike “JANUARY 1, 2022” and substitute “DECEMBER 1, 2021”.

#### AMENDMENT NO. 3

On page 7, after line 5, insert:

**“(C) “COMMISSION” MEANS THE COMMUNITY HEALTH RESOURCES COMMISSION.**

**(D) “COMMUNITY HEALTH WORKER” HAS THE MEANING STATED IN § 13-3701 OF THIS ARTICLE.”;**

in line 8, strike “**(C)**”, and substitute “**(E)**”; after line 9, insert:

**“(F) “FUND” MEANS THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND ESTABLISHED UNDER § 20-1407 OF THIS SUBTITLE.**

**(G) “HEALTH CARE PRACTITIONER” MEANS AN INDIVIDUAL OR, COLLECTIVELY, A GROUP OF INDIVIDUALS WORKING TOGETHER WITHIN THE SAME PRACTICE, EACH OF WHOM IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED BY LAW TO PROVIDE HEALTH CARE SERVICES UNDER THE HEALTH OCCUPATIONS ARTICLE.”;**

in line 17, strike “**(D)**” and substitute “**(H)**”.

On page 8, in lines 7, 18, and 20, strike “**(E)**”, “**(F)**”, and “**(G)**”, respectively, and substitute “**(I)**”, “**(J)**”, and “**(K)**”, respectively; and in line 15, strike “**SECRETARY**” and substitute “**COMMISSION**”.

On page 9, in line 5, strike “**BEGINNING JULY 1, 2023, THE SECRETARY**” and substitute “**THE COMMISSION**”; in line 9, after “**(2)**”, insert “**(I)**”; in the same line, strike “**SECRETARY SHALL CONSULT WITH THE**”; in line 10, after “**DISPARITIES**” insert “**SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION**”; after line 11, insert:

**“(II) AT THE REQUEST OF THE COMMISSION, ANY OTHER UNIT IN THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION IN IMPLEMENTING THE PROVISIONS OF THIS SUBTITLE.**

**(C) TWO ADDITIONAL STAFF SHALL BE ADDED TO THE COMMISSION TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.”;**

in line 15, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 26, strike “**PURPOSES**” and substitute “**DUTIES**”; in the same line, strike “**ARE TO**” and substitute “**INCLUDE**”; in line 27, strike “**PROVIDE**” and substitute “**PROVIDING INITIAL AND ONGOING**”; in the same line, strike “**TO THE COMMUNITY**” and substitute “**AND GUIDANCE REGARDING PROGRAM EVALUATION AND DATA COLLECTION METRICS**”

FOR”; strike beginning with “RESOURCES” in line 28 down through “ARTICLE” in line 29 and substitute “EQUITY RESOURCE COMMUNITIES AND HEALTH EQUITY RESEARCH PRACTITIONERS”; strike beginning with “PROVIDE” in line 30 down through “SUBTITLE” in line 31 and substitute “ASSISTING THE COMMISSION IN PREPARING THE REQUIRED ANNUAL REPORT DESCRIBED IN § 20–1408(B) OF THIS SUBTITLE AND § 19–2112 OF THIS ARTICLE”.

On page 10, strike beginning with “PROVIDE” in line 1 down through “PRACTITIONERS” in line 4 and substitute “PROPOSING STRATEGIES FOR TAX INCENTIVES AND LOAN REPAYMENTS TO ASSIST HEALTH EQUITY RESOURCE COMMUNITIES IN ACHIEVING THEIR MISSION”; in line 5, strike “IDENTIFY LONG–TERM FUNDING STRATEGIES” and substitute “PROVIDING GUIDANCE, AS DETERMINED BY THE COMMISSION, TO THE COMMISSION AS NECESSARY”; in line 8, strike “CHAIR” and substitute “CHAIR”; in the same line, strike “MARYLAND”; in line 9, after “COMMISSION”, insert “OR THE CHAIR’S DESIGNEE”; strike beginning with “AN” in line 10 down through “ADMINISTRATION” in line 24 and substitute “THE DIRECTOR OF THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES, OR THE DIRECTOR’S DESIGNEE;”

**(3) THREE MEMBERS APPOINTED BY THE GOVERNOR, INCLUDING:**

**(I) ONE INDIVIDUAL REPRESENTING THE MARYLAND DEPARTMENT OF HEALTH; AND**

**(II) ONE INDIVIDUAL WITH EXPERTISE IN HEALTH CARE FINANCING;**

**(4) THREE MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE, INCLUDING:**

**(I) ONE INDIVIDUAL WITH EXPERTISE IN THE SOCIAL DETERMINANTS OF HEALTH; AND**

**(II) ONE INDIVIDUAL WHO IS A MEMBER OF THE GENERAL PUBLIC RESIDING IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED A HEALTH EQUITY RESOURCE COMMUNITY; AND**



**(5) THREE MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE, INCLUDING:**

**(I) ONE INDIVIDUAL WITH EXPERTISE IN HEALTH EQUITY; AND**

**(II) ONE INDIVIDUAL WHO IS A MEMBER OF THE GENERAL PUBLIC RESIDING IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED A HEALTH EQUITY RESOURCE COMMUNITY**".

On page 12, strike beginning with "TO" in line 23 down through "STATE" in line 25 and substitute "**COLLECTIVELY, THE MEMBERS OF THE ADVISORY COMMITTEE SHALL HAVE KNOWLEDGE OF THE FOLLOWING:**

**(I) EXISTING OR POTENTIAL HEALTH DISPARITIES IN THE STATE;**

**(II) GROUPS OF RESIDENTS NEGATIVELY AFFECTED BY HEALTH DISPARITIES;**

**(III) SYSTEMS, POLICIES, AND METHODS LIKELY TO IMPROVE HEALTH OUTCOMES AND REDUCE HEALTH DISPARITIES;**

**(IV) EFFECTIVE PREVENTION SERVICES;**

**(V) HEALTH CARE COSTS, TRENDS, AND DRIVERS;**

**(VI) CLINICAL HEALTH SERVICES RESEARCH; AND**

**(VII) CONSUMER OR PATIENT PERSPECTIVES; AND**

**(VII) INNOVATIVE WAYS TO ADDRESS SOCIAL DETERMINANTS OF HEALTH THROUGH THE USE OF COMMUNITY HEALTH WORKERS**".

On page 13, strike beginning with "**(I)**" in line 1 down through "**OF**" in line 5 and substitute "**TO THE EXTENT PRACTICABLE AND CONSISTENT WITH FEDERAL AND**

STATE LAW, THE MEMBERSHIP OF THE ADVISORY COMMITTEE SHALL REFLECT THE RACIAL, ETHNIC, GEOGRAPHIC, AND GENDER DIVERSITY OF THE STATE.

(3) THE CHAIR OF THE MARYLAND COMMUNITY HEALTH RESOURCES COMMISSION SHALL CHAIR”;

after line 7, insert:

“(2) THE COMMISSION SHALL STAGGER THE TERMS OF THE INITIAL APPOINTED MEMBERS.”;

in lines 10, 12, and 15, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; in line 15, strike “SECRETARY” and substitute “COMMISSION”; in line 24, strike “AUGUST 1, 2021” and substitute “JANUARY 1, 2022”; and in line 26, strike “4” and substitute “6”.

On page 14, in line 1, strike “SECRETARY SHALL” and substitute “COMMISSION MAY”; in line 7, strike “A FEDERALLY QUALIFIED HEALTH CENTER,”; in line 9, after “EDUCATION,” insert “A FEDERALLY QUALIFIED HEALTH CENTER,”; in lines 10 and 17, in each instance, strike “SECRETARY” and substitute “COMMISSION”; in line 15, strike “SUBSECTION (C)” and substitute “SUBSECTIONS (C) AND (E)”; in line 26, strike “THAT MAY BE”.

On page 15, after line 15, insert:

“(D) THE APPLICATION MAY INCLUDE:

(1) A PROPOSAL TO USE FUNDING AVAILABLE UNDER THIS SUBTITLE TO PROVIDE FOR LOAN REPAYMENT INCENTIVES TO INDUCE HEALTH CARE PRACTITIONERS TO PRACTICE IN THE AREA;

(2) A PROPOSAL TO USE INNOVATIVE PUBLIC HEALTH STRATEGIES TO REDUCE HEALTH DISPARITIES IN THE AREA THAT MAY BE SUPPORTED BY GRANTS AWARDED UNDER THIS SUBTITLE, SUCH AS THE USE OF COMMUNITY HEALTH WORKERS, COMMUNITY HEALTH CENTERS, FEDERALLY QUALIFIED HEALTH CENTERS, INSTITUTIONS OF HIGHER EDUCATION, AND COMMUNITY-BASED DISEASE MANAGEMENT ACTIVITIES; AND

**(3) A PROPOSAL TO USE OTHER INCENTIVES OR MECHANISMS TO ADDRESS HEALTH DISPARITIES THAT FOCUS ON WAYS TO EXPAND ACCESS TO CARE, EXPAND ACCESS TO NONMEDICAL INTERVENTIONS THAT PROMOTE IMPROVED HEALTH OUTCOMES, PROMOTE HIRING, AND REDUCE COSTS TO THE HEALTH CARE SYSTEM.**

**(E) THE APPLICATION SUBMITTED IN ACCORDANCE WITH THIS SECTION SHALL ALLOCATE SUFFICIENT FUNDING TO COVER SALARY AND BENEFIT COSTS FOR THE EVALUATOR REQUIRED UNDER § 20-1406 OF THIS SUBTITLE.**

On page 16, in line 2, strike “**BEGINNING JULY 1, 2023, THE SECRETARY SHALL**” and substitute “**ON OR BEFORE OCTOBER 1, 2022, THE COMMISSION SHALL ISSUE A REQUEST FOR PROPOSALS TO**”; in lines 5, 13, and 18, in each instance, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 23, strike “**SUSTAINABILITY**” and substitute “**SELF-SUSTAINABILITY**”; in line 25, after “**WITH**” insert “**THE STATE HEALTH IMPROVEMENT PROCESS AND**”; and in line 30, strike “**AND**”.

On page 17, in lines 1, 24, 26, and 28, in each instance, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 3, after “**OUTCOMES**” insert “**; AND**”.

**(7) A PREVIOUS DESIGNATION AS A HEALTH ENTERPRISE ZONE OR INCLUSION OF AREAS PREVIOUSLY INCLUDED IN A HEALTH ENTERPRISE ZONE**;

strike beginning with “**FEDERALLY**” in line 5 down through “**A**” in line 6; in line 7, after “**EDUCATION,**” insert “**A FEDERALLY QUALIFIED HEALTH CENTER,**”; strike beginning with “**SECRETARY**” in line 16 down through “**COMMITTEE**” in line 17 and substitute “**COMMISSION**”; in line 21, strike “**SECRETARY AND THE HEALTH EQUITY RESOURCE ADVISORY COMMITTEE**” and substitute “**COMMISSION**”; in line 23, strike “**20-1406(B)**” and substitute “**20-1408(B)**”; in line 24, after “**(D)**” insert “**NOTWITHSTANDING THE REQUIREMENT TO HIRE A FULL-TIME EMPLOYEE TO SERVE AS AN EVALUATOR UNDER SUBSECTION (C) OF THIS SECTION, A NONPROFIT COMMUNITY-BASED ORGANIZATION, A NONPROFIT HOSPITAL, AN INSTITUTION OF HIGHER EDUCATION, A FEDERALLY QUALIFIED HEALTH CENTER, OR A LOCAL GOVERNMENT AGENCY MAY CONTRACT WITH A HISTORICALLY BLACK COLLEGE OR UNIVERSITY IN THE STATE TO PROVIDE EVALUATOR SERVICES.**”.

(E)”;

in line 26, strike “(E)” and substitute “(F)”; and after line 28, insert:

“20–1406.

(A) HEALTH CARE PRACTITIONERS AND COMMUNITY HEALTH WORKERS THAT PRACTICE IN A HEALTH EQUITY RESOURCE COMMUNITY MAY RECEIVE LOAN REPAYMENT ASSISTANCE, AS PROVIDED FOR IN THE APPLICATION FOR DESIGNATION FOR THE HEALTH EQUITY RESOURCE COMMUNITY AND APPROVED BY THE COMMISSION UNDER THIS SUBTITLE.

(B) (1) A HEALTH CARE PRACTITIONER OR COMMUNITY HEALTH WORKER MAY APPLY TO THE COMMISSION FOR A GRANT TO DEFRAY THE COSTS OF CAPITAL OR LEASEHOLD IMPROVEMENTS TO, OR MEDICAL OR DENTAL EQUIPMENT TO BE USED IN, A HEALTH EQUITY RESOURCE COMMUNITY.

(2) TO QUALIFY FOR A GRANT UNDER PARAGRAPH (1) OF THIS SUBSECTION, A HEALTH CARE PRACTITIONER OR A COMMUNITY HEALTH WORKER SHALL:

(I) OWN OR LEASE THE HEALTH CARE FACILITY; AND

(II) PROVIDE HEALTH CARE FROM THAT FACILITY.

(3) (I) A GRANT TO DEFRAY THE COST OF MEDICAL OR DENTAL EQUIPMENT MAY NOT EXCEED THE LESSER OF \$25,000 OR 50% OF THE COST OF THE EQUIPMENT.

(II) GRANTS FOR CAPITAL OR LEASEHOLD IMPROVEMENTS SHALL BE FOR THE PURPOSES OF IMPROVING OR EXPANDING THE DELIVERY OF HEALTH CARE IN THE HEALTH EQUITY RESOURCE COMMUNITY.

(C) (1) A NONPROFIT COMMUNITY–BASED ORGANIZATION, A NONPROFIT HOSPITAL, AN INSTITUTION OF HIGHER EDUCATION, A FEDERALLY QUALIFIED

HEALTH CENTER, OR A LOCAL GOVERNMENT AGENCY THAT RECEIVES APPROVAL OF AN APPLICATION SUBMITTED UNDER § 20-1403 OF THIS SUBTITLE MAY SUBMIT AN APPLICATION, ON ITS OWN BEHALF, TO RECEIVE GRANTS FOR CAPITAL OR LEASEHOLD IMPROVEMENTS, AS DETERMINED BY THE COMMISSION, FOR THE PURPOSES DESCRIBED UNDER SUBSECTION (B)(3)(II) OF THIS SECTION.

(2) SUBJECT TO § 20-1408(A)(2) OF THIS SUBTITLE, THE TERM OF ANY GRANT AWARDED TO A NONPROFIT COMMUNITY-BASED ORGANIZATION, A NONPROFIT HOSPITAL, AN INSTITUTION OF HIGHER EDUCATION, A FEDERALLY QUALIFIED HEALTH CENTER, OR A LOCAL GOVERNMENT AGENCY FOR CAPITAL OR LEASEHOLD IMPROVEMENTS SHALL HAVE A TERM OF 5 YEARS, AND MAY BE RENEWED IN ACCORDANCE WITH AN APPLICATION APPROVED BY THE COMMISSION.

20-1407.

(A) THERE IS A HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND.

(B) THE PURPOSE OF THE FUND IS TO:

(1) SUPPORT AREAS DESIGNATED BY THE COMMISSION AS HEALTH EQUITY RESOURCE COMMUNITIES BY PROVIDING GRANTS TO COMMUNITY-BASED ORGANIZATIONS, NONPROFIT HOSPITALS, INSTITUTIONS OF HIGHER EDUCATION, FEDERALLY QUALIFIED HEALTH CENTERS, LOCAL GOVERNMENT AGENCIES, HEALTH CARE PRACTITIONERS, AND COMMUNITY HEALTH WORKERS TO FACILITATE REDUCTION OF HEALTH DISPARITIES, IMPROVE HEALTH OUTCOMES, PROVIDE DRUG TREATMENT AND REHABILITATION, AND REDUCE HEALTH COSTS AND HOSPITAL ADMISSIONS AND READMISSIONS IN SPECIFIC AREAS OF THE STATE; AND

(2) PROVIDE FUNDING TO SUPPLEMENT AND NOT SUPPLANT EXISTING FUNDING FOR BEHAVIORAL HEALTH PROGRAMS THAT PROVIDE PREVENTION, RECOVERY SUPPORT, AND HARM REDUCTION SERVICES FOR INDIVIDUALS WITH SUBSTANCE USE AND MENTAL HEALTH DISORDERS.

(C) THE COMMISSION SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) ANY UNSPENT PORTION OF THE FUND MAY NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND BUT SHALL REMAIN IN THE FUND TO BE USED FOR THE PURPOSES SPECIFIED IN THIS SUBTITLE.

(3) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND IN ACCORDANCE WITH § 31-107 OF THE INSURANCE ARTICLE;

(2) INTEREST EARNINGS OF THE FUND; AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(F) THE FUND MAY BE USED ONLY TO PROVIDE FUNDING TO THE COMMISSION FOR THE SUPPORT OF AREAS DESIGNATED AS HEALTH EQUITY RESOURCE COMMUNITIES BY PROVIDING GRANTS TO COMMUNITY-BASED ORGANIZATIONS, NONPROFIT HOSPITALS, INSTITUTIONS OF HIGHER EDUCATION, LOCAL GOVERNMENT AGENCIES, HEALTH CARE PRACTITIONERS, FEDERALLY QUALIFIED HEALTH CENTERS, COMMUNITY HEALTH WORKERS, AND INSTITUTIONS OF HIGHER EDUCATION TO REDUCE HEALTH DISPARITIES, IMPROVE HEALTH OUTCOMES, PROVIDE ADDICTION AND MENTAL HEALTH SERVICES, AND REDUCE HEALTH COSTS AND HOSPITAL ADMISSIONS AND READMISSIONS.

(G) (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.

**(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.**

**(I) MONEY EXPENDED FROM THE FUND TO SUPPORT AREAS DESIGNATED BY THE COMMISSION AS HEALTH EQUITY RESOURCE COMMUNITIES UNDER THIS SUBTITLE IS SUPPLEMENTAL TO AND NOT INTENDED TO SUPPLANT FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THOSE PURPOSES.**

On page 20, in line 25, strike “**20-1406.**” and substitute “**20-1408.**”; strike beginning with “**ON**” in line 26 down through “**EACH**” in line 27 and substitute “**EACH**”; in line 31, strike “**SECRETARY**” and substitute “**COMMISSION**”; and in line 34, strike “**AND**”.

On page 21, in line 2, after “**YEAR**” insert “**; AND**”

**(III) ANY OTHER INFORMATION AS REQUESTED BY THE COMMISSION.**

**(2) THE REPORTING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PERIODICALLY IN ACCORDANCE WITH A SCHEDULE DETERMINED BY THE COMMISSION**”;

in line 3, strike “**(2)**” and substitute “**(3)**”; in lines 3, 9, and 12, in each instance, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 11, strike “**BEGINNING IN 2024,**”; in line 17, after “**(II)**” insert “**EVIDENCE OF THE IMPACT OF THE LOAN REPAYMENT INCENTIVES IN ATTRACTING HEALTH CARE PRACTITIONERS AND COMMUNITY HEALTH WORKERS TO HEALTH EQUITY RESOURCE COMMUNITIES**”;

**(III)**”;

and in line 23, strike “**(III)**” and substitute “**(IV)**”.

On page 22, after line 2, insert:

**“Article – Insurance**

(a) There is a Maryland Health Benefit Exchange Fund.

(b) (1) The purpose of the Fund is to:

(i) provide funding for the operation and administration of the Exchange in carrying out the purposes of the Exchange under this subtitle; [and]

(ii) provide funding for the establishment and operation of the State Reinsurance Program authorized under this subtitle; AND

**(III) PROVIDE FUNDING FOR THE ESTABLISHMENT AND OPERATION OF HEALTH EQUITY RESOURCE COMMUNITIES UNDER TITLE 20, SUBTITLE 14 OF THE HEALTH – GENERAL ARTICLE.**

(2) The operation and administration of the Exchange and the State Reinsurance Program may include functions delegated by the Exchange to a third party under law or by contract.

(f) (1) The Fund may be used only:

**[(1)] (I) for the operation and administration of the Exchange in carrying out the purposes authorized under this subtitle; [and]**

**[(2)] (II) for the establishment and operation of the State Reinsurance Program; AND**

**(III) FOR APPROPRIATIONS TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND UNDER § 20-1407 OF THE HEALTH – GENERAL ARTICLE.**

**(2) IN EACH OF FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL:**

**(I) TRANSFER \$15,000,000 TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND; AND**



(II) INCLUDE THE FUNDS TRANSFERRED IN ACCORDANCE WITH ITEM (I) OF THIS PARAGRAPH IN THE ANNUAL BUDGET BILL AS AN APPROPRIATION TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND UNDER § 20-1407 OF THE HEALTH – GENERAL ARTICLE.

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:

122. the Racing and Community Development Financing Fund;

[and]

123. the Racing and Community Development Facilities Fund;

AND

124. THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND.”.

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 – 100 Negative – 38 (See Roll Call No. 1175)

**CALENDAR OF THIRD READING SENATE BILLS NO. 32**

**Senate Bill 61 – Senator Lam**

AN ACT concerning

**Public Buildings – Changing Facilities – Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 113    Negative – 25    (See Roll Call No. 1176)

The Bill was then returned to the Senate.

**Senate Bill 96 – Senator McCray**

AN ACT concerning

**Public Health – Behavioral Health Programs and Health Care Facilities – Safety  
and Community Relations Plans**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1177)

The Bill was then returned to the Senate.

**Senate Bill 120 – Chair, Finance Committee (By Request – Departmental –  
Maryland Insurance Administration)**

AN ACT concerning

**Insurance – Credit for Reinsurance Model Law – Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1178)

The Bill was then returned to the Senate.

**Senate Bill 125 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Health)**

AN ACT concerning

**State Board of Chiropractic Examiners – Sunset Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 1179)

The Bill was then returned to the Senate.

**Senate Bill 183 – Senators Young and Rosapepe**

AN ACT concerning

**Audiology and Speech–Language Pathology Interstate Compact**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 1    (See Roll Call No. 1180)

The Bill was then returned to the Senate.

**Senate Bill 192 – Senator West**

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 – 137    Negative – 0    (See Roll Call No. 1181)

The Bill was then returned to the Senate.

**Senate Bill 212 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Secretary of State)**

AN ACT concerning

**State Government – Notaries Public – Official Stamp of a Notary Public**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 1    (See Roll Call No. 1182)

The Bill was then returned to the Senate.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1183)

**ADJOURNMENT**

At 4:36 P.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 23, 2021, Calendar Day, Thursday, April 8, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 23, 2021**  
**Calendar Day: Thursday, April 8, 2021**  
**10:00 A.M. Session**

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**THE HONORABLE TALMADGE BRANCH PRESIDING**

The House met at 10:10 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. 1184)

**EXCUSED:**

Delegate Anderson – illness  
Delegate Cox – left early – personal  
Delegate Fraser–Hidalgo – late – medical  
Delegate Howard – late – illness  
Delegate Walker – business

The Journal of March 22, 2021 was read and approved.

**AMENDED IN THE SENATE**

**House Bill 421 – Delegate Rosenberg**

AN ACT concerning

**Income Tax Distribution – Tax Clinics for Low–Income Marylanders**

Delegate Kaiser moved that the House not concur in the Senate amendments.

**HB0421/279132/1**

BY: Budget and Taxation Committee

**AMENDMENTS TO HOUSE BILL 421**

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “appropriation” insert “of a certain amount”; and in line 13, after “term;” insert “providing for the termination of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 3, in lines 11, 12, and 14, strike “**40%**”, “**40%**”, and “**20%**”, respectively, and substitute “ONE-THIRD”, “ONE-THIRD”, and “ONE-THIRD”, respectively; in line 16, after “APPROPRIATION” insert “OF \$250,000”; and after line 28, insert:

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

**Article – Tax – General**

On page 4, in line 3, strike “\$100,000” and substitute “\$250,000”; in line 11, strike “2.” and substitute “3.”; and in line 12, after “2021.” insert “Section 2 of this Act shall remain effective for a period of 1 year and 6 months and, at the end of December 31, 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 not concurred in.

**MESSAGE TO THE SENATE**

BILL: HB0421  
SPONSOR: Delegate Rosenberg  
SUBJECT: Income Tax Distribution – Tax Clinics for Low-Income Marylanders

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Feldmark, Chair  
Delegate Palakovich Carr  
Delegate Buckel

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0444  
SPONSOR: Senator West  
SUBJECT: Transforming Manufacturing in a Digital Economy Workgroup  
(Making It in Maryland)

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Feldman, Chair  
Senator Klausmeier  
Senator Hershey

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

**Senate Bill 444 – Senator West**

AN ACT concerning

**Transforming Manufacturing in a Digital Economy Workgroup  
(Making It in Maryland)**

Delegate D.E. Davis moved that the House recede on its amendment.

**SB0444/533093/1**

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 444  
(Third Reading File Bill)

On page 3, in line 15, after “AFL–CIO;” insert “and”; and strike beginning with the semicolon in line 18 down through “Center” in line 25.

House receded and the amendment was removed.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 106    Negative – 27    (See Roll Call No. 1185)

The Bill was then returned to the Senate.

**MESSAGE TO THE SENATE**

BILL:                    **SB0444**  
SPONSOR:             Senator West  
SUBJECT:              Transforming Manufacturing in a Digital Economy Workgroup  
                              (Making It in Maryland)

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates recedes from its position on SB0444.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**JUDICIARY COMMITTEE REPORT NO. 48**

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



**Senate Bill 666 – Senator Peters**

**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.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 30**

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

**Senate Bill 172 – Senators Hayes, Beidle, Benson, Ellis, Feldman, Kramer, Lee, Sydnor, Waldstreicher, Washington, ~~and Young~~ Young, Augustine, Corderman, Eckardt, Edwards, Elfreth, Griffith, Guzzone, Hershey, Jennings, Kelley, King, Klausmeier, McCray, Peters, Rosapepe, Salling, and Zucker**

EMERGENCY BILL

AN ACT concerning

**Maryland Health Equity Resource Act**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE HONORABLE ADRIENNE A. JONES, SPEAKER, NOW PRESIDING**

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

**Senate Bill 353 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Veterans Affairs)**

AN ACT concerning

**Veterans – Benefits and Benefits Appeals Services – Disclosure 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:

**Senate Bill 360 – Senator Rosapepe**

AN ACT concerning

**State Government – Notaries Public – Notary Public Fund and Remote Notarial Acts**

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:

**Senate Bill 469 – Senator Washington**

AN ACT concerning

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

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:

**Senate Bill 689 – Senator Sydnor**

AN ACT concerning

**Office of Small, Minority, and Women Business Affairs – Duties of the Special Secretary – Minority Business Enterprises**

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:

**Senate Bill 736 – Senator Augustine**

~~EMERGENCY BILL~~

AN ACT concerning

**Health Occupations – Pharmacists – Administration of ~~Vaccinations~~ Children’s Vaccines – Study and Temporary Authority**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 45**

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

**Senate Bill 95 – Senator Kramer**

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:

**Senate Bill 392 – Senator Augustine**

EMERGENCY BILL

AN ACT concerning

**Electricity and Gas – Limited–Income Mechanisms and Assistance**

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:

**Senate Bill 811 – ~~Senator Hershey~~ Senators Hershey, Klausmeier, Kelley, Augustine, Beidle, Benson, Feldman, Hayes, Jennings, Kramer, and Ready**

**EMERGENCY BILL**

AN ACT concerning

**Unemployment Insurance – Computation of Earned Rate of Contribution –  
Applicable Table of Rates**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 40**

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

**Senate Bill 170 – Chair, Finance Committee (By Request – Departmental –  
Transportation)**

AN ACT concerning

**~~Transportation-Related Property and Copper or Aluminum Items – Duties,~~  
Prohibited Acts, and Enforcement**

Favorable report adopted.

Delegate Carr 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:

**Senate Bill 318 – Senators Bailey and Simonaire**

AN ACT concerning

**Natural Resources – Fishing and Hunting Rights**

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:

**Senate Bill 501 – Senator Beidle**

AN ACT concerning

**Towing or Removal of Vehicles From Parking Lots – Placement of Signs –  
Regional Malls**

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:

**Senate Bill 681 – Senator Ready**

AN ACT concerning

**Motor Vehicles – Inspection Certificates – Exception**

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:

**Senate Bill 691 – Senator Hettleman**

AN ACT concerning

**Real Property – Landlord and Tenant – Reusable Tenant Screening Reports**

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:

**Senate Bill 716 – Senators Carozza, Hershey, and Lam**

AN ACT concerning

**Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 31**

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

**House Bill 770 – Delegate McIntosh**

AN ACT concerning

**Baltimore City Community College – Procurement Authority**

**HB0770/406989/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 770

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “Services” insert “if the contract for the public improvement project has a value that is less than a certain amount”; strike beginning with “requiring” in line 14 down through “circumstances;” in line 16; in line 18, after “circumstances;” insert “subjecting certain contracts of a certain value to the review and approval of the Board of Trustees or certain College officials;”; strike beginning with “exempting” in line 21 down through “approval;” in line 23; and in line 23, after “making” insert “technical and”.

On page 2, in line 8, after “4–401(d),” insert “and”; in the same line, strike “, 4–406(a), 11–203(e), and 12–202”; and after line 15, insert:

“BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 11–203(e)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapters 2 and 32 of the Acts of the General Assembly of 2021)”.

AMENDMENT NO. 2

On page 2, in line 32, after “COLLEGE” insert “, INCLUDING POLICIES AND PROCEDURES GOVERNING CONFLICT OF INTEREST ISSUES”.

On page 5, in line 3, after “COLLEGE” insert “, IF THE VALUE OF THE CONTRACT FOR THE PUBLIC IMPROVEMENT IS \$500,000 OR LESS”; and strike in their entirety lines 4 through 21, inclusive.

On page 6, in line 12, strike “\$300,000” and substitute “\$500,000”; strike beginning with “FOR” in line 16 down through “COLLEGE” in line 17; after line 19, insert:

**“3. FOR BALTIMORE CITY COMMUNITY COLLEGE CONTRACTS THAT ARE NOT SUBJECT TO THE REVIEW AND APPROVAL OF THE BOARD OF PUBLIC WORKS UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH:**

**A. CONTRACTS WITH A VALUE OF \$100,000 OR LESS SHALL BE REVIEWED AND APPROVED BY THE PRESIDENT OF BALTIMORE CITY COMMUNITY COLLEGE OR THE PRESIDENT’S DESIGNEE; AND**

**B. CONTRACTS WITH A VALUE THAT EXCEEDS \$100,000 BUT DOES NOT EXCEED \$500,000 SHALL BE APPROVED BY THE BOARD OF TRUSTEES OF BALTIMORE CITY COMMUNITY COLLEGE.”;**

in line 28, strike “and”; and in line 30, after “article” insert “; and

(v) to the maximum extent practicable, require the procurement of food in accordance with Title 14, Subtitle 7 of this article”.

On page 7, after line 10, insert:

**“6. Title 14, Subtitle 7 of this article (“Certified Local Farm Enterprise Program”);;**

and in lines 11, 13, and 15, strike “6.”, “7.”, and “8.”, respectively, and substitute “7.”, “8.”, and “9.”, respectively.

On pages 9 and 10, strike in their entirety the lines beginning with line 9 on page 9 through line 25 on page 10, 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

### **Senate Bill 326 – Senator Hayes**

AN ACT concerning

#### **Baltimore City Community College – Procurement Authority**

**SB0326/886983/1**

BY: Health and Government Operations Committee

#### AMENDMENTS TO SENATE BILL 326

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 13, after “Services” insert “if the contract for the public improvement project has a value that is less than a certain amount”; strike beginning with “requiring” in line 14 down through “circumstances,” in line 16; in line 18, after “circumstances,” insert “subjecting certain contracts of a certain value to the review and approval of the Board of Trustees or certain College officials;”; strike beginning with “exempting” in line 21 down through “approval;” in line 23; and in line 23, after “making” insert “technical and”.

On page 2, in line 13, after “4–401(d),” insert “and”; in the same line, strike “4–406(a), 11–203(e), and 12–202”; and after line 20, insert:

“BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 11–203(e)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)



(As enacted by Chapters 2 and 32 of the Acts of the General Assembly of 2021)”.

AMENDMENT NO. 2

On page 3, in line 3, after “COLLEGE” insert “, INCLUDING POLICIES AND PROCEDURES GOVERNING CONFLICT OF INTEREST ISSUES”.

On page 5, in line 7, after “COLLEGE” insert “, IF THE VALUE OF THE CONTRACT FOR THE PUBLIC IMPROVEMENT IS \$500,000 OR LESS”; and strike in their entirety lines 8 through 25, inclusive.

On page 6, in line 19, strike “\$300,000” and substitute “\$500,000”; strike beginning with “FOR” in line 23 down through “COLLEGE” in line 24; and after line 26, insert:

**“3. FOR BALTIMORE CITY COMMUNITY COLLEGE CONTRACTS THAT ARE NOT SUBJECT TO THE REVIEW AND APPROVAL OF THE BOARD OF PUBLIC WORKS UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH:**

**A. CONTRACTS WITH A VALUE OF \$100,000 OR LESS SHALL BE REVIEWED AND APPROVED BY THE PRESIDENT OF BALTIMORE CITY COMMUNITY COLLEGE OR THE PRESIDENT’S DESIGNEE; AND**

**B. CONTRACTS WITH A VALUE THAT EXCEEDS \$100,000 BUT DOES NOT EXCEED \$500,000 SHALL BE APPROVED BY THE BOARD OF TRUSTEES OF BALTIMORE CITY COMMUNITY COLLEGE.”.**

On page 7, in line 2, strike “and”; in line 4, after “article” insert “; and

(v) to the maximum extent practicable, require the procurement of food in accordance with Title 14, Subtitle 7 of this article”;

after line 15, insert:

**“6. Title 14, Subtitle 7 of this article (“Certified Local Farm Enterprise Program”);**

and in lines 16, 18, and 20, strike “6.”, “7.”, and “8.”, respectively, and substitute “7.”, “8.”, and “9.”, respectively.

On pages 9 through 11, strike in their entirety the lines beginning with line 13 on page 9 through line 2 on page 11, 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**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  
Office Review and Oversight**

**SB0649/206681/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 649  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 14, after “years;” insert “requiring the Special Secretary for the Office of Small, Minority, and Women Business Affairs to assign certain staff as required under certain provisions of this Act; requiring a member of the Office staff to be assigned to certain procurement units; requiring each member of the Office staff assigned to a unit under a certain provision of this Act to observe certain procurement processes and ensure that certain goals are met in a certain manner;”; and after line 36, insert:

“BY repealing and reenacting, with amendments,

Article – State Government

Section 9–304

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 6, in line 8, after “TO” insert “A SOLICITATION FOR”; and in line 16, strike “AWARDING A CONTRACT” and substitute “ISSUING A SOLICITATION”.

On page 7, in lines 2, 4, and 16, in each instance, strike “CONTRACT” and substitute “SOLICITATION”; and in lines 21 and 22, in each instance, strike “CONTRACTS” and substitute “SOLICITATIONS”.

### AMENDMENT NO. 3

On page 10, after line 19, insert:

#### “Article – State Government

9–304.

(A) Subject to the limitations of any law that governs the activities of other units of the Executive Branch of the State government, the Special Secretary shall:

(1) advise the Governor on:

(i) the activities of the State government that are intended to promote the employment of minority persons in the State; and

(ii) each other matter that affects the rights and interests of minority persons and the communities in which they live; [and]

(2) as authorized by the Governor:

(i) provide help to minority persons and the communities in which they live;

(ii) represent the Governor in any matter that relates to minority persons or generally to the promotion of equality among the people of the State; and

(iii) perform any other responsibility that the Governor assigns; AND

(3) ASSIGN OFFICE STAFF AS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.

**(B) (1) A MEMBER OF OFFICE STAFF SHALL BE ASSIGNED TO EACH UNIT THAT IS AUTHORIZED BY LAW TO ENTER INTO A PROCUREMENT CONTRACT THAT IS SUBJECT TO THE REQUIREMENTS OF TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE (“MINORITY BUSINESS PARTICIPATION”).**

**(2) EACH STAFF MEMBER ASSIGNED TO A UNIT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:**

**(I) OBSERVE THE PROCUREMENT PROCESSES OF THE UNIT, INCLUDING THE DEVELOPMENT OF A REQUEST FOR PROPOSAL OR REQUEST FOR QUALIFICATIONS AND THE EVALUATION OF BIDS AND OFFERS; AND**

**(II) ENSURE THAT THE MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS ESTABLISHED UNDER § 14–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE ARE MET TO THE BEST OF THE UNIT’S CAPABILITY.”.**

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 138 Members present.

(See Roll Call No. 1186)

### **CALENDAR OF THIRD READING SENATE BILLS NO. 36**

**Senate Bill 944 – Senator Simonaire**

#### **EMERGENCY BILL**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages Licenses – Annual Fees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1187)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 43**

**Senate Bill 103 – Senator Kramer**

AN ACT concerning

**Business Regulation – Retail Pet Stores – Modifications  
(No More Puppy- and Kitten-Mills Act of 2021)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 106 Negative – 31 (See Roll Call No. 1188)

The Bill was then returned to the Senate.

**Senate Bill 159 – ~~Senator Waldstreicher~~ Senators Waldstreicher, Smith, Bailey,  
Carter, Cassilly, Hettleman, Hough, Jackson, Lee, Sydnor, and West**

AN ACT concerning

**~~Criminal Law~~ Local Government – Humane Society and Animal Control Officers  
– Education and Training Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1189)

The Bill was then returned to the Senate.

**Senate Bill 324 – Senators Elfreth and Bailey**

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 – 97 Negative – 40 (See Roll Call No. 1190)

The Bill was then returned to the Senate.

**Senate Bill 687 – Senator Smith**

AN ACT concerning

**State and Local Housing Programs – Affirmatively Furthering Fair Housing**

Read the third time and passed by yeas and nays as follows:

Affirmative – 106    Negative – 31    (See Roll Call No. 1191)

The Bill was then returned to the Senate.

**Senate Bill 745 – Senator Elfreth**

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 – 136    Negative – 0    (See Roll Call No. 1192)

The Bill was then returned to the Senate.

**Senate Bill 857 – Senators Hester and Smith**

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 – 138    Negative – 0    (See Roll Call No. 1193)

The Bill was then returned to the Senate.

**SPECIAL ORDER CALENDAR NO. 86****Senate Bill 133 – Senator Rosapepe**

AN ACT concerning

**Local Tax Relief for Working Families Act of 2021**

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

## FLOOR AMENDMENT

**SB0133/793422/1**

BY: Delegate Chisholm

AMENDMENTS TO SENATE BILL 133

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, before “authorizing” insert “prohibiting a county from increasing an income tax rate for a higher income tax bracket without reducing an income tax rate for a lower tax bracket in a certain manner”.

AMENDMENT NO. 2

On page 6, in line 4, strike “AND”; and in line 7, after “BRACKET” insert “; AND

**(V) MAY NOT INCREASE AN INCOME TAX RATE FOR A HIGHER INCOME BRACKET WITHOUT REDUCING AN INCOME TAX RATE FOR A LOWER INCOME BRACKET IN A MANNER THAT, TO THE EXTENT PRACTICABLE, RESULTS IN THE CHANGES BEING REVENUE-NEUTRAL**”.

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

Affirmative – 43    Negative – 91    (See Roll Call No. 1194)

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 49**

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

**Senate Bill 190 – Senator Hough**

AN ACT concerning

**Firearms – Right to Purchase, Possess, and Carry – Use of Medical Cannabis****SB0190/582517/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 190

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Firearms –**” insert “**Untraceable and Undetectable, Use of Medical Cannabis, and**”; in the same line, strike “– **Use of Medical Cannabis**”; in line 3, after “of” insert “altering a certain definition of a regulated firearm to include a certain unfinished frame or receiver; requiring the Secretary of State Police to suspend a certain dealer’s license if the dealer is convicted of a certain violation; requiring the Secretary to revoke a certain dealer’s license if the dealer is convicted of a certain violation; expanding a certain provision of law to prohibit a person from obliterating, removing, changing, or altering a certain mark or number or any other mark of identification on a firearm or certain unfinished frame or receiver; authorizing a person to continue to possess a certain firearm or unfinished frame or receiver on or after a certain date under certain circumstances; prohibiting a person from transferring ownership of a certain firearm or unfinished frame or receiver on or after a certain date, with certain exceptions; requiring, on or after a certain date, a certain firearm or unfinished frame or receiver to be marked by a certain federally licensed firearms manufacturer or federally licensed firearms importer in a certain manner; requiring a certain serial number and other mark of identification to be engraved, cast, or stamped on a firearm frame or receiver or unfinished frame or receiver in a certain manner and to conform with certain requirements; requiring, on or after a certain date, a certain firearm or unfinished frame or receiver to be marked in a certain manner by a federally licensed firearms manufacturer before the firearm or unfinished frame or receiver is sold, offered for sale, or transferred in the State; requiring, on or after a certain date, a certain firearm or unfinished frame or receiver to be marked in a certain manner by a federally licensed firearms importer before the firearm or unfinished frame or receiver is imported or otherwise brought into the State; prohibiting a federally licensed firearms dealer from selling, offering to sell, or transferring a certain firearm or unfinished frame or receiver under certain circumstances on or after a certain date; requiring, on or after a certain date, a federally licensed firearms manufacturer, federally licensed firearms importer, and federally licensed firearms dealer to maintain a certain record log; prohibiting a person who is prohibited by law from manufacturing, assembling, owning, or possessing a firearm from knowingly soliciting, requesting, compelling, coercing, conspiring, facilitating, aiding, or abetting the manufacturing or assembling of a firearm or an unfinished frame or receiver; prohibiting a person from knowingly conspiring, facilitating, aiding, or abetting the manufacturing or assembling of a firearm or an unfinished frame or receiver for a person who is prohibited by law from manufacturing,



assembling, owning, or possessing a firearm; prohibiting a person from manufacturing, assembling, possessing, selling, offering to sell, transferring, purchasing, or receiving a certain covert firearm or undetectable firearm; establishing certain penalties for violations of this Act; prohibiting a dealer or certain other person from selling, renting, or transferring an unfinished frame or receiver unless the purchaser, lessee, or transferee presents a certain handgun qualification license; authorizing a person to purchase, rent, or receive an unfinished frame or receiver only under certain circumstances; providing for the application of certain provisions of this Act; defining certain terms; making conforming changes; providing for a delayed effective date for certain provisions of this Act;”; after line 5, insert:

“BY repealing and reenacting, without amendments,

Article – Public Safety

Section 5–101(a) and (h) and 5–144

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–101(r), 5–114, 5–117.1, and 5–142

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

in line 8, after “5–701” insert “through 5–707 to be under the new subtitle “Subtitle 7. Untraceable and Undetectable Firearms” and Section 5–801”; and in the same line, strike “7.” and substitute “8.”

#### AMENDMENT NO. 2

On page 1, after line 13, insert:

“5–101.

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

(h) (1) “Firearm” means:

(i) a weapon that expels, is designed to expel, or may readily be converted to expel a projectile by the action of an explosive; or

(ii) the frame or receiver of such a weapon.

(2) “Firearm” includes a starter gun.

(r) “Regulated firearm” means:

(1) a handgun; [or]

**(2) AN UNFINISHED FRAME OR RECEIVER, AS DEFINED IN § 5–701 OF THIS TITLE; OR**

**[(2)] (3) a firearm that is any of the following specific assault weapons or their copies, regardless of which company produced and manufactured that assault weapon:**

(i) American Arms Spectre da Semiautomatic carbine;

(ii) AK–47 in all forms;

(iii) Algimec AGM–1 type semi–auto;

(iv) AR 100 type semi–auto;

(v) AR 180 type semi–auto;

(vi) Argentine L.S.R. semi–auto;

(vii) Australian Automatic Arms SAR type semi–auto;

(viii) Auto–Ordnance Thompson M1 and 1927 semi–automatics;

(ix) Barrett light.50 cal. semi–auto;

(x) Beretta AR70 type semi–auto;

(xi) Bushmaster semi–auto rifle;

(xii) Calico models M–100 and M–900;

- (xiii) CIS SR 88 type semi-auto;
- (xiv) Claridge HI TEC C-9 carbines;
- (xv) Colt AR-15, CAR-15, and all imitations except Colt AR-15 Sporter H-BAR rifle;
- (xvi) Daewoo MAX 1 and MAX 2, aka AR 100, 110C, K-1, and K-2;
- (xvii) Dragunov Chinese made semi-auto;
- (xviii) Famas semi-auto (.223 caliber);
- (xix) Feather AT-9 semi-auto;
- (xx) FN LAR and FN FAL assault rifle;
- (xxi) FNC semi-auto type carbine;
- (xxii) F.I.E./Franchi LAW 12 and SPAS 12 assault shotgun;
- (xxiii) Steyr-AUG-SA semi-auto;
- (xxiv) Galil models AR and ARM semi-auto;
- (xxv) Heckler and Koch HK-91 A3, HK-93 A2, HK-94 A2 and A3;
- (xxvi) Holmes model 88 shotgun;
- (xxvii) Avtomat Kalashnikov semiautomatic rifle in any format;
- (xxviii) Manchester Arms "Commando" MK-45, MK-9;
- (xxix) Mandell TAC-1 semi-auto carbine;
- (xxx) Mossberg model 500 Bullpup assault shotgun;
- (xxxi) Sterling Mark 6;

- (xxxii) P.A.W.S. carbine;
- (xxxiii) Ruger mini-14 folding stock model (.223 caliber);
- (xxxiv) SIG 550/551 assault rifle (.223 caliber);
- (xxxv) SKS with detachable magazine;
- (xxxvi) AP-74 Commando type semi-auto;
- (xxxvii) Springfield Armory BM-59, SAR-48, G3, SAR-3, M-21 sniper rifle, M1A, excluding the M1 Garand;
- (xxxviii) Street sweeper assault type shotgun;
- (xxxix) Striker 12 assault shotgun in all formats;
- (xl) Unique F11 semi-auto type;
- (xli) Daewoo USAS 12 semi-auto shotgun;
- (xlii) UZI 9mm carbine or rifle;
- (xliii) Valmet M-76 and M-78 semi-auto;
- (xliv) Weaver Arms “Nighthawk” semi-auto carbine; or
- (xlv) Wilkinson Arms 9mm semi-auto “Terry”.

5-114.

- (a) (1) The Secretary shall suspend a dealer’s license if the licensee:
  - (i) is under indictment for a crime of violence; [or]
  - (ii) is arrested for a violation of this subtitle that prohibits the purchase or possession of a regulated firearm; OR

**(III) IS CONVICTED OF A FIRST VIOLATION UNDER SUBTITLE 7 OF THIS TITLE.**

(2) (i) The Secretary may suspend a dealer's license if the licensee is not in compliance with the record keeping and reporting requirements of § 5-145 of this subtitle.

(ii) The Secretary may lift a suspension under this paragraph after the licensee provides evidence that the record keeping violation has been corrected.

(b) The Secretary shall revoke a dealer's license if:

(1) it is discovered that false information has been supplied or false statements have been made in an application required by this subtitle; or

(2) the licensee:

(i) is convicted of a disqualifying crime;

(ii) is convicted of a violation classified as a common law crime and receives a term of imprisonment of more than 2 years;

(iii) is a fugitive from justice;

(iv) is a habitual drunkard;

(v) is addicted to a controlled dangerous substance or is a habitual user;

(vi) has spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless the licensee produces a physician's certificate, issued after the last institutionalization and certifying that the licensee is capable of possessing a regulated firearm without undue danger to the licensee or to another;

(vii) has knowingly or willfully manufactured, offered to sell, or sold a handgun not on the handgun roster in violation of § 5-406 of this title; [or]

(viii) has knowingly or willfully participated in a straw purchase of a regulated firearm; OR

(IX) IS CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION UNDER SUBTITLE 7 OF THIS TITLE, IF THE SECOND OR SUBSEQUENT VIOLATION DOES NOT STEM FROM THE SAME SALE OR TRANSFER OF A REGULATED FIREARM AS THE FIRST VIOLATION.

(c) If the Secretary suspends or revokes a dealer's license, the Secretary shall notify the licensee in writing of the suspension or revocation.

(d) A person whose dealer's license is suspended or revoked may not engage in the business of selling, renting, or transferring regulated firearms, unless the suspension or revocation has been subsequently withdrawn by the Secretary or overruled by a court in accordance with § 5–116 of this subtitle.

5–142.

(a) A person may not obliterate, remove, change, or alter the manufacturer's identification mark or number OR ANY OTHER MARK OF IDENTIFICATION on a firearm OR AN UNFINISHED FRAME OR RECEIVER, AS DEFINED IN § 5–701 OF THIS TITLE.

(b) If on trial for a violation of this section possession of the firearm by the defendant is established, the defendant is presumed to have obliterated, removed, changed, or altered the manufacturer's identification mark or number OR OTHER MARK OF IDENTIFICATION on the firearm OR UNFINISHED FRAME OR RECEIVER.

5–144.

(a) Except as otherwise provided in this subtitle, a dealer or other person may not:

(1) knowingly participate in the illegal sale, rental, transfer, purchase, possession, or receipt of a regulated firearm in violation of this subtitle; or

(2) knowingly violate § 5–142 of this subtitle.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$10,000 or both.

- (c) Each violation of this section is a separate crime.

**SUBTITLE 7. UNTRACEABLE AND UNDETECTABLE FIREARMS.**

**5-701.**

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

(B) “ANTIQUE FIREARM” HAS THE MEANING STATED IN § 4-201 OF THE CRIMINAL LAW ARTICLE.

(C) “DEALER’S LICENSE” HAS THE MEANING STATED IN § 5-101 OF THIS TITLE.

(D) “FEDERALLY LICENSED FIREARMS DEALER” MEANS A PERSON LICENSED BY THE FEDERAL BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES TO DEAL FIREARMS.

(E) “FEDERALLY LICENSED FIREARMS IMPORTER” MEANS A PERSON LICENSED BY THE FEDERAL BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES TO IMPORT FIREARMS.

(F) “FEDERALLY LICENSED FIREARMS MANUFACTURER” MEANS A PERSON LICENSED BY THE FEDERAL BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES TO MANUFACTURE FIREARMS.

(G) “FIREARM” HAS THE MEANING STATED IN § 5-101 OF THIS TITLE.

(H) “HANDGUN QUALIFICATION LICENSE” HAS THE MEANING STATED IN § 5-101 OF THIS TITLE.

(I) “MANUFACTURE OR ASSEMBLE” MEANS TO:

(1) FABRICATE OR CONSTRUCT A FIREARM OR AN UNFINISHED FRAME OR RECEIVER; OR

(2) FIT TOGETHER THE COMPONENT PARTS OF A FIREARM OR AN UNFINISHED FRAME OR RECEIVER TO CONSTRUCT A FIREARM OR AN UNFINISHED FRAME OR RECEIVER.

(J) (1) “UNFINISHED FRAME OR RECEIVER” MEANS A PRODUCT THAT IS INTENDED OR DESIGNED TO SERVE AS THE FRAME OR RECEIVER, INCLUDING THE LOWER RECEIVER, OF A FIREARM, BUT IS IN AN UNFINISHED STATE OF MANUFACTURE.

(2) “UNFINISHED FRAME OR RECEIVER” INCLUDES A BLANK, CASTING, OR MACHINED BODY THAT REQUIRES MODIFICATION, SUCH AS MACHINING, DRILLING, FILING, OR MOLDING, TO BE USED AS PART OF A FUNCTIONAL FIREARM, IF IT DOES NOT INCLUDE A PIECE OF MATERIAL THAT HAS:

(I) BEEN ALTERED IN SIZE OR EXTERNAL SHAPE SOLELY TO FACILITATE TRANSPORTATION OR STORAGE; OR

(II) UNDERGONE AN ALTERATION IN CHEMICAL COMPOSITION.

5-702.

THIS SUBTITLE DOES NOT APPLY TO:

(1) A FIREARM MANUFACTURED BEFORE 1968;

(2) AN ANTIQUE FIREARM;

(3) A FIREARM OR AN UNFINISHED FRAME OR RECEIVER THAT IS REQUIRED BY FEDERAL LAW AND REGULATION TO BE ENGRAVED, CAST, OR STAMPED WITH A SERIAL NUMBER AND HAS BEEN ENGRAVED, CAST, OR STAMPED WITH A SERIAL NUMBER IN ACCORDANCE WITH ALL FEDERAL LAWS AND REGULATIONS;

(4) SALES, OFFERS TO SELL, TRANSFERS, OR POSSESSION OF FIREARMS OR UNFINISHED FRAMES OR RECEIVERS BY OR BETWEEN FEDERALLY



LICENSED FIREARMS DEALERS, FEDERALLY LICENSED FIREARMS MANUFACTURERS, OR FEDERALLY LICENSED FIREARMS IMPORTERS; OR

(5) THE TRANSFERRING OR SURRENDERING OF A FIREARM OR AN UNFINISHED FRAME OR RECEIVER TO A LAW ENFORCEMENT AGENCY.

5-703.

(A) ON OR AFTER JANUARY 1, 2022, A PERSON MAY CONTINUE TO POSSESS A FIREARM OR AN UNFINISHED FRAME OR RECEIVER THAT THE PERSON MANUFACTURED OR ASSEMBLED AND LAWFULLY POSSESSED BEFORE JANUARY 1, 2022, IF:

(1) THE FIREARM OR UNFINISHED FRAME OR RECEIVER IS MARKED WITH A UNIQUE SERIAL NUMBER THAT:

(I) INDICATES:

1. THE MODEL OF THE FIREARM OR UNFINISHED FRAME OR RECEIVER, IF SUCH DESIGNATION HAS BEEN MADE;

2. THE CALIBER OR GAUGE; AND

3. THE FULL LEGAL NAME AND CITY OF THE PERSON POSSESSING THE FIREARM OR UNFINISHED FRAME OR RECEIVER.

(II) IS CONSPICUOUSLY AND PERMANENTLY ENGRAVED, CAST, OR STAMPED ANYWHERE ON THE FIREARM; AND

(III) CONFORMS WITH THE REQUIREMENTS IMPOSED ON FEDERALLY LICENSED FIREARMS MANUFACTURERS AND FEDERALLY LICENSED FIREARMS IMPORTERS UNDER 18 U.S.C. § 923(I); AND

(2) THE PERSON MAINTAINS A RECORD LOG THAT INCLUDES:

(I) ALL UNIQUE SERIAL NUMBERS ENGRAVED, CAST, OR STAMPED ON THE FIREARM; AND

(II) THE DATE THE FIREARM WAS CONSPICUOUSLY AND PERMANENTLY ENGRAVED, CAST, OR STAMPED.

(B) ON OR AFTER JANUARY 1, 2022, A PERSON MAY NOT TRANSFER THE OWNERSHIP OF A FIREARM OR UNFINISHED FRAME OR RECEIVER THAT THE PERSON MANUFACTURED OR ASSEMBLED AND LAWFULLY POSSESSED BEFORE JANUARY 1, 2022, THAT IS MARKED IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION, UNLESS THE TRANSFER OF OWNERSHIP IS MADE TO:

(1) ANOTHER FAMILY MEMBER WHO POSSESSES A VALID HANDGUN QUALIFICATION LICENSE ISSUED UNDER § 5-117.1 OF THIS TITLE; OR

(2) A LAW ENFORCEMENT AGENCY.

5-704.

(A) EXCEPT AS PROVIDED IN § 5-703 OF THIS SUBTITLE, ON OR AFTER JANUARY 1, 2022, A FIREARM OR AN UNFINISHED FRAME OR RECEIVER SHALL BE MARKED BY A FEDERALLY LICENSED FIREARMS MANUFACTURER OR FEDERALLY LICENSED FIREARMS IMPORTER:

(1) WITH A UNIQUE SERIAL NUMBER; AND

(2) TO INDICATE:

(I) THE MODEL OF THE FIREARM OR UNFINISHED FRAME OR RECEIVER, IF SUCH DESIGNATION HAS BEEN MADE;

(II) THE CALIBER OR GAUGE;

(III) IF THE PRODUCT WAS MANUFACTURED OR ASSEMBLED IN THE STATE, THE FULL LEGAL NAME AND CITY OF THE MANUFACTURER; AND

(IV) IF THE PRODUCT WAS MANUFACTURED OR ASSEMBLED OUTSIDE THE STATE AND SUBSEQUENTLY IMPORTED OR OTHERWISE BROUGHT INTO THE STATE, THE FULL LEGAL NAME AND CITY OF THE ENTITY THAT IMPORTED OR BROUGHT THE PRODUCT INTO THE STATE AND THE STATE OR COUNTRY OF ORIGIN.

(B) EACH SERIAL NUMBER AND OTHER MARK OF IDENTIFICATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL:

(1) BE CONSPICUOUSLY AND PERMANENTLY ENGRAVED, CAST, OR STAMPED ON THE FIREARM FRAME OR RECEIVER OR UNFINISHED FRAME OR RECEIVER; AND

(2) CONFORM WITH THE REQUIREMENTS IMPOSED ON FEDERALLY LICENSED FIREARMS MANUFACTURERS AND FEDERALLY LICENSED FIREARMS IMPORTERS UNDER 18 U.S.C. § 923(i).

(C) ON OR AFTER JANUARY 1, 2022, EXCEPT AS PROVIDED IN § 5-703 OF THIS SUBTITLE:

(1) A FIREARM OR AN UNFINISHED FRAME OR RECEIVER SHALL BE MARKED IN ACCORDANCE WITH SUBSECTIONS (A) AND (B) OF THIS SECTION BY A FEDERALLY LICENSED FIREARMS MANUFACTURER BEFORE THE FIREARM OR UNFINISHED FRAME OR RECEIVER IS SOLD, OFFERED FOR SALE, OR TRANSFERRED IN THE STATE;

(2) A FIREARM OR UNFINISHED FRAME OR RECEIVER SHALL BE MARKED IN ACCORDANCE WITH SUBSECTIONS (A) AND (B) OF THIS SECTION BY A FEDERALLY LICENSED FIREARMS IMPORTER BEFORE THE FIREARM OR UNFINISHED FRAME OR RECEIVER IS IMPORTED OR OTHERWISE BROUGHT INTO THE STATE;

(3) A FEDERALLY LICENSED FIREARMS DEALER MAY NOT SELL, OFFER TO SELL, OR TRANSFER A FIREARM OR AN UNFINISHED FRAME OR RECEIVER THAT HAS NOT BEEN MARKED IN ACCORDANCE WITH SUBSECTIONS (A) AND (B) OF THIS SECTION;

(4) A PERSON WHO SELLS OR TRANSFERS A FIREARM OR AN UNFINISHED FRAME OR RECEIVER THAT HAS BEEN MARKED IN ACCORDANCE WITH SUBSECTIONS (A) AND (B) OF THIS SECTION SHALL KEEP RECORDS OF THE TRANSFER OR SALE, INCLUDING THE SERIAL NUMBER OF THE PRODUCT, THE NAME AND ADDRESS OF THE PERSON RECEIVING THE PRODUCT, THE DATE OF THE TRANSFER OR SALE, AND THE HANDGUN QUALIFICATION LICENSE NUMBER OF THE PERSON RECEIVING THE PRODUCT, AND SHALL MAKE THE RECORDS AVAILABLE TO A LAW ENFORCEMENT OFFICER ON REQUEST; AND

(5) A PERSON MAY NOT POSSESS A FIREARM OR AN UNFINISHED FRAME OR RECEIVER THAT HAS NOT BEEN MARKED IN ACCORDANCE WITH SUBSECTIONS (A) AND (B) OF THIS SECTION.

5-705.

(A) A PERSON WHO IS PROHIBITED BY LAW FROM MANUFACTURING, ASSEMBLING, OWNING, OR POSSESSING A FIREARM MAY NOT KNOWINGLY SOLICIT, REQUEST, COMPEL, COERCE, CONSPIRE, FACILITATE, AID, OR ABET THE MANUFACTURING OR ASSEMBLING OF A FIREARM OR AN UNFINISHED FRAME OR RECEIVER.

(B) A PERSON MAY NOT KNOWINGLY CONSPIRE, FACILITATE, AID, OR ABET THE MANUFACTURING OR ASSEMBLING OF A FIREARM OR AN UNFINISHED FRAME OR RECEIVER FOR A PERSON WHO IS PROHIBITED BY LAW FROM MANUFACTURING, ASSEMBLING, OWNING, OR POSSESSING A FIREARM.

(C) (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(2) EACH VIOLATION OF THIS SECTION IS A SEPARATE CRIME.

5-706.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “COVERT FIREARM” MEANS A FIREARM THAT IS CONSTRUCTED IN A SHAPE OR CONFIGURATION THAT A REASONABLE PERSON WOULD NOT IMMEDIATELY RECOGNIZE TO BE A FIREARM.

(3) “SECURITY EXEMPLAR” HAS THE MEANING STATED IN 18 U.S.C. 10 § 922(P).

(4) “UNDETECTABLE FIREARM” MEANS A FIREARM:

(I) THAT, AFTER REMOVAL OF GRIPS, STOCKS, AND MAGAZINES, IS NOT DETECTABLE BY A METAL DETECTOR CALIBRATED AND OPERATED TO DETECT A SECURITY EXEMPLAR; OR

(II) OF WHICH THE SLIDE, CYLINDER, FRAME, RECEIVER, OR BARREL, WHEN SUBJECTED TO INSPECTION BY AN X-RAY MACHINE THAT IS OF A TYPE COMMONLY USED AT AIRPORTS, DOES NOT GENERATE AN IMAGE THAT ACCURATELY DEPICTS THE SHAPE OF THE SLIDE, CYLINDER, FRAME, RECEIVER, OR BARREL.

(B) A PERSON MAY NOT:

(1) MANUFACTURE OR ASSEMBLE A COVERT FIREARM OR AN UNDETECTABLE FIREARM; OR

(2) POSSESS, SELL, OFFER TO SELL, TRANSFER, PURCHASE, OR RECEIVE A COVERT FIREARM OR AN UNDETECTABLE FIREARM.

5-707.

EXCEPT AS PROVIDED IN § 5-705 OF THIS SUBTITLE, A PERSON WHO VIOLATES THIS SUBTITLE:

(1) FOR A FIRST VIOLATION, IS GUILTY OF A CIVIL OFFENSE AND ON CONVICTION SHALL BE FINED NOT LESS THAN \$1,000 BUT NOT EXCEEDING \$2,500; AND

**(2) FOR A SUBSEQUENT VIOLATION, IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.**

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

**Article – Public Safety**

5–117.1.

**(A) IN THIS SECTION, “UNFINISHED FRAME OR RECEIVER” HAS THE MEANING STATED IN § 5–701 OF THIS TITLE.**

**[(a)] (B) This section does not apply to:**

(1) a licensed firearms manufacturer;

(2) a law enforcement officer or person who is retired in good standing from service with a law enforcement agency of the United States, the State, or a local law enforcement agency of the State;

(3) a member or retired member of the armed forces of the United States or the National Guard; or

(4) a person purchasing, renting, or receiving an antique, curio, or relic firearm, as defined in federal law or in determinations published by the Bureau of Alcohol, Tobacco, Firearms and Explosives.

**[(b)] (C) A dealer or any other person may not sell, rent, or transfer a handgun OR AN UNFINISHED FRAME OR RECEIVER to a purchaser, lessee, or transferee unless the purchaser, lessee, or transferee presents to the dealer or other person a valid handgun qualification license issued to the purchaser, lessee, or transferee by the Secretary under this section.**

**[(c)] (D) A person may purchase, rent, or receive a handgun OR AN UNFINISHED FRAME OR RECEIVER only if the person:**

(1) (i) possesses a valid handgun qualification license issued to the person by the Secretary in accordance with this section;

(ii) possesses valid credentials from a law enforcement agency or retirement credentials from a law enforcement agency;

(iii) is an active or retired member of the armed forces of the United States or the National Guard and possesses a valid military identification card; or

(iv) is purchasing, renting, or receiving an antique, curio, or relic firearm, as defined in federal law or in determinations published by the Bureau of Alcohol, Tobacco, Firearms and Explosives; and

(2) is not otherwise prohibited from purchasing or possessing a handgun under State or federal law.

~~[(d)]~~ (E) Subject to subsections ~~[(f)]~~ (G) and ~~[(g)]~~ (H) of this section, the Secretary shall issue a handgun qualification license to a person who the Secretary finds:

(1) is at least 21 years old;

(2) is a resident of the State;

(3) except as provided in subsection ~~[(e)]~~ (F) of this section, has demonstrated satisfactory completion, within 3 years prior to the submission of the application, of a firearms safety training course approved by the Secretary that includes:

(i) a minimum of 4 hours of instruction by a qualified handgun instructor;

(ii) classroom instruction on:

1. State firearm law;

2. home firearm safety; and

3. handgun mechanisms and operation; and

(iii) a firearms orientation component that demonstrates the person’s safe operation and handling of a firearm; and

(4) based on an investigation, is not prohibited by federal or State law from purchasing or possessing a handgun.

[(e)] (F) An applicant for a handgun qualification license is not required to complete a firearms safety training course under subsection [(d)] (E) of this section if the applicant:

(1) has completed a certified firearms training course approved by the Secretary;

(2) has completed a course of instruction in competency and safety in the handling of firearms prescribed by the Department of Natural Resources under § 10–301.1 of the Natural Resources Article;

(3) is a qualified handgun instructor;

(4) is an honorably discharged member of the armed forces of the United States or the National Guard;

(5) is an employee of an armored car company and has a permit issued under Title 5, Subtitle 3 of this article; or

(6) lawfully owns a regulated firearm.

[(f)] (G) (1) In this subsection, “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(2) The Secretary shall apply to the Central Repository for a State and national criminal history records check for each applicant for a handgun qualification license.

(3) As part of the application for a criminal history records check, the Secretary shall submit to the Central Repository:



(i) a complete set of the applicant's legible fingerprints taken in a format approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(ii) the fee authorized under § 10-221(b)(7) of the Criminal Procedure Article for access to Maryland criminal history records; and

(iii) the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(4) The Central Repository shall provide a receipt to the applicant for the fees paid in accordance with paragraph (3)(ii) and (iii) of this subsection.

(5) In accordance with §§ 10-201 through 10-234 of the Criminal Procedure Article, the Central Repository shall forward to the applicant and the Secretary a printed statement of the applicant's criminal history information.

(6) Information obtained from the Central Repository under this section:

(i) is confidential and may not be disseminated; and

(ii) shall be used only for the licensing purpose authorized by this section.

(7) If criminal history record information is reported to the Central Repository after the date of the initial criminal history records check, the Central Repository shall provide to the Department of State Police Licensing Division a revised printed statement of the applicant's or licensee's State criminal history record.

[(g)] (H) An applicant for a handgun qualification license shall submit to the Secretary:

(1) an application in the manner and format designated by the Secretary;

(2) a nonrefundable application fee to cover the costs to administer the program of up to \$50;

(3) (i) proof of satisfactory completion of:

1. a firearms safety training course approved by the Secretary; or

2. a course of instruction in competency and safety in the handling of firearms prescribed by the Department of Natural Resources under § 10–301.1 of the Natural Resources Article; or

(ii) a valid firearms instructor certification;

(4) any other identifying information or documentation required by the Secretary; and

(5) a statement made by the applicant under the penalty of perjury that the applicant is not prohibited under federal or State law from possessing a handgun.

[(h)] (I) (1) Within 30 days after receiving a properly completed application, the Secretary shall issue to the applicant:

(i) a handgun qualification license if the applicant is approved; or

(ii) a written denial of the application that contains:

1. the reason the application was denied; and

2. a statement of the applicant’s appeal rights under subsection [(l)] (M) of this section.

(2) (i) An individual whose fingerprints have been submitted to the Central Repository, and whose application has been denied, may request that the record of the fingerprints be expunged by obliteration.

(ii) Proceedings to expunge a record under this paragraph shall be conducted in accordance with § 10–105 of the Criminal Procedure Article.

(iii) On receipt of an order to expunge a fingerprint record, the Central Repository shall expunge by obliteration the fingerprints submitted as part of the application process.

(iv) An individual may not be charged a fee for the expungement of a fingerprint record in accordance with this paragraph.

[(i)] (J) A handgun qualification license issued under this section expires 10 years from the date of issuance.

[(j)] (K) (1) The handgun qualification license may be renewed for successive periods of 10 years each if, at the time of an application for renewal, the applicant:

(i) possesses the qualifications for the issuance of the handgun qualification license; and

(ii) submits a nonrefundable application fee to cover the costs to administer the program up to \$20.

(2) An applicant renewing a handgun qualification license under this subsection is not required to:

(i) complete the firearms safety training course required in subsection [(d)(3)] (E)(3) of this section; or

(ii) submit to a State and national criminal history records check as required in subsection [(f)] (G) of this section.

[(k)] (L) (1) The Secretary may revoke a handgun qualification license issued or renewed under this section on a finding that the licensee no longer satisfies the qualifications set forth in subsection [(d)] (E) of this section.

(2) A person holding a handgun qualification license that has been revoked by the Secretary shall return the license to the Secretary within 5 days after receipt of the notice of revocation.

[(l)] (M) (1) A person whose original or renewal application for a handgun qualification license is denied or whose handgun qualification license is revoked, may submit a written request to the Secretary for a hearing within 30 days after the date the written notice of the denial or revocation was sent to the aggrieved person.

(2) A hearing under this section shall be granted by the Secretary within 15 days after the request.

(3) A hearing and any subsequent proceedings of judicial review under this section shall be conducted in accordance with Title 10, Subtitle 2 of the State Government Article.

(4) A hearing under this section shall be held in the county of the legal residence of the aggrieved person.

~~[(m)]~~ (N) (1) If an original or renewal handgun qualification license is lost or stolen, a person may submit a written request to the Secretary for a replacement license.

(2) Unless the applicant is otherwise disqualified, the Secretary shall issue a replacement handgun qualification license on receipt of a written request and a nonrefundable fee to cover the cost of replacement up to \$20.

~~[(n)]~~ (O) The Secretary may adopt regulations to carry out the provisions of this section.”.

#### AMENDMENT NO. 3

On page 1, in line 14, strike “7.” and substitute “8.”; and in line 15, strike “5-701.” and substitute “5-801.”.

On page 2, after line 1, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2022.”;

in line 2, 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 Clippinger moved to make the Bill a Special Order for Friday.

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 1195)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 103**

**House Bill 582 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Sales and Use Tax Exemption – Federal Facilities  
Redevelopment Areas**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 5    (See Roll Call No. 1196)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 104**

**House Bill 132 – Delegate Bagnall**

AN ACT concerning

**Health – Mental and Emotional Disorders – Consent  
(Mental Health Access Initiative)**

Delegate Lierman moved the previous question.

The motion was adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 92    Negative – 44    (See Roll Call No. 1197)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 49**

**Senate Bill 41 – Senator Augustine**

AN ACT concerning

**Health – Mental and Emotional Disorders – Consent  
(Mental Health Access Initiative)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 92    Negative – 43    (See Roll Call No. 1198)

The Bill was then returned to the Senate.

**Senate Bill 111 – Senator Kramer**

AN ACT concerning

**Health Care Facilities – Dialysis Treatment Services – Training  
(David Selby Dialysis Parity Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 1199)

The Bill was then returned to the Senate.

**Senate Bill 514 – Senators Feldman, Augustine, Carter, Hettleman, Kelley, Lee,  
~~and Pinsky~~ Pinsky, Benson, Hayes, Hershey, and Jennings**

AN ACT concerning

**Health Facilities – Hospitals – Medical Debt Protection**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1200)

The Bill was then returned to the Senate.

**Senate Bill 717 – Senator Zucker**

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 – 97    Negative – 41    (See Roll Call No. 1201)

The Bill was then returned to the Senate.

**Senate Bill 744 – Senator Eckardt**

AN ACT concerning

**State Board of Nursing – Certified Nursing Assistant Advisory Committee –  
Membership and Meetings**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 1202)

The Bill was then returned to the Senate.

**Senate Bill 815 – Senator Klausmeier**

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 – 139    Negative – 0    (See Roll Call No. 1203)

The Bill was then returned to the Senate.

**Senate Bill 923 – Senator Washington**

AN ACT concerning

**Maryland Medical Assistance Program – Eligibility ~~and Disenrollment~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 1    (See Roll Call No. 1204)

The Bill was then returned to the Senate.

**SPECIAL ORDER CALENDAR NO. 84**

**Senate Bill 22 – Senator Young**

AN ACT concerning

**On-Site Sewage Disposal Systems – Inspection – Licensing**

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

**SB0022/603226/1**

BY: Delegate Arikan

AMENDMENTS TO SENATE BILL 22

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 9 down through “fund;” in line 10 and substitute “establishing a certain penalty for a violation of this Act;”.

AMENDMENT NO. 2

On page 3, in line 7, strike “\$10,000” and substitute “\$500 FOR EACH VIOLATION”; and strike in their entirety lines 12 through 15, inclusive.

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

Affirmative – 47    Negative – 89    (See Roll Call No. 1205)

Read the third time and passed by yeas and nays as follows:

Affirmative – 111    Negative – 27    (See Roll Call No. 1206)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 13  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 118 – Delegates Stein and Malone**

AN ACT concerning

**Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties**

Delegate Barve moved that the House concur in the Senate amendments.



**HB0118/638371/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 118  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “a” insert “certain”.

AMENDMENT NO. 2

On page 2, in line 11, strike “IS:” and substitute “IS LAWFULLY:”; and in line 16, after “IS” insert “LAWFULLY”.

The preceding 2 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 – 138    Negative – 0    (See Roll Call No. 1207)

**AMENDED IN THE SENATE**

**House Bill 407 – Delegate Stein**

AN ACT concerning

**On-Site Sewage Disposal Systems – Inspection – Licensing**

Delegate Barve moved that the House concur in the Senate amendments.

**HB0407/463027/1**

BY: Senator Hough

AMENDMENT TO HOUSE BILL 407  
(Third Reading File Bill)

On page 3, in line 9, after “INDIVIDUAL” insert “KNOWINGLY”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 112    Negative – 26    (See Roll Call No. 1208)

**CONCURRENCE CALENDAR NO. 16  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 768 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Community Choice Energy – Pilot Program**

**MC 17–21**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB0768/197777/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 768

(Third Reading File Bill)

AMENDMENT NO. 1

On page 4, strike beginning with “INCLUDING” in line 5 down through “RESIDENCES” in line 6 and substitute “WHICH INCLUDE MASTER–METERED MULTIPLE OCCUPANCY RESIDENCES”.

On page 7, in line 3, after “KILOWATTS” insert “AND INCLUDES MASTER–METERED MULTIPLE OCCUPANCY RESIDENCES THAT HAVE A PEAK ELECTRIC LOAD OF NOT MORE THAN 25 KILOWATTS”.

AMENDMENT NO. 2

On page 7, in line 7, strike “APRIL 1” and substitute “DECEMBER 31”.

On page 16, in line 31, strike "JULY 1, 2023" and substitute "APRIL 1, 2024".

On page 17, in line 2, strike "JUNE 30, 2030" and substitute "APRIL 1, 2031"; in line 3, strike "JUNE 30" and substitute "APRIL 1"; and in line 26, strike "APRIL 1" and substitute "DECEMBER 31".

AMENDMENT NO. 3

On page 19, after line 11, insert:

**“(w) THE MONTGOMERY COUNTY GOVERNMENT SHALL:**

**(1) BE SOLELY RESPONSIBLE FOR THE COSTS ASSOCIATED WITH ANY STRANDED COSTS FOR:**

**(i) CONTRACTS ENTERED INTO BY THE COMMUNITY CHOICE AGGREGATOR FOR ELECTRIC SUPPLY; OR**

**(ii) GENERATION OWNED BY A COMMUNITY CHOICE AGGREGATOR; AND**

**(2) PAY FOR ANY COSTS THE MONTGOMERY COUNTY GOVERNMENT IS RESPONSIBLE FOR UNDER ITEM (1) OF THIS SUBSECTION.”.**

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 – 97    Negative – 40    (See Roll Call No. 1209)

**AMENDED IN THE SENATE**

**House Bill 1136 – Delegate Chisholm**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages Licenses – Annual Fees**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB1136/204832/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1136

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 8, after “circumstances” insert “and reimburse a certain amount of the annual license fees the next fiscal year under certain circumstances; making this Act an emergency measure”.

AMENDMENT NO. 2

On page 1, in line 20, after “fee” insert “for any Class B, Class C, Class D, and Class H license”; and in line 21, after “holder” insert “:

(i)”.

On pages 1 through 2, strike beginning with “for” in line 21 on page 1 down through “license” in line 1 on page 2.

On page 2, in line 2, after “Comptroller” insert “; and

(ii) for the following fiscal year:

1. the remaining balance of the annual license fee that was not reimbursed during the previous fiscal year; or

2. a percentage of the annual license fee, in proportion to the total amount of the balance of fees remitted to the county”;

and in lines 3 and 4, strike “shall take effect July 1, 2021” and substitute “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 2 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 – 137    Negative – 0    (See Roll Call No. 1210)

**AMENDED IN THE SENATE**

**House Bill 110 – Delegate Korman**

AN ACT concerning

**Electric Vehicle Recharging Equipment for Multifamily Units Act**

Delegate Barve moved that the House concur in the Senate amendments.

**HB0110/118975/1**

BY:    Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 110

(Third Reading File Bill)

On page 3 in line 20, and on page 6 in line 5, in each instance, strike “OR” and substitute “AND”.

On page 3 in line 21, and on page 6 in line 6, in each instance, strike “NOT IMPOSSIBLE” and substitute “REASONABLY POSSIBLE”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 114    Negative – 25    (See Roll Call No. 1211)

**AMENDED IN THE SENATE**

**House Bill 391 – Delegates Hartman, Boyce, Arentz, Feldmark, Kerr, Lisanti, and Love**

AN ACT concerning

**Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere**

Delegate Barve moved that the House concur in the Senate amendments.

**HB0391/194539/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 391

(Third Reading File Bill)

On page 3, in line 5, strike “\$250” and substitute “\$100”.

The preceding amendment was read and concurred in.

**HB0391/903328/1**

BY: Senator Lam

AMENDMENTS TO HOUSE BILL 391

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “, or organizing the release of,”; in line 6, after “atmosphere;” insert “prohibiting a person from organizing or participating in a mass balloon release;”; in line 10, strike the first “a”; in the same line, strike “penalty” and substitute “penalties”; and after line 10, insert “requiring the Department to select, procure, or develop a certain video;”.

AMENDMENT NO. 2

On page 2, in line 7, after “(3)” insert ““MASS BALLOON RELEASE” MEANS AN EVENT WHERE A PERSON OR PERSONS KNOWINGLY AND INTENTIONALLY RELEASE OR CAUSE TO BE RELEASED 10 OR MORE BALLOONS INTO THE ATMOSPHERE.

(4)”;

and in line 10, strike “(4)” and substitute “(5)”.

On page 3, in line 1, after “(C)” insert “(1)”; in line 2, strike “, OR ORGANIZE THE RELEASE OF,”; after line 3, insert:

“(2) A PERSON MAY NOT ORGANIZE OR PARTICIPATE IN A MASS BALLOON RELEASE.”;

in line 4, after “(1)” insert “A PERSON WHO VIOLATES SUBSECTION (C)(1) OF THIS SECTION SHALL PERFORM 6 HOURS OF COMMUNITY SERVICE OR WATCH AN EDUCATIONAL VIDEO ON ENVIRONMENTAL DAMAGE CAUSED BY HUMAN POLLUTION OR BOTH.

(2)”;

in the same line, after “(C)” insert “(2)”; and after line 15, insert:

“(4) THE DEPARTMENT SHALL SELECT, PROCURE, OR DEVELOP AN EDUCATIONAL VIDEO THAT DOES NOT EXCEED 1 HOUR IN DURATION ON ENVIRONMENTAL DAMAGE CAUSED BY HUMAN POLLUTION THAT A PERSON WHO VIOLATES SUBSECTION (C)(1) OF THIS SECTION MAY VIEW IN ACCORDANCE WITH SUBSECTION (D)(1) OF THIS SECTION.”.

The preceding 2 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 – 103    Negative – 35    (See Roll Call No. 1212)

### AMENDED IN THE SENATE

#### 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

Delegate Barve moved that the House concur in the Senate amendments.

**HB1010/779039/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1010  
(Third Reading File Bill)

AMENDMENT NO. 1On page 1, in line 10, strike “constructed” and substitute “acquired, constructed”.AMENDMENT NO. 2On page 2, in line 15, strike “CONSTRUCTED” and substitute “ACQUIRED, CONSTRUCTED”.The preceding 2 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 – 138    Negative – 1    (See Roll Call No. 1213)

**AMENDED IN THE SENATE**

**House Bill 1048 – Delegate Wilkins**

AN ACT concerning

**Election Law – Permanent Absentee Ballot List**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB1048/174735/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1048  
(Third Reading File Bill)

AMENDMENT NO. 1On page 1, in line 2, before “**Permanent**” insert “Voting –”; in the same line, after “**List**” insert “, Ballot Drop Boxes, and Reports”; in line 3, after “of” insert “requiring a”



local board of elections to designate the locations of ballot drop boxes in accordance with certain factors; 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; 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 a local board to ensure the security of ballot drop boxes; requiring that a local board have certain access to certain security cameras; requiring a local board to remove the ballots from each ballot drop box at least once each day that the ballot drop box is open in accordance with certain procedures, except as otherwise provided by law; 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; requiring that a certain absentee ballot application include a certain statement; requiring that certain envelopes include a certain statement in a certain manner;”; and in line 4, strike “of Elections”.

On page 2, in line 5, after “address;” insert “prohibiting a person from canvassing, electioneering, or posting campaign material in a certain manner or placing certain material on a ballot drop box; requiring each local board to send a certain absentee ballot application to each eligible voter within a certain period of time in certain years except under certain circumstances; 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 certain reports to certain committees of the General Assembly on or before certain dates; defining a certain term;”; after line 6, insert:

“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, 2–305, 9–305(c), and 9–311.1

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”;

in line 9, after “9–303” insert “, 9–305(c), 9–310(a), and 16–206”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“1–101.

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

(D–1) “BALLOT DROP BOX” MEANS A SECURE, DURABLE, AND WEATHERPROOF CONTAINER THAT IS OFFICIALLY DESIGNATED BY A LOCAL BOARD OR THE STATE BOARD EXCLUSIVELY FOR VOTERS TO DEPOSIT ELECTION–RELATED MATERIALS IN PERSON, INCLUDING:

- (1) ABSENTEE BALLOTS;
- (2) ABSENTEE BALLOT APPLICATIONS; AND
- (3) VOTER REGISTRATION APPLICATIONS.

2–304.

(A) A LOCAL BOARD SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING THE LOCATION OF A BALLOT DROP BOX:

(1) THE ACCESSIBILITY OF THE BALLOT DROP BOX TO HISTORICALLY DISENFRANCHISED COMMUNITIES, INCLUDING VOTERS WITH DISABILITIES, CULTURAL GROUPS, ETHNIC GROUPS, AND MINORITY GROUPS;

(2) PROXIMITY OF THE BALLOT DROP BOX TO DENSE CONCENTRATIONS OF VOTERS;

(3) ACCESSIBILITY OF THE BALLOT DROP BOX BY PUBLIC TRANSPORTATION;

(4) EQUITABLE DISTRIBUTION OF BALLOT DROP BOXES THROUGHOUT THE COUNTY; AND

(5) MAXIMIZING VOTER PARTICIPATION, INCLUDING THROUGH PLACEMENT OF BALLOT DROP BOXES AT COMMUNITY CENTERS AND PUBLIC GATHERING PLACES.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A LOCAL BOARD SHALL DESIGNATE LOCATIONS IN THE COUNTY AT WHICH A BALLOT DROP BOX WILL BE PLACED IN ACCORDANCE WITH THE FACTORS SET FORTH IN SUBSECTION (A) OF THIS SECTION.

(C) (1) EACH LOCAL BOARD SHALL SUBMIT THE PROPOSED LOCATIONS IN THE COUNTY FOR EACH BALLOT DROP BOX TO THE STATE ADMINISTRATOR FOR APPROVAL.

(2) THE STATE ADMINISTRATOR SHALL APPROVE A BALLOT DROP BOX LOCATION THAT MEETS THE FACTORS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION.

(3) IF A PROPOSED BALLOT DROP BOX LOCATION DOES NOT MEET THE FACTORS, THE STATE ADMINISTRATOR SHALL:

(I) REQUIRE THAT THE LOCAL BOARD RECONSIDER THE PROPOSED LOCATION FOR ONE OR MORE BALLOT DROP BOXES; AND

(II) PROVIDE TO THE LOCAL BOARD A DETAILED EXPLANATION OF WHY THE PROPOSED LOCATION DOES NOT MEET THE FACTORS.

(4) IF THE STATE ADMINISTRATOR FINDS THAT THE PROPOSED BALLOT DROP BOX LOCATIONS SUBMITTED TO THE STATE ADMINISTRATOR AFTER RECONSIDERATION BY THE LOCAL BOARD UNDER PARAGRAPH (3) OF THIS SUBSECTION DO NOT MEET THE FACTORS, THE STATE ADMINISTRATOR MAY ADD BALLOT DROP BOX LOCATIONS IN THE COUNTY.

(A) (1) A LOCAL BOARD SHALL ENSURE THE SECURITY OF BALLOT DROP BOXES, INCLUDING THROUGH THE USE OF THE FOLLOWING:

(I) MONITORING BY SECURITY CAMERAS AT ALL TIMES; AND

(II) PERIODIC IN-PERSON VISITS BY APPROPRIATE PERSONNEL.

(2) A LOCAL BOARD SHALL HAVE IMMEDIATE ACCESS OR ACCESS WITHIN A REASONABLE AMOUNT OF TIME TO A SECURITY CAMERA USED FOR MONITORING A BALLOT DROP BOX UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.

(B) (1) EXCEPT AS OTHERWISE PROVIDED IN LAW, A LOCAL BOARD SHALL REMOVE THE ELECTION-RELATED MATERIALS FROM EACH BALLOT DROP BOX AT LEAST ONCE EACH DAY THAT THE BALLOT DROP BOX IS OPEN IN ACCORDANCE WITH THE CHAIN OF CUSTODY PROCEDURES ESTABLISHED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(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.”.

On page 3, after line 10, insert:

“9-305.

(C) THE STATE-APPROVED ABSENTEE BALLOT APPLICATION SHALL INCLUDE A STATEMENT EXPLAINING THE PROCESS FOR RETURNING A COMPLETED ABSENTEE BALLOT IF THE VOTER CHOOSES TO RECEIVE AN ABSENTEE BALLOT BY FACSIMILE TRANSMISSION OR THE INTERNET.

[(c)] (D) An application for an absentee ballot must be received by a local board:

(1) if the voter requests the absentee ballot be sent by mail or facsimile transmission, not later than the Tuesday preceding the election, at the time specified in the guidelines;

(2) if the voter requests the absentee ballot be sent by the Internet, not later than the Friday preceding the election, at the time specified in the guidelines; or

(3) if the voter or the voter's duly authorized agent applies for an absentee ballot in person at the local board office, not later than the closing of the polls on election day.

9-310.

(a) (1) This subsection applies only to an absentee ballot that is sent by mail.

(2) (I) An absentee ballot shall be enclosed in specially printed envelopes, the form and content of which shall be prescribed by the State Board.

(II) THE OUTGOING ENVELOPE SHALL INCLUDE A STATEMENT, PROMINENTLY PLACED, REQUESTING THAT THE RECIPIENT RETURN THE ABSENTEE BALLOT TO THE LOCAL BOARD IF THE INTENDED RECIPIENT NO LONGER LIVES AT THAT ADDRESS.

(3) (i) A local board may use either two envelopes or three envelopes.

(ii) If two envelopes are used, the inner envelope shall be designated the "ballot/return envelope", and, when issued, it shall fit inside the envelope designated the "outgoing envelope".

(iii) If three envelopes are used, the innermost envelope shall be designated the "ballot envelope", which shall fit inside the envelope designated the "return envelope", both of which, when issued, shall fit inside the envelope designated the "outgoing envelope".

(iv) The ballot/return envelope described under subparagraph (ii) of this paragraph and the return envelope described under subparagraph (iii) of this paragraph provided to a voter voting by absentee ballot shall include prepaid postage.

(4) (i) An absentee ballot shall be accompanied by instructions for postage of the ballot/return envelope or the return envelope.

(ii) The instructions for postage shall include:

1. a statement that the ballot/return envelope or return envelope includes prepaid postage and may be mailed as is; and

2. directions for how a voter may attach postage for the purpose of reducing the costs of the local board.

(5) When voted and returned to the local board, an absentee ballot shall be enclosed in a ballot envelope or ballot/return envelope, on which has been printed an oath prescribed by the State Board.”.

### AMENDMENT NO. 3

On page 3, after line 23, insert:

**“(C) (1) A VOTER MAY APPLY FOR PERMANENT ABSENTEE BALLOT STATUS AT ANY TIME.”;**

and in line 24, strike “(C)” and substitute “**(2)**”.

On page 5, after line 10, insert:

**“(4) IF THE COMMUNICATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS SENT BY MAIL, THE ENVELOPE SHALL INCLUDE A STATEMENT, PROMINENTLY PLACED, REQUESTING THAT THE RECIPIENT RETURN THE COMMUNICATION TO THE STATE BOARD IF THE INTENDED RECIPIENT NO LONGER LIVES AT THAT ADDRESS.”.**

On page 6, after line 8, insert:

“16–206.

(a) A person may not:

(1) place any distinguishing mark on the person’s own or another person’s ballot for the purpose of identifying the ballot;

(2) misrepresent the person’s ability to mark a ballot or operate voting equipment;

(3) interfere or attempt to interfere with a voter while the voter is inside the polling room, marking a ballot, or operating voting equipment;

(4) induce or attempt to induce a voter to mark the voter's ballot in a certain way;

(5) except for servicing by an authorized person, unlock any locked compartment of a voting device unless instructed to do so by the election director;

(6) destroy or deface a ballot;

(7) remove a ballot from a building in which voting occurs, except as otherwise provided in this article;

(8) delay the delivery of a ballot;

(9) possess on or before the day of election an official ballot printed for the election, unless the possession of the ballot is necessary and appropriate for carrying out the election process; [or]

(10) canvass, electioneer, or post any campaign material in the polling place or beyond a line established by signs posted in accordance with subsection (b) of this section;

**(11) CANVASS, ELECTIONEER, OR POST ANY CAMPAIGN MATERIAL IN A MANNER THAT OBSTRUCTS ACCESS TO A BALLOT DROP BOX; OR**

**(12) PLACE ANY CAMPAIGN MATERIAL OR ANY OTHER UNAUTHORIZED MATERIAL ON A BALLOT DROP BOX.**

(b) (1) At each polling place, one election judge from each principal political party shall be designated by the local board and, acting jointly, shall post signs delineating a line around the entrance and exit of the building that are closest to that part of the building in which voting occurs.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, the line shall be located as near as practicable to 100 feet from the entrance and exit and shall be established after consideration of the configuration of the entrance and the effect of placement on public safety and the flow of pedestrian and vehicular traffic.

(ii) In Montgomery County, on approval of the local board, the line may be located at any point between 25 feet and 100 feet from the entrance and exit.

(3) The signs shall contain the words “No Electioneering Beyond this Point”.

(c) A person who violates this section is guilty of a misdemeanor and is subject to a fine of not less than \$50 nor more than \$500 or imprisonment for not more than 60 days or both.”.

#### AMENDMENT NO. 4

On page 6, before line 9, insert:

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

(a) Except as provided in subsection (b) of this section, at least 60 days before the statewide primary election in 2022 and 2024, each local board of elections shall send the State Board–approved absentee ballot application to each eligible voter.

(b) A local board is not required to send the State Board–approved absentee ballot application to a voter who has permanent absentee ballot status.

SECTION 3. 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.

(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.

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before January 15, 2023, the State Board of Elections shall submit 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, a report on the number of voters who voted in each precinct polling place in the State in the primary election and the general election in the years 2018, 2020, and 2022.”;

in line 9, strike “2.” and substitute “5.”; and in line 10, strike “October” and substitute “June”.

The preceding 4 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 – 97    Negative – 42    (See Roll Call No. 1214)

**CONCURRENCE CALENDAR NO. 17  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN 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)**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0114/149430/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 114

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Maryland**” insert “Transportation–”; and in the same line, strike “– **Funding**” and substitute “Funding and MARC Rail Extension Study”.

On page 2, in line 5, after “Assembly,” insert “requiring the Department of Transportation to conduct a study on extending Maryland Area Regional Commuter (MARC) rail service to western Maryland; requiring the Department of Transportation to study and make recommendations regarding certain matters; requiring the Administration to incorporate certain recommendations into the Statewide Transit Plan; requiring the Department of Transportation to complete the study notwithstanding any alteration or postponement of the Statewide Transit Plan; requiring the Department of Transportation to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; and in line 7, after “Administration” insert “, the Statewide Transit Plan, and a study on extending MARC rail service to western Maryland”.

AMENDMENT NO. 2

On page 4, in lines 21 and 22, strike “MARYLAND TRANSIT ADMINISTRATION” and substitute “DEPARTMENT OF COMMERCE”.

AMENDMENT NO. 3

On page 9, after line 37, insert:

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

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

(2) “Department” means the Department of Transportation.

(3) “Statewide Transit Plan” means a framework developed by the Maryland Transit Administration that provides a 50–year vision of coordinated local, regional, and intercity transit across the State, including defined public transportation goals and strategies for rural, suburban, and urban regions.

(b) The Department shall conduct a study on the feasibility, including the cost, of extending MARC rail service to western Maryland.

(c) In conducting the study, the Department shall:

(1) Examine existing commuter rail facilities in the State and current transportation options in western Maryland;

(2) Explore up to three potential routes for expanding rail service to western Maryland;

(3) Identify the possibilities and challenges related to establishing and operating MARC rail service in western Maryland;

(4) Study the public transportation needs of Allegany County and Washington County in the vicinity of interstates 70 and 81;

(5) Confer with the following stakeholders:

(i) The Washington County Board of County Commissioners;

(ii) The City of Hagerstown;

(iii) Washington County residents;

(iv) Public transit advocates;

(v) Representatives of the local business community;

(vi) The Allegany County Board of County Commissioners;

- (vii) The City of Cumberland;
  - (viii) Allegany County residents; and
  - (ix) The Town of Hancock;
  - (6) Identify infrastructure needs;
  - (7) Perform a cost analysis of the capital and operating costs of extending MARC rail service to western Maryland;
  - (8) Identify all potential stops and estimate the potential ridership for each stop;
  - (9) Study and compare the potential ridership for rush-hour-only service and all-day service;
  - (10) Develop recommendations on the potential start and end points of a MARC extension; and
  - (11) Explore the potential effect that extending MARC rail service to western Maryland would have on CSX.
- (d) The Department shall develop recommendations on the feasibility of planning, financing, constructing, and operating a MARC line that extends commuter rail service to western Maryland.
- (e) On or before July 1, 2023, the Department shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.
- (f) (1) The Maryland Transit Administration shall incorporate the recommendations of the study into the Statewide Transit Plan.
- (2) Notwithstanding any alteration or postponement of the Statewide Transit Plan, the Department shall conduct the study in accordance with this section.”.

On page 10, in line 1, strike “3.” and substitute “4.”.

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 – 104    Negative – 35    (See Roll Call No. 1215)

**AMENDED IN THE SENATE**

**House Bill 258 – Delegate Guyton**

AN ACT concerning

**State Child Welfare System – Reporting**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0258/958174/1**

BY:    Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 258

(Third Reading File Bill)

On page 2, in line 11, strike “and foster youth”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139    Negative – 0    (See Roll Call No. 1216)

**AMENDED IN THE SENATE**

**House Bill 878 – Delegate Chang**

AN ACT concerning

**Bay Restoration Fund – Authorized Uses and County Authority to Incur  
Indebtedness**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0878/534235/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 878  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Authorized Uses and**”; strike beginning with “authorizing” in line 4 down through “system” in line 7; in line 9, after “from” insert “a certain account of”; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 7 through 24, inclusive; in line 30, after “**THE**” insert “SEPARATE ACCOUNT OF THE”; and in the same line, after “**FUND**” insert “ESTABLISHED UNDER § 9-1605.2(H) OF THE ENVIRONMENT ARTICLE”.

On page 3, in line 2, strike “**OR**”; after line 2, insert:

**“(2) MAKE GRANTS AND LOANS TO COVER ENGINEERING COSTS AND NON-BEST-AVAILABLE-TECHNOLOGY COMPONENTS, INCLUDING DRAINFIELDS, NEEDED FOR THE REPAIR OF EXISTING ON-SITE SEWAGE DISPOSAL SYSTEMS OR THE INSTALLATION ON NEW ON-SITE SEWAGE DISPOSAL SYSTEMS THAT USE THE BEST AVAILABLE TECHNOLOGY FOR NITROGEN REMOVAL; OR”;**

in line 3, strike “**(2)**” and substitute “**(3)**”; in lines 6, 12, and 17, in each instance, after “**FROM**” insert “THE SPECIAL ACCOUNT OF”; and in line 7, after “**FUND**” insert “ESTABLISHED UNDER § 9-1605.2(H) OF THE ENVIRONMENT ARTICLE”.

The preceding 2 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 – 126    Negative – 13    (See Roll Call No. 1217)

**AMENDED IN THE SENATE**

**House Bill 1173 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Public Facilities Bond**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB1173/329839/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1173

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “\$20,000,000” and substitute “\$26,453,345”.

AMENDMENT NO. 2

On page 2, in line 12, strike “\$20,000,000” and substitute “\$26,453,345”.

The preceding 2 amendments were read and concurred in.

Delegate Smith moved to make the Bill a Special Order for Friday.

The motion was adopted.

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB0007  
SPONSOR: Delegate Luedtke  
SUBJECT: Venison Donation Expenses – Income Tax Credit and Grant Program

The Senate recedes from its position on HB0007.

Said Bill is returned herewith.

By Order,

Nicole Xander

Secretary

Read and ordered journalized.

**YEAS AND NAYS NO. 9  
HOUSE BILLS PASSED IN THE SENATE**

NUMBER	SPONSOR	CONTENT
HB 28	Del. Pena–Melnyk	Public Health – Implicit Bias Training and the Office of Minority Health and Health Disparities
HB 76	Del. Love	Water Pollution Control – Intervention in Civil Actions – Rights and Authority
HB 98	Del. Washington	Maryland Higher Education Outreach and College Access Pilot Program – Alterations (Maryland College Access Act)
HB 135 (Emerg)	Del. K. Young	Pharmacists – Admin of Self–Administered Medications and Maintenance Injectable Medications (Christopher King Access to Treatment Act)
HB 457	Del. Dumais	Insurance – Application of Premium Tax – Continued Exclusion of Maryland Automobile Insurance Fund
HB 565	Del. Charkoudian	Health Facilities – Hospitals – Medical Debt Protection
HB 601	Del. Kipke	Pharmacy Benefits Managers – Revisions
HB 718	Del. Guyton	State Coordinator for Autism Strategy and Advisory Stakeholder Group on Autism–Related Needs – Location and Funding
HB 872	Del. Charles	Sheila E. Hixson Behavioral Health Services Matching Grant Program for Service Members and Veterans – Establishment
HB 933	Del. Bartlett	Anne Arundel County – Transfer Tax – Housing Trust Special Revenue Fund



NUMBER	SPONSOR	CONTENT
HB 1004	Del. Crosby	Financial Institutions – Commissioner of Financial Regulation – Credit Union Power
HB 1154	Del. Jackson	Labor and Employment – Economic Stabilization Act – Alterations
HB 1213	Del. Queen	Financial Institutions – Determination of Creditworthiness – Evaluation Rules and Alternative Methods
HB 1280	Del. Pena–Melnyk	Health – Maryland Behavioral Health and Public Safety Center of Excellence – Establishment
HB 1342	Chair, Ways and Means Committee	Economic Development – Partnership for Workforce Quality Program – Alterations

Read and ordered journalized.

### QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 1218)

### CALENDAR OF THIRD READING SENATE BILLS NO. 48

**Senate Bill 5 – Senators Griffith, Benson, Ellis, Kelley, Washington, ~~and West~~ West, Guzzone, Feldman, Augustine, Beidle, Corderman, Eckardt, Edwards, Elfreth, King, Hayes, Klausmeier, Kramer, McCray, Peters, Rosapepe, Salling, Young, and Zucker**

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 – 100    Negative – 37    (See Roll Call No. 1219)

The Bill was then returned to the Senate.

**Senate Bill 13 – Senator Eckardt**

AN ACT concerning

**Certified Nursing Assistants – Certificate Renewal – Training Program Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139    Negative – 0    (See Roll Call No. 1220)

The Bill was then returned to the Senate.

**Senate Bill 118 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Correctional Services – Warrant Apprehension Unit – Transfer**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139    Negative – 0    (See Roll Call No. 1221)

The Bill was then returned to the Senate.

**Senate Bill 146 – Chair, Budget and Taxation Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Department of Juvenile Services – Deputy Secretaries**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1222)

The Bill was then returned to the Senate.

**Senate Bill 267 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Services)**

AN ACT concerning

**Family Law – Investigation of Suspected Child Abuse and Neglect – Preliminary**

**Report to State’s Attorney**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 2    (See Roll Call No. 1223)

The Bill was then returned to the Senate.

**Senate Bill 342 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – General Services)**

AN ACT concerning

**Maryland Military Department – Sale of Superfluous Armories**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139    Negative – 0    (See Roll Call No. 1224)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 46**

**Senate Bill 78 – Senator Waldstreicher**

AN ACT concerning

~~Public Safety – Law Enforcement and Emergency Medical Services Providers  
Administration of Ketamine~~  
**Maryland Institute for Emergency Medical Services Systems – Administration  
of Ketamine – Data Collection**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1225)

The Bill was then returned to the Senate.

**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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 126    Negative – 12    (See Roll Call No. 1226)

The Bill was then returned to the Senate.

**Senate Bill 270 – Senators Waldstreicher and Augustine**

AN ACT concerning

**Crimes – Indecent Exposure – Definition**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139    Negative – 0    (See Roll Call No. 1227)

The Bill was then returned to the Senate.

**Senate Bill 641 – Senator Elfreth (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Fiduciary Insurance**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139    Negative – 0    (See Roll Call No. 1228)

The Bill was then returned to the Senate.

**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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1229)

The Bill was then returned to the Senate.

**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**~~

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1230)

The Bill was then returned to the Senate.

**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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139    Negative – 0    (See Roll Call No. 1231)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 44**

**Senate Bill 85 – Senator Rosapepe**

AN ACT concerning

**Creating Governor’s Office of Immigrant Affairs**

Read the third time and passed by yeas and nays as follows:

Affirmative – 100    Negative – 34    (See Roll Call No. 1232)

The Bill was then returned to the Senate.

**Senate Bill 294 – Senators Gallion, Hershey, and Peters**

AN ACT concerning

**Cecil County – Sales and Use Tax Exemption – Federal Facilities  
Redevelopment Areas**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133    Negative – 4    (See Roll Call No. 1233)

The Bill was then returned to the Senate.

**Senate Bill 413 – Senator Guzzone**

AN ACT concerning

**Maryland Legal Services Corporation Funding – Abandoned Property**

Read the third time and passed by yeas and nays as follows:

Affirmative – 100    Negative – 38    (See Roll Call No. 1234)

The Bill was then returned to the Senate.

**Senate Bill 477 – Senators McCray, Sydnor, Carter, Hayes, and Washington**

AN ACT concerning

**Enoch Pratt Free Library – Operating Hours and Funding**

Read the third time and passed by yeas and nays as follows:

Affirmative – 116    Negative – 22    (See Roll Call No. 1235)

The Bill was then returned to the Senate.

**Senate Bill 526 – Senators McCray, Lam, Sydnor, Hettleman, and Washington**

AN ACT concerning

**Legal Education Success Collaborative – Established**

Read the third time and passed by yeas and nays as follows:

Affirmative – 104    Negative – 32    (See Roll Call No. 1236)

The Bill was then returned to the Senate.

**Senate Bill 609 – ~~Senator Augustine~~ Senators Augustine and Hayes**

AN ACT concerning

**Economic Development – Maryland Industrial Development Financing  
Authority – Marketing Plan**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1237)

The Bill was then returned to the Senate.

**Senate Bill 720 – Senator Zucker**

AN ACT concerning

**Education – Maryland School for the Blind – Pay Plan**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135    Negative – 3    (See Roll Call No. 1238)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 45**

**Senate Bill 155 – ~~Senator Washington~~ Senators Washington and Ellis**

AN ACT concerning

**Higher Education – Tuition Exemption for Foster Care Recipients and  
Homeless Youth – Alterations and Reports**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1239)

The Bill was then returned to the Senate.

**Senate Bill 244 – Senator Lam**

AN ACT concerning

**Maryland Funding Accountability and Transparency Act – Nonbudgeted State  
Agencies**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1240)

The Bill was then returned to the Senate.

**Senate Bill 405 – Senator Augustine**

AN ACT concerning

**Higher Education – Student Identification Cards – Required Information**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1241)

The Bill was then returned to the Senate.

**Senate Bill 439 – Senators Ready and West**

AN ACT concerning

**Public Institutions of Higher Education – Student Athletes  
(Jordan McNair Safe and Fair Play Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 5 (See Roll Call No. 1242)

The Bill was then returned to the Senate.

**Senate Bill 516 – Senator Klausmeier**

AN ACT concerning

**State Board of Environmental Health Specialists – Fees – General Fund**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1243)

The Bill was then returned to the Senate.

**Senate Bill 882 – Senator Guzzone**

AN ACT concerning

**Operating Budget – Education Programs – Mandated Funding**



Read the third time and passed by yeas and nays as follows:

Affirmative – 113    Negative – 24    (See Roll Call No. 1244)

The Bill was then returned to the Senate.

**Senate Bill 913 – Senators McCray, Washington, and Lam**

AN ACT concerning

**Human Services – Supplemental Nutrition Assistance Program – Heat and Eat Program and Study on Maryland Energy Assistance Program Eligibility**

Read the third time and passed by yeas and nays as follows:

Affirmative – 111    Negative – 27    (See Roll Call No. 1245)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 51**

**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)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1246)

The Bill was then returned to the Senate.

**Senate Bill 509 – Senator Peters**

AN ACT concerning

**National Capital Strategic Economic Development Program – Eligibility**

Read the third time and passed by yeas and nays as follows:

Affirmative – 105    Negative – 32    (See Roll Call No. 1247)

The Bill was then returned to the Senate.

**Senate Bill 660 – Senator Guzzone**

AN ACT concerning

**State Lottery Fund – Maryland Humanities Council – Funding**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1248)

The Bill was then returned to the Senate.

**Senate Bill 699 – Senator McCray**

AN ACT concerning

**Baltimore Regional Neighborhood Initiative Program Fund**

Read the third time and passed by yeas and nays as follows:

Affirmative – 109    Negative – 29    (See Roll Call No. 1249)

The Bill was then returned to the Senate.

**Senate Bill 767 – Senator Washington**

AN ACT concerning

**Higher Education – Hunger-Free Campus Grant Program – Established**

Read the third time and passed by yeas and nays as follows:

Affirmative – 95    Negative – 41    (See Roll Call No. 1250)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 47**

**Senate Bill 86 – Chair, Finance Committee (By Request – Departmental – Labor)**

AN ACT concerning

**Correctional Education – Changes to Mandatory Education Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1251)

The Bill was then returned to the Senate.

**Senate Bill 109 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Secretary of State)**

AN ACT concerning

**Secretary of State – Address Confidentiality Programs – Merger of Programs  
and Expanded Participant Eligibility**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1252)

The Bill was then returned to the Senate.

**Senate Bill 335 – Senator Sydnor**

AN ACT concerning

**Courts – Nongovernmental Corporate Parties – Disclosure Statements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 40 (See Roll Call No. 1253)

The Bill was then returned to the Senate.

**Senate Bill 349 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Drinking Water Revolving Loan Fund – Use of Funds**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1254)

The Bill was then returned to the Senate.

**Senate Bill 453 – Senator Edwards**

AN ACT concerning

**Allegany County and Garrett County – Archery Hunting – Safety Zone**

Read the third time and passed by yeas and nays as follows:

Affirmative – 129    Negative – 9    (See Roll Call No. 1255)

The Bill was then returned to the Senate.

**Senate Bill 616 – Senator McCray**

AN ACT concerning

**Baltimore City – Soil Conservation District – Authority to Establish**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138    Negative – 0    (See Roll Call No. 1256)

The Bill was then returned to the Senate.

**WAYS AND MEANS COMMITTEE REPORT NO. 38**

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 424 – Delegate Feldmark**

AN ACT concerning

**Public Financing Act – Matching Fund Revisions  
(Maryland Fair Elections Act)**

**HB0424/125567/1**

BY:    Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 424

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “requiring” in line 8 down through “offense;” in line 10; and in line 14, after “law;” insert “requiring the State Board to consider certain factors in determining the amount of a certain civil penalty;”.

AMENDMENT NO. 2

On page 4, in line 12, strike “A REGISTERED VOTER” and substitute “AN INDIVIDUAL WHO IS A RESIDENT OF THE STATE”.

AMENDMENT NO. 3

On page 10, in line 6, strike “\$9” and substitute “\$8”; and in line 9, strike “\$5” and substitute “\$6”.

AMENDMENT NO. 4

On page 14, strike in their entirety lines 7 through 13, inclusive; and in line 14, strike “(C)” and substitute “(B)”.

On page 15, in lines 15, 18, and 29, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively; and in line 16, strike “(C)” and substitute “(B)”.

On page 16, in lines 1, 13, 16, and 18, strike “(G)”, “(H)”, “(I)”, and “(J)”, respectively, and substitute “(F)”, “(G)”, “(H)”, and “(I)”, respectively; and in line 15, strike “(C)” and substitute “(B)”.

On page 17, in lines 1, 6, 17, 25, and 29, strike “(K)”, “(L)”, “(M)”, “(N)”, and “(O)”, respectively, and substitute “(J)”, “(K)”, “(L)”, “(M)”, and “(N)”, respectively.

On page 18, in lines 16, 19, and 23, strike “(P)”, “(Q)”, and “(R)”, respectively, and substitute “(O)”, “(P)”, and “(Q)”, respectively.

On page 19, after line 13, insert:

**“(R) THE STATE BOARD SHALL CONSIDER THE FOLLOWING IN DETERMINING THE AMOUNT OF A PENALTY UNDER THIS SECTION:**

**(1) THE SEVERITY OF THE VIOLATION FOR WHICH THE PENALTY IS TO BE ASSESSED;**

**(2) THE GOOD FAITH OF THE VIOLATOR; AND**

**(3) ANY HISTORY OF PRIOR VIOLATIONS.”**

The preceding 4 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 987 – Delegate Qi**

AN ACT concerning

**Economic Development – Comprehensive Technical Assistance Program –  
Establishment**

**HB0987/375163/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 987

(First Reading File Bill)

On page 2, in line 7, strike “AND”; and in line 9, after “EXECUTIVES” insert “;AND”

**(IV) INCLUDE SUPPORT WITH ATTRACTING AND ACCESSING PRIVATE CAPITAL**”.

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 1324 – Delegate P. Young**

AN ACT concerning

**Tobacco Tax – Out-of-State Sales of Premium Cigars and Pipe Tobacco**

HB1324/355868/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1324

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Tax**” insert “**and Sales and Use Tax**”; in the same line, after the second “**Tobacco**” insert “**and Tobacco Smoking Devices**”; in line 3, after “of” insert “altering the definition of “other tobacco products” to exclude certain items;”; in line 25, after “penalties;” insert “altering the sales and use tax rate imposed on sales of certain tobacco-related items;”.

On page 2, strike line 4 in its entirety and substitute “taxation of tobacco and tobacco smoking devices.”; after line 4, insert:

“BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 16.5–101(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 16.5–101(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 37 of the Acts of the General Assembly of 2021)”;

after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–104(j) and 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)”;

and in line 13, strike “12–105(b),”.

AMENDMENT NO. 2

On page 2, after line 28, insert:

“16.5–101.

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

(i) (1) “Other tobacco products” means, except as provided in paragraph (3) of this subsection, a product that is:

(i) intended for human consumption or likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested in any other manner, and that is made of or derived from, or that contains:

1. tobacco; or

2. nicotine; or

(ii) a component or part used in a consumable product described under item (i) of this paragraph.

(2) “Other tobacco products” includes[:

(i)] cigars, premium cigars, pipe tobacco, chewing tobacco, snuff, and snus[: and

(ii) filters, rolling papers, pipes, and hookahs].

(3) “Other tobacco products” does not include:

(i) cigarettes;

(ii) electronic smoking devices; or

(iii) drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act.”.

On page 9, after line 17, insert:



“11-104.

(j) (1) (i) In this subsection, the following words have the meanings indicated.

(ii) “Electronic smoking device” has the meaning stated in § 16.7-101 of the Business Regulation Article.

(iii) “Vaping liquid” has the meaning stated in § 16.7-101 of the Business Regulation Article.

(2) Except as provided in paragraph (3) of this subsection, the sales and use tax rate [for electronic smoking devices] is 12% of the taxable price **FOR:**

**(I) ELECTRONIC SMOKING DEVICES;**

**(II) TOBACCO FILTERS;**

**(III) TOBACCO ROLLING PAPERS;**

**(IV) TOBACCO PIPES; AND**

**(V) TOBACCO HOOKAHS.**

(3) The sales and use tax for vaping liquid sold in a container that contains 5 milliliters or less of vaping liquid is 60% of the taxable price.”;

in lines 21 and 26, in each instance, strike the bracket; in line 23, strike “(1)” and substitute “**(I)**”; and in line 25, strike “(2)” and substitute “**(II)**”.

On page 10, strike in their entirety lines 18 through 30, inclusive, and substitute:

“(b) (1) Except as provided in paragraph (2) of this subsection, the tobacco tax rate for other tobacco products is 53% of the wholesale price of the tobacco products.

(2) (i) In this paragraph, “pipe tobacco” and “premium cigars” have the meanings stated in § 16.5-101 of the Business Regulation Article.

(ii) 1. Except as provided in subparagraph 2 of this subparagraph, the tobacco tax rate for cigars is 70% of the wholesale price of the cigars.

2. The tobacco tax rate for premium cigars is 15% of:

A. the wholesale price of the premium cigars; OR

B. FOR PREMIUM CIGARS SOLD BY AN OUT-OF-STATE SELLER, THE PRICE DETERMINED UNDER SUBSECTION (C) OF THIS SECTION.

(iii) The tobacco tax rate for pipe tobacco is 30% of:

1. the wholesale price of the pipe tobacco; OR

2. FOR PIPE TOBACCO SOLD BY AN OUT-OF-STATE SELLER, THE PRICE DETERMINED UNDER SUBSECTION (C) OF 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.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 310 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – State Board of Elections)**

AN ACT concerning

**Election Law – Campaign Finance Entities – Termination**

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:

**Senate Bill 415 – Senator Pinsky**

AN ACT concerning

**Public Financing Act – Matching Fund Revisions  
(Maryland Fair Elections Act)**

**SB0415/785664/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 415

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “requiring” in line 14 down through “offense;” in line 16; and in line 20, after “law;” insert “requiring the State Board to consider certain factors in determining the amount of a certain civil penalty;”.

AMENDMENT NO. 2

On page 4, in line 18, strike “A REGISTERED VOTER” and substitute “AN INDIVIDUAL WHO IS A RESIDENT OF THE STATE”.

AMENDMENT NO. 3

On page 14, strike in their entirety lines 10 through 16, inclusive; and in line 17, strike “(C)” and substitute “(B)”.

On page 15, in lines 17 and 20, strike “(D)” and “(E)”, respectively, and substitute “(C)” and “(D)”, respectively; and in line 18, strike “(C)” and substitute “(B)”.

On page 16, in lines 1, 4, 16, 19, and 21, strike “(F)”, “(G)”, “(H)”, “(I)”, and “(J)”, respectively, and substitute “(E)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively; and in line 18, strike “(C)” and substitute “(B)”.

On page 17, in lines 3, 8, 19, 27, and 31, strike “(K)”, “(L)”, “(M)”, “(N)”, and “(O)”, respectively, and substitute “(J)”, “(K)”, “(L)”, “(M)”, and “(N)”, respectively.

On page 18, in lines 17, 20, and 24, strike “(P)”, “(Q)”, and “(R)”, respectively, and substitute “(O)”, “(P)”, and “(Q)”, respectively.

On page 19, after line 14, insert:

**“(R) THE STATE BOARD SHALL CONSIDER THE FOLLOWING IN DETERMINING THE AMOUNT OF A PENALTY UNDER THIS SECTION:**

**(1) THE SEVERITY OF THE VIOLATION FOR WHICH THE PENALTY IS TO BE ASSESSED;**

**(2) THE GOOD FAITH OF THE VIOLATOR; AND**

**(3) ANY HISTORY OF PRIOR VIOLATIONS.”.**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Kipke 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:

**Senate Bill 459 – Senator Feldman**

AN ACT concerning

**Economic Development – ~~Maryland Small Business Innovation Research~~  
~~Technical Assistance Program – Alterations~~ Comprehensive Technical  
Assistance Program – Establishment**

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:

**Senate Bill 480 – Senator Zucker**

AN ACT concerning

**Income Tax Distribution – Tax Clinics for Low-Income Marylanders**

**SB0480/535660/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 480  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Income Tax Distribution** –”; in line 3, strike “that each fiscal year” and substitute “, for certain fiscal years,”; in the same line, after “Comptroller” insert “to”; in line 4, strike “income tax revenue from individuals” and substitute “certain abandoned property funds”; in line 7, strike “Secretary of Higher Education” and substitute “Comptroller”; in line 8, after “Fund;” insert “authorizing the Governor to include in the annual budget bill an appropriation to the Fund beginning in a certain fiscal year;”; in line 10, after “making” insert “stylistic changes and”; in line 11, after “term;” insert “providing for the termination of certain provisions of this Act;”; strike beginning with “the” in line 11 down through “from” in line 12 and substitute “tax clinics for low-income”; strike in their entirety lines 13 through 17, inclusive; and in line 20, strike “2-608.2” and substitute “1-206”.

On page 2, strike in their entirety lines 1 through 5, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 17-101(a) and (c)

Annotated Code of Maryland

(2013 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)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 8 and 9 and substitute:

“Article – Tax – General

1-206.”;

in line 17, strike “**SECRETARY**” and substitute “**COMPTROLLER**”; in line 23, strike “**REVENUE**” and substitute “**PROCEEDS**”; strike beginning with “**§**” in line 23 down through “**GENERAL**” in line 24 and substitute “**§ 17–317 OF THE COMMERCIAL LAW**”; in line 25, strike “**MONEY**” and substitute “**MONEY**”; and in line 27, strike “**ANY**” and substitute “**ANY**”.

On page 3, after line 11, insert:

**“(H) BEGINNING IN FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE FUND.”;**

and in lines 12, 16, and 18, strike “**(H)**”, “**(I)**”, and “**(J)**”, respectively, and substitute “**(I)**”, “**(J)**”, and “**(K)**”, respectively.

On pages 3 and 4, strike in their entirety the lines beginning with line 23 on page 3 through line 3 on page 4, inclusive, and substitute:

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

#### **Article – Commercial Law**

##### **17–101.**

- (a) **In this title the following words have the meanings indicated.**
- (c) **“Administrator” means the State Comptroller.**

##### **17–317.**

(a) (1) **(I) All funds received under this title, including the proceeds of the sale of abandoned property under § 17–316 of this subtitle, shall be credited by the Administrator to a special fund.**

(II) The Administrator shall retain in the special fund at the end of each fiscal year, from the proceeds received, an amount not to exceed \$50,000, from which sum the Administrator shall pay any claim allowed under this title.

(2) After deducting all costs incurred in administering this title from the remaining net funds the Administrator shall distribute \$2,000,000 to the Maryland Legal Services Corporation Fund established under § 11–402 of the Human Services Article.

(3) (i) Subject to subparagraph (ii) of this paragraph, the Administrator shall distribute all unclaimed money from judgments of restitution under Title 11, Subtitle 6 of the Criminal Procedure Article to the State Victims of Crime Fund established under § 11–916 of the Criminal Procedure Article to assist victims of crimes and delinquent acts to protect the victims' rights as provided by law.

(ii) If a victim entitled to restitution that has been treated as abandoned property under § 11–614 of the Criminal Procedure Article is located after the money has been distributed under this paragraph, the Administrator shall reduce the next distribution to the State Victims of Crime Fund by the amount recovered by the victim.

(4) FOR FISCAL YEARS 2022 AND 2023, AFTER MAKING THE DISTRIBUTIONS REQUIRED UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE ADMINISTRATOR SHALL DISTRIBUTE \$250,000 FROM THE REMAINING NET FUNDS TO THE TAX CLINICS FOR LOW-INCOME MARYLANDERS FUND ESTABLISHED UNDER § 1–206 OF THE TAX – GENERAL ARTICLE.

[(4) (5) After making the distributions required under paragraphs [(2) and (3)] (2), (3), AND (4) of this subsection, the Administrator shall distribute the remaining net funds not retained under paragraph (1) of this subsection to the General Fund of the State.

(b) (1) Before making the distribution, the Administrator shall record the name and last known address, if any, of the owners of funds so distributed and the type of property which the funds distributed represent.

(2) The record shall be available for public inspection during reasonable business hours by any person who claims a legal interest in any property held by the Administrator, provided that the person gives prior notice to the Administrator.”

On page 4, in line 4, strike “2.” and substitute “3.”; and in line 5, after “2021.” insert “Section 2 of this Act shall remain effective for a period of 2 years and 6 months and, at the end of December 31, 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 Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

### **Senate Bill 622 – Senator Edwards**

AN ACT concerning

#### **Income Tax – Subtraction Modification – Donations to Diaper Banks and Other Charitable Entities**

**SB0622/335063/1**

BY: Committee on Ways and Means

#### AMENDMENTS TO SENATE BILL 622

(Third Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 9, after “regulations;” insert “requiring the Comptroller to report to the General Assembly on or before a certain date;”; and in line 10, after “application” insert “and termination”.

##### AMENDMENT NO. 2

On page 4, after line 8, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2024, the Comptroller shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on whether donations to charitable entities of disposable diapers, other hygiene products for infants or children, or feminine personal hygiene products has increased following the effective date of this Act and, if so, whether the subtraction modification under § 10–208(y) of the Tax – General Article, as enacted under Section 1 of this Act, has contributed to that increase.”;



in line 9, strike “2.” and substitute “3.”; and in line 10, after “2020” insert “, but before January 1, 2024. It shall remain effective for a period of 3 years and, at the end of June 30, 2024, 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 Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**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**

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:

**Senate Bill 659 – Senator Guzzone**

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:

**Senate Bill 769 – Senators Hester and Bailey**

AN ACT concerning

**Income Tax Credit for Venison Donation – Alterations, Extension, and Testing**

## for Chronic Wasting Disease

SB0769/835761/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 769

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Alterations, Extension,**” and substitute “**Reporting Requirement**”; strike beginning with “altering” in line 4 down through “credit,” in line 7 and substitute “requiring certain venison donation programs to report certain information relating to the credit against the State income tax for donations of processed deer meat to the Comptroller on or before a certain date;”; and strike in their entirety lines 17 through 22, inclusive.

AMENDMENT NO. 2

On page 2, in lines 6 and 8, in each instance, strike “**OR ANTLERED**”; in lines 9 and 16, in each instance, strike the brackets; in line 9, strike “**\$75**”; in line 16, strike “**\$600**”; and after line 22, insert:

**“(E) ON OR BEFORE JANUARY 31 EACH YEAR, EACH VENISON DONATION PROGRAM THAT ACCEPTS A DONATION UNDER THIS SECTION SHALL REPORT TO THE COMPTROLLER ON THE FOLLOWING FOR THE IMMEDIATELY PRECEDING TAXABLE YEAR:**

**(1) THE NAME AND HOME ADDRESS OF EACH DONOR WHO INTENDED TO CLAIM THE INCOME TAX CREDIT UNDER THIS SECTION; AND**

**(2) THE NUMBER OF DEER DONATED BY EACH DONOR WHO INTENDED TO CLAIM THE INCOME TAX CREDIT UNDER THIS SECTION.”**

On pages 2 and 3, strike in their entirety the lines beginning with line 23 on page 2 through line 5 on page 3, inclusive.

On page 3, in lines 6, 11, and 13, strike “3.”, “4.”, and “5.”, respectively, and substitute “2.”, “3.”, and “4.”, 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 Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 787 – Senator Ferguson**

EMERGENCY BILL

AN ACT concerning

**Digital Advertising Gross Revenues Tax – ~~Exemption and Restriction~~ and Tobacco Tax – Alterations and Implementation**

**SB0787/255361/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 787

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Tax” and substitute “, **Income, Sales and Use,**”; in line 3, strike “Tax” and substitute “**Taxes**”; in line 8, after “manner;” insert “allowing, for a certain taxable year, a subtraction under the Maryland income tax for certain utility arrearages forgiven during that taxable year; altering certain terms governing the application of the sales and use tax to certain digital codes and certain digital products; requiring a certain marketplace facilitator, under certain circumstances, to collect the sales and use tax on certain sales of digital codes and digital products; exempting the sale or use of digital codes and digital products from the sales and use tax under certain circumstances; clarifying the application of certain provisions of law governing administration of the sales and use tax to certain sales of digital codes and digital products; altering the definition of “pass-through entity’s taxable income” for purposes of certain provisions of law concerning the State income tax imposed on certain pass-through entities;”; in line 14, after “applies;” insert “declaring the intent of the General Assembly;”; in line 15, after “terms;” insert “making conforming changes; making technical corrections; providing for the application of certain provisions of this Act;”; in line 17, after “revenues” insert “, the income tax, the sales and use tax,”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1302.1, 11–101(b), (c–1), (c–3) through (c–5), (c–6)(1), (e–1), (h), (i), (j), (l)(1)  
and (2), (n), and (o), 11–102(a), and 11–217(b)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 38 of the Acts of the General Assembly of 2021)”.

On page 2, after line 14, insert:

“BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY adding to

Article – Tax – General

Section 10–207(l)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 11–101(a)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 38 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–204(a)(6), 11–208(b) and (c), 11–209, 11–210(b)(1), 11–214, 11–216(a),  
11–219(b), 11–220, 11–221(b) and (c), 11–227, 11–303, 11–401, 11–405,  
11–408, 11–501, 11–502.1, 11–701, 11–703, and 11–707

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–102.1(a)(1)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

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

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–102.1(a)(8)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

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

AMENDMENT NO. 2

On page 2, after line 23, insert:

“2–1302.1.

After making the distributions required under §§ 2–1301 and 2–1302 of this subtitle, of the sales and use tax collected:

(1) on short-term vehicle rentals under § 11–104(c) of this article the Comptroller shall distribute:

(i) 45% to the Transportation Trust Fund established under § 3–216 of the Transportation Article; and

(ii) the remainder to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; and

(2) on the sale or use of a digital product or **DIGITAL** code under Title 11 of this article the Comptroller shall distribute 100% to The Blueprint for Maryland’s Future Fund established under [§ 5–219] **§ 5–206** of the Education Article.”.

On page 3, after line 21, insert:

“10–207.

(a) To the extent included in federal adjusted gross income, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

**(LL) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2020, BUT BEFORE JANUARY 1, 2022, THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE AMOUNT OF UTILITY ARREARAGES FORGIVEN DURING THE TAXABLE YEAR, IF THE FORGIVENESS OF THE UTILITY ARREARAGES WAS OFFERED THROUGH GRANTS PROVIDED TO UTILITIES IN ACCORDANCE WITH SECTIONS 9 AND 10 OF CHAPTER 39 OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021.**

11–101.

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

(b) “Buyer” means a person who:

(1) acquires tangible personal property in a sale;

(2) obtains a taxable service in a sale; or

(3) acquires a **DIGITAL CODE OR** digital product in a sale.

(c–1) “Customer tax address” means, with respect to a sale of a **DIGITAL CODE OR** digital product:

(1) for a **DIGITAL CODE OR** digital product that is received by a buyer at the business location of the vendor, the address of that business location;

(2) if item (1) of this subsection is not applicable and the primary use location of the **DIGITAL CODE OR** digital product is known by the vendor, that primary use location;

(3) if items (1) and (2) of this subsection are not applicable, the location where the **DIGITAL CODE OR** digital product is received by the buyer, or by a donee of the buyer that is identified by the buyer, if known to the vendor and maintained in the ordinary course of the vendor’s business;

(4) if items (1) through (3) of this subsection are not applicable, the location indicated by an address for the buyer that is available from the business records of the vendor that are maintained in the ordinary course of business of the vendor's business, when use of the address does not constitute bad faith;

(5) if items (1) through (4) of this subsection are not applicable, the location indicated by an address for the buyer obtained during the consummation of the sale, including the address of the buyer's payment instrument, when use of the address does not constitute bad faith; or

(6) if items (1) through (5) of this subsection are not applicable, including a circumstance in which a vendor is without sufficient information to apply those items, one of the following locations, as selected by the vendor, provided that the location is consistently used by the vendor for all sales to which this item applies:

(i) the location in the United States of the headquarters of the vendor's business;

(ii) the location in the United States where the vendor has the greatest number of employees; or

(iii) the location in the United States from which the vendor makes digital products available for electronic transfer.

(c-3) (1) "Digital code" means a NUMBER, SYMBOL, ALPHANUMERIC SEQUENCE, BARCODE, OR SIMILAR code that:

(i) may be obtained by any means, including:

1. in a tangible form, such as a card; or

2. through e-mail; and

(ii) provides a buyer with a right to obtain one or more digital products.

(2) "Digital code" does not include a gift certificate or gift card with a monetary value that may be redeemable for an item other than a digital product.

(c-4) (1) “Digital product” means a product that is obtained electronically by the buyer or delivered by means other than tangible storage media through the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(2) “Digital product” includes:

(i) a work that results from the fixation of a series of sounds that are transferred electronically, including:

1. prerecorded or live music or performances, readings of books or other written materials, and speeches; and

2. audio greeting cards sent by e-mail;

(ii) a digitized sound file, such as a ring tone, that is downloaded onto a device and may be used to alert the user of the device with respect to a communication;

(iii) a series of related images that, when shown in succession, impart an impression of motion, together with any accompanying sounds that are transferred electronically, including motion pictures, musical videos, news and entertainment programs, live events, video greeting cards sent by e-mail, and video or electronic games;

(iv) a book, generally known as an “e-book”, that is transferred electronically; and

(v) a newspaper, magazine, periodical, chat room discussion, weblog, or any other similar product that is transferred electronically.

**(3) “DIGITAL PRODUCT” DOES NOT INCLUDE:**

**(I) PRERECORDED OR LIVE INSTRUCTION BY A PUBLIC, PRIVATE, OR PAROCHIAL ELEMENTARY OR SECONDARY SCHOOL OR A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION;**

**(II) INSTRUCTION IN A SKILL OR PROFESSION IN A BUYER’S CURRENT OR PROSPECTIVE BUSINESS, OCCUPATION, OR TRADE IF THE INSTRUCTION:**



1. IS NOT PRERECORDED; AND

2. FEATURES AN INTERACTIVE ELEMENT BETWEEN THE BUYER AND THE INSTRUCTOR OR OTHER BUYERS CONTEMPORANEOUS WITH THE INSTRUCTION;

(III) A SEMINAR, DISCUSSION, OR SIMILAR EVENT HOSTED BY A NONPROFIT ORGANIZATION OR BUSINESS ASSOCIATION, IF THE SEMINAR, DISCUSSION, OR EVENT:

1. IS NOT PRERECORDED; AND

2. FEATURES AN INTERACTIVE ELEMENT BETWEEN THE BUYER AND HOST OR OTHER BUYERS CONTEMPORANEOUS WITH THE SEMINAR, DISCUSSION, OR EVENT; OR

(IV) A PROFESSIONAL SERVICE OBTAINED ELECTRONICALLY OR DELIVERED THROUGH THE USE OF TECHNOLOGY HAVING ELECTRICAL, DIGITAL, MAGNETIC, WIRELESS, OPTICAL, ELECTROMAGNETIC, OR SIMILAR CAPABILITIES.

(c-5) (1) “End user” means any person [other than a] WHO RECEIVES OR ACCESSES A DIGITAL CODE OR DIGITAL PRODUCT CODE FOR USE.

(2) “END USER” DOES NOT INCLUDE ANY person who receives [by contract] a DIGITAL CODE OR digital product [transferred electronically] for further commercial broadcast, rebroadcast, transmission, retransmission, licensing, relicensing, distribution, redistribution, or exhibition of the DIGITAL product[, in whole or in part, to another person].

(c-6) (1) “Marketplace facilitator” means a person that:

(i) facilitates a retail sale by a marketplace seller by listing or advertising for sale in a marketplace tangible personal property, DIGITAL CODE, OR A DIGITAL PRODUCT; and

(ii) regardless of whether the person receives compensation or other consideration in exchange for the person’s services, directly or indirectly through agreements with third parties, collects payment from a buyer and transmits the payment to the marketplace seller.

(e–1) (1) “Primary use location” means the street address representative of where the buyer’s use of a **DIGITAL CODE OR** digital product will primarily occur, as determined by:

(i) the residential street address or a business street address of the actual end user of the **DIGITAL CODE OR** digital product, including, if applicable, the address of a donee of the buyer that is designated by the buyer; or

(ii) if the buyer is not an individual, the location of the buyer’s employees or equipment that makes use of the **DIGITAL CODE OR** digital product.

(2) “Primary use location” does not include the location of a person who uses a **DIGITAL CODE OR** digital product as the purchaser of a separate good or service from the buyer.

(h) (1) “Retail sale” means the sale of:

(i) tangible personal property;

(ii) a taxable service; [or]

**(III) A DIGITAL CODE; OR**

[~~(iii)~~] **(IV)** a digital product.

(2) “Retail sale” includes:

(i) a sale of tangible personal property for use or resale in the form of real estate by a builder, contractor, or landowner;

(ii) except as provided in paragraph (3)(i) of this subsection, use of tangible personal property as facilities, tools, tooling, machinery, or equipment, including dies, molds, and patterns, even if the buyer intends to transfer title to the property before or after that use;

(iii) a sale of a digital product that is sold with rights of permanent use or sold with rights of less than permanent use to an end user;

(iv) a sale of a digital product that is sold with rights of use conditioned on continued payment by the subscriber or buyer to an end user; and

(v) a sale **TO AN END USER** of **A DIGITAL CODE OR A** subscription to, access to, **RECEIPT OF, OR** streaming of **A DIGITAL PRODUCT**[, or the purchase of a digital code for receiving or accessing digital products to an end user].

(3) “Retail sale” does not include:

(i) a transfer of title to tangible personal property after its use as facilities, tools, tooling, machinery, or equipment, including dies, molds, and patterns, if:

1. at the time of purchase, the buyer is obligated, under the terms of a written contract, to make the transfer; and

2. the transfer is made for the same or greater consideration to the person for whom the buyer manufactures goods or performs work;

(ii) a sale of tangible personal property, **A DIGITAL CODE**, or a digital product if the buyer intends to:

1. resell the tangible personal property, **DIGITAL CODE**, or digital product in the form that the buyer receives or is to receive the property, **DIGITAL CODE**, or **DIGITAL** product;

2. use or incorporate the tangible personal property, **DIGITAL CODE**, or digital product in a production activity as a material or part of other tangible personal property or another digital product to be produced for sale; or

3. transfer the tangible personal property, **DIGITAL CODE**, or digital product as a part of a taxable service transaction; or

(iii) a sale of a taxable service if the buyer intends to resell the taxable service in the form that the buyer receives or is to receive the service.

(i) (1) “Sale” means a transaction for a consideration whereby:

(i) title TO or possession of property, A DIGITAL CODE, OR A DIGITAL PRODUCT is transferred or is to be transferred absolutely or conditionally by any means, including by lease, rental, royalty agreement, or grant of a license for use; or

(ii) a person performs a service for another person.

(2) “Sale” does not include a transaction whereby an employee performs a service for the employee’s employer.

(j) “Sale for use” means a sale in which tangible personal property, A DIGITAL CODE, a digital product, or a taxable service that is consumed, possessed, stored, or used in the State is acquired.

(l) (1) “Taxable price” means the value, in money, of the consideration of any kind that is paid, delivered, payable, or deliverable by a buyer to a vendor in the consummation and complete performance of a sale without deduction for any expense or cost, including the cost of:

(i) any labor or service rendered;

(ii) any material used; or

(iii) any property, DIGITAL CODE, OR DIGITAL PRODUCT sold.

(2) “Taxable price” includes, for tangible personal property, A DIGITAL CODE, or a digital product acquired by a sale for use in the State by the person who assembles, fabricates, or manufactures the property or digital product, only the price of the raw materials and component parts contained in the property or digital product.

(n) (1) “Use” means an exercise of a right or power to use, consume, possess, or store that is acquired by a sale for use of:

(i) tangible personal property;

(ii) a taxable service; [or]

(III) A DIGITAL CODE; OR

~~[(iii)]~~ (IV) a digital product.

(2) “Use” includes an exercise of a right or power to use, consume, possess, or store that is acquired by a sale for use of tangible personal property, A DIGITAL CODE, or a digital product:

(i) for use or resale in the form of real estate by a builder, contractor, or landowner; or

(ii) except as provided in paragraph (3)(i) of this subsection, as facilities, tools, tooling, machinery, or equipment, including dies, molds, and patterns, even if the buyer intends to transfer title to the property, DIGITAL CODE, or digital product before or after that use.

(3) “Use” does not include:

(i) a transfer of title to tangible personal property after its use as facilities, tools, tooling, machinery, or equipment, including dies, molds, and patterns, if:

1. at the time of purchase, the buyer is obligated, under the terms of a written contract, to make the transfer; and

2. the transfer is made for the same or greater consideration to the person for whom the buyer manufactures goods or performs work;

(ii) an exercise of a right or power over tangible personal property, A DIGITAL CODE, or a digital product acquired by a sale for use if the buyer intends to:

1. resell the tangible personal property, DIGITAL CODE, or digital product in the form that the buyer receives or is to receive the property, DIGITAL CODE, or digital product;

2. use or incorporate the tangible personal property or digital product in a production activity as a material or part of other tangible personal property or another digital product to be produced for sale; or

3. transfer the tangible personal property, DIGITAL CODE, or digital product as part of a taxable service transaction;

(iii) an exercise of a right or power over a taxable service acquired by a sale for use if the buyer intends to resell the taxable service in the form that the buyer receives or is to receive the service;

(iv) an exercise of a right or power over a digital code to receive or access a digital product;

(v) an exercise of a right or power over a digital product acquired by a sale for use if the buyer is not an end user; or

(vi) the use or transfer of a digital product or digital code by the transferor and obtained by the end user free of charge.

(o) (1) “Vendor” means a person who:

(i) engages in the business of an out-of-state vendor, as defined in § 11-701 of this title;

(ii) engages in the business of a retail vendor, as defined in § 11-701 of this title;

(iii) holds a special license issued under § 11-707 of this title;

(iv) is an accommodations intermediary;

(v) is a short-term rental platform;

(vi) engages in the business of a marketplace facilitator; or

(vii) engages in the business of a marketplace seller.

(2) “Vendor” includes, for an out-of-state vendor, a salesman, representative, peddler, or canvasser whom the Comptroller, for the efficient administration of this title, elects to treat as an agent jointly responsible with the dealer, distributor, employer, or supervisor;

(i) under whom the agent operates; or

(ii) from whom the agent obtains the tangible personal property, A DIGITAL CODE, a digital product, or taxable service for sale.

11-102.

(a) Except as otherwise provided in this title, a tax is imposed on:

(1) a retail sale in the State; and

(2) a use, in the State, of tangible personal property, A DIGITAL CODE, a digital product, or a taxable service.

11-204.

(a) The sales and use tax does not apply to:

(6) a sale of tangible personal property, A DIGITAL CODE, OR A DIGITAL PRODUCT to a nonprofit parent-teacher association located in the State if the association makes the purchase to contribute the property to a school to which a sale is exempt under item (3) of this subsection or § 11-220 of this subtitle;

11-208.

(b) The sales and use tax does not apply to a sale of film, [or] video tape, OR A DIGITAL PRODUCT for use only in television broadcasting by a television station that the Federal Communications Commission licenses specifically to broadcast to a city or town outside the State.

(c) The sales and use tax does not apply:

(1) to a sale of an aircraft, motor vehicle, railroad rolling stock, or vessel that is used principally to cross State lines in interstate or foreign commerce;

(2) to a sale of a replacement part, [or] other tangible personal property, OR A DIGITAL PRODUCT to be used physically in, on, or by a conveyance described in item (1) of this subsection; or

(3) except for a rental, to a sale of a motor vehicle, other than a house or office trailer, that will be titled or registered in another state.

11-209.

(a) The sales and use tax does not apply to a casual and isolated sale by a person who regularly does not sell tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service if:

(1) the sale price is less than \$1,000; and

(2) the sale is not made through an auctioneer or a dealer.

(b) The sales and use tax does not apply to a distribution of tangible personal property, A DIGITAL CODE, OR A DIGITAL PRODUCT by:

(1) a corporation or joint-stock company to its stockholders as a liquidating distribution;

(2) a partnership to a partner; or

(3) a limited liability company to a member.

(c) (1) The sales and use tax does not apply to a transfer of tangible personal property, A DIGITAL CODE, OR A DIGITAL PRODUCT:

(i) under a reorganization within the meaning of § 368(a) of the Internal Revenue Code;

(ii) on organization of a corporation or joint-stock company, to the corporation or company principally in consideration for the issuance of its stock;

(iii) to a partnership only as a contribution to its capital or in consideration for a partnership interest in the partnership; or



(iv) to a limited liability company only as a capital contribution or in consideration for an interest in the limited liability company.

(2) For a transfer that would qualify as a casual and isolated sale under subsection (a) of this section if the sale price limitation were disregarded, the amount of liability transferred to or assumed by a corporation, joint-stock company, partnership, or limited liability company shall be excluded from the consideration transferred by the corporation, joint-stock company, partnership, or limited liability company in exchange for the tangible personal property, **DIGITAL CODE, OR DIGITAL PRODUCT** to determine whether the transfer is made:

(i) principally in consideration for the issuance of stock of a corporation or joint-stock company;

(ii) only as a contribution to the capital of a partnership or in consideration for a partnership interest; or

(iii) only as a capital contribution to a limited liability company or in consideration for an interest in a limited liability company.

11-210.

(b) The sales and use tax does not apply to a sale of:

(1) tangible personal property, **A DIGITAL CODE, OR A DIGITAL PRODUCT** used directly and predominantly in a production activity at any stage of operation on the production activity site from the handling of raw material or components to the movement of the finished product, if the tangible personal property, **DIGITAL CODE, OR DIGITAL PRODUCT** is not installed so that it becomes real property;

11-214.

The sales and use tax does not apply to use of tangible personal property, **A DIGITAL CODE, A DIGITAL PRODUCT**, or a taxable service that:

(1) a nonresident:

(i) acquires before the property, DIGITAL CODE, DIGITAL PRODUCT, or service enters the State; and

(ii) uses:

1. for personal enjoyment or use or for a use that the Comptroller specifies by regulation, other than for a business purpose; or

2. in a presentation or in conjunction with a presentation of an exhibit, show, sporting event, or other public performance or display; and

(2) does not remain in the State for more than 30 days.

11-216.

(a) The sales and use tax does not apply to:

(1) a sale for use of tangible personal property, A DIGITAL CODE, OR A DIGITAL PRODUCT that:

(i) is bought outside this State;

(ii) is intended solely for use in another state; and

(iii) is stored in this State pending shipment to another state;

(2) a sale of tangible personal property to a person obligated under a contract to incorporate that property into real property located in another state where the purchase or use of that property would not be subject to a sales tax, use tax, or similar tax;  
or

(3) except for that portion of the purchase price allocable to intended viewing in this State, a sale of a series of images stored on video tape or in other optical or digital forms or electronic signals generated from these images to a cable or other nonbroadcast television network, if the images are intended for viewing by television viewers located outside the State.

11-217.

(b) The sales and use tax does not apply to a sale of tangible personal property, A DIGITAL CODE, or a digital product for use or consumption in research and development.

11-219.

(b) The sales and use tax does not apply to a sale of custom computer software, REGARDLESS OF THE METHOD TRANSFERRED OR ACCESSED, OR [services] A SERVICE relating to [procedures and programs] CUSTOM COMPUTER SOFTWARE that:

(1) WOULD otherwise [are] BE taxable under this title;

(2) [are] IS to be used by a specific person;

(3) (i) [are] IS created for that person; or

(ii) [contain] CONTAINS standard or proprietary routines [that incorporate] REQUIRING significant creative input to customize, CONFIGURE, OR MODIFY the procedures and programs [for that person] THAT ARE NECESSARY TO PERFORM THE FUNCTIONS REQUIRED FOR THE SOFTWARE TO OPERATE AS INTENDED; and

(4) do not constitute a program, procedure, or documentation that is mass produced and sold to:

(i) the general public; or

(ii) persons [associated] ENGAGED in a trade, profession, or industry, EXCEPT AS PROVIDED IN ITEM (3) OF THIS SUBSECTION.

11-220.

(a) The sales and use tax does not apply to a sale to the State or a political subdivision of the State.

(b) The exemption under subsection (a) of this section may not be construed to exempt any sale of tangible personal property, A DIGITAL CODE, OR A DIGITAL PRODUCT, otherwise taxable under this title, to a contractor to be used under a contract

with the State or a political subdivision of the State for construction, repair, or alteration of real property.

11-221.

(b) If a person who buys tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service in a retail sale pays the sales and use tax when the retail sale is made, the person is not required to pay the tax again when the person uses that tangible personal property, DIGITAL CODE, DIGITAL PRODUCT, or taxable service in the State.

(c) (1) To the extent that a buyer pays another state a tax on a sale or gross receipts from a sale of tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service that the buyer acquires before the property, DIGITAL CODE, DIGITAL PRODUCT, or service enters this State, the sales and use tax does not apply to use of the property or service in this State.

(2) If the tax paid to another state is less than the sales and use tax, the buyer shall pay the difference between the sales and use tax and the amount paid to the other state in accordance with the formula under § 11-303(b) of this title.

11-227.

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

(2) (i) “Film production activity” means the production or postproduction of film or video projects including feature films, television projects, commercials, corporate films, infomercials, music videos, or other projects for which the producer or production company will be compensated, and which are intended for nationwide commercial distribution.

(ii) “Film production activity” includes the production or postproduction of digital, animation, and multimedia projects.

(iii) “Film production activity” does not include:

1. production or postproduction of student films or noncommercial personal videos; or

2. any activity not necessary to and undertaken directly and exclusively for the making of a master film, tape, or image.

(3) “Tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service used directly in connection with a film production activity” includes:

(i) camera equipment and supplies;

(ii) film and tape;

(iii) lighting and stage equipment and supplies;

(iv) sound equipment and supplies;

(v) recording equipment and supplies;

(vi) costumes, wardrobes, and materials to construct them;

(vii) props, scenery, and materials to construct them;

(viii) design supplies and equipment;

(ix) drafting supplies and equipment;

(x) special effects supplies and equipment;

(xi) short-term vehicle rentals; and

(xii) fabrication, printing, or production of scripts, storyboards, costumes, wardrobes, props, scenery, or special effects.

(b) The sales and use tax does not apply to a sale of tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service used directly in connection with a film production activity by a film producer or production company certified by the Department of Commerce under Title 6, Subtitle 2 of the Economic Development Article.

(a) A buyer is allowed a depreciation allowance as an adjustment to taxable price if:

(1) tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service is acquired before the tangible personal property, DIGITAL CODE, OR DIGITAL PRODUCT is brought into the State for use in the State or before the taxable service is used in the State; and

(2) the use first occurs in another state or federal jurisdiction.

(b) The allowance under subsection (a) of this section for each full year that follows the date of purchase is 10% of the taxable price paid to acquire the tangible personal property, DIGITAL CODE, DIGITAL PRODUCT, or taxable service.

11-401.

(a) A vendor is a trustee for the State and is liable for the collection of the sales and use tax for and on account of the State.

(b) A vendor has the same rights to collect the sales and use tax from a buyer and the same rights regarding the nonpayment of the sales and use tax by a buyer that the vendor would have if the sales and use tax were a part of the purchase price of the tangible personal property, DIGITAL CODE, DIGITAL PRODUCT, or taxable service at the time of the sale.

11-405.

A vendor who sells tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service through a vending or other self-service machine:

(1) shall pay the sales and use tax to the Comptroller; and

(2) may not collect the sales and use tax from the buyer as a separately stated item.

11-408.

(a) If a buyer is required under Subtitle 2 of this title or by regulation to provide a vendor with evidence of an exemption, the vendor may not recognize the exemption unless the buyer, before the sale is consummated, provides the vendor with:

- (1) evidence that the buyer has an exemption certificate; or
- (2) the evidence that the Comptroller requires by regulation.

(b) (1) Except as provided in paragraph (3) of this subsection, the duty of a vendor to collect the sales and use tax from a buyer is waived if the buyer provides the vendor with a signed resale certificate that:

- (i) is in the form that the Comptroller requires by regulation;
- (ii) states the name and address of the buyer;
- (iii) 1. provides the Maryland sales and use tax registration number of the buyer; or
  2. for the sale of an antique or used collectible, provides a sales and use tax registration number of another state and states that the buyer is an out-of-state vendor who does not engage in the business of an out-of-state vendor, as defined in § 11-701 of this title; and
- (iv) contains a statement to the effect that the tangible personal property, DIGITAL CODE, DIGITAL PRODUCT, or taxable service is bought for the purpose of resale.

(2) (i) If a buyer provides a resale certificate with a sales and use tax registration number of another state as provided under paragraph (1)(iii)2 of this subsection, the buyer shall also provide a copy of a sales and use tax registration license issued to the buyer from that state.

(ii) If a buyer is from a state without a sales and use tax, that buyer shall provide a copy of a trader's license from that state or a comparable type of identification.

(3) (i) A vendor may not accept a resale certificate if the vendor knows or should know that the sale is not for the purpose of resale.

(ii) A vendor may not accept a resale certificate for a cash, check, or credit card sale if:

1. the taxable price is less than \$200; and

2. the tangible personal property, **DIGITAL CODE, DIGITAL PRODUCT**, or taxable service is not delivered by the vendor directly to the buyer's retail place of business.

(4) A vendor shall obtain a resale certificate from a buyer:

(i) before the sale is consummated; or

(ii) if the vendor receives a notice of the Comptroller's intent to assess sales and use tax for failure to obtain a proper resale certificate, within 60 days after the date on which the notice is mailed.

(5) If the vendor fails to obtain the resale certificate as required, the Comptroller's assessment under paragraph (4)(ii) of this subsection is final.

(c) If the taxable price is less than \$200 for a cash, check, or credit card sale or sale for use that is not a retail sale and the tangible personal property, **DIGITAL CODE, DIGITAL PRODUCT**, or taxable service is not delivered by the vendor directly to the buyer's retail place of business:

(1) the sales and use tax shall be paid when the sale is made or when the use becomes taxable; and

(2) the buyer who pays the sales and use tax may file a claim for a refund with the Comptroller.

11-501.

(a) A buyer who fails to pay the sales and use tax on a purchase or use subject to the tax to the vendor as required in § 11-403 of this title or to a marketplace facilitator as required in § 11-403.1 of this title or who is required by regulation to file a return for a purchase or use subject to the tax shall complete, under oath, and file with the Comptroller a sales and use tax return:



(1) on or before the 20th day of the month that follows the month in which the buyer makes that purchase or use; and

(2) for other periods and on other dates that the Comptroller specifies, by regulation, including periods in which the buyer does not make any purchase or use subject to the sales and use tax.

(b) The return shall state for the period that the return covers:

(1) the total value of the tangible personal property, **DIGITAL CODE, DIGITAL PRODUCT**, or taxable service that is subject to the sales and use tax; and

(2) the sales and use tax due.

11-502.1.

(a) Each marketplace facilitator shall complete, under oath, and file with the Comptroller a sales and use tax return:

(1) on or before the 20th day of the month that follows the month in which a marketplace seller makes any retail sale or sale for use through the marketplace facilitator; and

(2) for other periods and on other dates that the Comptroller specifies by regulation, including periods in which a marketplace seller does not make any retail sale or sale for use through the marketplace facilitator.

(b) A return shall state, for the period that the return covers:

(1) for a marketplace facilitator facilitating a retail sale or a sale for use:

(i) the marketplace facilitator's gross revenues from the sales of marketplace sellers that the marketplace facilitator has facilitated and delivered in the State;

(ii) the taxable price of sales of those marketplace sellers on which the sales and use tax is computed; and

(iii) the sales and use tax due; and

(2) for a marketplace facilitator facilitating a sale for use:

(i) the total value of the tangible personal property, **DIGITAL CODE, DIGITAL PRODUCT**, or taxable service sold by marketplace sellers the use of which became subject to the sales and use tax; and

(ii) the sales and use tax due.

(c) If the Comptroller approves, a marketplace facilitator engaging in more than one business in which the marketplace facilitator facilitates retail sales or sales for use may file a consolidated return covering the activities of the businesses.

11-701.

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

(b) (1) “Engage in the business of an out-of-state vendor” means to sell or deliver tangible personal property or a taxable service for use in the State **OR A DIGITAL PRODUCT OR DIGITAL CODE TO A CUSTOMER TAX ADDRESS IN THE STATE.**

(2) “Engage in the business of an out-of-state vendor” includes:

(i) permanently or temporarily maintaining, occupying, or using any office, sales or sample room, or distribution, storage, warehouse, or other place for the sale of tangible personal property, **A DIGITAL CODE, A DIGITAL PRODUCT**, or a taxable service directly or indirectly through an agent or subsidiary;

(ii) having an agent, canvasser, representative, salesman, or solicitor operating in the State for the purpose of delivering, selling, or taking orders for tangible personal property, **A DIGITAL CODE, A DIGITAL PRODUCT**, or a taxable service;  
or

(iii) entering the State on a regular basis to provide service or repair for tangible personal property **OR A DIGITAL PRODUCT.**

(c) (1) “Engage in the business of a retail vendor” means to sell or deliver tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service in the State.

(2) “Engage in the business of a retail vendor” includes liquidating a business that sells tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service, when the liquidator holds out to the public that the business is conducted by the liquidator.

(d) (1) “License” means a license issued by the Comptroller:

(i) to engage in the business of an out-of-state vendor;

(ii) to engage in the business of a retail vendor; or

(iii) to engage in the business of a marketplace facilitator.

(2) “License” includes a special license issued under § 11-707 of this subtitle.

11-703.

An applicant for a license to engage in the business of an out-of-state vendor, to engage in the business of a retail vendor, or to engage in the business of a marketplace facilitator shall submit an application to the Comptroller:

(1) for each place of business in the State where the applicant sells tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service;

(2) if the applicant has no fixed place of business and sells from 1 or more vehicles, for each vehicle; or

(3) if the applicant has no fixed place of business and does not sell from a vehicle, for the place designated as the address to which notices are to be mailed.

11-707.

(a) The Comptroller may issue a special license to an applicant who:

(1) is not required to be licensed as an out-of-state vendor or a retail vendor;

(2) operates out of the State and sells tangible personal property, A DIGITAL CODE, A DIGITAL PRODUCT, or a taxable service for use in the State; and

(3) submits to the Comptroller an application on the form that the Comptroller requires.

(b) While it is effective, a special license authorizes the licensee to collect the sales and use tax.”.

On page 4, after line 22, insert:

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

#### Article – Tax – General

10–102.1.

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

(8) “Pass-through entity’s taxable income” means the portion of a pass-through entity’s income under the federal Internal Revenue Code, CALCULATED WITHOUT REGARD TO ANY DEDUCTION FOR TAXES BASED ON NET INCOME THAT ARE IMPOSED BY ANY STATE OR POLITICAL SUBDIVISION OF A STATE, that is derived from or reasonably attributable to the trade or business of the pass-through entity in this State.

SECTION 3. AND BE IT FURTHER ENACTED, That the General Assembly declares that this Act conforms the provisions of the Tax – General Article, as enacted by Section 1 of this Act, to reflect the intent of the General Assembly at the time of the enactment of Chapters 37 and 38 of the Acts of the General Assembly of 2021.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2019.”;

and in line 23, strike “2.” and substitute “5.”.

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:

**Senate Bill 883 – Senator Guzzone**

AN ACT concerning

**Tobacco Tax – Out-of-State Sales of Premium Cigars and Pipe Tobacco**

**SB0883/465368/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 883

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Tax**” insert “**and Sales and Use Tax**”; in the same line, after the second “**Tobacco**” insert “**and Tobacco Smoking Devices**”; and in line 3, after “of” insert “altering the definition of “other tobacco products” to exclude certain items:”.

On page 2, in line 1, after “penalties;” insert “altering the sales and use tax rate imposed on sales of certain tobacco-related items;”; strike line 11 in its entirety and substitute “taxation of tobacco and tobacco smoking devices.”; after line 11, insert:

“BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 16.5–101(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 16.5–101(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 37 of the Acts of the General Assembly of 2021)”;

after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–104(j) and 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)”;

and strike in their entirety lines 28 through 33, inclusive.

#### AMENDMENT NO. 2

On page 3, after line 1, insert:

“16.5–101.

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

(i) (1) “Other tobacco products” means, except as provided in paragraph (3) of this subsection, a product that is:

(i) intended for human consumption or likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested in any other manner, and that is made of or derived from, or that contains:

1. tobacco; or

2. nicotine; or

(ii) a component or part used in a consumable product described under item (i) of this paragraph.

(2) “Other tobacco products” includes[:

(i)] cigars, premium cigars, pipe tobacco, chewing tobacco, snuff, and snus[: and

(ii) filters, rolling papers, pipes, and hookahs].

(3) “Other tobacco products” does not include:

(i) cigarettes;

(ii) electronic smoking devices; or

(iii) drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act.”.

On page 9, after line 22, insert:

“11–104.

(j) (1) (i) In this subsection, the following words have the meanings indicated.

(ii) “Electronic smoking device” has the meaning stated in § 16.7–101 of the Business Regulation Article.

(iii) “Vaping liquid” has the meaning stated in § 16.7–101 of the Business Regulation Article.

(2) Except as provided in paragraph (3) of this subsection, the sales and use tax rate [for electronic smoking devices] is 12% of the taxable price **FOR:**

**(I) ELECTRONIC SMOKING DEVICES;**

**(II) TOBACCO FILTERS;**

**(III) TOBACCO ROLLING PAPERS;**

**(IV) TOBACCO PIPES; AND**

**(V) TOBACCO HOOKAHS.**

(3) The sales and use tax for vaping liquid sold in a container that contains 5 milliliters or less of vaping liquid is 60% of the taxable price.”.

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:

### **Senate Bill 885 – Senator Hester**

AN ACT concerning

#### **Economic and Community Development – Income Tax Credit for Catalytic Revitalization Projects**

**SB0885/415268/1**

BY: Committee on Ways and Means

#### AMENDMENTS TO SENATE BILL 885

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 3, after “**Projects**” insert “**and Historic Revitalization Tax Credit**”; in line 18, after “regulations;” insert “requiring the Governor, in certain fiscal years, to include in the annual State budget an appropriation of at least a certain amount for the Historic Revitalization Tax Credit Reserve Fund;”; and in line 24, after “credit” insert “and the historic revitalization tax credit”.

On page 2, after line 11, insert:

“BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 5A–303(d)(1)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,



Article – State Finance and Procurement  
Section 5A–303(d)(3)(iv)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 5, in line 27, after “SUBTITLE” insert “, WITH AN EMPHASIS ON APPLICATIONS THAT PROMOTE AFFORDABLE HOUSING”.

On page 6, after line 6, insert:

“Article – State Finance and Procurement

5A–303.

(d) (1) In this subsection, “Reserve Fund” means the Historic Revitalization Tax Credit Reserve Fund established under paragraph (2) of this subsection.

(3) (iv) 1. [For] SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR each of fiscal years 2018 through 2024, the Governor shall include in the budget bill an appropriation to the Reserve Fund.

2. FOR EACH OF FISCAL YEARS 2023 AND 2024, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION TO THE RESERVE FUND OF AT LEAST \$12,000,000.”.

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:

**Senate Bill 887 – Senators Elfreth and Simonaire**

AN ACT concerning

**Property Tax Credit – Business Entities – State of Emergency**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 79**

**Senate Bill 445 – Senator West**

AN ACT concerning

**Vehicle Equipment – Safety Glass – Replacement Standards**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT 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. 1257)

**ADJOURNMENT**

At 1:31 P.M. on motion of Delegate Luedtke the House adjourned until 10:00 A.M. on Legislative Day March 24, 2021, Calendar Day, Friday, April 9, 2021.