

Journal *of* Proceedings

of the

House of Delegates

of

Maryland

2021 Regular Session

Volume V

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Annapolis, Maryland
Legislative Day: March 24, 2021
Calendar Day: Friday, April 9, 2021
10:00 A.M. Session

The House met at 10:44 A.M. and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1258)

EXCUSED:

Delegate Anderson – illness

Delegate Kittleman – left early – funeral

Delegate Walker – business

The Journal of March 23, 2021 was read and approved.

YEAS AND NAYS NO. 10
HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 7	Del. Luedtke	Venison Donation Expenses – Income Tax Credit and Grant Program
HB 89	Del. Wilkins	Correctional Services – Diminution Credits – Education
HB 185	Del. T. Branch	Alcoholic Beverages – On-Sales – Required Multiple Purchases
HB 189	Del. Qi	Mobile Laundry for the Homeless Pilot Program
HB 256	Del. Rosenberg	Baltimore City – Alcoholic Beverages Licenses – Hours of Sale

NUMBER	SPONSOR	CONTENT
HB 312	Del. Reilly	Harford County – Alcoholic Beverages – Assisted Living Program License
HB 320	Del. Smith	Maryland Longitudinal Data System – Transfer of Student Data – Modifications
HB 323	Del. Arentz	Queen Anne’s County – Alcoholic Beverages – Repeal of Place of Worship Prohibition
HB 349	Del. Arentz	Queen Anne’s County – Alcoholic Beverages – Unannounced Visits by Inspectors
HB 373	Del. Wilson	Education – Child Abuse and Sexual Misconduct Prevention – Hiring Emergent Employees
HB 397	Del. Lierman	Electricity and Gas – Energy Suppliers – Supply Offers
HB 428 (Emerg)	Montgomery County Delegation	Montgomery County – Alcoholic Beverages Licenses – Annual Fees MC 19–21
HB 430	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Seating Requirements MC 11–21
HB 432	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Draft Beer for Off–Site Consumption in Damascus MC 12–21
HB 529	St. Mary’s County Delegation	St. Mary’s County – Alcoholic Beverages – Distillery On–Site Consumption Permit
HB 555	Del. Long	Baltimore County – Alcoholic Beverages – Class D Beer, Wine, and Liquor License
HB 572	Del. Clippinger	Baltimore City – 46th District – Alcoholic Beverages Licenses
HB 632	Del. Beitzel	Garrett County – Alcoholic Beverages Act of 2021

NUMBER	SPONSOR	CONTENT
HB 677	Del. Bhandari	Baltimore County – Alcoholic Beverages – Board of License Commissioners – Qualifications
HB 795	Wicomico County Delegation	Wicomico County – Alcoholic Beverages – License Alterations
HB 814 (Emerg)	Del. Morgan	St. Mary’s County – Alcoholic Beverages Licenses – Annual Fees
HB 854	Del. Kaiser	Maryland Longitudinal Data System Center – Inclusion of Child Welfare Data and Governing Board
HB 868	Del. Smith	Baltimore City – 45th District – Alcoholic Beverages – Class B–D–7 License
HB 880 (Emerg)	Allegany County Delegation	Allegany County – Alcoholic Beverages Licenses – Annual Fees
HB 883	Allegany County Delegation	Allegany County – Alcoholic Beverages – Class B–D Beer, Wine, and Liquor License
HB 981	Prince George’s County Delegation	Prince George’s County – Tax Sales – Limited Auction PG 413–21
HB 1018	Charles County Delegation	Charles County – Alcoholic Beverages – Class 4 Limited Winery License
HB 1059	Allegany County Delegation	Allegany and Garrett Counties – Alcoholic Beverages – Gift Basket Permits
HB 1100	Harford County Delegation	Harford County – Alcoholic Beverages – Gift Basket Permit
HB 1142	Howard County Delegation	Howard County – School Redistricting – Public Testimony Ho. Co. 07–21
HB 1151	Howard County Delegation	Howard County – Class A Alcoholic Beverages Licenses – Quota by Election District Ho. Co. 02–21

NUMBER	SPONSOR	CONTENT
HB 1190	Howard County Delegation	Howard County – Board of Education – Redetermination of Geographic Attendance Area Ho. Co. 05–21
HB 1191	Howard County Delegation	Howard County – Alcoholic Beverages – Alcoholic Beverages Inspectors Ho. Co. 03–21
HB 1219	Del. Conaway	Baltimore City – Tax Sales – Notice
HB 1222	Del. Conaway	Baltimore City – Tax Sales – Notice Requirements
HB 1240	Frederick County Delegation	Frederick County – Alcoholic Beverages – Stadium License
HB 1242	Frederick County Delegation	Frederick County – Alcoholic Beverages – Consumption Permits
HB 1270	Frederick County Delegation	Frederick County – Barbershop and Beauty Salon Beer and Wine Licenses – Alterations
HB 1272	Frederick County Delegation	Frederick County – Alcoholic Beverages – Alcohol by Volume – Wine
HB 1343	Del. Kipke	Anne Arundel County – Party Central Committees – Republican Requirements
HB 1347	Del. Barve	Real Property – Impermissible Restrictions on Use – Portable Basketball Apparatuses
HB 1350	Del. Wilkins	Campaign Finance – Revisions

Read and ordered journalized.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 37**

Senate Bill 229 – Senators Waldstreicher and Carter

AN ACT concerning

Public Safety – Pretrial Services Program Grant Fund – Extension and Program Requirements

FOR the purpose of prohibiting a pretrial services program that receives a certain grant from charging a fee to a defendant for participation in the program; extending the termination date of a certain Act; and generally relating to the Pretrial Services Program Grant Fund.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 4–1101 through 4–1103
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 4–1104
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Chapter 771 of the Acts of the General Assembly of 2018
Section 2

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

Senate Bill 578 – Senator McCray

AN ACT concerning

**~~Income Tax – Retroactive Changes Under the Federal CARES Act – Addition~~
~~Modification~~ Internal Revenue Code Amendments – Decoupling**

FOR the purpose of ~~providing an addition modification under the Maryland income tax for certain amounts related to certain net operating loss deductions, certain excess business losses, and certain business interest expense deductions;~~ prohibiting, except under certain circumstances, the retroactive application of certain amendments to the Internal Revenue Code to the determination of Maryland taxable income; making conforming changes; providing for the application of this Act; and generally relating to the Maryland income tax.

~~BY repealing and reenacting, without amendments,
Article – Tax – General~~

~~Section 10-205(a) and 10-306(a)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)~~

~~BY adding to
Article – Tax – General
Section 10-205(m) and (n)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Tax – General
Section ~~10-306(b)~~ 10-108
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 677 – Senator Edwards

AN ACT concerning

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

FOR the purpose of ~~providing for the transfer of certain expired alcoholic beverages licenses by the Board of License Commissioners for Allegany County to the County Commissioners of Allegany County; requiring the Board to issue a certain number of new Class D licenses each year to the County Commissioners for certain purposes; authorizing the Board to determine which types of new Class D licenses are issued to the County Commissioners; providing that certain licenses are not subject to certain limitations; requiring the County Commissioners to conduct a public auction each year of certain alcoholic beverages licenses in a certain manner; providing for the disposition of the proceeds of certain auctions; providing that certain licenses transferred or issued to the County Commissioners are to be held solely for the purposes of public auction and not to be exercised by the County Commissioners; and generally relating to alcoholic beverages~~ establishing a Class B–D beer, wine, and liquor license in Allegany County; authorizing the Board of License Commissioners for Allegany County to issue a Class B–D license for use by a certain restaurant; authorizing a license holder to sell beer, wine, and liquor for on–premises consumption; requiring a license holder to submit a certain report on request from the Board; authorizing the Board to take certain enforcement actions under certain circumstances; requiring a license holder to demonstrate certain compliance as a prerequisite for license renewal; authorizing a license holder to sell beer, wine, and liquor during certain hours and days; establishing the annual license fee; limiting the number of Class B–D licenses that may be issued in a single year; and generally relating to alcoholic beverages licenses in Allegany County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section ~~9–101(a) and (b) and 9–102~~
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY ~~repealing and reenacting, with amendments,~~ adding to
Article – Alcoholic Beverages
Section ~~9–1602~~ 9–902.1 and 9–1607
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 9–2004
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

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

Senate Bill 711 – Senator King

AN ACT concerning

Growing Family Child Care Opportunities Pilot Program – Established

FOR the purpose of establishing the Growing Family Child Care Opportunities Pilot Program in the State Department of Education; stating the purpose of the Program; requiring the Department to administer the Program in partnership with a certain entity; requiring the Department to award certain grants to certain recipients; requiring grant recipients to use the grants for certain purposes; requiring grant recipients to raise certain funding, collaborate with certain providers during a certain period, provide certain services, and establish certain partnerships for certain purposes; requiring the Governor, subject to a certain provision of law, in certain fiscal years, to include in the annual budget bill a certain appropriation for the Program; requiring the Department to develop certain guidelines in partnership with a certain entity; authorizing the Department to seek funding for the Program and to provide grants as soon as possible under a certain circumstance; requiring the Department to develop and publish goals for the Program each year; requiring the Department to submit a certain report to the General Assembly on or before a certain date of each year; defining certain terms; providing for the termination of this Act; and generally relating to the Growing Family Child Care Opportunities Pilot Program.

BY adding to
Article – Education

Section 9.5–113
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 829 – Senator Lam

AN ACT concerning

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

FOR the purpose of ~~altering the circumstances under which a procurement officer may make an emergency procurement; requiring a unit's procurement officer to obtain approval from the Chief Procurement Officer or the Chief Procurement Officer's designee before making an emergency procurement under certain circumstances; requiring the Chief Procurement Officer or designee to approve or disapprove a certain request within a certain time frame after receiving the request; providing that if the Chief Procurement Officer or designee does not approve or disapprove a certain request within a certain time frame the request shall be considered to be approved; requiring a procurement officer to make reasonable efforts to solicit a certain minimum number of quotes for an emergency procurement; requiring a procurement officer to evaluate a certain contractor's ability to perform the requirements of an emergency procurement based on certain criteria under certain circumstances; requiring a procurement officer to obtain the approval of the Board of Public Works before awarding an emergency procurement contract with a certain value; altering certain reporting requirements related to emergency procurement contracts; adding certain reporting requirements for certain emergency procurement contracts; altering the time frame within which a procurement officer must submit a certain report; requiring an emergency procurement contract to include provisions addressing the contractor's ability to perform the requirements of the contract within a certain time frame; limiting the term of a certain single source procurement contract; authorizing the Board to hold a certain emergency meeting for a certain purpose; specifying when a unit is required to publish notice of a certain emergency procurement in eMaryland Marketplace; authorizing certain units of State government to make a procurement on an expedited basis under certain circumstances; reducing the number of days after the end of each fiscal year that a primary procurement unit has to submit a certain report concerning certain procurement contracts; requiring a primary procurement unit to submit the report to the Chief Procurement Officer for the State instead of the Governor and the General Assembly; clarifying the types of procurement contracts that must be included in the report; requiring the report to include certain information on certain types of procurements; requiring the Chief Procurement Officer, within a certain number of days after the end of each fiscal year, to submit to the Governor and certain committees of the General Assembly a consolidated report that includes each report submitted to the Chief Procurement Officer by the primary procurement units~~

~~as required under this Act; requiring that a report submitted to a committee of the General Assembly under this Act be submitted subject to a certain provision of law; authorizing the Board to adopt certain regulations 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 certain guidelines; requiring a unit's procurement officer to obtain approval from the Chief Procurement Officer or the Chief Procurement Officer's designee before making an emergency procurement under certain circumstances; requiring the Chief Procurement Officer or designee to approve or disapprove a certain request within a certain time frame after receiving the request; providing that if the Chief Procurement Officer or designee does not approve or disapprove a certain request within a certain time frame, the request shall be considered to be approved; requiring a procurement officer to evaluate a certain contractor's ability to perform the requirements of an emergency procurement based on certain criteria under certain circumstances; requiring a procurement officer to execute a certain written contract for an emergency procurement under certain circumstances; prohibiting a unit from paying more than a certain amount in advance of or concurrent with the execution of a certain emergency procurement contract; prohibiting a unit from making certain additional payments under a certain emergency procurement contract for a certain period of time unless authorized by the Board of Public Works; requiring a unit to submit a copy of a certain emergency procurement contract to the Board within a certain period of time; authorizing the Board to review a certain emergency procurement contract at a certain meeting and to direct a unit or the appropriate control agency to take certain actions; altering certain reporting requirements related to emergency procurement contracts; adding certain reporting requirements for certain emergency procurement contracts; requiring an emergency procurement contract to include provisions addressing the contractor's ability to perform the requirements of the contract within a certain time frame; altering the time frame within which a procurement officer must submit a certain report to the Board; specifying when a unit is required to publish notice of a certain emergency procurement in eMaryland Marketplace; requiring a unit that awards a certain contract or contract modification as an emergency procurement to submit a certain report to the Board and a certain appropriate control agency within a certain period of time; specifying the contents of a certain report; authorizing the Board to adopt certain regulations; authorizing certain units of State government to make a procurement on an expedited basis under certain circumstances; reducing the number of days after the end of each fiscal year that a primary procurement unit has to submit a certain report concerning certain procurement contracts; requiring a primary procurement unit to submit a certain report to the Chief Procurement Officer instead of the Governor and the General Assembly; clarifying the types of procurement contracts that must be included in a certain report; requiring a certain report to include certain information on certain types of procurements; requiring the Chief Procurement Officer, within a certain number of days after the end of each fiscal year, to submit to the Governor and certain committees of the General Assembly a consolidated report that includes each report submitted to the Chief Procurement Officer by the primary procurement units as required under this Act; requiring a certain report to be submitted by the Department of General Services~~

instead of the Department of Budget and Management; requiring that a report submitted to a committee of the General Assembly under this Act be submitted subject to a certain provision of law; requiring the Special Secretary for the Office of Small, Minority, and Women Business Affairs to report to certain committees of the General Assembly on or before a certain date; providing for the application of certain provisions of this Act; providing for the effective dates of this Act; defining a certain term; and generally relating to State procurement.

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 13–108 and 15–111
 Annotated Code of Maryland
 (2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 13–108
 Annotated Code of Maryland
 (2015 Replacement Volume and 2020 Supplement)
 (As enacted by Section 1 of this Act)

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

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 293 SPONSOR: **Delegate Stein**
 SUBJECT: Natural Resources – Organized Killing Contests –
 Restriction
 THIRD READING CALENDAR HOUSE NO. 12 SENATE NO. 12

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 Education, Health, and Environmental Affairs Committee Amendment (HB0293/624330/1) be rejected.

(2) That the attached Conference Committee Amendment (HB0293/853428/1) be adopted.

HB0293/853428/1

BY: Conference Committee

AMENDMENT TO HOUSE BILL 293
(Third Reading File Bill)

On page 2, in line 7, strike “\$25” and substitute “\$50”.

Senate Members:

House Members:

Chair, **Cheryl C. Kagan**

Chair, **Jim Gilchrist**

Bryan W. Simonaire

Dana Stein

(not signed)

Clarence K. Lam

Jay A. Jacobs

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 – 112 Negative – 25 (See Roll Call No. 1259)

The Bill was then sent to the Senate.

**CONCURRENCE CALENDAR NO. 18
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 2 – Delegate Korman

EMERGENCY BILL

AN ACT concerning

Maryland Environmental Service Reform Act of 2021

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0002/259634/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 2

(Third Reading File Bill)

On page 1, at the top of the page, strike “EMERGENCY BILL”.

On page 3, in line 12, strike “making this Act an emergency measure”.

On page 30, strike beginning with “is” in line 28 down through “enacted” in line 31 and substitute “shall take effect July 1, 2021”.

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 – 129 Negative – 7 (See Roll Call No. 1260)

AMENDED IN THE SENATE**House Bill 45 – Delegate Forbes**

AN ACT concerning

Education – Baltimore County Public Library – Collective Bargaining

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0045/577770/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 45

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “for” insert “and requiring the nature of certain work be considered in”.

On page 2, strike beginning with “library,” in line 4 down through the second “the” in line 5; in line 6, strike “for its acceptance or rejection” and substitute “to submit a certain term and a certain recommendation to the County Executive under certain circumstances”; strike beginning with “requiring” in line 6 down through “term;” in line 9; in line 13, strike “entire collective bargaining agreement” and substitute “request”; in line 16, after “timeline;” insert “providing that an employer and a certified exclusive representative have certain mutual obligations;”; and strike beginning with “prohibiting” in line 21 down through “strike” in line 24 and substitute “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”.

AMENDMENT NO. 2

On page 3, in line 6, strike “HAS” and substitute “:

(1) HAS;

in line 9, strike “ADJUSTMENT” and substitute “ADJUDICATION”; and in the same line, after “GRIEVANCES” insert “; OR

(2) WORKS IN A CLOSE AND CONTINUING CONFIDENTIAL RELATIONSHIP ASSISTING OR AIDING A MANAGEMENT EMPLOYEE”.

On page 4, in line 5, after “LIBRARY” insert “AND THE BOARD”.

On page 5, in line 6, strike “, A” and substitute “:

(1) A;

in line 7, after “DETERMINATION” insert “; AND

(2) THE NATURE OF THE SUPERVISORY EMPLOYEE’S WORK, INCLUDING WHETHER OR NOT A SIGNIFICANT PORTION OF THE SUPERVISORY EMPLOYEE’S WORKING TIME IS SPENT AS PART OF A TEAM THAT INCLUDES NONSUPERVISORY EMPLOYEES SHALL BE CONSIDERED”;

and in line 31, strike “SETTLEMENT OF GRIEVANCES” and substitute “GRIEVANCE PROCESS”.

On page 6, in line 10, after “MAY” insert “ONLY”; in the same line, strike “DURING ANY TIME OF THE YEAR” and substitute “IN THE MONTH OF SEPTEMBER”; and in line 28, strike “BOARD OF TRUSTEES” and substitute “EMPLOYER”.

On page 6 in line 24, and on page 7 in line 8, in each instance, strike “1 YEAR” and substitute “9 MONTHS”.

On page 7, in line 1, strike “LIBRARY SYSTEM” and substitute “EMPLOYER”.

On page 11, in line 4, strike “EXCLUSIVE REPRESENTATIVE” and substitute “EMPLOYEE”.

On page 12, in line 5, strike “24” and substitute “48”; strike beginning with “FEDERAL” in line 9 down through “REACHED” in line 10 and substitute “MEDIATOR SELECTED BY THE PARTIES IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION”; strike beginning with “THE” in line 11 down through “SECTION,” in line 13; in line 13, after “A” insert “MEDIATOR IS SELECTED BY THE PARTIES, THE”; strike beginning with “APPOINTED” in line 13 down through “SERVICE” in line 14; in line 18, after “DISPUTE” insert “IN ACCORDANCE WITH THIS SUBSECTION”; after line 18, insert:

“(2) (I) IF THE PARTIES ARE UNABLE TO AGREE ON A MEDIATOR, THEY SHALL REQUEST A LIST OF SEVEN MEDIATORS FROM THE FEDERAL MEDIATION AND CONCILIATION SERVICE.

“(II) WITHIN 3 WORKING DAYS AFTER RECEIVING THE LIST UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE PARTIES SHALL ALTERNATELY REMOVE ONE MEDIATOR FROM THE LIST UNTIL ONLY ONE MEDIATOR REMAINS, WHO THE PARTIES SHALL AGREE WILL SERVE AS THE MEDIATOR UNDER THIS SUBSECTION.

“(3) THE MEDIATOR SHALL ACT AS AN INTERMEDIARY IN BRINGING THE PARTIES TOGETHER AND SHALL ACTIVELY ASSIST THE PARTIES IN RESOLVING THE DISPUTE BY:

(I) CONDUCTING PROCEEDINGS IN ACCORDANCE WITH THIS SUBSECTION;

(II) REVIEWING THE FINAL POSITIONS OF THE PARTIES;

(III) IDENTIFYING THE MAJOR ISSUES IN THE DISPUTE BETWEEN THE PARTIES;

(IV) REVIEWING THE POSITIONS OF THE PARTIES; AND

(V) RECOMMENDING A RESOLUTION FOR THE AGREEMENT OF THE PARTIES.

(4) A RESOLUTION UNDER THIS SUBSECTION:

(I) SHALL ADDRESS MATTERS SUCH AS WAGES, HOURS, OR TERMS AND CONDITIONS OF EMPLOYMENT;

(II) MAY NOT INCLUDE HEALTH CARE BENEFITS; AND

(III) MAY NOT EXCEED 1 FISCAL YEAR, UNLESS AGREED TO BY THE PARTIES;

(5) ANY RESOLUTION UNDER THIS SUBSECTION REGARDING PENSION BENEFITS SHALL BE CONSTRUED AS A RECOMMENDATION TO OR CONSIDERATION FOR THE APPROPRIATE PENSION ADMINISTRATOR OF THE STATE OR BALTIMORE COUNTY.

(6) (I) BEFORE ISSUING A FINAL DECISION, THE MEDIATOR SHALL TAKE INTO CONSIDERATION, AMONG ANY OTHER RELEVANT FACTORS:

1. THE WAGES AND PENSION BENEFITS, NOT INCLUDING HEALTH CARE BENEFITS, OF THE EMPLOYEES OF THE BARGAINING UNIT;

2. THE WAGES AND PENSION BENEFITS OF OTHER SIMILARLY SITUATED EMPLOYEES PERFORMING SIMILAR SERVICES IN LIBRARIES

OF COMPARABLE JURISDICTIONS TO BALTIMORE COUNTY IN THE STATE, TAKING INTO CONSIDERATION THE COST OF LIVING INDEX FOR THE AREA IN WHICH THE COMPARABLE DEPARTMENT IS LOCATED;

3. WAGES AND PENSION BENEFITS OF SIMILARLY SITUATED BALTIMORE COUNTY EMPLOYEES;

4. THE LAST PUBLISHED ANNUAL U.S. DEPARTMENT OF LABOR CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR ALL ITEMS IN THE WASHINGTON–BALTIMORE AREA;

5. THE SPECIAL NATURE OF THE WORK PERFORMED BY THE EMPLOYEES OF THE BARGAINING UNIT, INCLUDING:

A. PHYSICAL REQUIREMENTS OF EMPLOYMENT;

B. EDUCATIONAL REQUIREMENTS;

C. JOB TRAINING AND JOB SKILLS; AND

D. SHIFT ASSIGNMENTS AND THE DEMANDS PLACED ON THE EMPLOYEES COMPARED TO THE DEMANDS PLACED ON OTHER SIMILARLY SITUATED LIBRARY EMPLOYEES IN COMPARABLE JURISDICTIONS TO BALTIMORE COUNTY;

6. STATE AND COUNTY MANDATED EXPENDITURES;

7. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AVAILABILITY OF FUNDS, INCLUDING FINANCIAL SOURCES OF REVENUE; AND

8. THE INTEREST AND WELFARE OF THE PUBLIC.

(II) IN CONSIDERING THE AVAILABILITY OF FUNDS FOR WAGE INCREASES, THE MEDIATOR SHALL CONSIDER THE GENERAL FUND REVENUES OF

BALTIMORE COUNTY AND THE BALTIMORE COUNTY SPENDING AFFORDABILITY COMMITTEE REPORT.

(7) A MEDIATOR MAY NOT:

(I) RECOMMEND A WAGE INCREASE WITHOUT APPROVAL OF THE COUNTY EXECUTIVE AND COUNTY COUNCIL;

(II) RECOMMEND A PENSION BENEFIT INCREASE WITHOUT APPROVAL OF THE APPROPRIATE PENSION ADMINISTRATOR OF THE STATE OR BALTIMORE COUNTY; OR

(III) CONSIDER TESTIMONY REGARDING FUNDS FOR CAPITAL IMPROVEMENTS, SURPLUS CONTINGENCY, OR RESERVE FUNDS.

(8) (I) THE PARTIES ARE STRONGLY ENCOURAGED TO REACH AN AGREEMENT ON ALL ISSUES WHENEVER POSSIBLE.

(II) IF NO AGREEMENT CAN BE REACHED BY THE PARTIES, THE MEDIATOR SHALL ISSUE A REPORT WITH THE MEDIATOR'S DECISION, INCLUDING WRITTEN FINDINGS OF FACT.

(9) THE MEDIATOR MAY ADOPT A PACKAGE OF FINAL POSITIONS OR RULE ON EACH MATTER SEPARATELY.”;

in line 19, strike “(2)” and substitute “(10)”; in line 21, after “REPRESENTATIVE” insert “ON OR BEFORE THE IMMEDIATELY FOLLOWING APRIL 2”; in line 22, strike “(3)” and substitute “(11)”; after line 24, insert:

“(12) THIS SUBSECTION MAY NOT BE CONSTRUED TO INTERFERE WITH ANY EFFORTS THE PARTIES MAY UNDERTAKE TO REACH AN AGREEMENT AT ANY TIME.

(13) (I) THE COUNTY EXECUTIVE IS NOT BOUND BY ANY DECISION MADE UNDER THIS SUBSECTION AND SHALL ACT IN ACCORDANCE WITH THIS SECTION.

(II) THE COUNTY COUNCIL MAY ACCEPT OR REJECT THE RECOMMENDATION OF APPROVAL BY THE COUNTY EXECUTIVE.

(14) THIS SUBSECTION SHALL BE THE EXCLUSIVE PROCEDURE FOR RESOLVING DISPUTES BETWEEN THE PARTIES, UNLESS THE PARTIES, BY MUTUAL AGREEMENT, DETERMINE TO USE ANOTHER METHOD OF DISPUTE RESOLUTION.”;

strike beginning with “AND” in line 25 down through “DISPUTE” in line 28 and substitute **“SHALL SUBMIT THE FINDINGS AND RECOMMENDATIONS OF THE MEDIATOR TO THE BOARD IN A TIMELY MANNER CONSISTENT WITH THE TIMING OF PARAGRAPH (2) OF THIS SUBSECTION”**; and strike beginning with “IF” in line 29 down through “APPROVAL” in line 33 and substitute **“THE BOARD SHALL APPROVE ALL RECOMMENDATIONS AND FINDINGS OF THE MEDIATOR THAT DO NOT RELATE TO A FINANCIAL ISSUE OR REQUIRE AN APPROPRIATION OF ADDITIONAL FUNDS WITHIN 5 DAYS OF THE MEDIATOR’S DECISION”**.

On page 13, in line 2, strike “EMPLOYER SHALL SUBMIT TO THE”; in the same line, after “BOARD” insert **“SHALL SUBMIT”**; in line 3, after “AGREEMENT” insert **“OR MEMORANDUM OF UNDERSTANDING”**; in the same line, strike **“§ 23–707”** and substitute **“§§ 23–707 AND 23–708”**; in line 4, after “SUBTITLE” insert **“TO THE COUNTY EXECUTIVE WITH THE BOARD’S RECOMMENDATION REGARDING WHETHER THE AGREEMENT OR THE MEDIATOR’S DECISION”**; strike beginning with “IF” in line 4 down through “REQUIRES” in line 5 and substitute **“REQUIRES”**; in line 5, after “OF” insert **“ADDITIONAL”**; and in the same line, strike “; OR” and substitute a period.

On pages 13 and 14, strike in their entirety the lines beginning with line 6 on page 13 through line 8 on page 14, inclusive.

On page 14, in line 9, strike “(II)” and substitute **“(B) (1)”**; in line 10, after “FUNDING” insert **“UNDER SUBSECTION (A) OF THIS SECTION”**; in line 11, strike “(III)” and substitute **“(2)”**; in line 12, strike “SUBPARAGRAPH (II) OF THIS PARAGRAPH” and substitute **“PARAGRAPH (1) OF THIS SUBSECTION”**; in line 13, after “REQUEST” insert **“FOR ADDITIONAL FUNDS”**; in line 14, strike “(2)” and substitute **“(C)”**; in line 16, strike **“(3) (I)”** and substitute **“(D) (1)”**; in line 18, strike “ENTIRE COLLECTIVE BARGAINING AGREEMENT” and substitute **“REQUEST FOR ADDITIONAL FUNDS”**; in line 22, strike “(II)” and substitute **“(2)”**; in line 24, strike “(III) 1.” and substitute **“(3)**

(I); in lines 28 and 30, strike “2.” and “3.”, respectively, and substitute “(II)” and “(III)”, respectively; in line 29, strike “SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH” and substitute “SUBPARAGRAPH (I) OF THIS PARAGRAPH”; in line 31, after “BINDING” insert “ON ALL PARTIES”; and after line 31, insert:

“(E) (1) THE EMPLOYER AND THE CERTIFIED EXCLUSIVE REPRESENTATIVE ARE MUTUALLY OBLIGATED TO:

(I) MEET AT REASONABLE TIMES IN CONSIDERATION OF THE COUNTY’S BUDGET SUBMISSION DATE; AND

(II) NEGOTIATE IN GOOD FAITH ON:

1. WAGES, HOURS, AND TERMS AND CONDITIONS OF EMPLOYMENT; AND

2. DRAFTING A WRITTEN COLLECTIVE BARGAINING AGREEMENT THAT CONTAINS ALL MATTERS AGREED ON AND SIGNED BY AUTHORIZED REPRESENTATIVES OF BOTH PARTIES.

(2) THE OBLIGATION TO NEGOTIATE IN GOOD FAITH UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION:

(I) REQUIRES THAT AN EFFORT BE MADE BY BOTH PARTIES TO ARRIVE AT AN AGREEMENT AND REDUCE THE AGREEMENT TO WRITING WITHIN A REASONABLE PERIOD OF TIME; AND

(II) DOES NOT REQUIRE THAT ANY CONCESSION BE MADE BY EITHER PARTY.”.

On page 15, in line 24, strike “AN” and substitute “A CERTIFIED”.

On page 16, in line 2, strike “IT” and substitute “NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW, IT”; in line 9, after “CONDUCTED” insert “, INCLUDING:

(I) THE USE OF VOLUNTEERS; AND

(II) THE CONTRACTING OUT OF WORK IF CONSIDERED NECESSARY;

in line 11, strike “OR MEMORANDUM OF UNDERSTANDING, OR” and substitute “AND”; in the same line, after “WITH” insert “THE BALTIMORE COUNTY CHARTER AND”; in line 16, after “TAKE” insert “ANY”; and in line 18, after “(C)” insert:

“THE PROVISIONS OF THIS SECTION SHALL BE DEEMED TO BE PART OF EVERY AGREEMENT EXECUTED BETWEEN THE EMPLOYER AND A CERTIFIED EXCLUSIVE REPRESENTATIVE.

(D) THIS SECTION MAY NOT BE CONSTRUED TO DENY THE RIGHT OF AN EMPLOYEE TO SUBMIT A GRIEVANCE WITH REGARD TO THE EMPLOYER’S EXERCISE OF ITS RIGHTS UNDER THIS SECTION.

(E).

On pages 16 and 17, strike in their entirety the lines beginning with line 24 on page 16 through line 2 on page 17, inclusive, and substitute:

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “LOCKOUT” MEANS THE TEMPORARY WITHHOLDING OF WORK, BY MEANS OF SHUTTING DOWN AN OPERATION OR FUNCTION IN ORDER TO BRING PRESSURE ON EMPLOYEES OR ON THEIR REPRESENTATIVES TO ACCEPT A CHANGE IN COMPENSATION OR RIGHTS, PRIVILEGES, OBLIGATIONS, OR OTHER TERMS AND CONDITIONS OF EMPLOYMENT.

(3) “SECONDARY BOYCOTT” MEANS AN ACTIVITY BY AN EMPLOYEE ORGANIZATION OR ITS MEMBERS THAT IS INTENDED TO INDUCE, ENCOURAGE, OR COERCE PERSONS DOING BUSINESS WITH THE EMPLOYER TO WITHHOLD, WITHDRAW, OR IN ANY RESPECT CURTAIL THEIR BUSINESS RELATIONS WITH THE COUNTY.

(4) “STRIKE” MEANS THE REFUSAL OR FAILURE BY AN EMPLOYEE OR GROUP OF EMPLOYEES TO PERFORM THEIR DUTIES OF EMPLOYMENT AS ASSIGNED IF A PURPOSE OF THE REFUSAL OR FAILURE IS TO INDUCE, FORCE, OR REQUIRE THE EMPLOYER TO ACT OR REFRAIN FROM ACTING WITH REGARD TO ANY MATTER.

(5) “WORK STOPPAGE” MEANS:

(I) THE WILLFUL ABSENCE OF A GROUP OF EMPLOYEES FROM THEIR POSITIONS;

(II) THE ENGAGING IN A SLOWDOWN BY EMPLOYEES; OR

(III) THE REFUSAL OF EMPLOYEES TO PERFORM JOB DUTIES.

(B) IN GENERAL, STRIKES, WORK STOPPAGES, LOCKOUTS, AND SECONDARY BOYCOTTS ARE PROHIBITED.

(C) (1) EMPLOYEES AND EMPLOYEE ORGANIZATIONS MAY NOT ENGAGE IN, SPONSOR, INITIATE, SUPPORT, DIRECT, OR CONDONE A STRIKE, WORK STOPPAGE, OR SECONDARY BOYCOTT.

(2) EMPLOYEE ORGANIZATIONS MAY NOT ENGAGE IN, INITIATE, SPONSOR, OR SUPPORT, DIRECTLY OR INDIRECTLY, PICKETING OF THE EMPLOYER, ITS PROPERTY, OR FIELD OR OFFICE FACILITIES IN FURTHERANCE OF A STRIKE, WORK STOPPAGE, OR SECONDARY BOYCOTT.

(D) IF AN EMPLOYEE ORGANIZATION VIOLATES THIS SECTION, THE BOARD, AFTER A MAJORITY VOTE, MAY:

(1) REVOKE THE EMPLOYEE ORGANIZATION’S DESIGNATION AS CERTIFIED EXCLUSIVE REPRESENTATIVE;

(2) DISQUALIFY THE EMPLOYEE ORGANIZATION FROM PARTICIPATING IN REPRESENTATION ELECTIONS FOR A PERIOD OF UP TO 2 YEARS; AND

(3) TERMINATE IMMEDIATELY THE PAYROLL DEDUCTIONS FOR THE EMPLOYEE ORGANIZATION’S DUES.

(E) AN EMPLOYEE WHO VIOLATES THIS SECTION IS SUBJECT TO IMMEDIATE DISCIPLINARY ACTION, WHICH MAY INCLUDE PERMANENT DISMISSAL FROM THE EMPLOYMENT BY THE EMPLOYER FOR JUST CAUSE.

(F) (1) THE EMPLOYER MAY NOT DIRECT A LOCKOUT AGAINST EMPLOYEES.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT THE EMPLOYER FROM EXERCISING ITS MANAGERIAL RIGHTS.”.

On page 17, in line 4, strike “October” and substitute “July”.

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 – 99 Negative – 38 (See Roll Call No. 1261)

AMENDED IN THE SENATE

House Bill 1268 – Delegate Henson

AN ACT concerning

Legal Education Success Collaborative – Established

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1268/824137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1268

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “purposes;” insert “requiring certain institutions to provide certain matching funds;”.

AMENDMENT NO. 2

On page 3, in lines 5 and 6, strike “**AND COORDINATED WITH MARYLAND HBCUS**”; in lines 10 and 11, strike “, **THE GOVERNOR SHALL APPROPRIATE**”; in line 12, strike “**\$200,000**” and substitute “**THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$125,000**”; and strike beginning with “**\$50,000**” in line 15 down through “**HBCUS**” in line 18 and substitute “**THE UNIVERSITY OF BALTIMORE SCHOOL OF LAW AND THE UNIVERSITY OF MARYLAND SCHOOL OF LAW EACH SHALL PROVIDE FUNDING FOR THE SCHOLARS PROGRAM TO MATCH THE AMOUNT PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, UP TO \$125,000**”.

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 – 102 Negative – 36 (See Roll Call No. 1262)

**CONCURRENCE CALENDAR NO. 19
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 562 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Speed Limits – Establishment

MC 02–21

Delegate Barve moved that the House concur in the Senate amendments.

HB0562/608979/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 562

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 7, in each instance, after “County” insert “and municipalities in Montgomery County”; and in line 6, after “investigation;” insert “prohibiting Montgomery County and municipalities in Montgomery County from implementing a new speed monitoring system to enforce speed limits on certain highways”.

AMENDMENT NO. 2

On page 2, in line 17, after “(4)” insert “**(I) THIS PARAGRAPH APPLIES ONLY TO:**

1. MONTGOMERY COUNTY; AND

2. MUNICIPALITIES LOCATED IN MONTGOMERY COUNTY.

(II);

in the same line, strike “**MONTGOMERY COUNTY**” and substitute “**A LOCAL AUTHORITY**”; and after line 19, insert:

“(III) A LOCAL AUTHORITY MAY NOT IMPLEMENT A NEW SPEED MONITORING SYSTEM TO ENFORCE SPEED LIMITS ON ANY PORTION OF A HIGHWAY FOR WHICH THE SPEED LIMIT HAS BEEN DECREASED UNDER THIS PARAGRAPH.”

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 – 102 Negative – 35 (See Roll Call No. 1263)

AMENDED IN THE SENATE

House Bill 980 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Public Ethics – Definition of Application

Delegate Barve moved that the House concur in the Senate amendments.

HB0980/724335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 980

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Definition of Application**” and substitute “**Payments and Transfer and Zone Intensification Requests**”; strike beginning with “altering” in line 4 down through “purpose” in line 6 and substitute “exempting a member of the Prince George’s County Council from the prohibition against voting or participating in a proceeding regarding a countywide zoning map amendment under certain circumstances; providing for the application of certain provisions of this Act; prohibiting the Prince George’s County Planning Board from recommending, and the District Council in Prince George’s County from approving, a certain request in adopting and approving a countywide zoning map amendment, subject to a certain exception; requiring that a member’s treasurer, a continuing political committee, or a slate to which the member belongs or belonged return a certain payment or transfer and provide a certain notice in a certain manner”; in line 10, strike “5–833(a), (i), (j), and (k)” and substitute “5–833”; and in line 15, strike “5–833(d)” and substitute “5–835”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“(b) (1) “Agent” means an individual or a business entity hired or retained by an applicant for any purpose relating to the land that is the subject of an application if the individual or business entity is:

- (i) an accountant;
- (ii) an attorney;
- (iii) an architect;
- (iv) an engineer;

- (v) a land use consultant;
- (vi) an economic consultant;
- (vii) a real estate agent;
- (viii) a real estate broker;
- (ix) a traffic consultant; or
- (x) a traffic engineer.

(2) “Agent” includes:

(i) as to a corporation described in paragraph (1) of this subsection, its officers, directors, and majority stockholders who are engaged in substantive activities pertaining specifically to land development in Prince George’s County as a regular part of their ongoing business activities;

(ii) as to a partnership or limited partnership described in paragraph (1) of this subsection, its general partners and limited partners who are engaged in substantive activities pertaining specifically to land development in Prince George’s County as a regular part of their ongoing business activities; and

(iii) as to a joint venture described in paragraph (1) of this subsection, the principal members of the joint venture who are engaged in substantive activities pertaining specifically to land development in Prince George’s County as a regular part of their ongoing business activities.

(c) (1) “Applicant” means an individual or a business entity that is:

(i) a title owner or contract purchaser of land that is the subject of an application;

(ii) a trustee that has an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or

(iii) a holder of at least a 5% interest in a business entity that has an interest in land that is the subject of an application but only if:

1. the holder of at least a 5% interest has substantive involvement in directing the affairs of the business entity with an interest in the land that is the subject of an application with specific regard to the disposition of that land; or

2. the holder of at least a 5% interest is engaged in substantive activities specifically pertaining to land development in Prince George's County as a regular part of the business entity's ongoing business activities.

(2) "Applicant" includes:

(i) any business entity in which a person described in paragraph (1) of this subsection holds at least a 5% interest; and

(ii) the directors and officers of a corporation that actually holds title to the land, or is a contract purchaser of the land, that is the subject of an application.

(3) "Applicant" does not include:

(i) a financial institution that has loaned money or extended financing for the acquisition, development, or construction of improvements on any land that is the subject of an application;

(ii) a municipal corporation or public corporation;

(iii) a public authority;

(iv) a public utility regulated by the Public Service Commission in any instance where the utility is engaged in or conducting regulated activities that have been approved by the Public Service Commission or are allowed under Division I of the Public Utilities Article; or

(v) the directors and officers of any entity that does not hold title to the land, or is not the contract purchaser of the land, that is the subject of an application.";

in lines 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, strike "**(1)**", "**(I)**", "**1.**", "**2.**", "**3.**", "**4.**", "**5.**", "**6.**", "**7.**", "**(II)**", "**1.**", "**2.**", "**3.**", and "**(III)**", respectively; in lines 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, in each instance, strike the brackets; and strike in their entirety lines 21 through 26, inclusive, and substitute:

“(e) “Business entity” means:

- (1) a corporation;
- (2) a general partnership;
- (3) a joint venture;
- (4) a limited liability company;
- (5) a limited partnership; or
- (6) a sole proprietorship.

(f) “Candidate” means a candidate for election to the County Council who becomes a member.

(g) “Continuing political committee” means a committee specifically created to promote the candidacy of a member running for any elective office.

(h) “Contributor” means a person or business entity that makes a payment.”.

On page 3, after line 4, insert:

“(l) “Member” includes any candidate or person duly elected or appointed who takes the oath of office as a member of the County Council for Prince George’s County and who thereby serves on the District Council.

(m) “Payment” means a payment or contribution of money or property or the incurring of a liability or promise of anything of value to a treasurer of a candidate, a candidate’s continuing political committee, or a slate to which the candidate belongs.

(n) (1) “Pendency of the application” means the time between the acceptance of a filing of an application by the appropriate agency and expiration of the time under which an appeal on the application may be taken.

- (2) “Pendency of the application” does not include a period during which:

- (i) action on the application is under judicial review; or
- (ii) judicial review may be requested.

(o) “Political action committee” means a political committee that is not:

- (1) a political party;
- (2) a central committee;
- (3) a slate; or
- (4) a political committee organized and operated by, and solely on behalf of, an individual running for any elective office or a slate.

(p) “Slate” means a group, combination, or organization of candidates created under the Election Law Article.

(q) (1) “Treasurer” has the meaning stated in § 1–101 of the Election Law Article.

(2) “Treasurer” includes a subtreasurer.

5–835.

(a) An applicant or agent of the applicant may not make a payment to a member, or a slate that includes a member, during the pendency of the application.

(b) (1) After an application has been filed, a member may not vote or participate in any way in the proceeding on the application if the member’s treasurer or continuing political committee, or a slate to which the member belongs or belonged during the 36–month period before the filing of the application, received a payment during the 36–month period before the filing of the application or during the pendency of the application from any of the applicants or the agents of the applicants.

(2) A member is not subject to the requirements of paragraph (1) of this subsection if:

(i) 1. a transfer to the member’s treasurer, a continuing political committee, or a slate to which the member belongs or belonged during the 36–month period before the filing of the application was made by a political action committee to which an applicant or agent had made a payment;

[(ii)] 2. the applicant or agent made the payment to the political action committee without any intent to subvert the purposes of this subtitle;

[(iii)] 3. the applicant’s or agent’s payment to the political action committee, and the political action committee’s transfer, are disclosed in an affidavit; and

[(iv)] 4. the transfer is returned to the political action committee by the member, or the payment is returned to the applicant or agent by the political action committee; OR

(II) THE PROCEEDING IN WHICH THE MEMBER PARTICIPATES IS PART OF A COUNTYWIDE ZONING MAP AMENDMENT THAT IS RECOMMENDED BY THE PLANNING BOARD, WHERE THE INTENT IS TO IMPLEMENT AN APPROVED GENERAL PLAN BY REPEALING AND REPLACING ALL ZONING CATEGORIES APPLICABLE TO LAND IN PRINCE GEORGE’S COUNTY.

(c) (1) After an application is filed, the applicant shall file an affidavit under oath:

(i) 1. stating to the best of the applicant’s information, knowledge, and belief that during the 36–month period before the filing of the application and during the pendency of the application, the applicant has not made any payment to a member’s treasurer, a member’s continuing political committee, or a slate to which the member belongs or belonged during the 36–month period before the filing of the application;
or

2. if any such payment was made, disclosing the name of the member to whose treasurer or continuing political committee, or slate to which the member belongs or belonged during the 36–month period before the filing of the application, the payment was made;

(ii) 1. stating to the best of the applicant’s information, knowledge, and belief that during the 36–month period before the filing of the application

and during the pendency of the application, the applicant has not solicited any person or business entity to make a payment to a member's treasurer, a member's continuing political committee, or a slate to which the member belongs or belonged during the 36-month period before the filing of the application; or

2. if any such solicited payment was made, disclosing the name of the member to whose treasurer or continuing political committee, or slate to which the member belongs or belonged during the 36-month period before the filing of the application, the payment was made; and

(iii) 1. stating to the best of the applicant's information, knowledge, and belief that during the 36-month period before the filing of the application and during the pendency of the application, a member of the applicant's household has not made a payment to a member's treasurer, a member's continuing political committee, or a slate to which the member belongs or belonged during the 36-month period before the filing of the application; or

2. if any such payment was made, disclosing the name of the member to whose treasurer or continuing political committee, or slate to which the member belongs or belonged during the 36-month period before the filing of the application, the payment was made.

(2) The affidavit shall be filed at least 30 calendar days before consideration of the application by the District Council.

(3) A supplemental affidavit shall be filed whenever a payment is made after the original affidavit was filed.

(4) (i) An applicant is not required to make any representations in the affidavit pertaining to the actions of anyone other than that applicant.

(ii) Anyone with authority to act on behalf of and bind a business entity may execute an affidavit on behalf of the business entity.

(5) The only disclosures required under the affidavit are those involving individuals or business entities that would be subject to this subtitle.

(d) (1) An agent shall file an affidavit in an application only if:

(i) the agent has acted on behalf of the applicant with regard to the specific application; and

(ii) during the 36-month period before the filing of the application and during the pendency of the application, and after becoming an agent of the applicant:

1. the agent has made a payment to a member, a member's continuing political committee, or a slate to which the member belongs or belonged during the 36-month period before the filing of the application; or

2. the agent has solicited any person to make a payment to a member's treasurer, a member's continuing political committee, or a slate to which the member belongs or belonged during the 36-month period before the filing of the application.

(2) Notwithstanding paragraph (1)(ii) of this subsection, an agent shall disclose in the affidavit a payment made before becoming an agent if the agent:

(i) made the payment by prearrangement or in coordination with one or more applicants; or

(ii) acted as an agent as to any other application filed during the 36-month period.

(e) (1) Except as provided in paragraph (2) of this subsection, a contributor, a member, or a political action committee is subject to this part if a payment is made by the contributor or a transfer is made by the political action committee to:

(i) the candidate;

(ii) the candidate's continuing political committee; or

(iii) a slate to which the member belongs or belonged during the 36-month period before the filing of the application.

(2) This part does not apply to:

(i) any transfer to the continuing political committee of a member by the continuing political committee of another individual running for elective office; or

(ii) a payment or transfer to the Prince George's County or State Central Committee of a political party, even if the Central Committee supports a candidate.

(3) A person may not make a payment in violation of this part.

(f) An applicant or agent may not take any action, directly or indirectly, with the intent to circumvent the intent of this part.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) This section applies during the period when the District Council of Prince George's County is adopting and approving a countywide zoning map amendment for Prince George's County.

(b) Except on a demonstration of error in the public record after a public hearing, the Prince George's County Planning Board may not recommend, and the District Council may not approve, any request made by or on behalf of any person for zone intensification that differs substantially from the applicable zoning category or classification recommended in the Proposed Guide to New Zones adopted by the District Council on July 16, 2019, under Council Resolution 27-2.

(c) If a member, as defined in § 5-833 of the General Provisions Article, receives a payment or transfer from any applicant, agent, or entity that files an affidavit under § 5-835(c) of the General Provisions Article and requests a zone intensification that differs substantially from the applicable zoning category or classification recommended in the Proposed Guide to New Zones, the member's treasurer, continuing political committee, or the slate to which the member belongs or belonged must:

(1) return the payment or transfer; and

(2) make note in the public record of the returned payment or transfer before the adoption of the countywide zoning map amendment.”;

and in line 5, strike “2.” and substitute “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 – 104 Negative – 32 (See Roll Call No. 1264)

AMENDED IN THE SENATE

House Bill 1061 – Charles County Delegation

AN ACT concerning

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

Delegate Barve moved that the House concur in the Senate amendments.

HB1061/688576/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1061

(Third Reading File Bill)

On page 2, strike beginning with “**DWELLING**” in line 4 down through “**(I)**” in line 9; and in line 24, strike “**(5)**” and substitute “**(4)**”.

On page 5, in line 29, after “**(I)**” insert:

“1. IN THIS PARAGRAPH “DWELLING UNIT” MEANS A BUILDING OR PART OF A BUILDING THAT PROVIDES LIVING OR SLEEPING FACILITIES FOR ONE OR MORE INDIVIDUALS.

2. “DWELLING UNIT” INCLUDES A ONE OR TWO FAMILY DWELLING.

(II)”;

and in line 32, strike “**(II)**” and substitute “**(III)**”.

On page 6, in line 18, strike “**(III)**” and substitute “**(IV)**”.

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 – 40 (See Roll Call No. 1265)

**CONCURRENCE CALENDAR NO. 20
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 554 – Delegate Pena–Melnyk

AN ACT concerning

Division of Consumer Protection – Assisted Living Programs

Delegate Pendergrass moved that the House concur in the Senate amendments.

HB0554/417978/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 554

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “General;” insert “requiring the Office of Health Care Quality within the Maryland Department of Health to notify the Division of Consumer Protection of the appointment of an assisted living program as a resident’s representative payee within a certain time after being made aware of the appointment;”.

AMENDMENT NO. 2

On page 2, after line 22, insert:

“(C) THE OFFICE OF HEALTH CARE QUALITY SHALL NOTIFY THE DIVISION OF THE APPOINTMENT OF AN ASSISTED LIVING PROGRAM AS A RESIDENT’S REPRESENTATIVE PAYEE WITHIN A REASONABLE TIME AFTER BEING MADE AWARE OF THE APPOINTMENT.”

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 – 130 Negative – 0 (See Roll Call No. 1266)

AMENDED IN THE SENATE

House Bill 319 – Delegate Palakovich Carr

AN ACT concerning

Local Tax Relief for Working Families Act of 2021

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0319/379934/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 319

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering the calculation of a certain grant to certain counties under certain circumstances;”; in line 15, after “purpose;” insert “making a conforming change;”; and after line 17, insert:

“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)”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“Article – Local Government

16–501.

(a) Subject to subsection (e) of this section, for each fiscal year, the Comptroller shall pay to an eligible county a grant in the amount determined under subsection (c)(3) of this section.

(b) A county may not receive a grant under subsection (a) of this section if ANY OF the county's income tax [rate was] RATES WERE less than 2.6%:

(1) for the taxable year that ended in the second prior fiscal year; or

(2) for any subsequent taxable year through the taxable year that ends in the current fiscal year.

(c) (1) For each fiscal year, the Comptroller shall determine for each county:

(i) the county income tax collected from individuals for the taxable year that ended in the second prior fiscal year, based on tax returns filed through November 1 of the year following the applicable taxable year; and

(ii) the amount of county income tax that the county would have received if the county income tax rate was 2.54%.

(2) For each fiscal year, the Comptroller shall determine as rounded to the nearest cent:

(i) the per capita yield of the county income tax for each county, based on:

1. the population of the county as last projected by the Maryland Department of Health for July 1 of the applicable taxable year or the latest decennial census for the applicable taxable year; and

2. the amount specified in paragraph (1)(ii) of this subsection; and

(ii) the per capita statewide yield of the county income tax, based on:

1. the State population as last projected by the Maryland Department of Health for July 1 of the applicable taxable year or the latest decennial census for the applicable taxable year; and

2. the amount of county income tax specified in paragraph (1)(i) of this subsection for all counties.

(3) If the per capita yield of the county income tax for a county determined under paragraph (2)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (2)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

(d) The Comptroller shall pay to an eligible county the amount determined under subsection (c)(3) of this section in quarterly payments during each fiscal year.

(e) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, for fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (i) THIS PARAGRAPH APPLIES TO A COUNTY OR BALTIMORE CITY IF THE COUNTY OR BALTIMORE CITY HAS A SINGLE COUNTY INCOME TAX RATE.

(ii) If a county or Baltimore City has a county income tax rate of at least 2.8% but less than 3%, the county or Baltimore City may receive a minimum of 20% of the amount determined under subsection (c)(3) of this section.

[(ii)] (iii) If a county or Baltimore City has a county income tax rate of at least 3% but less than 3.2%, the county or Baltimore City may receive a minimum of 40% of the amount determined under subsection (c)(3) of this section.

[(iii)] (iv) If a county or Baltimore City has a county income tax rate of at least 3.2%:

1. on or before June 30, 2017, the county or Baltimore City may receive a minimum of 60% of the amount determined under subsection (c)(3) of this section;

2. in fiscal year 2018, the county or Baltimore City may receive a minimum of 63.75% of the amount determined under subsection (c)(3) of this section;

3. in fiscal years 2019, 2020, and 2021, the county or Baltimore City may receive a minimum of 67.5% of the amount determined under subsection (c)(3) of this section; and

4. in fiscal year 2022, and each fiscal year thereafter, the county or Baltimore City may receive a minimum of 75% of the amount determined under subsection (c)(3) of this section.

(3) (I) THIS PARAGRAPH APPLIES TO A COUNTY OR BALTIMORE CITY IF THE COUNTY OR BALTIMORE CITY HAS MORE THAN ONE COUNTY INCOME TAX RATE.

(II) IF EACH COUNTY INCOME TAX RATE IMPOSED BY A COUNTY OR BALTIMORE CITY IS AT LEAST 2.8% BUT LESS THAN 3.0%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(III) IF THE LOWEST COUNTY INCOME TAX RATE IMPOSED BY A COUNTY OR BALTIMORE CITY IS AT LEAST 2.9% AND EACH COUNTY INCOME TAX RATE IMPOSED ON MARYLAND TAXABLE INCOME GREATER THAN \$100,000 IS AT LEAST 3.0%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(IV) IF THE LOWEST COUNTY INCOME TAX RATE IMPOSED BY A COUNTY OR BALTIMORE CITY IS AT LEAST 3.1% AND EACH COUNTY INCOME TAX RATE IMPOSED ON MARYLAND TAXABLE INCOME GREATER THAN \$100,000 IS AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 75% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) 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 – 94 Negative – 37 (See Roll Call No. 1267)

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB0421
SPONSOR: Delegate Rosenberg
SUBJECT: Income Tax Distribution – Tax Clinics for Low–Income
Marylanders

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 Feldmark, Chairman
Delegate Palakovich Carr
Delegate Buckel.

The Senate appoints:

Senator Zucker, Chair
Senator Elfreth
Senator Corderman

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: SB0200
SPONSOR: Senator Young, et al
SUBJECT: Natural Resources – Organized Killing Contests – Restriction

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 Kagan, Chair
Senator Simonaire
Senator Lam

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0200
SPONSOR: Senator Young, et al
SUBJECT: Natural Resources – Organized Killing Contests – Restriction

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 Kagan, Chairman
Senator Simonaire
Senator Lam.

The House appoints:

Delegate Gilchrist, Chair
Delegate Stein
Delegate Jacobs

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: SB0259
SPONSOR: Chair, Budget and Taxation Committee
SUBJECT: Department of Transportation – Grant Anticipation Revenue
Vehicle Bonds – Calculation of Debt Limit

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 McCray, Chair
Senator Peters
Senator Edwards

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0259
SPONSOR: Chair, Budget and Taxation Committee
SUBJECT: Department of Transportation – Grant Anticipation Revenue
Vehicle Bonds – Calculation of Debt Limit

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 McCray, Chairman
Senator Peters
Senator Edwards.

The House appoints:

Delegate Korman, Chair
Delegate J. Lewis
Delegate Beitzel

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

APPROPRIATIONS COMMITTEE REPORT NO. 22

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

Senate Bill 2 – Senators McCray, Benson, Carter, and Lam

EMERGENCY BILL

AN ACT concerning

Maryland Environmental Service Reform Act of 2021

SB0002/534264/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 2

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”.

On page 3, in line 12, strike “making this Act an emergency measure:”.

AMENDMENT NO. 2

On page 30, strike beginning with “is” in line 28 down through “enacted” in line 31 and substitute “shall take effect July 1, 2021”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 612 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bond

SB0612/734964/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 612

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “paramount” and substitute “par amount”.

AMENDMENT NO. 2

On page 2, in line 26, strike “paramount” and substitute “par amount”.

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 664 – Senator Ellis

AN ACT concerning

Education – ~~High School Graduation Requirements – Applications for Student Financial Aid – Outreach Plan and Advisory Committee~~

SB0664/764863/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 664

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “**Advisory Committee**” and substitute “**Reporting**”; in line 14, after “plan;” insert “requiring each county board to update a certain outreach plan each year;”; in line 16, strike “a certain advisory committee” and substitute “the Maryland Higher Education Commission”; strike beginning with the semicolon in line 17 down through “websites;” in line 22 and substitute “on or before a certain date each year; requiring each county board to report certain information to the Maryland Longitudinal Data System on or before a certain date each year for a certain number of years; requiring the Maryland Longitudinal Data System to disaggregate the information in a certain report to certain committees of the General Assembly on or before a certain date each year for a certain number of years; requiring the Financial Assistance Advisory Council in the Maryland Higher Education Commission to submit a certain report on or before a certain date and to review certain plans and data and make recommendations on certain plan updates on or before a certain date each year;”; in lines 23 and 24, strike “, a certain advisory committee;”; and in line 25, after “years;” insert “requiring the Financial Assistance Advisory Council in the Maryland Higher Education Commission to update their bylaws to include a certain member; providing for the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 4, in line 20, strike “**OR MSFAA**” and substitute “**, OR A MSFAA IF INELIGIBLE TO COMPLETE A FAFSA,**”; and strike in their entirety lines 28 and 29.

On page 5, in lines 1, 4, 10, and 14, strike “**(III)**”, “**(IV)**”, “**(V)**”, and “**(VI)**”, respectively, and substitute “**(II)**”, “**(III)**”, “**(IV)**”, and “**(V)**”, respectively; in line 2, after “**NIGHTS**” insert “**AT EACH SCHOOL**”; in line 3, strike “**OR MSFAA**” and substitute “**, OR**”.

THE MSFAA IF INELIGIBLE TO COMPLETE THE FAFSA”; in line 11, after “ABOUT” insert “COMPLETING”; in the same line, strike “AND MSFAA” and substitute “, OR THE MSFAA IF INELIGIBLE TO COMPLETE THE FAFSA,”; in line 21, after “(4)” insert “

EACH COUNTY BOARD SHALL:

(I) UPDATE ITS OUTREACH PLAN EACH YEAR TO ADDRESS GAPS AND DISPARITIES AMONG SCHOOLS AND STUDENT POPULATIONS; AND

(II)”;

in line 22, strike “EACH COUNTY BOARD SHALL”; in the same line, strike “THEIR” and substitute “ITS”; in lines 23 and 24, strike “ADVISORY COMMITTEE ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION” and substitute “MARYLAND HIGHER EDUCATION COMMISSION, THE FINANCIAL ASSISTANCE ADVISORY COUNCIL”; in line 25, strike the second “AND” and substitute a comma; in line 26, after “HOUSE” insert “APPROPRIATIONS COMMITTEE, AND THE HOUSE”; and strike beginning with “DEPARTMENT” in line 29 down through “ARTICLE” in line 33 and substitute “MARYLAND LONGITUDINAL DATA SYSTEM”.

On page 6, in lines 2, 5, and 8, in each instance, strike “OR MSFAA”; and after line 10, insert:

“(3) ON OR BEFORE OCTOBER 1 EACH YEAR, BEGINNING IN 2023 AND ENDING IN 2028, THE MARYLAND LONGITUDINAL DATA SYSTEM SHALL DISAGGREGATE THE INFORMATION REPORTED UNDER THIS SUBSECTION AND SUBMIT A REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.

(D) (1) ON OR BEFORE APRIL 1, 2022, THE FINANCIAL ASSISTANCE ADVISORY COUNCIL IN THE MARYLAND HIGHER EDUCATION COMMISSION SHALL SUBMIT A REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1257 OF THE STATE

GOVERNMENT ARTICLE, ON WAYS TO ASSIST COUNTY BOARDS WITH CONNECTING STUDENTS TO FINANCIAL AID OPPORTUNITIES, INCLUDING:

(I) IDENTIFYING BEST PRACTICES; AND

(II) COMPILING RELEVANT MATERIALS AND TOOLKITS.

(2) ON OR BEFORE DECEMBER 1, 2022, AND EACH DECEMBER 1 THEREAFTER, THE FINANCIAL ASSISTANCE ADVISORY COUNCIL IN THE MARYLAND HIGHER EDUCATION COMMISSION SHALL REVIEW THE PLANS SUBMITTED UNDER SUBSECTION (B)(4) OF THIS SECTION AND THE DATA REPORTED UNDER SUBSECTION (C)(1) OF THIS SECTION TO MAKE RECOMMENDATIONS ON UPDATES TO COUNTY BOARD OUTREACH PLANS.”

On pages 6 and 7, strike in their entirety the lines beginning with line 11 on page 6 through line 31 on page 7, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before August 1, 2021, the Financial Assistance Advisory Council in the Maryland Higher Education Commission shall update the Council’s bylaws to add a student services director member to the Council, appointed by the Public School Superintendents’ Association of Maryland.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that each State agency that interacts with high school students shall establish a process to encourage high school students, when interacting with the agency, to complete the FAFSA, or the MSFAA if ineligible to complete the FAFSA.”

On page 8, in line 1, strike “2.” 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 McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

Senate Bill 780 – Senator Pinsky

AN ACT concerning

**States of Emergency – Emergency Procurement and Budget Amendments –
Notice and Authorization**

SB0780/824461/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 780

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 15 down through “circumstances;” in line 18.

On page 2, strike in their entirety lines 3 through 7, inclusive.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 3 through 16, inclusive; and in line 18, 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 McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

Senate Bill 861 – Senator Bailey

AN ACT concerning

St. Mary’s County – Public Facilities Bond

SB0861/574563/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 861

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “paramount” and substitute “par amount”.

AMENDMENT NO. 2

On page 2, in line 18, strike “paramount” and substitute “par amount”.

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 926 – Senators Corderman and Edwards

AN ACT concerning

Economic Development – Maryland Stadium Authority – Hagerstown Multi-Use Sports and Events Facility

SB0926/694267/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 926

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 17 down through “year” in line 18 and substitute “requiring the Governor to include in the annual budget bill a certain appropriation”.

On page 2, in line 5, after “Fund;” insert “exempting from the sales and use tax certain construction material purchased by the Authority for a certain project;”.

On page 3, strike in their entirety lines 4 through 8, inclusive, and substitute:

“BY adding to

Article – Tax – General

Section 11–242

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 8, strike beginning with “**COMPROLLER**” in line 25 down through “**ARTICLE**” in line 29 and substitute “**GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$3,750,000 TO THE HAGERSTOWN MULTI-USE SPORTS AND EVENTS FACILITY FUND**”.

On page 11, in line 11, after “**FACILITY;**” insert “**AND**”; and strike beginning with “**MONEY**” in line 12 down through “**(4)**” in line 14.

AMENDMENT NO. 3

On pages 12 and 13, strike in their entirety the lines beginning with line 7 on page 12 through line 18 on page 13, inclusive, and substitute:

“Article – Tax – General

11–242.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) “CONSTRUCTION MATERIAL” MEANS AN ITEM OF TANGIBLE PERSONAL PROPERTY THAT IS USED TO CONSTRUCT OR RENOVATE A BUILDING, A STRUCTURE, OR AN IMPROVEMENT ON LAND AND THAT TYPICALLY LOSES ITS SEPARATE IDENTITY AS PERSONAL PROPERTY ONCE INCORPORATED INTO THE REAL PROPERTY.

(II) “CONSTRUCTION MATERIAL” INCLUDES BUILDING MATERIALS, BUILDING SYSTEMS EQUIPMENT, LANDSCAPING MATERIALS, AND SUPPLIES.

(3) “HAGERSTOWN MULTI-USE SPORTS AND EVENTS FACILITY” HAS THE MEANING STATED IN § 10–601 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(B) THE SALES AND USE TAX DOES NOT APPLY TO A SALE OF CONSTRUCTION MATERIAL IF:

(1) THE CONSTRUCTION MATERIAL IS PURCHASED BY A PERSON SOLELY FOR USE IN FURTHERANCE OF THE PROVISIONS OF TITLE 10, SUBTITLE 6 OF THE ECONOMIC DEVELOPMENT ARTICLE FOR THE CONSTRUCTION OR REDEVELOPMENT OF THE HAGERSTOWN MULTI-USE SPORTS AND EVENTS FACILITY THAT IS MANAGED BY THE MARYLAND STADIUM AUTHORITY;

(2) THE SALE IS MADE ON OR AFTER OCTOBER 1, 2021; AND

(3) THE BUYER PROVIDES THE VENDOR WITH EVIDENCE OF ELIGIBILITY FOR THE EXEMPTION ISSUED BY THE COMPTROLLER.

(C) THE COMPTROLLER SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.”.

The preceding 3 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 943 – Senator Guzzone

AN ACT concerning

University of Maryland Strategic Partnership Act of 2016 – Appropriations and Degree and Credential Programs – Alterations

SB0943/754461/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 943

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and” and substitute a comma; in line 3, strike “–Alterations” and substitute “, and Center for Cybersecurity”; in line 4, after “of” insert “establishing the Center for Cybersecurity at the University of Maryland Baltimore County; specifying that the Center for Cybersecurity is housed within a certain college and provides certain assistance related to cybersecurity; requiring the Governor to include in the annual budget bill a certain appropriation to the Center for Cybersecurity; requiring the Center for Cybersecurity to submit a certain report to the General Assembly on or before a certain date each year;”; in line 15, after “to” insert “the Center for Cybersecurity,”; in line 16, strike “Office”; and after line 16, 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 7, insert:

“12–120.

(A) (1) THERE IS A CENTER FOR CYBERSECURITY AT THE UNIVERSITY OF MARYLAND BALTIMORE COUNTY (UMBC).

(2) THE CENTER FOR CYBERSECURITY IS HOUSED WITHIN THE COLLEGE OF ENGINEERING AND INFORMATION TECHNOLOGY AT UMBC.

(B) THE CENTER FOR CYBERSECURITY PROVIDES INTERDISCIPLINARY ACADEMIC AND RESEARCH LEADERSHIP, PARTNERSHIP, INNOVATION, AND OUTREACH BY STREAMLINING ACADEMIC, RESEARCH, WORKFORCE DEVELOPMENT, AND TECHNOLOGY INCUBATION ACTIVITIES RELATED TO CYBERSECURITY.

(C) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$3,000,000 FOR THE CENTER FOR CYBERSECURITY.

(D) ON OR BEFORE OCTOBER 1 EACH YEAR, THE CENTER FOR CYBERSECURITY SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE USE OF STATE FUNDS IN THE FIELD OF CYBERSECURITY TO INCREASE:

- (1) THE NUMBER OF NEW COMPANIES THAT ARE CREATED;
- (2) THE NUMBER OF UMBC GRADUATES WHO ARE EMPLOYED IN MARYLAND-BASED BUSINESSES;
- (3) PARTICIPATION IN WORKFORCE TRAINING PROGRAMS; AND
- (4) EXTERNAL RESEARCH ACTIVITIES AND PARTNERSHIPS.”.

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. 41

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

House Bill 595 – Delegate Fraser–Hidalgo

AN ACT concerning

Vehicle Laws – Personal Delivery Devices – Standards and Requirements

HB0595/380516/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 595

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “highway” and substitute “roadway”; in the same line, after “sidewalk,” insert “shoulder, footpath, bicycle trail”; in line 8, strike “highways” and substitute “roadways”; in the same line, after “sidewalks,” insert “shoulders”; in the same line, after “crosswalks;” insert “requiring an operator of a personal delivery device to file a certain emergency response plan with the Administrator of the Motor Vehicle Administration and to give a certain notice to certain counties and municipalities;

authorizing the Administrator to adopt certain policies; requiring the Administrator to make emergency response plans available to certain first responder agencies; requiring an operator of a personal delivery device to comply with certain local laws;”; in line 9, after “terms;” insert “requiring the Administrator to develop a pilot process for authorizing the operation of personal delivery devices; requiring the Administrator to report the status and findings of the pilot process for personal delivery devices to certain committees of the General Assembly by a certain date; providing for a delayed effective date for certain provisions of this Act;”; in line 13, after “Section” insert “~~8-409(e)~~,”; in the same line, strike the first “and”; in the same line, after “(14)” insert “, ~~21-501.1(a)~~, and ~~21-1201(c)~~”; in line 23, after “~~13-402(c)(15)~~” insert a comma; in the same line, strike “and”; and in the same line, after “~~21-104.5~~” insert “, and ~~21-1205.1(f)~~”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“~~8-409.~~

(e) Unless the Administration or local government specifically approves other uses, as provided in subsection (g) of this section, footpaths and bicycle trails may be used only by [pedestrians, nonmotorized]:

(1) PEDESTRIANS;

(2) NONMOTORIZED vehicles[,]; [and electric]

(3) ELECTRIC personal assistive mobility devices, as defined in § 21-101(j) of this article; AND

(4) PERSONAL DELIVERY DEVICES, AS DEFINED IN § 21-104.5 OF THIS ARTICLE.”

AMENDMENT NO. 3

On page 3 in line 20 and on page 4 in lines 16 and 24, in each instance, strike “HIGHWAY” and substitute “ROADWAY”.

AMENDMENT NO. 4

On page 3, in line 20, after “SIDEWALK,” insert “SHOULDER,”; in line 27, after “ON” insert “SHOULDERS,”; in the same line, after “SIDEWALKS” insert a comma; and in line 29, strike “PRIMARILY”.

AMENDMENT NO. 5

On page 4, in line 1, strike “200” and substitute “550”; in line 15, strike “A” and substitute “SUBJECT TO § 21-1205.1(F) OF THIS TITLE, A”; in line 16, after “SIDEWALK,” insert “SHOULDER,”; strike beginning with “IN” in line 20 down through “PROPERTY” in line 21 and substitute “REGULATED UNDER THE HAZARDOUS MATERIALS TRANSPORT ACT AND REQUIRED TO BE PLACARDED UNDER 49 C.F.R. PART 172, SUBPART F”; in line 23, strike “3.5” and substitute “7”; and in line 25, after “SIDEWALK,” insert “SHOULDER,”.

AMENDMENT NO. 6

On page 5, in line 6, strike “BY AN” and substitute “BY:”

(I) AN”;

in line 7, strike “AND” and substitute “OR”

(II) ANOTHER FORM OF SECURITY ACCEPTABLE TO THE ADMINISTRATION THAT ADEQUATELY PROVIDES THE BENEFITS REQUIRED BY ITEM (I) OF THIS ITEM;”;

in line 9, after “ADMINISTRATION” insert “AFTER CONSULTATION WITH INDUSTRY STAKEHOLDERS;”

(7) OBEY ALL TRAFFIC AND PEDESTRIAN CONTROL DEVICES; AND

(8) BE SUBJECT TO MUNICIPAL OR COUNTY PERMITTING REQUIREMENTS, WHERE APPLICABLE;”;

in line 10, strike “SUBSECTION” and substitute “SECTION”; after line 12, insert:

“(F) (1) PRIOR TO BEGINNING OPERATIONS IN THE STATE, EACH OPERATOR OF A PERSONAL DELIVERY DEVICE SHALL FILE WITH THE ADMINISTRATOR AN EMERGENCY RESPONSE PLAN DESIGNED TO INFORM FIRST

RESPONDERS ABOUT THE PERSONAL DELIVERY DEVICE, INCLUDING INFORMATION ON ITS EQUIPMENT AND ATTRIBUTES AND ON HOW TO DEAL WITH THE DEVICE WHEN IT IS ENCOUNTERED ON PUBLIC RIGHTS-OF-WAY.

(2) THE ADMINISTRATOR, AFTER CONSULTATION WITH INDUSTRY STAKEHOLDERS, MAY ADOPT POLICES OUTLINING WHAT MUST BE INCLUDED IN AN EMERGENCY RESPONSE PLAN.

(3) THE ADMINISTRATOR SHALL BE RESPONSIBLE FOR MAKING EACH EMERGENCY RESPONSE PLAN FILED WITH THE ADMINISTRATOR AVAILABLE TO THE APPROPRIATE FIRST RESPONDER AGENCIES OF THE STATE.

(G) AN OPERATOR OF A PERSONAL DELIVERY DEVICE SHALL:

(1) NOTIFY THE GOVERNING BODY OF EACH COUNTY AND MUNICIPALITY WITHIN WHICH THE OPERATOR INTENDS TO OPERATE THE PERSONAL DELIVERY DEVICE AT LEAST 30 DAYS BEFORE THE OPERATOR BEGINS OPERATING THE PERSONAL DELIVERY DEVICE IN THE COUNTY OR MUNICIPALITY; AND

(2) COMPLY WITH ALL LOCAL ORDINANCES, REGULATIONS, AND RULES OF EACH COUNTY AND MUNICIPALITY FOR WHICH THE OPERATOR PROVIDES NOTICE OF ITS INTENT TO OPERATE THE PERSONAL DELIVERY DEVICE.

21-501.1.

(a) At an intersection, a person using an EPAMD OR A PERSONAL DELIVERY DEVICE, AS DEFINED IN § 21-104.5 OF THIS TITLE, is subject to all traffic control signals, as provided in §§ 21-202 and 21-203 of this title. However, at any other place, a person using an EPAMD OR A PERSONAL DELIVERY DEVICE has the rights and is subject to the restrictions applicable to pedestrians under this title.

21-1201.

(c) With the exceptions stated in this subtitle, the provisions of this subtitle that are applicable to bicycles apply whenever a bicycle, an EPAMD, [or] a motor scooter, OR A PERSONAL DELIVERY DEVICE, AS DEFINED IN § 21-104.5 OF THIS TITLE, is operated

on any highway or whenever a bicycle or an EPAMD is operated on any path set aside for the exclusive use of bicycles.

21-1205.1.

(F) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A PERSONAL DELIVERY DEVICE, AS DEFINED IN § 21-104.5 OF THIS TITLE, MAY NOT TRAVEL ON ANY ROADWAY WHERE THERE ARE SIDEWALKS OR A SHOULDER ADJACENT TO THE ROADWAY OR THE POSTED MAXIMUM SPEED LIMIT IS MORE THAN 35 MILES PER HOUR.

SECTION 2. AND BE IT FURTHER ENACTED, That the Administrator of the Motor Vehicle Administration shall:

(1) develop a pilot process for authorizing the operation of personal delivery devices that conform to the provisions of § 21-104.5 of the Transportation Article, as enacted by Section 1 of this Act, in the State by October 1, 2021;

(2) actively engage stakeholders and consider their input in the development and implementation of the pilot process for authorizing the operation of personal delivery devices under this section; and

(3) in accordance with § 2-1257 of the State Government Article, report to the House Environment and Transportation Committee and the Senate Judicial Proceedings Committee by December 31, 2021, on the status and findings of the pilot process required under this section.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2022.”;

in line 13, strike “2.” and substitute “4.”; in the same line, after “That” insert “, except as provided in Section 3 of this Act.”; and in line 14, strike “October” and substitute “July”.

The preceding 6 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 877 – Delegate Valentino–Smith (Chair, Joint Committee on Ending Homelessness)

AN ACT concerning

Workgroup on Adaptive Reuse of Vacant Commercial Spaces

HB0877/730215/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 877

(First Reading File Bill)

On page 2, in line 9, strike “for financial institutions” and substitute “representing credit unions”; in line 10, strike “and”; and in line 12, after “homelessness” insert “;

(vi) one representative of an organization that specializes in low-income housing financing;

(vii) one representative of a residential real estate developer;

(viii) one representative of a veterans rights organization;

(ix) one representative of a nonprofit organization that specializes in rapid rehousing;

(x) one architecture professional with expertise in adaptive reuse or affordable housing; and

(xi) one representative of an organization representing banking institutions operating in the State”.

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:

House Bill 1073 – Delegate Bridges

AN ACT concerning

Housing and Community Development – Neighborhood Revitalization – Passive House Pilot Program

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 636 – Senator Hayes

AN ACT concerning

Housing and Community Development – Neighborhood Revitalization – Passive House Pilot Program

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 661 – Senator Patterson

AN ACT concerning

Environment – Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund – Funding, Reallocation, ~~and~~ Reimbursements, and Study

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 726 – Senators Feldman, Smith, and Hough

AN ACT concerning

Vehicle Laws – Personal Delivery Devices – Standards and Requirements

SB0726/430214/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 726

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 4 down through “devices;” in line 6; in line 7, after “sidewalk,” insert “shoulder,”; in line 10, after “sidewalks,” insert “shoulders,”; in line 12, after “the” insert “Motor Vehicle”; in line 15, after “agencies;” insert “requiring an operator of a personal delivery device to comply with certain local laws;”; in lines 17 and 18, in each instance, strike “permitting” and substitute “pilot”; in line 17, after “for” insert “authorizing the operation of”; and in line 18, after “status” insert “and findings”.

AMENDMENT NO. 2

On page 2, in line 1, strike “17–103(a).”; in line 21, after “by” insert “[pedestrians.]”; in line 22, strike “pedestrians[.]” and substitute “PEDESTRIANS”; in line 23, strike “nonmotorized” and substitute “NONMOTORIZED”; in line 24, strike “electric” and substitute “ELECTRIC”; and in line 26, strike “PERSONAL” and substitute “PERSONAL”.

AMENDMENT NO. 3

On page 4 in line 13, and on page 6 in line 4, in each instance, after “SIDEWALK,” insert “SHOULDER,”.

AMENDMENT NO. 4

On pages 4 and 5, strike in their entirety the lines beginning with line 15 on page 4 through line 10 on page 5, inclusive.

AMENDMENT NO. 5

On page 6, in line 3, strike “A” and substitute “**SUBJECT TO § 21–1205.1(F) OF THIS TITLE, A**”; in line 24, strike “BY AN” and substitute “**BY:**”

(I) AN”;

strike beginning with “OR” in line 25 down through “ARTICLE” in line 26 and substitute “;
OR

(II) ANOTHER FORM OF SECURITY ACCEPTABLE TO THE ADMINISTRATION THAT ADEQUATELY PROVIDES THE BENEFITS REQUIRED BY ITEM (I) OF THIS ITEM”;

in line 28, strike “AND”; and in line 29, after “DEVICES” insert “;AND

(8) BE SUBJECT TO MUNICIPAL OR COUNTY PERMITTING REQUIREMENTS, WHERE APPLICABLE”.

AMENDMENT NO. 6

On page 7, in line 15, strike “NOTIFY” and substitute “;

(1) NOTIFY”;

and in line 19, after “MUNICIPALITY” insert “;AND

(2) COMPLY WITH ALL LOCAL ORDINANCES, REGULATIONS, AND RULES OF EACH COUNTY AND MUNICIPALITY FOR WHICH THE OPERATOR IS REQUIRED TO PROVIDE NOTICE UNDER ITEM (1) OF THIS SUBSECTION”.

AMENDMENT NO. 7

On page 8, in line 5, after “a” insert “pilot”; in the same line, strike “permitting the use” and substitute “authorizing the operation”; in line 6, after “provisions” insert “of”; in the same line, strike “Article” and substitute “Article”; in line 7, strike “Act to operate within” and substitute “Act, in”; in line 9, strike “operation” and substitute “implementation”; in the same line, after “the” insert “pilot”; in the same line, strike “permitting” and substitute “authorizing the operation of personal delivery devices”; in line 12, after “status” insert “and findings”; in the same line, strike “permit” and substitute “pilot”; and in line 17, strike “October” and substitute “July”.

The preceding 7 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 764 – Senator Washington (Chair, Joint Committee on Ending Homelessness)

AN ACT concerning

Workgroup on Adaptive Reuse of Vacant Commercial Spaces

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 832 – Charles County Senators

AN ACT concerning

Southern Maryland – Multifamily Dwelling Registration – Fees and Fines

SB0832/280116/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 832

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Multifamily**”; in the same line, after “**Registration**” insert “**and Inspection**”; in line 8, after “county;” insert “authorizing the code home rule counties of the Southern Maryland class to conduct inspections on certain properties and to impose a fine on a property owner who leases a dwelling that is in violation of certain inspection criteria;”; and in line 10, strike “multifamily”.

AMENDMENT NO. 2

On page 5, in line 22, after “(I)” insert “1. IN THIS PARAGRAPH, “DWELLING UNIT” MEANS A BUILDING OR PART OF A BUILDING THAT PROVIDES LIVING OR SLEEPING FACILITIES FOR ONE OR MORE INDIVIDUALS.”

2. “DWELLING UNIT” INCLUDES A ONE OR TWO FAMILY DWELLING.

(II)”.

On page 5, in line 25, strike “(II)” and substitute “(III)”.

On page 5, in line 27, after the second “A” insert “DWELLING UNIT OR A”; in line 29, strike “IN THE DWELLINGS”; in line 31, after “A” insert “DWELLING UNIT OR A”; and in the same line, strike “AND”.

On page 6, in line 1, after “3.” insert “CONDUCT INSPECTIONS OF A DWELLING UNIT OR A MULTIFAMILY DWELLING THAT IS REGISTERED WITH THE COUNTY TO ENFORCE MINIMUM PROPERTY MAINTENANCE STANDARDS; AND”

4.”;

in the same line, after “OWNER” insert “UNDER THIS PARAGRAPH”; in the same line, after “THAT” insert “:

A.”;

in line 2, after “DWELLING” insert “OR A DWELLING UNIT”; in line 3, strike “UNDER THIS PARAGRAPH” and substitute “;OR”

B. IS IN VIOLATION OF THE INSPECTION CRITERIA ESTABLISHED BY THE COUNTY”;

in line 4, strike “(III)” and substitute “(IV)”; and in line 5, after “OF” insert “DWELLING UNITS OR”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

APPROPRIATIONS COMMITTEE REPORT NO. 21

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

Senate Bill 138 – Senator Hettleman

AN ACT concerning

Education – Baltimore County Public Library – 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 199 – Senators McCray and Zucker

AN ACT concerning

Transportation – Maryland Transit Administration – ~~Funding~~ Funding and MARC Rail Extension Study (Transit Safety and Investment 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 206 – Chair, Finance Committee (By Request – Departmental – Labor)

AN ACT concerning

State Collection Agency Licensing Board – Sunset Extension

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 235 – Chair, Finance Committee (By Request – Departmental – Information Technology)

AN ACT concerning

Major Information Technology Development Project Fund – Use of Funds

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 240 – Chair, Budget and Taxation Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Information Technology Development Project Fund – Sources of Revenue

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 256 – Chair, Finance Committee (By Request – Departmental – Commerce) and Senators Augustine, Beidle, Hayes, and Kelley

AN ACT concerning

Arts and Entertainment Districts – Artistic Work and Arts and Entertainment Enterprise – Definitions

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 556 – Senator Young

AN ACT concerning

Collective Bargaining – ~~Teachers at the~~ Maryland School for the Deaf – Application and Separate Bargaining Unit

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 592 – Senators Zucker and Kelley

AN ACT concerning

State Child Welfare System – Reporting

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 606 – Senator Hershey

AN ACT concerning

Correctional Officers' Retirement System – Kent County

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 680 – Senator Jennings

AN ACT concerning

~~**Teachers' Pension System – Vested Allowance – Break in Service**~~
State Retirement and Pension System – Administration of Benefits –
Clarification

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 701 – Senator West

AN ACT concerning

Bay Restoration Fund – County Authority to Incur Indebtedness

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 895 – Senator Rosapepe

AN ACT concerning

**University System of Maryland – Student Fees – Review and ~~Retention~~
Spending**

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 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

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 931 – Senator Jackson

AN ACT concerning

**Prince George’s County – School Facilities and Public Safety Surcharges and
Report – Sunset Extension and Report**

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 958 – Senators Zucker and Peters

AN ACT concerning

Nonpublic Special Education Schools – State Contribution – Increase

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 39

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

Senate Bill 150 – Senator Sydnor

AN ACT concerning

Baltimore County – Board of Education – Membership and Election of Officers

SB0150/795863/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 150

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Membership and**”; strike beginning with “altering” in line 3 down through “circumstances;” in line 9; in line 11, strike “county board” and substitute “Baltimore County Board of Education”; in lines 11 and 12, strike “making conforming changes;”; in line 12, strike “membership and”; and in line 16, strike “3–2B–01, 3–2B–03, 3–2B–04, and”.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 1 on page 2 through line 13 on page 5, 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. 42

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

Senate Bill 414 – Senators Pinsky, Augustine, Kelley, Hettleman, Ellis, Smith, Zucker, Kagan, Patterson, Young, Hester, Feldman, Kramer, Lee, Rosapepe, Elfreth, Guzzone, Waldstreicher, Washington, Beidle, and Lam

AN ACT concerning

Climate Solutions Now Act of 2021

SB0414/570317/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 414

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 5 down through “funding;” in line 13; in line 13, after “the” insert “Department of the Environment, in consultation with the”; in line 14, after “Communities” insert “and certain State agencies.”; strike beginning with “Commission” in line 16 down through “Communities” in line 17 and substitute “Department of the Environment”; and strike beginning with “requiring” in line 18 down through “circumstances;” in line 22.

On page 2, strike beginning with “requiring” in line 24 down through “Code;” in line 47 and substitute “requiring the Maryland Department of Labor to adopt by regulation the most recent version of the International Green Construction Code on or before a certain date; requiring the Maryland Department of Labor to adopt each subsequent version of the International Green Construction Code within a certain period of time; requiring certain commercial buildings to have a roof that meets certain requirements; requiring the Maryland Department of Labor to adopt certain regulations for certain commercial buildings on or before a certain date;”.

On page 3, in line 6, after “funds;” insert “requiring the State to install a certain heating, ventilation, and air-conditioning system in certain State buildings under certain circumstances;”; strike beginning with “repealing” in line 6 down through “buildings;” in line 8; in line 9, strike “, schools;”; strike beginning with “and” in line 10 down through “buildings” in line 11; in lines 13 and 15, in each instance, after “cars” insert “and other light-duty vehicles”; in line 13, strike “a certain year” and substitute “certain years”; strike beginning with “establishing” in line 21 down through “circumstances;” in line 39; and in line 44, after “Fund” insert “or from debt of the Maryland Department of Transportation”.

On page 4, in line 8, after the second “of” insert “diverse”; and in line 42, after “funding;” insert “requiring the Governor to include in the annual budget bill certain appropriations for certain purposes for certain fiscal years; requiring each unit of State government responsible for awarding a contract for the procurement of concrete or a certain contract that includes the purchase or use of concrete in the performance of the contract to give a certain percentage price preference to the procurement, or required use under the contract, of certain concrete mix designs that consist of Type 1L or blended cement and that meet certain other standards and specifications; providing that a certain percentage price preference shall only apply to a certain portion of a contract; requiring the Board of Public Works to adopt certain regulations; requiring the Board to publish certain guidelines on the Board’s website; establishing the Blue Ribbon Solar Land Use Commission; providing for the composition, cochairs, and staffing of the Blue Ribbon Solar Land Use Commission; prohibiting a member of the Blue Ribbon Solar Land Use Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Blue Ribbon Solar Land Use Commission to study and make recommendations regarding certain matters relating to the State’s solar energy goals under the Renewable Energy Portfolio Standard; requiring the Blue Ribbon Solar Land Use Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”.

On page 5, strike beginning with “requiring” in line 6 down through “account” in line 10 and substitute “stating the intent of the General Assembly that the Public Service Commission continue with the submission of certain plans and the making of certain determinations; requiring the Maryland Energy Administration and the Power Plant Research Program to jointly report to the Governor and General Assembly on or before a certain date on certain matters relating to solar installations on commercial and industrial property; requiring the Department of the Environment to report to the Governor and the General Assembly on or before a certain date on certain matters relating to least cost options for carbon reductions in the building sector; requiring the Department of the

Environment to report to the Governor and the General Assembly on or before a certain date on certain matters relating to reducing statewide greenhouse gas emissions by a certain percentage from certain levels by a certain year"; in line 10, after "definitions;" insert "providing for the construction of this Act"; strike in their entirety lines 21 through 25, inclusive; in line 28, strike "1-701(a) and (h)."; and strike in their entirety lines 32 through 36, inclusive.

On page 6, after line 5, insert:

"BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12-503
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)";

in line 8, strike "through 12-513"; in line 18, strike ", 4-809(f), and 6-226(a)(2)(ii)122. and 123." and substitute "and 4-809(f)"; strike in their entirety lines 21 through 25, inclusive; in line 28, strike "6-226(a)(2)(ii)124. and" and substitute "4-410.1"; and in the same line, after "14-417" insert ", and 14-418".

On pages 6 and 7, strike in their entirety the lines beginning with line 31 on page 6 through line 5 on page 7, inclusive.

On page 8, strike in their entirety lines 12 through 29, inclusive.

AMENDMENT NO. 2

On pages 8 and 9, strike in their entirety the lines beginning with line 36 on page 8 through line 2 on page 9, inclusive.

On page 9, after line 5, insert:

"2-1205.

(c) (3) [The plans shall be developed in recognition of the finding by the Intergovernmental Panel on Climate Change that developed countries will need to reduce greenhouse gas emissions by between 80% and 95% from 1990 levels by 2050] THE DEPARTMENT SHALL:

(I) ON OR BEFORE DECEMBER 31, 2030, ADOPT A FINAL PLAN THAT ACHIEVES NET-ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045; AND

(II) ON OR BEFORE DECEMBER 31, 2035, REVIEW AND, AS NECESSARY, REVISE THE FINAL PLAN TO ACHIEVE NET-ZERO STATEWIDE

GREENHOUSE GAS EMISSIONS BY 2045.”.

On pages 9 through 12, strike in their entirety the lines beginning with line 8 on page 9 through line 28 on page 12, inclusive, and substitute:

“Article – Environment”.

On page 12, in line 30, strike “COMMISSION” and substitute “**DEPARTMENT, IN CONSULTATION WITH THE COMMISSION, THE MARYLAND DEPARTMENT OF HEALTH, THE MARYLAND DEPARTMENT OF LABOR, AND THE DEPARTMENT OF PLANNING,**”.

On pages 12 and 13, strike beginning with “AND” in line 31 on page 12 down through “PLANNING,” in line 2 on page 13.

On page 13, in line 17, strike “COMMISSION” and substitute “**DEPARTMENT**”.

On pages 13 and 14, strike in their entirety the lines beginning with line 31 on page 13 through line 16 on page 14, inclusive.

On page 15, after line 12, insert:

“2-1204.1.

The State shall reduce statewide greenhouse gas emissions by [40%] 50% from 2006 levels by 2030.”.

On page 15, in lines 18 and 26, in each instance, strike “60%” and substitute “**50%**”.

On pages 15 and 16, strike in their entirety the lines beginning with line 30 on page 15 through line 7 on page 16, inclusive.

On page 19, in line 9, after the semicolon insert “**AND**”; and strike beginning with the semicolon in line 11 down through “EQUIVALENT” in line 13.

On page 23, strike beginning with “COMMISSION” in line 30 down through “COMMUNITIES” in line 31 and substitute “**DEPARTMENT**”.

AMENDMENT NO. 3

On page 24, after line 23, insert:

“12–503.

(a) (1) The Department shall adopt by regulation, as the Maryland Building Performance Standards, the International Building Code, including the International Energy Conservation Code, with the modifications incorporated by the Department under subsection (b) of this section.

(2) The Department shall adopt each subsequent version of the Standards within 18 months after it is issued.

(b) (1) Before adopting each version of the Standards, the Department shall:

(i) review the International Building Code to determine whether modifications should be incorporated in the Standards;

(ii) consider changes to the International Building Code to enhance energy conservation and efficiency;

(iii) subject to the provisions of paragraph (2)(ii) of this subsection, adopt modifications to the Standards that allow any innovative approach, design, equipment, or method of construction that can be demonstrated to offer performance that is at least the equivalent to the requirements of:

1. the International Energy Conservation Code;

2. Chapter 13, “Energy Efficiency”, of the International Building Code; or

3. Chapter 11, “Energy Efficiency”, of the International Residential Code;

(iv) accept written comments;

(v) consider any comments received; and

(vi) hold a public hearing on each proposed modification.

(2) (i) Except as provided in subparagraph (ii) of this paragraph and § 12–510 of this subtitle, the Department may not adopt, as part of the Standards, a modification of a building code requirement that is more stringent than the requirement in the International Building Code.

(ii) The Department may adopt energy conservation requirements that are more stringent than the requirements in the International Energy Conservation Code, but may not adopt energy conservation requirements that are less stringent than the requirements in the International Energy Conservation Code.

(c) The Standards apply to each building or structure in the State for which a building permit application is received by a local jurisdiction on or after August 1, 1995.

(d) **(1)** In addition to the Standards, the Department [may] SHALL adopt by regulation THE MOST RECENT VERSION OF the International Green Construction Code ON OR BEFORE DECEMBER 1, 2022.

(2) THE DEPARTMENT SHALL ADOPT EACH SUBSEQUENT VERSION OF THE INTERNATIONAL GREEN CONSTRUCTION CODE WITHIN 18 MONTHS AFTER IT IS ISSUED.

On page 25, strike in their entirety lines 3 through 5, inclusive; in line 6, strike “(4)” and substitute “(3) (I)”; in line 7, strike “AT LEAST 40% OF”; in lines 8 and 9, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; after line 10, insert:

“(II) “SOLAR-READY” DOES NOT INCLUDE ANY ROOF AREA THAT IS OCCUPIED BY:

1. A REFLECTIVE ROOFING SYSTEM; OR

2. A VEGETATIVE TERRACE OR OTHER VEGETATED GREEN ROOFING SYSTEM.”;

and after line 14, insert:

“(C) A COMMERCIAL BUILDING THAT MEETS THE REQUIREMENTS OF APPENDIX CA (SOLAR-READY ZONE-COMMERCIAL) OF THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE SHALL HAVE A ROOF THAT IS AT LEAST 40% SOLAR-READY, REFLECTIVE, OR GREEN.

(D) (1) ON OR BEFORE JULY 1, 2022, THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

(2) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL APPLY TO EACH COMMERCIAL BUILDING SUBJECT TO THE REQUIREMENTS OF SUBSECTION (C) OF THIS SECTION FOR WHICH A BUILDING PERMIT APPLICATION IS RECEIVED ON OR AFTER JANUARY 1, 2023.”.

On pages 25 through 28, strike in their entirety the lines beginning with line 15 on page 25 through line 32 on page 28, inclusive.

AMENDMENT NO. 4

On page 30, in line 14, strike "A."; in line 18, strike "B." and substitute "2."; in the same line, strike "SCHOOL OR"; in lines 24 and 28, in each instance, strike the bracket; and in lines 24 and 28, strike "2." and "3.", respectively.

On pages 30 and 31, strike beginning with the semicolon in line 31 on page 30 down through "SERVICES" in line 6 on page 31.

On page 31, after line 21, insert:

"(2) THIS SUBSECTION DOES NOT APPLY TO A CAPITAL PROJECT FOR THE CONSTRUCTION OR MAJOR RENOVATION OF A SCHOOL BUILDING.";

and in line 22, strike "(2)" and substitute "**(3)**".

On page 32, after line 12, insert:

"4-410.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "HIGH EFFICIENCY HVAC SYSTEM" MEANS A HIGH EFFICIENCY HEATING, VENTILATION, AND AIR-CONDITIONING (HVAC) SYSTEM THAT CONTAINS A GEOTHERMAL ENERGY SYSTEM, A WATER COOLED SYSTEM, OR AN EQUIVALENT ALL-ELECTRIC ENERGY EFFICIENT SYSTEM.

(3) (i) "STATE BUILDING" MEANS:

1. A BUILDING CONSTRUCTED BY OR FOR THE STATE WHERE A STATE AGENCY OR DEPARTMENT WILL OCCUPY MORE THAN 50% OF THE BUILDING FOR A LEASE OF AT LEAST 15 YEARS; OR

2. A BUILDING CONSTRUCTED FOR WHICH MORE THAN 50% OF THE MONEY FOR THE CONSTRUCTION CAME FROM STATE FUNDS.

(II) “STATE BUILDING” DOES NOT INCLUDE A PUBLIC SCHOOL BUILDING.

(B) THIS SECTION APPLIES ONLY TO NEW CONSTRUCTION.

(C) THE STATE SHALL INSTALL A HIGH EFFICIENCY HVAC SYSTEM IN EACH STATE BUILDING IF A LIFE-CYCLE ANALYSIS, BASED ON A 15-YEAR PERIOD, CONCLUDES THAT THE NET PRESENT VALUE FOR THE HIGH EFFICIENCY HVAC SYSTEM IS LESS THAN AN HVAC SYSTEM THAT COMPLIES WITH MINIMUM STANDARDS OF THE INTERNATIONAL CODE COUNCIL.”.

On page 32, in lines 26 and 31, in each instance, strike the bracket; in line 31, before “ENSURE” insert “**;** AND

(7)”;

in the same line, strike “, PUBLIC SCHOOLS,”; and in line 32, strike “THAT ARE REQUIRED TO”.

On page 33, strike beginning with “OR” in line 1 down through “FUND” in line 19.

AMENDMENT NO. 5

On page 33, after line 24, insert:

“(2) “LIGHT-DUTY VEHICLE” MEANS A VEHICLE WITH A GROSS WEIGHT OF 8,500 POUNDS OR LESS.”;

and in lines 25 and 27, strike “**(2)**” and “**(3)**”, respectively, and substitute “**(3)**” and “**(4)**”, respectively.

On page 34, strike beginning with the first “**THE**” in line 1 down through “**PRACTICABLE**” in line 3 and substitute “**OTHER LIGHT-DUTY VEHICLES IN THE STATE VEHICLE FLEET BE ZERO-EMISSION VEHICLES BY 2035**”;

in line 18, after “**(1)**” insert “**(I)**”; and in lines 21 and 24, strike “**(2)**” and “**(3)**”, respectively, and substitute “**(II)**” and “**(III)**”, respectively.

On page 34, in line 25, after “**VEHICLES**” insert “**;** AND

(2) (I) IN FISCAL YEARS 2027 THROUGH 2029, INCLUSIVE, AT LEAST 25% OF ALL OTHER LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES;

(II) IN FISCAL YEARS 2030 AND 2031, AT LEAST 50% OF ALL OTHER LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES; AND

(III) BEGINNING IN FISCAL YEAR 2032, 100% OF ALL OTHER LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES".

On page 35, in lines 2, 4, and 6, in each instance, after "CARS" insert "AND OTHER LIGHT-DUTY VEHICLES".

On pages 35 through 39, strike in their entirety the lines beginning with line 16 on page 35 through line 9 on page 39, inclusive.

On page 41, in line 13, after "FUND" insert "OR FROM DEBT OF THE MARYLAND DEPARTMENT OF TRANSPORTATION".

AMENDMENT NO. 6

On page 43, in line 15, after "WITH" insert ":

(1) MONEY APPROPRIATED UNDER SUBSECTION (C) OF THIS SECTION; OR

(2)"; in the same line, strike the first "THE" and substitute "THE";

after line 16, insert:

“(C) (1) FOR EACH OF FISCAL YEARS 2024 THROUGH 2031, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$2,500,000 TO FUND TREE PLANTINGS UNDER THIS SECTION AND OTHER TREE-PLANTING PROGRAMS ON AGRICULTURAL LAND.

(2) THE MONEY APPROPRIATED UNDER THIS SUBSECTION IS SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR TREE PLANTINGS UNDER THIS SECTION AND OTHER TREE-PLANTING PROGRAMS ON AGRICULTURAL LAND.;

in line 21, after “OF” insert “DIVERSE”; in line 22, strike “2030” and substitute “2031”; and in line 27, after “PLANTINGS” insert “OF DIVERSE SPECIES”.

On page 45, in line 19, strike “2022 THROUGH 2030” and substitute “2023 THROUGH 2031”; and after line 33, insert:

“(4) (I) FOR EACH OF FISCAL YEARS 2024 THROUGH 2031, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$2,500,000 TO THE FUND, TO BE USED, SUBJECT TO THE REQUIREMENTS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR TREE PLANTINGS ON PUBLIC AND PRIVATE LAND.

(II) THE MONEY APPROPRIATED UNDER THIS PARAGRAPH:

1. MAY BE DISTRIBUTED IN ACCORDANCE WITH § 8-2A-04(C)(2) OF THIS SUBTITLE;

2. MAY BE USED TO COVER THE COSTS OF:

A. SITE PREPARATION, LABOR, AND MATERIALS FOR TREE-PLANTING PROJECTS;

B. MAINTAINING TREES FOLLOWING A TREE-PLANTING PROJECT; AND

C. LANDOWNER INCENTIVE PAYMENTS OR SIGNING BONUSES OF UP TO \$1,000 PER ACRE OF TREES PLANTED;

3. MAY NOT BE USED TO PLANT TREES INTENDED FOR TIMBER HARVEST; AND

4. MAY BE USED ONLY FOR TREE PLANTINGS ON PRIVATE LAND IF THE LANDOWNER ENTERS INTO A BINDING LEGAL AGREEMENT TO MAINTAIN THE PLANTED AREA IN TREE COVER FOR AT LEAST 15 YEARS.

(III) THE MONEY APPROPRIATED UNDER THIS PARAGRAPH IS SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR TREE PLANTINGS ON PUBLIC AND PRIVATE LAND.”.

On page 48, in line 25, strike “AND” and substitute:

“(II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE PROGRAM; AND”;

and in line 26, strike “(II)” and substitute “(III)”.

On page 49, after line 13, insert:

“(H) (1) FOR EACH OF FISCAL YEARS 2024 THROUGH 2031, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$10,000,000 FOR THE PROGRAM.

(2) THE MONEY APPROPRIATED UNDER THIS SUBSECTION IS SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAM.”;

and in line 30, strike “TRANSFERS” and substitute “TRANSFER”.

On page 50, in line 1, strike “YEARS” and substitute “YEAR 2023”; in the same line, strike “2023 THROUGH 2031”; and in lines 3, 6, and 11, in each instance, strike “PER FISCAL YEAR”.

On pages 51 and 52, strike in their entirety the lines beginning with line 5 on page 51 through line 24 on page 52, inclusive.

AMENDMENT NO. 7

On page 52, after line 24, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

14-418.

(A) IN THIS SECTION, “CONCRETE” MEANS STRUCTURAL AND NONSTRUCTURAL MASONRY AND READY MIX CONCRETE BUILDING PRODUCTS.

(B) EACH UNIT RESPONSIBLE FOR AWARDING A CONTRACT FOR THE PROCUREMENT OF CONCRETE OR A CONTRACT THAT INCLUDES THE PURCHASE OR USE OF CONCRETE IN THE PERFORMANCE OF THE CONTRACT SHALL GIVE A PERCENTAGE PRICE PREFERENCE, AS DETERMINED BY THE BOARD, TO THE PROCUREMENT, OR REQUIRED USE UNDER THE CONTRACT, OF A CONCRETE MIX DESIGN THAT:

(1) CONSISTS OF TYPE 1L CEMENT OR AN ASTM C595 BLENDED CEMENT WITH SLAG CEMENT, FLY ASH, OR NATURAL POZZOLAN;

(2) MEETS SPECIFICATIONS SET BY THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS; AND

(3) MEETS OR EXCEEDS ANY OTHER ENGINEERING PERFORMANCE STANDARDS SET BY THE STATE.

(C) THE PERCENTAGE PRICE PREFERENCE IN SUBSECTION (B) OF THIS SECTION SHALL ONLY APPLY TO THE PORTION OF A CONTRACT THAT IS DIRECTLY ATTRIBUTABLE TO THE COST OF THE CONCRETE.

(D) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH GUIDELINES TO ASSIST UNITS IN DETERMINING WHICH CONTRACTS ARE SUBJECT TO THE REQUIREMENTS OF THIS SECTION; AND

(2) PROVIDE FOR THE MONITORING OF THE IMPLEMENTATION OF THIS SECTION.

(E) THE BOARD SHALL PUBLISH ON THE BOARD’S WEBSITE THE GUIDELINES ESTABLISHED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

SECTION 7. AND BE IT FURTHER ENACTED, That:

- (a) There is a Blue Ribbon Solar Land Use Commission.
- (b) The Commission 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 Secretary of Natural Resources, or the Secretary's designee;
- (5) the Chairman of the Public Service Commission, or the Chairman's designee;
- (6) one representative of the Maryland Association of Counties, selected by the Maryland Association of Counties; and
- (7) the following members, appointed by the Governor:
- (i) one representative of the Maryland Farm Bureau;
- (ii) one representative of the Coalition for Community Solar Access;
- (iii) one representative of the Chesapeake Solar & Storage Association; and
- (iv) one representative of the Chesapeake Climate Action Network.
- (c) The member of the Senate of Maryland and the member of the House of Delegates shall cochair the Commission.
- (d) The Power Plant Research Program in the Department of Natural Resources shall staff the Commission.
- (e) A member of the Commission:
- (1) may not receive compensation as a member of the Commission; but
- (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.
- (f) The Commission shall study and make recommendations regarding the land use needs to meet the State's solar energy goals under the Renewable Energy Portfolio

Standard, including:

(1) the total area of land, including agricultural land, that is likely necessary to meet the solar energy goals in a manner that is cost-effective for ratepayers in the State;

(2) the total number of megawatts of solar electricity that is needed to meet the solar energy goals;

(3) the rate of rooftop solar panels compared to ground-mounted solar panels that is needed to meet the number of megawatts of solar electricity identified under item (2) of this subsection;

(4) the number of ground-mounted solar panels that would be required to be allocated to each county, including Baltimore City, to meet the number of megawatts of solar electricity identified under item (2) of this subsection, based on the following equally weighted factors:

(i) the county's population;

(ii) the county's total area; and

(iii) how much of the county is agricultural land; and

(5) any other matter that the Commission considers necessary to help the State meet its solar energy goals in a cost-effective manner.

(g) On or before June 1, 2022, the Commission shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.”;

and in line 25, strike “7.” and substitute “8.”.

On page 53, in line 2, after “(4)” insert “the Secretary of Transportation, or the Secretary's designee;

(5)”;

and in lines 3, 5, 7, 10, 12, 14, 16, 18, 20, 23, and 25, strike “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, “(14)”, and “(15)”, respectively, and substitute “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, “(14)”, “(15)”, and “(16)”, respectively.

On page 54, in line 6, after “5,000,000” insert “diverse”; in the same line, strike “2030” and substitute “2031”; in line 18, after “quality” insert “and wildlife habitat”; and in line 25, after “planted” insert “ensuring that species are diverse and not monoculture plantings”.

On page 55, strike in their entirety lines 15 through 18, inclusive, and substitute:

“SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, it is the intent of the General Assembly that the Public Service Commission continue with the submission of plans and making the determinations required under Sections 2 and 3 of Chapters 14 and 780 of the Acts of the General Assembly of 2017.

(b) The determination of the advisability of maintaining the methodology and magnitude of the savings trajectory established in § 7–211(g)(2) of the Public Utilities Article shall take into account the changes made in § 7–211(g)(2) of the Public Utilities Article, as enacted by this Act.

SECTION 10. AND BE IT FURTHER ENACTED, That on or before June 1, 2022, the Maryland Energy Administration and the Power Plant Research Program in the Department of Natural Resources shall jointly:

(1) conduct a study to identify and assess policies and cost considerations relating to solar installations on commercial and industrial property, including policies and cost considerations relating to storage, net metering, aggregation and capacity, rate structure, infrastructure readiness, and interconnection; and

(2) report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on the findings of the study required under item (1) of this section.

SECTION 11. AND BE IT FURTHER ENACTED, That, on or before June 1, 2022, the Department of the Environment shall:

(1) conduct a study on least cost options for carbon reductions in the building sector, including a study of the market potential and consumer economics of renewable thermal and beneficial electrification that examines incremental first costs, payback periods, appropriate incentive levels, and source greenhouse gas emissions savings associated with oil, propane, electric, and natural gas options; and

(2) report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on the findings of the study required under item (1) of this section.

SECTION 12. AND BE IT FURTHER ENACTED, That, on or before December 15, 2021, the Department of the Environment, in consultation with the Maryland Commission on Climate Change, shall:

(1) conduct a study on the opportunities for and the challenges of achieving a 60% reduction in statewide greenhouse gas emissions from 2006 levels by 2035, taking into account new federal programs on infrastructure and clean energy; and

(2) report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on the findings of the study required under item (1) of this section.

SECTION 13. AND BE IT FURTHER ENACTED, That this Act may not be construed to limit a local jurisdiction’s authority to adopt energy conservation requirements for buildings that are more stringent than energy conservation requirements for buildings established under State law or regulation.”;

in lines 19, 20, 21, 23, and 33, strike “9.”, “4”, “2025”, “10.”, and “12.”, respectively, and substitute “14.”, “9”, “2030”, “15.” and “16.”, respectively; strike in their entirety lines 27 through 32, inclusive; in lines 33 and 35, in each instance, strike “Section 7” and substitute “Sections 7 and 8”; in line 34, strike “It” and substitute “Sections 7 and 8”; and after line 36, insert:

“SECTION 17. AND BE IT FURTHER ENACTED, That Section 6 of this Act shall take effect July 1, 2022.”.

On page 56, in line 1, strike “13.” and substitute “18.”; in line 2, strike “9” and substitute “14”; and in the same line, strike “12” and substitute “17”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate D. Barnes 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 119 – Senators Guzzone and Elfreth

AN ACT concerning

Clean Water Commerce 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:

Senate Bill 546 – Senator McCray

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 32

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

Senate Bill 278 – Senator Kagan

EMERGENCY BILL

AN ACT concerning

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

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 299 – ~~Senator Carter~~ Senators Carter, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Klausmeier, Kramer, and Ready

AN ACT concerning

**Human Services – Trauma-Informed Care – Commission and Training
(Healing Maryland’s Trauma Act)**

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 697 – Senator Eckardt

AN ACT concerning

**State Procurement – Minority Business Enterprise Program – Participation by
Gender or Race**

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 777 – Senators Elfreth, Augustine, Ferguson, Beidle, Washington, Feldman, Jackson, Guzzone, Griffith, Eckardt, and Waldstreicher

AN ACT concerning

Public Health – Maryland Prenatal and Infant Care Grant Program Fund

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 830 – Senator Lam

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 33

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

House Bill 548 – Delegate R. Lewis

AN ACT concerning

Human Services – Trauma–Informed Care – Commission and Training

HB0548/556789/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 548

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 2, insert:

“(Healing Maryland’s Trauma Act)”;

and in line 21, after the semicolon insert “requiring the Commission, in consultation with the Maryland Department of Health, the Department of Human Services, and the Maryland Health Care Commission, to conduct a certain study of a certain program and implement a certain program; providing for the purpose of a certain program; specifying the content of a certain study; requiring the Commission to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date each year;”.

AMENDMENT NO. 2

On page 4, in line 13, strike “AND”; in line 14, after “(11)” insert “THE EXECUTIVE DIRECTOR OF THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT, OR THE EXECUTIVE DIRECTOR’S DESIGNEE; AND

(12)”;

in line 15, after “LICENSED” insert “MENTAL HEALTH”; in the same line, after “TRAUMA” insert “, INCLUDING DEMONSTRATED EXPERIENCE AND TRAINING IN CHILD AND ADOLESCENT CARE AND FAMILY CARE”; in line 22, strike “AND”; and in line 24, after “COUNCIL” insert “;

(VI) ONE REPRESENTATIVE OF THE MARYLAND NETWORK AGAINST DOMESTIC VIOLENCE;

(VII) ONE REPRESENTATIVE OF AN URBAN MUNICIPAL GOVERNMENT WITH EXPERTISE IN TRAUMA;

(VIII) ONE REPRESENTATIVE OF A RURAL MUNICIPAL GOVERNMENT WITH EXPERTISE IN TRAUMA; AND

(IX) ONE REPRESENTATIVE OF A SUBURBAN MUNICIPAL GOVERNMENT WITH EXPERTISE IN TRAUMA”.

AMENDMENT NO. 3

On page 5, in line 21, after “(A)” insert “(1)”; and in lines 22, 24, and 27, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively.

On page 6, in lines 2, 4, 7, 9, and 15, strike “(4)”, “(5)”, “(6)”, “(7)”, and “(8)”, respectively, and substitute “(IV)”, “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively; in lines 12 and 14, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; in line 10, strike “(3)” and substitute “(III)”; in line 18, strike “(B)” and substitute “(2)”; after line 20, insert:

“(B) (1) IN THIS SUBSECTION, “PROGRAM” MEANS THE ADVERSE CHILDHOOD EXPERIENCES (ACES) AWARE PROGRAM.

(2) IN CONSULTATION WITH THE MARYLAND DEPARTMENT OF HEALTH, THE DEPARTMENT OF HUMAN SERVICES, AND THE MARYLAND HEALTH CARE COMMISSION, THE COMMISSION SHALL:

(I) STUDY DEVELOPING A PROCESS AND FRAMEWORK FOR IMPLEMENTING AN ADVERSE CHILDHOOD EXPERIENCES (ACES) AWARE PROGRAM IN THE STATE; AND

(II) IMPLEMENT THE PROGRAM.

(3) THE PURPOSE OF THE PROGRAM IS TO SCREEN FOR ADVERSE CHILDHOOD EXPERIENCES AND TOXIC STRESS TO PROVIDE TARGETED EVIDENCE-BASED INTERVENTIONS TO SUPPORT INDIVIDUAL AND FAMILY HEALTH, IN ORDER TO IMPROVE INDIVIDUAL AND FAMILY WELL-BEING AND REDUCE HEALTH CARE COSTS.

(4) AS PART OF THE STUDY, THE COMMISSION SHALL:

(I) PROPOSE A PROCESS TO SET UP TRAINING AND AN ACCREDITATION PROCESS FOR PROVIDERS IN THE PROGRAM; AND

(II) EXPLORE THE POSSIBILITY OF THIRD-PARTY REIMBURSEMENT, INCLUDING THE STATE MEDICAL ASSISTANCE PROGRAM, FOR SCREENINGS UNDER THE PROGRAM.

(5) ON OR BEFORE OCTOBER 1 EACH YEAR, BEGINNING IN 2022, THE COMMISSION SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS REGARDING THE DEVELOPMENT AND IMPLEMENTATION OF THE PROGRAM TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1349 – Delegate Sample–Hughes

AN ACT concerning

Public Health – Maryland Prenatal and Infant Care Grant Program Fund

HB1349/316586/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1349

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “procedures;” insert “altering the proposals from counties or municipalities that are required to receive priority in the awarding of certain grants;”; in line 14, after “Secretary” insert “, in coordination with the Bureau,”; strike beginning with “prohibiting” in line 17 down through “cost” in line 18 and substitute “authorizing the Secretary to require an applicant to provide certain funds or contributions as a condition of receiving a certain grant”; and in line 20, after “years;” insert “requiring the Secretary to ensure that certain grants awarded under a certain program are used for certain purposes;”.

AMENDMENT NO. 2

On page 3, strike beginning with “PROVIDES” in line 6 down through “COUNSELING” in line 12 and substitute “IS AUTHORIZED TO PROVIDE PRENATAL SERVICES UNDER THE HEALTH OCCUPATIONS ARTICLE”; and in line 21, after the second “CARE” insert “, WHICH MAY INCLUDE BEHAVIORAL AND ORAL HEALTH SERVICES NECESSARY FOR MAINTAINING A HEALTHY PREGNANCY”.

On page 6, in line 2, strike “and”; after line 3, insert:

“(IV) HIGH RATES OF INFANTS WITH LOW BIRTHWEIGHT; AND”;

in line 12, strike “AND”; in line 13, after “BIRTHS” insert “; AND”

(4) HIGH RATES OF INFANTS WITH LOW BIRTHWEIGHT;

and in line 23, after “SHALL” insert “, IN COORDINATION WITH THE MATERNAL AND CHILD HEALTH BUREAU IN THE DEPARTMENT,”.

On page 7, strike beginning with “THE” in line 3 down through “PROGRAM” in line 6 and substitute “THE SECRETARY MAY REQUIRE AN APPLICANT TO PROVIDE MATCHING FUNDS OR IN-KIND CONTRIBUTIONS AS A CONDITION OF RECEIVING A GRANT UNDER THIS SECTION”; after line 12, insert:

“(B) THE SECRETARY SHALL ENSURE THAT GRANTS AWARDED UNDER THIS SECTION ARE USED FOR THE PURPOSES OF:

(1) IMPROVING THE HEALTH OUTCOMES OF PREGNANT WOMEN IN THE COMMUNITY SERVED USING THE GRANT FUNDS; AND

(2) COLLECTING SUFFICIENT DATA TO DETERMINE HOW TO EXPAND SUCCESSFUL ELEMENTS OF THE PROGRAM TO OTHER COMMUNITIES IN THE STATE.”;

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

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 67 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Maryland Institute for Emergency Medical Services Systems) and Senators Carozza, Gallion, Hester, Kagan, and Reilly**

EMERGENCY BILL

AN ACT concerning

Emergency Medical Services – Paramedics – Vaccination Administration

SB0067/766381/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 67

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “authorizing a paramedic to administer certain immunizations and skin testing to certain ambulance service personnel under certain circumstances;”; strike beginning with the second “a” in line 3 down through “law” in line 5 and substitute “influenza and 2019CoV immunizations”; in line 6, strike “services” and substitute “immunizations”; in line 8, strike “program or”; in line 9, after “provisions;” insert “repealing certain provisions of law authorizing paramedics to administer influenza and 2019CoV immunizations under certain circumstances;”; in line 10, strike “the termination” and substitute “a delayed effective date for certain provisions”; in line 12, after “repealing” insert “and reenacting, with amendments,”; and in line 17, strike “adding to” and substitute “repealing and reenacting, with amendments,”.

On page 2, after line 1, insert:

“(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 2, in line 6, strike the bracket; in line 7, strike “influenza” and substitute “;”

(1) INFLUENZA”;

in line 8, after “safety” insert “**OR AMBULANCE SERVICE**”; in lines 10, 14, and 16, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; in line 11, after “director” insert “**OR AMBULANCE SERVICE MEDICAL DIRECTOR**”; in line 15, after “director” insert “**OR AMBULANCE SERVICE MEDICAL DIRECTOR**”; in line 16, strike the period; in the same line, strike the bracket and substitute “**;** **AND**”; strike in their entirety lines 17 through 23, inclusive; after line 23, insert:

“(2) INFLUENZA AND 2019CoV IMMUNIZATIONS, IF THE IMMUNIZATIONS ARE;”;

in line 24, strike “(1)”; in the same line, after “(I)” insert “1.”; in line 27, strike “(II)” and substitute “2.”; and strike in their entirety lines 28 through 30, inclusive.

On page 3, in line 1, strike “A” and substitute “PART OF A”; in line 5, strike “COMMERCIAL EMS” and substitute “AMBULANCE”; in line 4, strike “(3)” and substitute “(III)”; in lines 9, 11, 12, 14, 15, 16, and 17, strike “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, “5.”, “6.”, and “7.”, respectively; after line 18, insert:

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

Article – Education

13–516.

(g) Subject to the rules, regulations, protocols, orders, and standards of the EMS Board, a paramedic may administer[:

(1) Influenza] INFLUENZA and hepatitis B immunizations and tuberculosis skin testing, in a nonemergency environment, to public safety or ambulance service personnel within the jurisdiction of the paramedic, if the services are:

[(i)] (1) Authorized by a written agreement between the provider’s jurisdictional EMS operational program medical director or ambulance service medical director and the county or city health department in whose jurisdiction the services are performed, which shall include provisions for documentation, referral and follow-up, and storage and inventory of medicine;

[(ii)] (2) Under the direction of the jurisdictional EMS operational program medical director or ambulance service medical director; and

[(iii)] (3) Approved by the Institute[; and

(2) Influenza and 2019CoV immunizations, if the immunizations are:

(i) 1. Provided under the direction of the EMS operational program medical director, ambulance service medical director, or other qualified physician; and

2. Authorized by the Institute;

(ii) Part of a population health outreach effort conducted by the appropriate local health department or a hospital or health system in the State; and

(iii) Provided in accordance with a written agreement between the paramedic’s EMS operational program or ambulance service and the county or city health department in the jurisdiction in which the services are performed or a hospital or health system in the State, which includes provisions for:

- 18 years old;
1. The administration of a vaccine to an individual at least
 2. Storage and inventory of medication;
 3. Distribution of appropriate Vaccine Information
 4. Documentation of patient consent;
 5. Recognition of adverse effects;
 6. Referral and follow-up; and
 7. Appropriate documentation of vaccine administration, including within the ImmuNet system].
- Statements:

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2021, the Maryland Institute for Emergency Medical Services Systems, in consultation with interested stakeholders and in accordance with § 2-1257 of the State Government Article, shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee on efforts to include paramedics in public health vaccination programs, including programs implemented in other states.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2023.”;

in line 21, strike “2.” and substitute “5.”; in the same line, after “That” insert “, except as provided in Section 4 of this Act.”; and strike beginning with “It” in line 25 down through “effect.” in line 27.

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 69 – Senators Hester and Simonaire

AN ACT concerning

~~Maryland Emergency Management Agency~~ – **Cybersecurity Coordination and Operations Office – Establishment and Reporting**

SB0069/826585/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 69

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “**Operations**” insert “– Maryland Cybersecurity Council Study and Report”; in the same line, strike “– **Establishment and Reporting**”; strike beginning with “establishing” in line 4 on page 1 down through “technology” in line 2 on page 2 and substitute “requiring the Maryland Cybersecurity Council to conduct a certain study on cybersecurity coordination and operations in the State; requiring the Council to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to a report on cybersecurity coordination and operations”.

On pages 2 and 3, strike in their entirety the lines beginning with line 3 on page 2 through line 24 on page 3, inclusive.

On page 3, strike lines 26 through 29, inclusive, and substitute “That:”.

AMENDMENT NO. 2

On pages 3 through 20, strike in their entirety the lines beginning with line 30 on page 3 through line 12 on page 20, inclusive, and substitute:

“(a) The Maryland Cybersecurity Council shall:

(1) study:

(i) the State’s existing cybersecurity programs and coordination policies and efforts, including the responsibilities of the Maryland Emergency Management Agency and Department of Information Technology, as well as the coordination of responsibilities between these units;

(ii) cybersecurity coordination and operations programs in other states;

(iii) best practices and recommendations of models for cybersecurity coordination and operations by a state;

(iv) the traits of a government agency or department that is well suited to manage cybersecurity coordination and operations for a state;

(v) what State agency or department best matches the traits identified in item (iv) of this item or whether a new State agency or department should be created to manage cybersecurity coordination and operations for the State;

(vi) the needs for cybersecurity coordination and operations by State, local, and nongovernmental entities in the State; and

(vii) issues regarding the constitutional authority of the General Assembly and the Executive Branch to enact and maintain an effective cybersecurity policy for the State; and

(2) develop a comprehensive cybersecurity coordination and response structure and plan for the State based on the findings from studying the items in paragraph (1) of this subsection.

(b) On or before December 1, 2021, the Council shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee, the House Health and Government Operations Committee, and the Joint Committee on Cybersecurity, Information Technology, and Biotechnology.”.

On page 20, in line 13, strike “3.” and substitute “2.”; in line 14, strike “October” and substitute “July”; and in the same line, after the period, insert “It shall remain effective for a period of 1 year and 1 month and, at the end of July 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

Senate Bill 106 – Chair, Finance Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Licensing – Good Standing With the State Department of Assessments and Taxation – Requirement

SB0106/596485/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 106

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike the first “the” and substitute “a certain”.

AMENDMENT NO. 2

On page 3 in lines 8 and 25, on page 4 in lines 13 and 21, on page 5 in lines 6 and 23, and on page 6 in lines 6 and 23, in each instance, after “PERSON” insert “THAT IS NOT AN INDIVIDUAL”.

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 565 – Senators Griffith, Elfreth, Augustine, Lam, and Ellis

AN ACT concerning

Public Health – Data – Race and Ethnicity Information**SB0565/296683/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 565

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Griffith,” insert “Eckardt.”; in line 8, after “physicians;” insert “requiring the report card to include a comparison of certain information;”; and in line 16, after “date;” insert “requiring the Office, in coordination with the Commission and the Maryland Department of Health, to submit to the General Assembly a certain plan on or before a certain date;”.

AMENDMENT NO. 2

On page 4, after line 23, insert:

“(IV) A COMPARISON OF THE INFORMATION INCLUDED UNDER ITEMS (I) AND (II) OF THIS PARAGRAPH WITH PREVIOUSLY PUBLISHED “HEALTH CARE DISPARITIES POLICY REPORT CARDS” INCLUDING THE SAME INFORMATION; AND”.

On page 6, after line 1, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2021, the Maryland Office of Minority Health and Health Disparities shall, in coordination with the Maryland Health Care Commission and the Maryland Department of Health, submit to the General Assembly, in accordance with § 2–1257 of the State Government Article, a plan that reflects the State’s current goals and implementations to eliminate minority health disparities.”;

and in line 2, 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**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

SB0741/516287/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 741

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, after “date;” insert “altering the effective date of certain provisions of law governing the disclosure of outpatient facility fees;”; and after line 38, insert:

“BY repealing and reenacting, with amendments,

Chapter 365 of the Acts of the General Assembly of 2020

Section 2”.

AMENDMENT NO. 2

On page 3, in line 25, after “STATE” insert “AND THE MARYLAND STATE DEPARTMENT OF EDUCATION”.

On pages 5 and 6, strike in their entirety the lines beginning with line 30 on page 5 through line 23 on page 6, inclusive.

On page 6, in lines 24, 27, and 30, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively; and in line 33, after “TRACING” insert “, OR FOR ANY OTHER PUBLIC HEALTH PURPOSE RELATED TO COVID–19 RESPONSE FOR WHICH FEDERAL FUNDING IS AUTHORIZED”.

On page 7, strike beginning with “TESTING” in line 1 down through “TRACING” in line 2 and substitute “RESPONSE”.

On page 8, in line 12, strike “(G)” and substitute “(F)”.

On page 9, strike in their entirety lines 20 through 23, inclusive, and substitute:

“(IV) A STRATEGY FOR OUTREACH AND DISTRIBUTION OF VACCINES TO INDIVIDUALS WHO ARE NOT RECEIVING THE VACCINE, DUE TO EITHER LACK OF ACCESS OR VACCINE HESITANCY.”

AMENDMENT NO. 3

On page 10, in line 2, strike “INFRASTRUCTURE”; in line 3, strike the colon and substitute “REPRESENTATIVES OF THE DEPARTMENT, LOCAL HEALTH DEPARTMENTS, SUBJECT MATTER EXPERTS, AND ANY OTHER RELEVANT STAKEHOLDERS.”; strike in their entirety lines 4 through 12, inclusive; in line 15, strike “AND”; and in line 20, after “GOALS” insert “;

(3) MAKE RECOMMENDATIONS REGARDING THE ESTABLISHMENT OF A MARYLAND PUBLIC HEALTH JOBS CORPS TO RESPOND TO THE OUTBREAK OF COVID–19 OR SIMILAR OUTBREAKS; AND

(4) CONSIDER, WHERE APPROPRIATE, THE USE OF FEDERAL FUNDS TO IMPLEMENT ANY RECOMMENDATIONS MADE UNDER THIS SUBSECTION”.

AMENDMENT NO. 4

On page 10, after line 24, insert:

“Chapter 365 of the Acts of 2020

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect [July 1, 2021] JANUARY 1, 2022.”

AMENDMENT NO. 5

On page 18, in line 8, after “2022.” insert “Any federal funding appropriated under this Act for vaccine distribution, testing, or contact tracing shall be limited to funding specifically allocated for those purposes under the Coronavirus Aid, Relief, and Economic Security Act, the Consolidated Appropriations Act, or the American Rescue Plan Act of 2021 except to the extent other funding is provided for these purposes by the Governor.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 50

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

Senate Bill 364 – Senator McCray

AN ACT concerning

**Baltimore City – Civil Claims Against Law Enforcement Officers of an
Institution of Higher Education – Prohibition Against ~~Nondisclosure Provision~~
Nondisparagement Clause in Settlement Agreement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 51

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

Senate Bill 420 – Senator Carter

AN ACT concerning

Criminal Law – Drug Paraphernalia for Administration – Decriminalization

SB0420/462512/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 420

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “substance;” insert “repealing the prohibition against a person delivering or selling, or manufacturing or possessing with intent to deliver or sell drug paraphernalia under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 30, after “to” insert an opening bracket.

On page 3, in line 1, after “(i)” insert a closing bracket; in line 3, after “substance” insert an opening bracket; and in line 5, after “substance” insert a closing bracket.

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 136 Members present.

(See Roll Call No. 1268)

CALENDAR OF THIRD READING HOUSE BILLS NO. 105

House Bill 424 – Delegate Feldmark

AN ACT concerning

**Public Financing Act – Matching Fund Revisions
(Maryland Fair Elections Act)**

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

Affirmative – 99 Negative – 37 (See Roll Call No. 1269)

The Bill was then sent to the Senate.

House Bill 770 – Delegate McIntosh

AN ACT concerning

Baltimore City Community College – Procurement Authority

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

Affirmative – 134 Negative – 1 (See Roll Call No. 1270)

The Bill was then sent to the Senate.

House Bill 987 – Delegate Qi

AN ACT concerning

**Economic Development – Comprehensive Technical Assistance Program
– Establishment**

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

Affirmative – 130 Negative – 7 (See Roll Call No. 1271)

The Bill was then sent to the Senate.

House Bill 1324 – Delegate P. Young

EMERGENCY BILL

SECOND PRINTING

AN ACT concerning

**Tobacco Tax and Sales and Use Tax – Out-of-State Sales of Premium Cigars and
Pipe Tobacco and Tobacco Smoking Devices**

Delegate Luedtke moved to reconsider the vote by which **House Bill 1324** was ordered printed for Third Reading.

The motion was adopted.

FLOOR AMENDMENT

HB1324/313025/1

BY: Delegate Luedtke

AMENDMENTS TO HOUSE BILL 1324
(Bill As Printed for Third Reading)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”.

On page 2, in line 12, after “definition;” insert “providing for the application of certain provisions of this Act; requiring the Comptroller to issue a certain refund to certain persons on application; making this Act an emergency measure;”; in the same line, after “date” insert “for certain provisions of this Act”; after line 25, 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 32 through 37, inclusive.

AMENDMENT NO. 2

On page 4, after line 3, insert:

“Article – Tax – General

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.

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

Article – Business Regulation”.

On pages 10 and 11, strike in their entirety the lines beginning with line 23 on page 10 through line 9 on page 11, inclusive.

On page 16, after line 25, insert:

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

(a) Section 1 of this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any tax imposed on other tobacco products under Title 12 of the Tax – General Article on or after March 14, 2021; and

(b) On application by a person who paid the tobacco tax on pipes or hookahs sold on or after March 14, 2021, but before the effective date of Section 1 of this Act, the Comptroller shall issue a refund of that amount to the person.”;

in line 26, strike “2.” and substitute “4.”; in the same line, after “That” insert “Section 2 of”; and after line 27, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and, except as provided in Section 4 of this Act, shall take effect from the date it is enacted.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

CALENDAR OF THIRD READING SENATE BILLS NO. 50

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

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1272)

The Bill was then returned to the Senate.

Senate Bill 102 – Senator Eckardt

AN ACT concerning

Income Tax – Credits for Preceptors in Areas With Health Care Workforce Shortages

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1273)

The Bill was then returned to the Senate.

Senate Bill 257 – Senator Guzzone

AN ACT concerning

Sales and Use Tax – Vendor Collection Credit – Job Training

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1274)

The Bill was then returned to the Senate.

Senate Bill 298 – Senator Reilly

AN ACT concerning

**State Board of Pharmacy – Pharmacy Closure – Notice to Customers
(The Dennis Robin Act)**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1275)

The Bill was then returned to the Senate.

**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**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1276)

The Bill was then returned to the Senate.

Senate Bill 836 – Senators Beidle and Elfreth

AN ACT concerning

**State Board of Dental Examiners – ~~Disciplinary Action – Disclosure~~
~~Requirements and Licensee Profiles~~ Disciplinary Process and Actions Task
Force**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1277)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 56

Senate Bill 326 – Senator Hayes

AN ACT concerning

Baltimore City Community College – Procurement Authority

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1278)

The Bill was then returned to the Senate.

Senate Bill 480 – Senator Zucker

AN ACT concerning

Income Tax Distribution – Tax Clinics for Low-Income Marylanders

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

Affirmative – 131 Negative – 7 (See Roll Call No. 1279)

The Bill was then returned to the Senate.

Senate Bill 622 – Senator Edwards

AN ACT concerning

Income Tax – Subtraction Modification – Donations to Diaper Banks and Other Charitable Entities

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1280)

The Bill was then returned to the Senate.

Senate Bill 649 – Senators Griffith, Pinsky, Sydnor, Beidle, Jackson, McCray, Guzzone, Augustine, Elfreth, Smith, and West

AN ACT concerning

**Procurement – ~~Department of General Services~~ – MBE Program Compliance
Officer Review and Oversight**

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

Affirmative – 134 Negative – 2 (See Roll Call No. 1281)

The Bill was then returned to the Senate.

Senate Bill 769 – Senators Hester and Bailey

AN ACT concerning

**Income Tax Credit for Venison Donation – Alterations, Extension, and Testing
for Chronic Wasting Disease**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1282)

The Bill was then returned to the Senate.

Senate Bill 787 – Senator Ferguson

EMERGENCY BILL

AN ACT concerning

**Digital Advertising Gross Revenues Tax – ~~Exemption and Restriction~~ and
Tobacco Tax – Alterations and Implementation**

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

Affirmative – 95 Negative – 43 (See Roll Call No. 1283)

The Bill was then returned to the Senate.

Senate Bill 883 – Senator Guzzone

AN ACT concerning

Tobacco Tax – ~~Out-of-State~~ Sales of Premium Cigars and Pipe Tobacco

Delegate Luedtke moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 885 – Senator Hester

AN ACT concerning

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

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

Affirmative – 133 Negative – 4 (See Roll Call No. 1284)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 88**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~~

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

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 80**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

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1285)

The Bill was then returned to the Senate.

SPECIAL ORDERS**Senate Bill 883 – Senator Guzzone**

AN ACT concerning

Tobacco Tax – Out-of-State Sales of Premium Cigars and Pipe Tobacco

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

SB0883/853823/1

BY: Delegate Luedtke

AMENDMENTS TO SENATE BILL 883, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1On page 1 of the bill, at the top of the page, insert “EMERGENCY BILL”.

On page 2 of the bill, in line 10, after “definition;” insert “providing for the application of certain provisions of this Act; requiring the Comptroller to issue a certain refund to certain persons on application; making this Act an emergency measure;”; in the same line, after “date” insert “for certain provisions of this Act”; and before line 12, insert:

“BY repealing and reenacting, with amendments,Article – Tax – GeneralSection 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)”.

On pages 1 and 2 of the Committee on Ways and Means Amendments (SB0883/465368/1), in Amendment No. 1, strike beginning with “BY” in line 20 on page 1 down through “2021” in line 4 on page 2.

AMENDMENT NO. 2

On page 3 of the bill, before line 2, insert:

“Article – Tax – General

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.

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

Article – Business Regulation”.

On pages 3 and 4 of the Committee on Ways and Means Amendments, in Amendment No. 2, strike beginning with “11–104.” in line 9 on page 3 down through “price.” in line 6 on page 4.

On page 15 of the bill, after line 7, insert:

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

(a) Section 1 of this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any tax imposed on other tobacco products under Title 12 of the Tax – General Article on or after March 14, 2021; and

(b) On application by a person who paid the tobacco tax on pipes or hookahs sold on or after March 14, 2021, but before the effective date of Section 1 of this Act, the Comptroller shall issue a refund of that amount to the person.”;

in line 8, strike “2.” and substitute “4.”; in the same line, after “That” insert “Section 2 of”; and after line 9, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and, except as provided in Section 4 of this Act, shall take effect from the date it is enacted.”.

The preceding 2 amendments were read and adopted.

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

Affirmative – 135 Negative – 3 (See Roll Call No. 1286)

The Bill was then returned to the Senate.

SPECIAL ORDER CALENDAR NO. 87

Senate Bill 190 – Senator Hough

AN ACT concerning

Firearms – Right to Purchase, Possess, and Carry – Use of Medical Cannabis

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

FLOOR AMENDMENT

SB0190/493325/1

BY: Delegate Wilson

AMENDMENTS TO SENATE BILL 190, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0190/582517/1), in lines 1 and 2 of Amendment No. 1, strike “**Untraceable and Undetectable, Use of Medical Cannabis, and**”.

On page 3 of the House Judiciary Committee Amendments, in line 2 of Amendment No. 1, strike “and Section 5–801”; and in line 3, strike “8.”.

On page 1 of the bill, in line 2, before “**Firearms**” insert “**Untraceable and Undetectable**”; in the same line, strike “**Right to**”; in the same line, strike “**, Possess, and Carry**” and substitute “**and Possession**”; strike beginning with “providing” in line 3 down through “cannabis;” in line 5; in line 8, strike “to be under the new subtitle “Subtitle”; and in the same line, strike “Miscellaneous”“.

AMENDMENT NO. 2

On page 26 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 3, strike “8.”; and in line 2, strike “5–801.”.

On pages 1 and 2 of the bill, strike in their entirety the lines beginning with line 14 on page 1 through line 1 on page 2, inclusive.

The preceding 2 amendments were read and adopted.

Delegate Kipke moved the Bill be recommitted.

The motion was rejected by a roll call vote as follows:

Affirmative – 39 Negative – 96 (See Roll Call No. 1287)

Delegate Kipke moved to make the Bill a Special Order for Saturday.

The motion was adopted.

AMENDED IN THE SENATE

House Bill 48 – Delegates Bhandari and C. Jackson

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

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

HB0048/228477/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 48

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “requiring” and substitute “authorizing”; and in lines 6 and 8, in each instance, strike “continue receiving” and substitute “receive”.

AMENDMENT NO. 2

On page 3, in line 4, strike “**SHALL CONTINUE RECEIVING**” and substitute “**MAY RECEIVE**”; in line 16, strike “**OR**”; in line 18, after “**ADOLESCENTS**” insert “**; OR**”

(III) A NONPUBLIC EDUCATIONAL PROGRAM AS PROVIDED BY § 8-406 OF THE EDUCATION ARTICLE IF:

1. THE REGISTRANT HAS NOTIFIED AN AGENT OR EMPLOYEE OF THE NONPUBLIC EDUCATIONAL PROGRAM THAT THE REGISTRANT IS REQUIRED TO REGISTER UNDER THIS SUBTITLE; AND

2. THE REGISTRANT HAS BEEN GIVEN SPECIFIC WRITTEN PERMISSION BY AN AGENT OR EMPLOYEE OF THE NONPUBLIC EDUCATIONAL PROGRAM TO ATTEND THE NONPUBLIC EDUCATIONAL PROGRAM”;

and in line 20, strike “**CONTINUE RECEIVING**” and substitute “**RECEIVE**”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0048
SPONSOR: Delegate Bhandari
SUBJECT: Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

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 Shetty, Chair
Delegate R. Jones
Delegate Thiam

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 289 – Delegate Atterbeary

AN ACT concerning

Peace Orders – Workplace Violence

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

HB0289/938771/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 289

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “purpose of” insert “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;”; and strike beginning with “providing” in line 8 down through “circumstances;” in line 9.

AMENDMENT NO. 2

On page 3, after line 5, insert:

“(C) NOTHING IN THIS SUBTITLE MAY BE INTERPRETED TO CREATE OR IMPOSE A DUTY ON AN EMPLOYER TO FILE A PETITION ON BEHALF OF AN EMPLOYEE.”

On page 5, strike in their entirety lines 1 through 3, inclusive; and in line 4, strike “**(3)**” and substitute “**(2)**”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0289
SPONSOR: Delegate Atterbeary
SUBJECT: Peace Orders – Workplace Violence

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 Atterbeary, Chair
Delegate Shetty
Delegate Williams

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1288)

ADJOURNMENT

At 12:37 P.M. on motion of Delegate Luedtke the House adjourned until 6:00 P.M. on Legislative Day March 25, 2021, Calendar Day, Friday, April 9, 2021.

Annapolis, Maryland
Legislative Day: March 25, 2021
Calendar Day: Friday, April 9, 2021
6:00 P.M. Session

The House met at 6:13 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. 1289)

EXCUSED:

Delegate Anderson – illness
Delegate Cox – left early – personal
Delegate Jalisi – illness
Delegate Mangione – personal
Delegate Walker – business

The Journal of March 24, 2021 was read and approved.

YEAS AND NAYS NO. 11
HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 126	Del. Moon	Public Safety – Pretrial Services Program Grant Fund – Extension and Program Requirements
HB 310	Del. Lierman	Maryland Arts Capital Grant Program
HB 619	Prince George’s County Delegation	Prince George’s County – Speed Monitoring Systems – Residential Districts PG 302–21
HB 626	Prince George’s County Delegation	Prince George’s County – Vehicle Height Monitoring Systems PG 305–21

NUMBER	SPONSOR	CONTENT
HB 1058	Del. Stewart	Public Ethics – Disclosures, Training, and Use of Confidential Information (Integrity in High Office Act)
HB 1211	Del. D. Barnes	Economic Development – Maryland Technology Development Corporation – Pre-Seed Builder Fund
HB 1252	Del. Sample-Hughes	Income Tax – Credits for Preceptors in Areas With Health Care Workforce Shortages
HB 1328	Del. Feldmark	Economic Development – Broadband Providers – Joint Trenching and Fee (Building Out Broadband Act of 2021)
HB 1375	Del. Kelly	Health Information Exchanges – Electronic Health Information – Sharing and Disclosure

Read and ordered journalized.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 38**

Senate Bill 23 – Senator Hettleman

AN ACT concerning

Conditions of Pretrial Release – Home Detention Monitoring

FOR the purpose of exempting certain defendants placed in private home detention as a condition of pretrial release from the requirement to pay a certain monitoring fee under certain circumstances; requiring the State to provide payments to certain private home detention monitoring agencies under certain circumstances; ~~authorizing funding for certain private home detention monitoring to be provided by the Pretrial Services Program Grant Fund; altering the purpose and use of the Fund~~ establishing the Workgroup on Home Detention Monitoring; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to submit a report to the General Assembly on or before a certain date; expressing the intention of the General Assembly regarding the funding of certain provisions of this Act; providing for the

~~effective date~~ termination of certain provisions of this Act; and generally relating to home detention monitoring.

BY repealing and reenacting, with amendments,
 Article – Criminal Procedure
 Section 5–201
 Annotated Code of Maryland
 (2018 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, with amendments,
 Article – Public Safety
 Section 4–1102
 Annotated Code of Maryland
 (2018 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,
 Article – Public Safety
 Section 4–1102
 Annotated Code of Maryland
 (2018 Replacement Volume and 2020 Supplement)
 (As enacted by Chapter 41 of the Acts of the General Assembly of 2020)~~

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

Senate Bill 137 – Senator Zucker

AN ACT concerning

Maryland Transit Administration – Conversion to Zero-Emission Buses (Zero-Emission Bus Transition Act)

FOR the purpose of prohibiting, beginning in a certain fiscal year, the Maryland Transit Administration from entering into a contract to purchase buses for the Administration's State transit bus fleet that are not zero-emission buses, subject to a certain exception; authorizing the Administration to purchase alternative-fuel buses under certain circumstances; requiring the full cost of certain zero-emission and alternative-fuel buses to be paid from the Transportation Trust Fund; requiring the Administration to ensure the development of certain charging infrastructure; requiring the Administration, on or before a certain date and each year thereafter, to submit a report to certain committees of the General Assembly on the implementation of this Act; requiring the annual report to include a schedule for converting the State transit bus fleet to zero-emission buses ~~exclusively~~, an evaluation of the necessary charging infrastructure, a plan for transitioning adversely affected State employees to certain similar or other employment, a certain estimate of the potential reduction in emissions, and certain financial analyses related to the projected costs of the conversion to zero-emission buses; providing for the application of this Act; defining certain terms; and generally relating to

converting the Maryland Transit Administration's fleet of State transit buses to zero-emission buses exclusively.

BY adding to
Article – Transportation
Section 7–406
Annotated Code of Maryland
(2020 Replacement Volume)

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

Senate Bill 269 – Senator Ellis

AN ACT concerning

Property Tax Exemption – Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Refund

FOR the purpose of requiring the State, a county, or a municipal corporation to pay a certain refund to a disabled active duty service member, disabled veteran, or surviving spouse under certain circumstances; requiring the State, a county, or a municipal corporation to pay interest on the refund under certain circumstances; providing for the application of this Act; and generally relating to refunds for property taxes paid for dwelling houses owned by disabled active duty service members, disabled veterans, or surviving spouses.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 7–208(a)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–208(g) and (h)
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 859 – Senator Hayes

AN ACT concerning

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

FOR the purpose of establishing the Appraisal Gap From Historic Redlining Financial Assistance Program in the Department of Housing and Community Development; providing for the purpose of the Program; authorizing a certain person to request certain financial assistance to cover the appraisal gap for certain property in a certain area if certain construction expenses exceed the sales price of the property; providing for the calculation of the financial assistance; authorizing the financial assistance to be used in conjunction with certain State, federal, or local funding sources; requiring the Department, on application by a certain individual or business entity, to provide financial assistance ~~in a timely manner~~ on a first-come, first-served basis, subject to certain limitations; establishing the Appraisal Gap From Historic Redlining Financial Assistance Fund as a special, nonlapsing fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; providing for the investment of money in and expenditures from the Fund; ~~requiring the Governor to include a certain appropriation to the Fund in the annual budget bill~~; requiring the Comptroller to transfer certain amounts from the Fund to the General Fund of the State under certain circumstances; prohibiting the Governor from reducing a certain appropriation to the Fund; providing for the uses of the Fund; requiring a certain county to make a certain report to the Department on or before a certain date each year; requiring the Department to make a certain report to certain committees on or before a certain date each year; requiring the Department to adopt certain regulations; requiring the Department to perform a certain study and submit a report on the study by a certain date; defining certain terms; providing for the application of this Act; and generally relating to the Appraisal Gap From Historic Redlining Financial Assistance Program in the Department of Housing and Community Development.

BY adding to

Article – Housing and Community Development

Section 4–2801 through 4–2806 to be under the new subtitle “Subtitle 28. Appraisal Gap From Historic Redlining Financial Assistance Program”

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 902 – Senator Hester

AN ACT concerning

Economic Development – Cyber Workforce Program and Fund – Established

FOR the purpose of establishing the Cyber Workforce Program in the Partnership for Workforce Quality Program; providing for the purpose of the Cyber Program; requiring the Secretary of Commerce to direct the Cyber Program; requiring the Secretary to establish certain criteria and priorities for assistance under the Cyber Program; requiring the Secretary to submit a certain report on the operation and performance of the Cyber Program; authorizing the Cyber Program to provide

certain cyber workforce services at no cost; requiring the Maryland Department of Labor to provide the names and contact information of certain individuals to the Cyber Program; authorizing the Cyber Program to use certain information provided by the Department to conduct outreach about certain cyber opportunities; establishing the Cyber Workforce Fund as a special, nonlapsing fund; requiring the Secretary to manage and supervise the Cyber Fund; requiring the State Treasurer to hold the Cyber Fund and the Comptroller to account for the Cyber Fund; specifying the contents of the Cyber Fund; specifying the purpose for which the Cyber Fund may be used; providing for the investment of money in and expenditures from the Cyber Fund; requiring interest earnings of the Cyber Fund to be credited to the Cyber Fund; ~~declaring the intent of the General Assembly; providing for the transfer of certain funds administered by the Maryland Higher Education Commission under certain circumstances;~~ exempting the Cyber 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; and generally relating to the Cyber Workforce Program and the Cyber Workforce Fund.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 3–401
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to
Article – Economic Development
Section 3–413 through 3–418
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, without amendments,
Article – Education
Section 10–101(a) and (e)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article – Education
Section 11–105(l)
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.

Senate Bill 904 – Senator Salling

AN ACT concerning

Sales and Use Tax – Study on Tax-Free Periods – University and College Textbooks

FOR the purpose of requiring the Comptroller, in consultation with the Maryland Higher Education Commission, to conduct a certain study on designating certain periods each year to be tax-free periods during which an exemption from the sales and use tax is provided for the sale of certain textbooks purchased by certain individuals; requiring the Comptroller, in conducting the study, to make a certain presumption; requiring the Comptroller to submit a report of its findings and any recommendations to the General Assembly on or before a certain date; defining a certain term; providing for the termination of this Act; and generally relating to a study on sales and use tax-free periods for the sale of university and college textbooks.

~~BY adding to
Article – Tax – General
Section 11–241
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 916 – Senator McCray

AN ACT concerning

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

FOR the purpose of establishing a certain whistleblower reward program within the Office of the Comptroller; providing that a certain whistleblower who voluntarily provides certain information to the Comptroller shall be entitled to receive a certain monetary award under certain circumstances; providing for the determination and allocation of the amount of an award if two or more whistleblowers are eligible for the award; providing that the determination of the amount of the award shall be solely in the discretion of the Comptroller; requiring the Comptroller to consider certain factors in determining the amount of the award; authorizing a determination of the Comptroller under this Act to be challenged in accordance with certain provisions of law under certain circumstances; prohibiting a contract with the Comptroller or certain agencies from being required in order for a whistleblower to receive an award under this Act; requiring a whistleblower to be represented by counsel under certain circumstances; requiring a whistleblower to disclose certain information before the payment of an award claimed anonymously; requiring the Comptroller to provide certain notification to the whistleblower or the whistleblower's attorney in a certain manner under certain circumstances; providing that certain information is not subject to disclosure under the Maryland Public Information Act; prohibiting the Comptroller from disclosing certain information except under certain circumstances; authorizing the provision of certain information to certain regulatory and law enforcement authorities under certain circumstances and subject to certain conditions; prohibiting certain employers, contractors, or agents from taking certain adverse actions against an individual because of certain lawful acts by that individual; authorizing an individual who is subject to certain adverse actions to bring an action for certain relief; prohibiting the waiver of certain rights and remedies provided under this Act; prohibiting an action to recover certain salary and wages earned by a whistleblower under certain circumstances; requiring the Comptroller to report certain information on the whistleblower enforcement program to the General Assembly on or before a certain date each year; requiring the Comptroller to adopt certain regulations; altering the period of time after which certain taxes may not be collected; making a stylistic change; defining certain terms; providing for the application and construction of certain provisions of this Act; and generally relating to the collection and enforcement of State taxes.

BY adding to

Article – Tax – General

Section 1–401 through 1–408 to be under the new subtitle “Subtitle 4. Whistleblower Reward Program”

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 13–1103

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

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

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 39**

Senate Bill 55 – Senator Sydnor

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Legislative Department – Eligibility to Serve as Senators and Delegates – Place
of Abode**

FOR the purpose of proposing an amendment to the Maryland Constitution to establish that a person is eligible to serve as a Senator or Delegate if the person has maintained a place of abode for a certain period of time under certain circumstances in the district that the person has been chosen to represent; making stylistic changes; 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 III – Legislative Department
Section 9

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

**Senate Bill 234 – ~~Senator Lam~~ Senators Lam, Hettleman, Jackson, Lee, Smith,
Sydnor, and Waldstreicher**

AN ACT concerning

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

FOR the purpose of requiring an officer, an employee, an agent, or a contractor of the State or a political subdivision to deny inspection by a federal agency seeking access for certain immigration enforcement matters of the part of a public record that contains personal information or a certain photograph under certain circumstances; requiring an officer, an employee, an agent, or a contractor of the State or a political subdivision to deny inspection using certain facial recognition searches by a federal agency seeking access for certain immigration enforcement matters under certain circumstances; prohibiting certain persons from disclosing certain information to a federal agent or a federal agency under certain circumstances; requiring certain State or local agencies to annually report certain information to the General Assembly on a certain date; requiring law enforcement agencies operating certain

databases to require certain individuals accessing the databases to provide certain information; requiring certain agencies to deny access to certain databases by an individual seeking to enforce federal immigration law under certain circumstances; defining certain terms; making a conforming change; and generally relating to access to personal information held by State and local agencies.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 4–320
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to
Article – General Provisions
Section 4–320.1
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)

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

QUORUM CALL

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

(See Roll Call No. 1290)

CALENDAR OF THIRD READING HOUSE BILLS NO. 106

House Bill 548 – Delegate R. Lewis

AN ACT concerning

Human Services – Trauma–Informed Care – Commission and Training (Healing Maryland’s Trauma Act)

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1291)

The Bill was then sent to the Senate.

House Bill 595 – Delegate Fraser–Hidalgo

AN ACT concerning

Vehicle Laws – Personal Delivery Devices – Standards and Requirements

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1292)

The Bill was then sent to the Senate.

House Bill 877 – Delegate Valentino–Smith (Chair, Joint Committee on Ending Homelessness)

AN ACT concerning

Workgroup on Adaptive Reuse of Vacant Commercial Spaces

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1293)

The Bill was then sent to the Senate.

House Bill 1073 – Delegate Bridges

AN ACT concerning

Housing and Community Development – Neighborhood Revitalization – Passive House Pilot Program

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

Affirmative – 129 Negative – 5 (See Roll Call No. 1294)

The Bill was then sent to the Senate.

House Bill 1324 – Delegate P. Young

EMERGENCY BILL

SECOND PRINTING

AN ACT concerning

Tobacco Tax and Sales and Use Tax – Out-of-State Sales of Premium Cigars and Pipe Tobacco and Tobacco Smoking Devices

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

Affirmative – 121 Negative – 11 (See Roll Call No. 1295)

The Bill was then sent to the Senate.

House Bill 1349 – Delegate Sample–Hughes

AN ACT concerning

Public Health – Maryland Prenatal and Infant Care Grant Program Fund

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

Affirmative – 102 Negative – 31 (See Roll Call No. 1296)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 61

Senate Bill 2 – Senators McCray, Benson, Carter, and Lam

EMERGENCY BILL

AN ACT concerning

Maryland Environmental Service Reform Act of 2021

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

Affirmative – 130 Negative – 4 (See Roll Call No. 1297)

The Bill was then returned to the Senate.

Senate Bill 612 – Carroll County Senators

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. 1298)

The Bill was then returned to the Senate.

Senate Bill 664 – Senator Ellis

AN ACT concerning

**Education – ~~High School Graduation Requirements – Applications for Student~~
~~Financial Aid – Outreach Plan and Advisory Committee~~**

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

Affirmative – 102 Negative – 33 (See Roll Call No. 1299)

The Bill was then returned to the Senate.

Senate Bill 780 – Senator Pinsky

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 – 129 Negative – 7 (See Roll Call No. 1300)

The Bill was then returned to the Senate.

Senate Bill 861 – Senator Bailey

AN ACT concerning

St. Mary’s County – Public Facilities Bond

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1301)

The Bill was then returned to the Senate.

Senate Bill 926 – Senators Corderman and Edwards

AN ACT concerning

Economic Development – Maryland Stadium Authority – Hagerstown Multi-Use Sports and Events Facility

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

Affirmative – 131 Negative – 5 (See Roll Call No. 1302)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 62

Senate Bill 67 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Maryland Institute for Emergency Medical Services Systems) and Senators Carozza, Gallion, Hester, Kagan, and Reilly

EMERGENCY BILL

AN ACT concerning

Emergency Medical Services – Paramedics – Vaccination Administration

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

Affirmative – 131 Negative – 5 (See Roll Call No. 1303)

The Bill was then returned to the Senate.

Senate Bill 69 – Senators Hester and Simonaire

AN ACT concerning

~~Maryland Emergency Management Agency –~~ **Cybersecurity Coordination and Operations Office – Establishment and Reporting**

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

Affirmative – 134 Negative – 1 (See Roll Call No. 1304)

The Bill was then returned to the Senate.

Senate Bill 726 – Senators Feldman, Smith, and Hough

AN ACT concerning

Vehicle Laws – Personal Delivery Devices – Standards and Requirements

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1305)

The Bill was then returned to the Senate.

Senate Bill 832 – Charles County Senators

AN ACT concerning

Southern Maryland – Multifamily Dwelling Registration – Fees and Fines

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

Affirmative – 96 Negative – 41 (See Roll Call No. 1306)

The Bill was then returned to the Senate.

Senate Bill 943 – Senator Guzzone

AN ACT concerning

University of Maryland Strategic Partnership Act of 2016 – Appropriations and Degree and Credential Programs – Alterations

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

Affirmative – 115 Negative – 22 (See Roll Call No. 1307)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 63

Senate Bill 106 – Chair, Finance Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Licensing – Good Standing With the State Department of Assessments and Taxation – Requirement

FLOOR AMENDMENT

SB0106/243623/1

BY: Delegate M. Fisher

AMENDMENTS TO SENATE BILL 106

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 7, after “circumstances;” insert “exempting for certain taxable years certain nonessential businesses from the personal property tax and certain annual filing fees collected by the Department; prohibiting certain authorities from denying the renewal of a license or permit under this Act under certain circumstances; defining a certain term; making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 6, after line 26, insert:

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

(a) In this section, “nonessential business” means a nonessential business, as described under Governor Hogan’s Executive Order 27 20–03–23–01, that was required under the Executive Order to close or restrict its operations.

(b) Notwithstanding any other law, for the taxable years beginning after June 30, 2019, but before July 1, 2021:

(1) a nonessential business is not subject to the personal property tax;

(2) annual filing fees collected by the State Department of Assessments and Taxation under § 1–203 of the Corporations and Associations Article are waived for nonessential businesses; and

(3) an issuing authority may not deny a license or permit under this Act for failure of a nonessential business to pay property taxes under the Tax – Property Article or annual filing fees under § 1–203 of the Corporations and Associations Article for the taxable years beginning after June 30, 2019, but before July 1, 2021.”;

in line 27, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 1 of”; and after line 28, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yeas and nays vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and, except as provided in Section 3 of this Act, shall take effect from the date it is enacted.”.

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

Affirmative – 50 Negative – 85 (See Roll Call No. 1308)

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

Affirmative – 92 Negative – 42 (See Roll Call No. 1309)

The Bill was then returned to the Senate.

Senate Bill 420 – Senator Carter

AN ACT concerning

Criminal Law – Drug Paraphernalia for Administration – Decriminalization

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

Affirmative – 95 Negative – 38 (See Roll Call No. 1310)

The Bill was then returned to the Senate.

Senate Bill 565 – Senators Griffith, Elfreth, Augustine, Lam, and Ellis

AN ACT concerning

Public Health – Data – Race and Ethnicity Information

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

Affirmative – 130 Negative – 6 (See Roll Call No. 1311)

The Bill was then returned to the Senate.

**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

FLOOR AMENDMENT

SB0741/173527/1

BY: Delegate Arikan

AMENDMENT TO SENATE BILL 741, AS AMENDED

On page 2 of the Health and Government Operations Committee Amendments (SB0741/516287/1), in line 4 of Amendment No. 2, strike “**EITHER**”; and in the same line, strike “**OR VACCINE HESITANCY**”.

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

Affirmative – 41 Negative – 92 (See Roll Call No. 1312)

FLOOR AMENDMENT

SB0741/693325/1

BY: Delegate Arikan

AMENDMENTS TO SENATE BILL 741

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 9, after “public;” insert “prohibiting an institution of higher education from using COVID–19 vaccination status to discriminate against certain individuals or infringing on or withholding any right or privilege due to the COVID–19 vaccination status of certain individuals;”; in line 41, strike “and 11–1702” and substitute “through 11–1703”; and in line 42, after “Plan” insert “and Vaccination Status”.

AMENDMENT NO. 2

On page 10, in line 28, after “**PLAN**” insert “**AND VACCINATION STATUS**”.

On page 11, after line 32, insert:

11–1703.

AN INSTITUTION OF HIGHER EDUCATION MAY NOT:

(1) USE COVID-19 VACCINATION STATUS TO DISCRIMINATE AGAINST ANY STUDENT, FACULTY, OR STAFF; OR

(2) INFRINGE ON OR WITHHOLD ANY RIGHT OR PRIVILEGE DUE TO COVID-19 VACCINATION STATUS OF A STUDENT, FACULTY, OR STAFF.”.

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

Affirmative – 38 Negative – 94 (See Roll Call No. 1313)

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

Affirmative – 104 Negative – 30 (See Roll Call No. 1314)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE

House Bill 1047 – Delegate Wilkins

AN ACT concerning

Mail-In Voting Enhancement Act

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

HB1047/334233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1047

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “Assembly;” in line 5.

On pages 1 and 2, strike beginning with “requiring” in line 10 on page 1 down through “box;” in line 16 on page 2.

On page 2, in line 23, after “time;” insert “altering the ballot that is required to be counted if the local board receives more than one legally sufficient ballot in separate envelopes;”; in line 26, after “ballot;” insert “prohibiting a local board from accepting, rejecting, opening, or processing certain envelopes until a certain date; altering the day for the start of the absentee ballot canvass; prohibiting a local board from tabulating certain results before election day;”; in line 27, after “notify” insert “, within a certain time period;”; and strike beginning with “requiring” in line 36 down through “term;” in line 42.

On page 3, after line 2, insert:

“BY repealing and reenacting, with amendments,

Article – Election Law

Section 9–303, 9–309, and 11–302

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”;

strike in its entirety line 5 and substitute:

“Section 9–311.1 and 16–805”;

and strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 16 on page 3 through line 2 on page 4, inclusive.

On pages 5 through 7, strike in their entirety the lines beginning with line 7 on page 5 through line 30 on page 7, inclusive.

On page 9, in line 27, strike “Following an election, each” and substitute “**EACH**”.

On page 10, in line 1, strike “A” and substitute “**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A**”; in the same line, strike “open” and substitute “**ACCEPT, REJECT, OPEN, OR PROCESS**”; in the same line, strike “prior to” and substitute “**BEFORE**”; in line 2, strike “Wednesday following” and substitute “**DAY THAT IS 18 DAYS BEFORE**”; after line 4, insert:

“(3) A LOCAL BOARD MAY NOT TABULATE ABSENTEE BALLOT RESULTS BEFORE ELECTION DAY.”;

and in line 24, strike “NOTIFY” and substitute **“WITHIN 3 DAYS AFTER THE DATE ON WHICH THE PROBLEM WAS DETERMINED, NOTIFY”**.

On page 11, in line 10, strike “latest” and substitute **“FIRST”**.

On page 12, strike in their entirety lines 1 through 25, inclusive; and in line 26, strike **“3.”** and substitute **“2.”**.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB1047
SPONSOR: Delegate Wilkins
SUBJECT: Mail-In Voting Enhancement 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 Wilkins, Chair
Delegate Washington
Delegate Feldmark

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: SB0509
SPONSOR: Senator Peters
SUBJECT: National Capital Strategic Economic Development Program –
Eligibility

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 Patterson

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0509
SPONSOR: Senator Peters
SUBJECT: National Capital Strategic Economic Development Program –
Eligibility

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 Patterson.

The House appoints:

Delegate B. Barnes, Chair
Delegate Korman
Delegate Bridges

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

SPECIAL ORDER CALENDAR NO. 89

Senate Bill 415 – Senator Pinsky

AN ACT concerning

**Public Financing Act – Matching Fund Revisions
(Maryland Fair Elections Act)**

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

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1315)

CALENDAR OF VETOED HOUSE BILLS NO. 2

VETOED MESSAGES – 2021 REGULAR SESSION

(See Exhibit R of Appendix II)

The Messages from the Governor were journalized.

House Bill 37 – Delegate Valderrama

AN ACT concerning

Procurement – Prevailing Wage – Applicability

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

The veto was overridden by roll call vote as follows:

Affirmative – 96 Negative – 41 (See Roll Call No. 1316)

Said bill was then sent to the Senate.

MESSAGE TO THE SENATE

April 9, 2021

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor’s veto of House Bill 37. Said Bill is sent to you for your consideration.

By Order,
Sylvia Siegert, Chief Clerk

Read and adopted.

CALENDAR OF VETOED HOUSE BILLS NO. 3

VETOED MESSAGES – 2021 REGULAR SESSION

(See Exhibit R of Appendix II)

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~~ Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures

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

The veto was overridden by roll call vote as follows:

Affirmative – 95 Negative – 42 (See Roll Call No. 1317)

Said bill was then sent to the Senate.

MESSAGE TO THE SENATE

April 9, 2021

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor’s veto of House Bill 670. Said Bill is sent to you for your consideration.

By Order,
Sylvia Siegert, Chief Clerk

Read and adopted.

JUDICIARY COMMITTEE REPORT NO. 52

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

Senate Bill 497 – Senators Kelley, Guzzone, Carter, Beidle, McCray, Feldman, Eckardt, Augustine, Smith, and Sydnor

AN ACT concerning

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

SB0497/783325/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 497

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Board;” insert “providing that the Board is an independent unit within the Department of Juvenile Services; providing for the budgeting of certain”

programs and services related to the Department and the Board; requiring the Department and the Board to jointly negotiate a memorandum of understanding;; in line 7, after “terms,” insert “staff;”; in the same line, after “Board;” insert “requiring the Board, to the extent practicable, to reflect the diversity of the student population that the Department serves;”; in line 12, strike “of Juvenile Services”; in line 13, after “regulations;” insert “requiring the Department to adopt certain regulations;”; in line 16, after “Superintendent;” insert “specifying the Superintendent’s qualifications;”; in the same line, strike “Department” and substitute “Superintendent”; in line 18, after “Department” insert “, subject to the memorandum of understanding;”; in the same line, after “staff;” insert “requiring the Superintendent to submit an implementation plan to the Accountability and Implementation Board on or before a certain date; requiring Expert Review Teams to be sent to all residential facilities by the end of a certain school year;”; in line 19, after “appropriation;” insert “requiring the Department to notify a juvenile in custody of the juvenile’s educational rights;”; in the same line, after the third “the” insert “Superintendent with the aid of the”; and in line 23, after the second “the” insert “Superintendent with the aid of the”.

On page 2, in line 6, after “the” insert “Superintendent with the aid of the”; strike beginning with “a” in line 7 down through “and” in line 8; in line 11, after “date;” insert “requiring the Board, in consultation with local school systems, to examine and make recommendations on certain matters on or before a certain date; requiring the Department to contract with a certain entity, on or before a certain date, to conduct a review of certain policies and practices of the Department, the Board, and the Superintendent and develop recommendations; requiring the entity to submit its findings and recommendations to the Department, the Governor, and the General Assembly on or before a certain date; requiring that a certain office conduct a certain evaluation on or before certain dates;”; in line 12, after “Board;” insert “specifying certain personnel requirements for certain employees transferred to the Department;”; in line 19, after “status;” insert “requiring the State Department of Education to transfer certain funds on or before a certain date; requiring the Department to distribute certain funds to be used in accordance with the memorandum of understanding;”; after line 37, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 5–404(b)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–404(c)(1) and (2) and 5–411(g)(2)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)”;

and in line 41, strike “9–606” and substitute “9–608”.

On page 3, in line 4, after “6–402” insert “, 8–401(a) and (f), and 8–404”.

AMENDMENT NO. 2

On page 4, after line 5, insert:

“Article – Education

5–404.

(b) (1) The Board shall adopt guidelines for entities required to submit and carry out implementation plans under this section that include establishing a maximum page length, including appendices, for implementation plans.

(2) State and local government units responsible for implementing an element of the Blueprint for Maryland’s Future shall develop implementation plans consistent with the Comprehensive Implementation Plan that describe the goals, objectives, and strategies that will be used to improve student achievement and meet the Blueprint for Maryland’s Future recommendations for each segment of the student population.

(3) (i) After February 15, 2021, and no later than April 1, 2021, the Department shall develop criteria to be used to recommend approval or disapproval of local school system implementation plans and release of funds under this subtitle.

(ii) The criteria shall be submitted for approval to the Board.

(c) (1) (i) 1. [Each] EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, EACH unit responsible for developing an implementation plan under this section shall submit the plan to the Board for approval on or before June 15, 2021.

2. THE JUVENILE SERVICES EDUCATION PROGRAM
SUPERINTENDENT SHALL SUBMIT THE PLAN TO THE BOARD FOR APPROVAL ON OR BEFORE JUNE 15, 2023.

(ii) Each local school system shall submit a copy of its plan to the Department for review and a recommendation of approval or disapproval.

(2) Governmental units shall submit implementation plans on elements of the Blueprint for Maryland’s Future under this subsection, including:

(i) Plans from each local school system to implement each element of the Blueprint for Maryland’s Future, including how to:

1. Adapt curriculum, instruction, and the organization of the school day to enable more students to achieve college and career readiness by the end of 10th grade, to provide students with needed services including community-partnered behavioral health services if appropriate, and to identify students who are falling behind and develop a plan to get them back on track;

2. Close student achievement gaps listed under § 5-408(a)(2)(i) of this subtitle within the local school system;

3. Avoid the disproportionate placement of students with particular racial, ethnic, linguistic, economic, or disability status characteristics with novice teachers or teachers providing instruction in fields in which they lack expertise; and

4. Use additional funds for teacher collaborative time in accordance with Title 6, Subtitle 10 of this article prioritized based on availability of a sufficient number of high-quality teachers;

(ii) The joint plan of the Department and the Maryland Higher Education Commission for teacher preparation and training that meets the requirements under Title 6 of this article;

(iii) A plan from the Department for the expansion and coordination of Judy Centers under § 5-230 of this title and a plan for the expansion of community-based family support centers under Title 9.5, Subtitle 10 of this article;

(iv) The Department’s plan for selection, assembly, and deployment of expert review teams under § 5–411 of this subtitle;

(v) The Department’s plan for implementing the teacher career ladder and training Maryland teachers, school leaders, and administrators under Title 6, Subtitle 10 of this article;

(vi) The Career and Technical Education Committee plan for developing rigorous CTE pathways under § 21–207 of this article;

(vii) Plans from each local school system on proposed memoranda of understanding for prekindergarten in accordance with § 7–1A–05 of this article;

(VIII) A PLAN FROM THE JUVENILE SERVICES EDUCATION PROGRAM SUPERINTENDENT ON THE PROPOSED EDUCATION OF JUVENILES UNDER TITLE 9, SUBTITLE 6 OF THE HUMAN SERVICES ARTICLE; and

[(viii)] (IX) Any other implementation plans the Board determines are necessary.

5–411.

(g) (2) (i) Beginning on July 1, 2023, the Department shall send Expert Review Teams to at least 10% of public schools in at least three different local school systems each year.

(ii) AN EXPERT REVIEW TEAM SHALL BE SENT TO EVERY RESIDENTIAL FACILITY IN WHICH JUVENILES ARE EDUCATED IN ACCORDANCE WITH TITLE 9, SUBTITLE 6 OF THE HUMAN SERVICES ARTICLE BY THE END OF THE 2025–2026 SCHOOL YEAR.

(III) An Expert Review Team shall be sent at least once to every public school in the State by the end of the 2030–2031 school year.”;

in line 17, before “**THERE**” insert “**(A)**”; after line 18, insert:

“(B) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD IS AN INDEPENDENT UNIT WITHIN THE DEPARTMENT.

(C) (1) THE BOARD SHALL BE INCLUDED AS A UNIT WITHIN THE DEPARTMENT FOR PURPOSES OF THE DEPARTMENT'S ANNUAL OPERATING BUDGET.

(2) THE PROGRAMS OVERSEEN BY THE BOARD SHALL BE INCLUDED IN THE BOARD'S BUDGET.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE FOLLOWING SUPPORT SERVICES FOR THE BOARD SHALL BE PROVIDED BY EXISTING UNITS IN THE DEPARTMENT AND THE COST OF ANY NECESSARY SUPPORT PROVIDED TO THE BOARD SHOULD BE INCLUDED IN THE BUDGETS OF THOSE UNITS:

(I) INFORMATION AND TECHNOLOGY SERVICES;

(II) PROCUREMENT SERVICES;

(III) FISCAL SERVICES;

(IV) CAPITAL PLANNING AND CAPITAL BUDGETING;

(V) HUMAN RESOURCES;

(VI) FACILITY AND OFFICE MAINTENANCE;

(VII) RESEARCH AND PROGRAM EVALUATION; AND

(VIII) INVESTIGATIONS AND MONITORING.

(2) (I) THE SUPERINTENDENT SHALL HAVE EXCLUSIVE CONTROL OF THE DAY-TO-DAY OPERATION OF JUVENILE EDUCATION SERVICES.

(II) DECISIONS ON THE PROVISION OF EDUCATION, INCLUDING DECISIONS TO HIRE, FIRE, AND ASSIGN STAFF, SHALL BE MADE EXCLUSIVELY BY THE BOARD OR THE SUPERINTENDENT, SUBJECT TO APPROPRIATIONS IN THE STATE

BUDGET, AND THE DEPARTMENT HAS NO POWER TO DENY OR MODIFY AN EDUCATION DECISION MADE BY THE BOARD OR THE SUPERINTENDENT.

(E) THE BOARD AND THE DEPARTMENT SHALL, IN ACCORDANCE WITH THIS SECTION, JOINTLY NEGOTIATE A MEMORANDUM OF UNDERSTANDING CAREFULLY DELINEATING THE DUTIES OF EACH IN THE PROVISION OF JUVENILE EDUCATION SERVICES.”;

and in line 28, strike “AND” and substitute:

“(6) ONE EDUCATOR EMPLOYED BY THE STATE WHO IS ENGAGED IN THE EDUCATION OF JUVENILES RESIDING IN A RESIDENTIAL FACILITY; AND”.

On page 5, in line 1, strike “(6)” and substitute “(7)”; in the same line, strike “SIX” and substitute “FIVE”; in line 3, after “(B)” insert:

“(1) THE CANDIDATE WHO RECEIVES THE HIGHEST NUMBER OF VOTES IN AN ELECTION BY THE EDUCATORS EMPLOYED BY THE DEPARTMENT SHALL BE THE EDUCATOR MEMBER.

(2) THE TERM OF THE EDUCATOR MEMBER IS 4 YEARS.

(3) AT THE END OF A TERM, THE EDUCATOR MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

(4) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CONDUCT THE ELECTION OF THE EDUCATOR MEMBER.

(5) THE EDUCATOR MEMBER MAY NOT VOTE ON ANY MATTER THAT RELATES TO APPEALS TO THE STATE BOARD OF EDUCATION UNDER § 6-202 OF THE EDUCATION ARTICLE.

(C) (1) TO THE EXTENT PRACTICABLE, THE APPOINTED MEMBERS OF THE BOARD SHALL REFLECT THE DIVERSITY OF THE POPULATION OF JUVENILES IN THE STATE.

(2)”;

and in lines 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 25, and 27, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(C)”, “(D)”, and “(E)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, “(VII)”, “(VIII)”, “(IX)”, “(D)”, “(E)”, and “(F)”, respectively.

On page 6, in lines 1, 6, and 9, strike “(F)”, “(G)”, and “(H)”, respectively, and substitute “(G)”, “(H)”, and “(I)”, respectively.

On page 8, in line 4, strike “AND”; in line 5, after “(6)” insert “COORDINATE WITH THE DEPARTMENT TO ENSURE THAT THE OPERATION OF JUVENILE EDUCATIONAL SERVICES ARE INTEGRATED WITH THE NONEDUCATIONAL OPERATIONS OF THE DEPARTMENT; AND”

(7)”;

in line 10, after “(D)” insert “THE SUPERINTENDENT:”

(1) MUST BE AN EXPERIENCED AND COMPETENT EDUCATOR;

(2) MUST BE A GRADUATE OF AN ACCREDITED COLLEGE OR UNIVERSITY;

(3) MUST HAVE AT LEAST 2 YEARS OF SPECIAL ACADEMIC AND PROFESSIONAL GRADUATE PREPARATION IN AN ACCREDITED COLLEGE OR UNIVERSITY;

(4) MUST HAVE AT LEAST 7 YEARS OF EXPERIENCE IN TEACHING AND ADMINISTRATION; AND

(5) MAY NOT BE A CURRENT MEMBER OF THE BOARD OR HAVE BEEN A MEMBER OF THE BOARD AT ANY TIME DURING THE YEAR IMMEDIATELY PRECEDING THE APPOINTMENT.

(E)”;

after line 20, insert:

“(D) “MEMORANDUM OF UNDERSTANDING” MEANS THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD AND THE DEPARTMENT REQUIRED UNDER § 9-502 OF THIS TITLE.”;

in line 21, strike “(D)” and substitute “(E)”; after line 22, insert:

“(F) “SUPERINTENDENT” MEANS THE JUVENILE SERVICES EDUCATION PROGRAM SUPERINTENDENT.”;

and in line 27, strike “SHALL” and substitute **“AND THE BOARD, SUBJECT TO THE MEMORANDUM OF UNDERSTANDING, JOINTLY SHALL”**.

On page 9, in lines 1 and 3, in each instance, strike “DEPARTMENT” and substitute **“SUPERINTENDENT”**; in line 8, after “DEPARTMENT” insert **“, SUBJECT TO THE MEMORANDUM OF UNDERSTANDING,”**; in lines 12 and 13, strike **“OF THE BLUEPRINT FOR MARYLAND’S FUTURE”** and substitute **“UNDER TITLE 6, SUBTITLE 10 OF THE EDUCATION ARTICLE”**; strike beginning with **“NOTHING”** in line 16 down through **“CONTRACTING”** in line 17 and substitute **“THE BOARD MAY AUTHORIZE THE DEPARTMENT TO CONTRACT”**; in line 24, after **“(1)”** insert **“THE DEPARTMENT SHALL NOTIFY A JUVENILE IN CUSTODY OF THE JUVENILE’S EDUCATIONAL RIGHTS.”**

(2)”;

in line 28, strike **(2)**” and substitute **(3)**””; and in line 29, strike **(1)**” and substitute **(2)**”.

On page 10, in line 1, strike **(3)**” and substitute **(4)**””; in line 2, after **“THE”** insert **“SUPERINTENDENT WITH THE AID OF THE”**; in line 14, after **“THE”** insert **“SUPERINTENDENT WITH THE AID OF THE”**; and in lines 18 and 24, in each instance, strike **“DEPARTMENT”** and substitute **“SUPERINTENDENT”**.

On page 11, in line 1, strike **“DEPARTMENT MAY”** and substitute **“BOARD MAY AUTHORIZE THE DEPARTMENT TO”**; in line 5, strike **“SHALL”** and substitute **“MAY”**; in line 11, after **“BASIC”** insert **“DAILY”**; in line 13, after **“CHILD”** insert **“DIVIDED BY THE NUMBER OF ACTUAL SCHOOL DAYS REQUIRED FOR A PUBLIC SCHOOL UNDER § 7-103 OF THE EDUCATION ARTICLE”**; in line 15, after **“BASIC”** insert **“DAILY”**; in line 24, strike **“5-202”** and substitute **“5-201”**; in line 26, after **“(A)”** insert **(1)**”; in line 27,

after the first “THE” insert “SUPERINTENDENT WITH THE AID OF THE”; and after line 30, insert:

“(2) THE SUPERINTENDENT’S REPORT SHALL INCLUDE:

(I) STUDENT OUTCOMES;

(II) EXTERNAL ORGANIZATIONAL PARTNERSHIPS; AND

(III) TRANSITIONS BETWEEN ENROLLMENT IN PUBLIC SCHOOL AND THE CUSTODY OF THE DEPARTMENT.

(3) THE SUPERINTENDENT SHALL REPORT THE INFORMATION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN THE AGGREGATE AND DISAGGREGATED BY:

(I) RACE;

(II) ETHNICITY;

(III) GENDER;

(IV) ENGLISH PROFICIENCY STATUS;

(V) DISABILITY STATUS; AND

(VI) FAMILIAL INCOME.”.

On page 12, strike beginning with “AUDITS” in line 1 down through “(2)” in line 3; in line 5, strike “(3)” and substitute “(2)”; and after line 6, insert:

“9-607.

(A) (1) ON OR BEFORE JANUARY 1, 2024, THE DEPARTMENT SHALL CONTRACT WITH A PUBLIC OR PRIVATE ENTITY TO CONDUCT AN EMPIRICAL EVALUATION OF THE BOARD’S, THE SUPERINTENDENT’S, AND THE DEPARTMENT’S

POLICIES AND PRACTICES REGARDING THE EDUCATIONAL SERVICES PROVIDED TO JUVENILES IN RESIDENTIAL FACILITIES.

(2) IN CONDUCTING THE STUDY REQUIRED UNDER THIS SUBSECTION, THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL REVIEW THE EFFECTIVENESS OF THE BOARD'S, THE SUPERINTENDENT'S, AND THE DEPARTMENT'S CURRENT POLICIES AND PRACTICES, INCLUDING:

(I) STUDENT EDUCATIONAL OUTCOMES;

(II) WHETHER THE EDUCATIONAL PLANS REQUIRED UNDER § 9-604(C) OF THIS SUBTITLE ARE MEETING JUVENILE NEEDS;

(III) STUDENT DISCIPLINARY OUTCOMES;

(IV) HOW EFFICIENTLY STUDENTS TRANSITION BETWEEN ENROLLMENT IN PUBLIC SCHOOL AND THE CUSTODY OF THE DEPARTMENT, INCLUDING:

1. HOW WELL EDUCATIONAL RECORDS ARE TRANSFERRED BETWEEN THE DEPARTMENT AND COUNTY BOARDS;

2. HOW EFFICIENTLY JUVENILES ARE RE-ENROLLED IN PUBLIC SCHOOL AFTER BEING RELEASED FROM THE CUSTODY OF THE DEPARTMENT; AND

3. HOW WELL THE EDUCATION THE JUVENILE RECEIVES WHILE UNDER THE CUSTODY OF THE DEPARTMENT MATCHES WITH THE EDUCATION RECEIVED IN THE JUVENILE'S PUBLIC SCHOOL;

(V) THE QUALITY OF THE CURRICULUM;

(VI) HOW CONDUCIVE THE EDUCATIONAL SETTING IS TO LEARNING; AND

(VII) ACCESS TO MENTAL HEALTH SERVICES.

(3) THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL, AFTER COMPLETING ITS REVIEW, DEVELOP RECOMMENDATIONS TO IMPROVE THE EDUCATION DELIVERED UNDER THIS SUBTITLE.

(B) ON OR BEFORE OCTOBER 1, 2026, THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE DEPARTMENT, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

9-608.

(A) IN THIS SECTION, “OFFICE” HAS THE MEANING STATED IN § 8-401 OF THE STATE GOVERNMENT ARTICLE.

(B) THE OFFICE SHALL CONDUCT AN EVALUATION OF THE BOARD AND THE SUPERINTENDENT, IN ACCORDANCE WITH § 8-404 OF THE STATE GOVERNMENT ARTICLE, ON OR BEFORE:

(1) JULY 1, 2027; AND

(2) JULY 1, 2030.”.

On page 13, after line 16, insert:

“8-401.

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

(f) “Office” means the office in the Department of Legislative Services designated by the Executive Director of the Department.

8-404.

(a) When directed by the Legislative Policy Committee, the Joint Audit and Evaluation Committee, the Executive Director, the Director of the Office of Policy Analysis, or the Director of the Office of Program Evaluation and Government Accountability, the

Office shall conduct an evaluation of a governmental activity or unit and the statutes related to the governmental activity or unit.

(b) The Office, in consultation with the committees of jurisdiction, shall develop a work plan for an evaluation conducted under subsection (a) of this section.

(c) The evaluation report for an evaluation conducted under subsection (a) of this section:

(1) shall be consistent with the work plan developed under subsection (b) of this section; and

(2) may address the governmental activity's or unit's:

(i) efficiency;

(ii) effectiveness;

(iii) role in protecting consumers;

(iv) sufficiency of resources; and

(v) accomplishment of legislative objectives.

(d) On completion, the Department shall submit each evaluation report, including draft legislation to implement any recommended statutory changes, to the committees of jurisdiction.”.

AMENDMENT NO. 3

On page 14, after line 14, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) On or before December 1, 2021, the Juvenile Services Education Board established under Section 2 of this Act shall submit to the General Assembly, in accordance with § 2-1257 of the State Government Article, a report that meets the requirements of this section.

(b) In consultation with local school systems, the Juvenile Services Education Board shall examine and report on how, before the disposition of a student’s juvenile case, to meet the needs of a student who:

(1) is dually enrolled in the Juvenile Services Education Program and a local school system; and

(2) has an individualized education program or other special education plan.

(c) The Juvenile Services Education Board shall examine and make recommendations regarding funding for the Juvenile Services Education Program established under Section 2 of this Act, including recommendations for any improvements.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, any State personnel or contractual employee who is employed in the Juvenile Education Services Program within the State Department of Education on June 30, 2022, shall, on July 1, 2022, be transferred to the Department of Juvenile Services to be employed in accordance with this Act.

(b) Any State personnel or contractual employee involved in a transfer to the Department of Juvenile Services under this section shall:

(1) if applicable, remain in the State Personnel Management System;

(2) remain in a position that is comparable to or most closely compares to their former position, without further examination or qualification;

(3) receive no diminution in compensation or accumulated leave solely as a result of the transfer; and

(4) if applicable, continue in the same salary grade in the Department of Juvenile Services.”;

in line 15, strike “4.” and substitute “6.”; strike lines 19 through 21, inclusive, and substitute:

“SECTION 7. AND BE IT FURTHER ENACTED, That an individual who is an employee of the Juvenile Services Education Program on June 30, 2022, and remains a Department of Juvenile Services direct education staff member on July 1, 2022, shall remain a member of the Employees’ Pension System as provided under Title 23 of the State Personnel and Pensions Article.

SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) On or before July 1, 2022, all appropriations held by the State Department of Education made to carry out the exclusive functions of the Juvenile Services Education Program shall be transferred to the Department of Juvenile Services.

(b) The Department of Juvenile Services shall distribute the appropriations transferred in accordance with subsection (a) of this section to the Juvenile Services Education Board, established under Section 2 of this Act, to be used in accordance with the memorandum of understanding jointly agreed to by the Department of Juvenile Services and the Juvenile Services Education Board.”;

and in line 22, strike “6.” and substitute “9.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 53

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

Senate Bill 669 – Senator Waldstreicher

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Constitutional Amendment – Civil Jury Trials

SB0669/672915/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 669

(Third Reading File Bill)

On page 2, in lines 9 and 21, in each instance, strike “\$30,000” and substitute “\$25,000”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Morgan moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

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

Senate Bill 670 – Senator Waldstreicher

AN ACT concerning

Courts – Civil Jury Trials – Amount in Controversy**SB0670/422418/1**

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 670

(Third Reading File Bill)

On page 1, in line 17, strike “\$30,000” and substitute “\$25,000”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Clippinger moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

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

House Bill 88 – Delegates Brooks, Bagnall, Cox, C. Jackson, and R. Lewis

AN ACT concerning

Police Officers – Mental Health – Employee Assistance Programs

HB0088/862918/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 88

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “**Maryland Police Accountability Act of 2021 – Prohibition Against Penalization for Seeking Mental Health Services**”; and strike beginning with “requiring” in line 3 down through “terms;” in line 6 and substitute “**prohibiting a law enforcement agency from retaliating against, penalizing, or punishing a police officer because the police officer has sought or received certain services;**”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 1 on page 2, inclusive.

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

On pages 2 and 3, strike beginning with “**EACH**” in line 6 on page 2 down through “**OFFICER**” in line 4 on page 3 and substitute:

“A LAW ENFORCEMENT AGENCY MAY NOT RETALIATE AGAINST, PENALIZE, OR PUNISH A POLICE OFFICER BECAUSE THE POLICE OFFICER HAS SOUGHT OR RECEIVED MENTAL HEALTH SERVICES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 74 – ~~Senator Washington~~ Senators Washington, Smith, Waldstreicher, Bailey, Carter, Cassilly, Jackson, Lee, Sydnor, West, and Hettleman

AN ACT concerning

~~**Police Officers – Mental Health – Employee Assistance Programs**~~
Maryland Police Accountability Act of 2021 – Employee Assistance Programs and Early Intervention Programs

SB0074/632117/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 74

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “**Employee**” in line 3 down through “**Programs**” in line 4 and substitute “**Prohibition Against Penalization for Seeking Mental Health Services**”; strike beginning with “altering” in line 5 down through “terms;” in line 11 and substitute “prohibiting a law enforcement agency from retaliating against, penalizing, or punishing a police officer because the police officer has sought or received certain services;”; and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 through 14, inclusive; strike in their entirety lines 18 through 23, inclusive; and in lines 24 and 26, strike “**(3)**” and “**(4)**”, respectively, and substitute “**(2)**” and “**(3)**”, respectively.

On pages 2 through 4, strike beginning with “**EACH**” in line 28 on page 2 down through “**OFFICER**” in line 10 on page 4 and substitute:

“A LAW ENFORCEMENT AGENCY MAY NOT RETALIATE AGAINST, PENALIZE, OR PUNISH A POLICE OFFICER BECAUSE THE POLICE OFFICER HAS SOUGHT OR RECEIVED MENTAL HEALTH SERVICES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

APPROPRIATIONS COMMITTEE REPORT NO. 23

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

Senate Bill 551 – Senator Rosapepe

AN ACT concerning

~~School Construction Incentive Act of 2021~~ Workgroup on School Construction Incentives

SB0551/704062/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 551

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Workgroup on School Construction Incentives” and substitute “21st Century School Facilities Act and Built to Learn Act – Revisions”.

On pages 1 and 2, strike beginning with “establishing” in line 21 on page 1 down through “Incentives” in line 8 on page 2 and substitute “requiring certain public school facilities projects to comply with a certain memorandum of understanding; prohibiting the Interagency Commission on School Construction from the unreasonable delay of certain approval under certain circumstances; altering certain dates for certain requirements; adding certain agencies to certain reporting requirements; altering a certain memorandum of understanding; repealing certain reporting requirements; adding certain items to the list”.

of issues that require priority in awarding a grant under the Healthy Schools Facility Fund; requiring Baltimore City to identify certain eligible projects for approval by the Interagency Commission on School Construction under the Healthy Schools Facility Fund; repealing certain provisions related to reserve funding for Baltimore City; requiring the Maryland Stadium Authority to use certain funds for certain purposes; repealing certain provisions regarding depositing certain funds into the Prince George’s County Public–Private Partnership Fund; altering the considerations of the Workgroup on the Assessment and Funding of School Facilities; altering the date for a certain report; requiring the State share of eligible school construction costs to be not less than a certain percentage in certain fiscal years; requiring the Interagency Commission on School Construction to utilize a local education agency’s enrollment projections under certain circumstances; making this Act an emergency measure; and generally relating to public school construction”.

On page 2, after line 23, insert:

“BY repealing and reenacting, with amendments,

Article – Education

Section 4–126(e)(3)(ii), 4–126.1(c), (d)(1) and (3), and (e) through (g), 4–126.2(d) and (j), and 5–322(j) and (k)(1)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020)

BY repealing

Article – Education

Section 4–126(e)(3)(iii) and 4–126.2(k)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020)

BY repealing and reenacting, without amendments,

Article – Education

Section 4–126.2(a) and 5–322(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020)

BY adding to

Article – Education

Section 5–322(k)(4)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–656(a), 10–657(a), and 10–658(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–656(b), 10–657(b), and 10–658(c)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020)

BY repealing and reenacting, with amendments,

Chapter 14 of the Acts of the General Assembly of 2018, as amended by Chapter 20
of the Acts of the General Assembly of 2020

Section 3”.

AMENDMENT NO. 2

On page 1, at the top of the page, insert “EMERGENCY BILL”.

On page 2, strike line 24 in its entirety; in line 25, strike “That”; and in the same line, strike the colon.

On pages 6 through 8, strike in their entirety the lines beginning with line 32 on page 6 through line 26 on page 8, inclusive, and substitute:

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

Article – Education

(e) (3) (ii) In Prince George’s County, projects that use alternative financing methods under this section and receive State funding for a yearly availability payment:

1. Do not have to comply with the requirements under subparagraph (i)1 through 3 of this paragraph;

2. Shall comply with the requirements under subparagraph (i)4 through 8 of this paragraph; and

3. [Except as provided in subparagraph (iii) of this paragraph.] IF THE PROJECT RECEIVES STATE FUNDING FOR A YEARLY AVAILABILITY PAYMENT FROM THE SUPPLEMENTAL PUBLIC SCHOOL CONSTRUCTION FINANCING FUND UNDER § 10-658 OF THE ECONOMIC DEVELOPMENT ARTICLE, THE PROJECT shall comply with a [three-party] FOUR-PARTY memorandum of understanding entered into and signed by the Prince George’s County Board, Prince George’s County, THE MARYLAND STADIUM AUTHORITY, and the Interagency Commission on School Construction that:

A. Specifies the roles, rights, terms, and responsibilities of each party with respect to school projects undertaken with a private or public entity using alternative financing methods, including any amounts the parties are required to deposit into the Prince George’s County Public-Private Partnership Fund established under § 4-126.2 of this subtitle;

B. Specifies that § 2-203(f) and Title 5, Subtitle 3 of this article and regulations governing the Public School Construction Program are not applicable to projects using alternative financing methods;

C. Requires the Prince George’s County Board to submit projects to the Interagency Commission on School Construction for review before commencement of the project;

D. Specifies the time frames in which the Interagency Commission on School Construction shall complete its review of projects;

E. Requires the Prince George’s County Board to submit annual reports to Prince George’s County, THE MARYLAND STADIUM AUTHORITY, and

the Interagency Commission on School Construction during the term of the alternative financing method contract with the public or private entity; and

F. [Identifies a dedicated source of State funding for an availability payment] SPECIFIES THE TERMS UNDER WHICH EACH PARTY WILL COMPLY WITH THE PROVISIONS OF §§ 4-126.1 AND 4-126.2 OF THIS SUBTITLE.

[(iii) In Prince George's County, for a project that uses alternative financing methods under this section and receives State funding for a yearly availability payment from the Supplemental Public School Construction Financing Fund under § 10-658 of the Economic Development Article, the project shall comply with the project memorandum of understanding under § 10-650 of the Economic Development Article.]

4-126.1.

(c) (1) This section applies only if, on or before July 1, [2022] 2024, the Prince George's County government and the Prince George's County Board enter into a public-private partnership agreement with a private entity to enhance the delivery of public school construction in Prince George's County.

(2) (I) [Before] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, BEFORE entering into a public-private partnership agreement under paragraph (1) of this subsection, the public-private partnership agreement shall be reviewed by the Maryland Stadium Authority and approved by the Interagency Commission on School Construction.

(II) THE APPROVAL OF THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION MAY NOT BE UNREASONABLY WITHHELD OR DELAYED AS SPECIFIED IN THE MEMORANDUM OF UNDERSTANDING REQUIRED UNDER § 4-126 OF THIS SUBTITLE.

(d) (1) Subject to paragraph (2) of this subsection, in fiscal year [2024] 2026 and each fiscal year thereafter through not later than fiscal year [2053] 2055, if the Prince George's County government, the Prince George's County Board, and the private entity remain in the public-private partnership agreement described under subsection (c) of this section, the Maryland Stadium Authority shall deposit the amount under § 10-658 of the Economic Development Article from the Supplemental Public School Construction Financing Fund established under § 10-658 of the Economic Development Article into the

Prince George’s County Public–Private Partnership Fund established under § 4–126.2 of this subtitle.

(3) In fiscal year [2024] 2026 and each fiscal year thereafter through not later than fiscal year [2053] 2055, if the Prince George’s County government, the Prince George’s County Board, and the private entity remain in the public–private partnership agreement described under subsection (c) of this section, the Prince George’s County government and the Prince George’s County Board each shall deposit the availability payment amount required under the public–private partnership agreement into the Prince George’s County Public–Private Partnership Fund established under § 4–126.2 of this subtitle.

(e) In fiscal year [2024] 2026 and each fiscal year thereafter through not later than fiscal year [2053] 2055, if the Prince George’s County government, the Prince George’s County Board, and the private entity remain in the public–private partnership agreement described under subsection (c) of this section and the Prince George’s County government and the Prince George’s County Board deposit the availability payment in the manner described under subsection (d)(3) of this section, the Interagency Commission on School Construction shall pay the private entity from the Prince George’s County Public–Private Partnership Fund established under § 4–126.2 of this subtitle for the availability payment required under the public–private partnership agreement.

(f) On January 15, [2022] 2025, and each January 15 thereafter, the Prince George’s County government, the Prince George’s County Board, **THE MARYLAND STADIUM AUTHORITY**, and the Interagency Commission on School Construction jointly shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the fiscal committees of the General Assembly on the progress of construction and renovations of public school facilities under the public–private partnership agreement described under subsection (c) of this section, including actions:

- (1) Taken during the previous fiscal year; and
- (2) Planned for the current fiscal year.

(g) (1) On or before July 1, [2027] 2029, the Interagency Commission on School Construction shall complete a 5–year evaluation of the effectiveness of the public–private partnership agreement described under subsection (c) of this section.

(2) On or before December 31, [2027] 2029, the Interagency Commission on School Construction shall submit a report on the results of the evaluation required under paragraph (1) of this subsection to the Governor and, in accordance with § 2–1257 of the State Government Article, the fiscal committees of the General Assembly.

4–126.2.

(a) In this section, “Fund” means the Prince George’s County Public–Private Partnership Fund.

(d) The Interagency Commission on School Construction shall administer the Fund as described in the [three–party] FOUR–PARTY memorandum of understanding entered into under § 4–126(e)(3)(ii) of this subtitle [or the project memorandum of understanding described in § 10–650(f) of the Economic Development Article].

(j) If a memorandum of understanding is entered into under § 4–126 of this subtitle [or § 10–650(f) of the Economic Development Article] and State funding is provided for an availability payment, the Prince George’s County Board and Prince George’s County shall deposit into the Fund the amounts required under the memorandum of understanding.

[(k) On January 15, 2021, and each January 15 thereafter, the Prince George’s County Board, Prince George’s County, and the Interagency Commission on School Construction jointly shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the fiscal committees of the General Assembly, on the progress of construction and renovations of public school facilities using an alternative financing method and that receive State funds, including actions:

- (1) Taken during the previous fiscal year; and
- (2) Planned for the current fiscal year.]

5–322.

(a) In this section, “Fund” means the Healthy School Facility Fund.

(j) (1) (i) In each of fiscal years 2020 through 2022, the Governor shall appropriate at least \$30,000,000 to the Fund.

(ii) In each of fiscal years 2023 and 2024, the Governor shall appropriate at least \$40,000,000 to the Fund.

(iii) For each of fiscal years 2021 through 2024, 50% of the funds appropriated under subparagraphs (i) and (ii) of this paragraph shall be awarded to public schools in Baltimore City.

(2) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, the Interagency Commission on School Construction shall give priority in awarding grants to schools based on the severity of issues in the school, including:

1. Air conditioning;

2. Heating;

3. Indoor air quality;

4. Mold remediation;

5. Temperature regulation;

6. Plumbing, including PIPE INSULATION TO REDUCE CONDENSATION IN ORDER TO PREVENT MOLD AND the presence of lead in drinking water outlets in school buildings;

7. Windows; [and]

8. ROOFS; AND

9. Any additional severe issue in the school that required the school to be closed.

(ii) [No jurisdiction may receive more than a total of \$15,000,000 in a fiscal year.

(iii)] The amount of the grant is not required to cover the full cost of the project.

(k) (1) [Subject] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION AND SUBJECT to paragraphs (2) and (3) of this subsection, the Interagency Commission on School Construction shall establish application procedures for school systems to request funds under this section.

(4) (I) FOR BALTIMORE CITY, THE SCHOOL SYSTEM SHALL ESTABLISH A PROCEDURE TO IDENTIFY SCHOOLS AND SUBMIT ELIGIBLE PROJECTS FOR AWARDS BY THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION FOR FUNDING PROVIDED UNDER SUBSECTION (J)(1)(II) AND (III) OF THIS SECTION.

(II) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL AWARD GRANTS TO SCHOOLS WITH ELIGIBLE PROJECTS SUBMITTED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH.

Article – Economic Development

10–656.

(a) There is a Baltimore City Public School Construction Financing Fund.

(b) (1) The Baltimore City Public School Construction Financing Fund is a continuing, nonlapsing fund that shall be available in perpetuity to implement this subtitle concerning Baltimore City public school facilities.

(2) The Authority shall:

(i) use the Baltimore City Public School Construction Financing Fund as a revolving fund for carrying out this subtitle concerning Baltimore City public school facilities; and

(ii) pay any and all expenses from the Baltimore City Public School Construction Financing Fund that are incurred by the Authority related to any Baltimore City public school facilities.

[(3) Notwithstanding any other provision of law, the Authority may use \$10,000,000 of available funds held in reserve for Baltimore City, in accordance with § 10–645(i) of this subtitle, to supplement funding for additional Baltimore City projects in accordance with the memorandum of understanding under § 10–646 of this subtitle.]

10–657.

(a) There is a Baltimore City Public School Construction Facilities Fund.

(b) (1) The Baltimore City Public School Construction Facilities Fund is a continuing, nonlapsing fund that shall be available in perpetuity to implement this subtitle concerning Baltimore City public school facilities.

(2) The Authority shall:

(i) use the Baltimore City Public School Construction Facilities Fund as a revolving fund for carrying out this subtitle concerning Baltimore City public school facilities; and

(ii) to the extent authorized by federal tax law, pay any and all expenses from the Baltimore City Public School Construction Facilities Fund that are incurred by the Authority related to any Baltimore City public school facilities.

(3) [The Authority may:

(i) notwithstanding] NOTWITHSTANDING any other provision of law, [use] THE AUTHORITY SHALL TRANSFER \$10,000,000 of available funds to THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM TO supplement funding for additional Baltimore City projects [in accordance with the memorandum of understanding under § 10–646 of this subtitle; and

(ii) advance up to \$1,000,000 of available funds in fiscal year 2021 for the start–up and administration of Chapter 20 of the Acts of the General Assembly of 2020, which shall be reimbursed from the Supplemental Public School Construction Facilities Fund established under § 10–658.1 of this subtitle].

10–658.

(a) There is a Supplemental Public School Construction Financing Fund.

(c) [(1)] To the extent considered appropriate by the Authority, the money on deposit in the Supplemental Public School Construction Financing Fund shall be pledged to and used to pay the following related to public school facilities:

[(i)] (1) debt service on Authority bonds;

[(ii)] (2) debt service reserves under a trust agreement;

[(iii)] (3) all reasonable charges and expenses related to Authority borrowing; and

[(iv)] (4) all reasonable charges and expenses related to the Authority's administration of the Supplemental Public School Construction Financing Fund and management of the Authority's obligations.

[(2) (i) This paragraph applies only if a public-private partnership agreement to enhance the delivery of public school construction in Prince George's County has been entered into by the Prince George's County government, the Prince George's County Board of Education, and a private entity and the agreement has been approved by the Interagency Commission on School Construction in accordance with § 4-126.1 of the Education Article.

(ii) In addition to the money on deposit in the Supplemental Public School Construction Financing Fund, the money deposited by the Authority in accordance with § 4-126.1(d) of the Education Article into the Prince George's County Public-Private Partnership Fund established under § 4-126.2 of the Education Article shall be pledged to and used to pay for the items listed in paragraph (1) of this subsection related to public school facilities.

(3) The pledge shall be effective as provided in § 10-634 of this subtitle and any applicable Authority resolution.]

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

Chapter 14 of the Acts of 2018, as amended by Chapter 20 of the Acts of 2020

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup on the Assessment and Funding of School Facilities.

(b) The Workgroup consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Chair of the Interagency Commission on School Construction;

(4) the State Treasurer, or the State Treasurer’s designee;

(5) one representative of the Maryland Association of Counties, appointed by the Maryland Association of Counties;

(6) one representative of the Maryland Association of Boards of Education, appointed by the Executive Director of the Association; and

(7) one representative of the Public School Superintendents Association of Maryland, appointed by the Executive Director of the Association.

(c) The President of the Senate and the Speaker of the House of Delegates jointly shall appoint the chair of the Workgroup.

(d) The Interagency Commission on School Construction and the Department of Legislative Services shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) After the initial school facility assessment required by § 5–310(e) of the Education Article is completed, the Workgroup shall:

(i) consider how the relative condition of public school facilities within the educational facilities sufficiency standards and the facility condition index should be prioritized, taking into account local priorities and in consultation with local

jurisdictions, including whether the prioritization should be by category and by local jurisdiction or statewide;

(ii) determine whether the results should be incorporated into school construction funding decisions; and

(iii) if the Workgroup determines that the assessment results should be incorporated into school construction funding decisions, determine how the assessment results should be incorporated into school construction funding.

(2) The Workgroup shall also consider AND MAKE RECOMMENDATIONS RELATED TO:

(I) THE FACTORS USED IN THE STATE AND LOCAL COST-SHARE FORMULA FOR EACH COUNTY AS REQUIRED BY § 5-303 OF THE EDUCATION ARTICLE TO INCORPORATE CHANGES TO THE STATE'S PRIMARY AND SECONDARY EDUCATION FUNDING FORMULAS ADOPTED IN THE BLUEPRINT FOR MARYLAND'S FUTURE ENACTED BY CHAPTER 36 OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021, AND REVISED BY HOUSE BILL 1372 (CH) OF 2021;

(II) THE METHODS USED TO ESTABLISH THE GROSS AREA BASELINE AND THE MAXIMUM STATE CONSTRUCTION ALLOCATION FOR EACH PUBLIC SCHOOL CONSTRUCTION PROJECT APPROVED FOR STATE FUNDING;

(III) THE PURPOSE AND IMPLEMENTATION OF THE LOCAL SHARE OF SCHOOL CONSTRUCTION COSTS REVOLVING LOAN FUND, WHICH WAS ESTABLISHED BY CHAPTER 14 OF THE ACTS THE GENERAL ASSEMBLY OF 2018 TO ASSIST LOCAL GOVERNMENTS TO FORWARD FUND THE LOCAL SHARE OF SCHOOL CONSTRUCTION COSTS FOR SCHOOL SYSTEMS THAT RELY ON THE LOCAL SHARE TO BE FULLY FUNDED IN ORDER TO BEGIN AND COMPLETE A PROJECT; AND

(IV) THE LONG-TERM EFFECTS OF SCHOOL CONSTRUCTION DECISIONS FOR PUBLIC SCHOOL FACILITIES, INCLUDING APPROPRIATE [whether the State should provide] funding OR OTHER incentives for local jurisdictions WITHIN THE SCHOOL CONSTRUCTION PROCESS that reduce THE COST PER STUDENT AND the total cost of ownership of public school facilities.

(g) On or before December [1] 31, 2021, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.”.

On page 8, strike beginning with “this” in line 27 down through “effect” in line 30 and substitute “notwithstanding any other provision of law, for fiscal years 2023 and 2024, the State share of eligible school construction costs established by § 5–303 of the Education Article and the Code of Maryland Regulations and used by the Interagency Commission on School Construction to determine State funding for eligible school construction projects shall not be less than the State share percentage used for fiscal year 2022 for any county including Baltimore City.

SECTION 3. AND BE IT FURTHER ENACTED, That notwithstanding any other provision of law, the Interagency Commission on School Construction shall utilize the local education agency’s enrollment projections to determine the gross area baseline and the maximum State construction allocation for a proposed school construction project at a public high school that is located in a historically designated building and is co-located with a special education program.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

The preceding 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. 55

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

House Bill 238 – Delegate Wells

AN ACT concerning

Criminal Procedure – Automatic Expungement

HB0238/522011/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 238
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Automatic**”; in the same line, after “**Expungement**” insert “**of Records**”; strike beginning with “providing” in line 3 down through “charges,” in line 24 and substitute “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;”; in line 24, after “expungement” insert “of records”; and after line 24, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–105(b)(1), (d)(1), and (f)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

and in line 27, after “10–105.1” insert “and 10–105.2”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 4 on page 2 through line 20 on page 4, inclusive, and substitute:

“10–105.

(b) (1) Except as provided in paragraphs (2) and (3) of this subsection AND § 10–105.1 OF THIS SUBTITLE, a person shall file a petition in the court in which the proceeding began.

(d) (1) [The] EXCEPT AS PROVIDED IN § 10–105.1 OF THIS SUBTITLE, THE court shall have a copy of a petition for expungement served on the State’s Attorney.

(f) [Unless] EXCEPT AS PROVIDED IN § 10-105.1 OF THIS SUBTITLE AND UNLESS an order is stayed pending an appeal, within 60 days after entry of the order, every custodian of the police records and court records that are subject to the order of expungement shall advise in writing the court and the person who is seeking expungement of compliance with the order.

10-105.1.

(A) BEGINNING OCTOBER 1, 2021, ANY POLICE RECORD, COURT RECORD, OR OTHER RECORD MAINTAINED BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE RELATING TO THE CHARGING OF A CRIME OR A CIVIL OFFENSE UNDER § 5-601(C)(2)(II) OF THE CRIMINAL LAW ARTICLE, INCLUDING A MUST-APPEAR VIOLATION OF THE TRANSPORTATION ARTICLE, SHALL BE EXPUNGED 3 YEARS AFTER A DISPOSITION OF THE CHARGE IF NO CHARGE IN THE CASE RESULTED IN A DISPOSITION OTHER THAN:

(1) ACQUITTAL;

(2) DISMISSAL;

(3) NOT GUILTY; OR

(4) NOLLE PROSEQUI, EXCEPT NOLLE PROSEQUI WITH A REQUIREMENT OF DRUG OR ALCOHOL TREATMENT.

(B) FOR A CASE DESCRIBED IN SUBSECTION (A) OF THIS SECTION, THE COURT SHALL SEND NOTICE OF THE DISPOSITION OF EACH CHARGE IN THE CASE AND THE DATE ON WHICH EXPUNGEMENT IS REQUIRED TO:

(1) THE CENTRAL REPOSITORY;

(2) EACH BOOKING FACILITY, LAW ENFORCEMENT UNIT, AND OTHER UNIT OF THE STATE AND POLITICAL SUBDIVISION OF THE STATE THAT THE COURT BELIEVES MAY HAVE A RECORD SUBJECT TO EXPUNGEMENT UNDER THIS SECTION; AND

(3) THE PERSON ENTITLED TO EXPUNGEMENT.

10-105.2.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, AFTER DISPOSITION OF ALL CHARGES IN A CASE INVOLVING A CRIMINAL OFFENSE OR A CIVIL OFFENSE UNDER § 5-601(C)(2)(II) OF THE CRIMINAL LAW ARTICLE, INCLUDING A MUST-APPEAR VIOLATION OF THE TRANSPORTATION ARTICLE, THE COURT SHALL NOTIFY THE DEFENDANT OF THE DEFENDANT'S RIGHT TO EXPUNGEMENT UNDER § 10-105 OF THIS SUBTITLE IF NO CHARGE IN THE CASE RESULTED IN A DISPOSITION OTHER THAN:

(1) ACQUITTAL;

(2) DISMISSAL;

(3) NOT GUILTY; OR

(4) NOLLE PROSEQUI, EXCEPT NOLLE PROSEQUI WITH A REQUIREMENT OF DRUG OR ALCOHOL TREATMENT.

(B) (1) IF THE DEFENDANT IS NOT PRESENT IN COURT FOR THE DISPOSITION, THE COURT SHALL NOTIFY THE DEFENDANT BY MAIL.

(2) THE NOTICE PROVIDED UNDER THIS SECTION SHALL INCLUDE A WRITTEN FORM FOR GENERAL WAIVER AND RELEASE OF ALL TORT CLAIMS RELATING TO THE CHARGE OR CHARGES ELIGIBLE FOR EXPUNGEMENT UNDER § 10-105 OF THIS SUBTITLE.”

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:

Senate Bill 201 – Senators Patterson and Sydnor

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 57

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

Senate Bill 525 – Senator McCray

AN ACT concerning

~~Baltimore City Department of Public Safety and Correctional Services and State Board of Elections – Centralized Booking Facility – Voting Information and Early Voting Polling Place~~ Ballot Drop Box

SB0525/952510/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 525

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “Department of Public Safety and Correctional Services and State Board of Elections – Centralized Booking Facility” and substitute “Election Law – Correctional Facilities”; in line 4, before “Ballot” insert “Voting Information and”; in lines 5 and 10, in each instance, strike “the Baltimore City centralized booking facility” and substitute “certain correctional facilities”; in line 7, strike “the Baltimore City centralized booking facility” and substitute “certain correctional facilities”; in line 9, after “voter;” insert “requiring certain correctional facilities to display certain signs in certain areas;”; in line 11, strike “and”; in the same line, after “guidance” insert “, and certain signs”; strike beginning with the second “requiring” in line 17 down through “facility” in line 18 and substitute “requiring certain correctional facilities”; in line 22, after “Services” insert “and correctional facilities”; in the same line,

strike “and” and substitute a comma; and in the same line, after “notifications” insert “, and certain signs”.

On pages 1 and 2, strike beginning with the third “the” in line 25 on page 1 down through “facility” in line 1 on page 2 and substitute “certain correctional facilities”.

On page 2, in line 2, strike “the” and substitute “certain”; in the same line, strike “board” and substitute “boards”; in line 3, strike “for Baltimore City”; in line 5, strike “the” and substitute “certain”; in the same line, strike “board” and substitute “boards”; in the same line, strike “of elections for Baltimore City”; in line 7, strike “the” and substitute “certain”; in the same line, strike “board” and substitute “boards”; in the same line, strike “of elections for Baltimore City”; in line 9, strike “certain committees of”; in line 10, after “terms;” insert “providing for the application of certain provisions of this Act;”; strike beginning with “the” in line 11 down through “facility” in line 12 and substitute “correctional facilities”; and in line 15, after “2-501” insert “through 2-503”.

AMENDMENT NO. 2

On page 3, in line 1, strike “**(1)**”; in the same line, strike “**SECTION**” and substitute “**SUBTITLE**”; after line 2, insert:

“(B) “CORRECTIONAL FACILITY” HAS THE MEANING STATED IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE.”;

strike in their entirety lines 3 through 5, inclusive; in lines 6 and 12, strike “**(3)**” and “**(4)**”, respectively, and substitute “**(C)**” and “**(D)**”, respectively; strike beginning with “**THE**” in line 13 down through “**FACILITY**” in line 14 and substitute “**A CORRECTIONAL FACILITY**”; after line 15, insert:

“2-502.

THIS SUBTITLE APPLIES ONLY TO CORRECTIONAL FACILITIES WITH A CAPACITY OF MORE THAN 50 ADULTS.

2-503.”;

in line 16, strike “**(B)**” and substitute “**(A)**”; in the same line, strike “**THE BALTIMORE CITY CENTRALIZED BOOKING FACILITY**” and substitute “**EACH CORRECTIONAL**

FACILITY”; in line 22, strike “THE FOLLOWING”; strike beginning with the colon in line 24 down through “FORMS” in line 27; and in line 29, strike “AND”.

AMENDMENT NO. 3

On page 4, in line 5, after “SUBSECTION” insert “; AND”

(4) DISPLAY SIGNS PROVIDED BY THE STATE BOARD OF ELECTIONS UNDER § 1-301.1 OF THE ELECTION LAW ARTICLE IN ALL AREAS WHERE INDIVIDUALS ARE PROCESSED DURING INTAKE OR FOR RELEASE AND IN APPROPRIATE AREAS WHERE THERE IS HIGH VISIBILITY;

in lines 6 and 15, strike “(C)” and “(D)”, respectively, and substitute “(B)” and “(C)”, respectively; strike beginning with “THE” in line 7 down through “FACILITY” in line 8 and substitute “EACH CORRECTIONAL FACILITY”; in lines 10 and 13, in each instance, strike “(B)” and substitute “(A)”; in line 11, after “SECTION” insert “;

(II) THE SIGNS TO BE DISPLAYED UNDER SUBSECTION (A) OF THIS SECTION;

in line 12, strike “(II)” and substitute “(III)”; in line 15, strike “THE BALTIMORE CITY CENTRALIZED BOOKING FACILITY” and substitute “EACH CORRECTIONAL FACILITY”; strike in their entirety lines 22 through 25, inclusive; and after line 25, insert:

“(2) “CORRECTIONAL FACILITY” HAS THE MEANING STATED IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE.”

On page 5, strike beginning with “THE” in line 2 down through “FACILITY” in line 3 and substitute “A CORRECTIONAL FACILITY”; in line 6, after “SERVICES” insert “AND CORRECTIONAL FACILITIES”; strike beginning with the second “THE” in line 7 down through “FACILITY” in line 8 and substitute “EACH CORRECTIONAL FACILITY”; in line 8, strike “§ 2-501” and substitute “TITLE 2, SUBTITLE 5”; in line 11, strike “AND”; in line 13, after “BOX” insert “; AND”

(3) SIGNS FOR DISPLAY CONTAINING INFORMATION ON ELIGIBILITY REQUIREMENTS TO VOTE, VOTER REGISTRATION, AND THE BALLOT DROP BOX;

strike beginning with “THE” in line 15 down through “FACILITY” in line 16 and substitute “EACH CORRECTIONAL FACILITY”; and in lines 19, 25, and 30, in each instance, strike “BALTIMORE CITY” and substitute “A COUNTY IN WHICH A CORRECTIONAL FACILITY WITH A BALLOT DROP BOX IS LOCATED”.

On pages 5 and 6, strike beginning with “SENATE” in line 30 on page 5 down through “COMMITTEE” in line 1 on page 6 and substitute “GENERAL ASSEMBLY”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 58

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

Senate Bill 627 – Senator Carter

EMERGENCY BILL

AN ACT concerning

Maryland Police Accountability Act of 2021 – Law Enforcement Officers’ Bill of Rights – Repeal and Procedures for Discipline

SB0627/312211/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 627

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; and strike lines 2 and 3 in their entirety and substitute “**Police Reform and Accountability – Forfeiture of Retirement Benefits**”.

On pages 1 and 2, strike beginning with “repealing” in line 4 down through “officers” in line 12 on page 2 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; and generally relating to forfeiture of retirement benefits of certain law enforcement officers”.

On page 2, strike in their entirety lines 13 through 33, 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)”;

in line 34, strike “2. AND BE IT FURTHER ENACTED” and substitute “1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

AMENDMENT NO. 2

On pages 2 through 24, strike in their entirety the lines beginning with line 36 on page 2 through line 10 on page 24, inclusive, and substitute:

“Article – State Personnel and Pensions

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.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Clippinger moved to make the Bill a Special Order for the end of this Calendar.

The motion was adopted.

SPECIAL ORDER CALENDAR NO. 90

Senate Bill 414 – Senators Pinsky, Augustine, Kelley, Hettleman, Ellis, Smith, Zucker, Kagan, Patterson, Young, Hester, Feldman, Kramer, Lee, Rosapepe, Elfreth, Guzzone, Waldstreicher, Washington, Beidle, and Lam

AN ACT concerning

Climate Solutions Now Act of 2021

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

FLOOR COMMITTEE AMENDMENT

SB0414/823421/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 414, AS AMENDED

(Third Reading File Bill)

On page 16 of the Environment and Transportation Committee Amendments (SB0414/570317/1), in line 8 of Amendment No. 7, strike “and”; and in line 10, after “Network” insert “; and

(v) one representative of a member-regulated cooperative”.

On page 33 of the bill, in line 29, strike the colon; in line 30, strike “**(1)**”; and in the same line, after “**OF**” insert “:”

(1)”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 40

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 761 – Delegate Kaiser

AN ACT concerning

Election Law – Contested Elections

HB0761/185665/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 761

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Contested Elections**” and substitute “**Postelection Procedures**”; strike beginning with “prohibiting” in line 3 down through “circumstances;” in line 6; in line 7, after “recount;” insert “providing that certain provisions of this Act apply only to persons that accept public campaign financing under certain provisions of law;”; in line 10, after “committee” insert “at any time”; and strike beginning with “establishing” in line 15 down through “limits;” in line 22 and substitute “prohibiting certain persons from soliciting or accepting donations on behalf of a contested election committee in excess of certain contribution limits;”.

On page 2, in line 23, after “penalties;” insert “requiring that certain unspent public contributions be repaid to a certain government entity; providing that certain private contributions are treated as spent before certain public contributions for the purpose of making a certain calculation;”; in line 27, strike “requiring” and substitute “providing”; strike beginning with “allow” in line 28 down through “establish” in line 29 and substitute “may include public financing of”; strike beginning with “provide” in line 31 down through “candidate;” in line 33 and substitute “allow a publicly financed candidate to transfer any amount of funds from the candidate’s campaign finance entity to the candidate’s contested election committee; requiring the State Administrator of Elections to convene a Risk-Limiting Audits Workgroup; requiring the Workgroup to consist of certain persons selected by the State Administrator; requiring the State Administrator, or the State Administrator’s designee, to serve as chair of the Workgroup; requiring that the first meeting of the Workgroup be held on or before a certain date; requiring the Workgroup to draft a plan to conduct a risk-limiting audit of certain contests after each statewide election and proposed legislation for consideration by the General Assembly that would enact the plan; requiring the plan for conducting risk-limiting audits drafted by the Workgroup to include certain requirements and certain elements; requiring the Workgroup to submit its plan for conducting risk-limiting audits and its proposed legislation that would enact the plan to certain committees of the General Assembly on or before a certain date;”; in line 34, after “correction;” insert “altering certain definitions;”; strike beginning with “contested” in line 34 down through “elections” in line 35 and substitute “postelection procedures”; after line 35, insert:

“BY repealing and reenacting, without amendments,

Article – Election Law

Section 1–101(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”;

in line 38, after “Section” insert “1–101(o) and (aa).”; and in the same line, strike “12–101(a), 12–103(a).”.

AMENDMENT NO. 2

On page 3, after line 4, insert:

“1–101.

(a) In this article the following words have the meanings indicated unless a different meaning is clearly intended from the context.

(o) (1) “Contribution” means the gift or transfer, or promise of gift or transfer, of money or other thing of value to a campaign finance entity to:

(I) promote or assist in the promotion of the success or defeat of a candidate, political party, question, or prospective question; AND

(II) ASSIST IN THE PAYMENT OF EXPENSES ASSOCIATED WITH CONTESTING AN ELECTION UNDER TITLE 12 OF THIS ARTICLE.

(2) “Contribution” includes:

(i) proceeds from the sale of tickets to a campaign fund-raising event; and

(ii) a coordinated expenditure as defined in § 13–249 of this article.

(3) “Contribution” does not include the costs associated with the establishment, administration, or solicitation of voluntary contributions to a political action committee established by a corporation, limited liability company, general partnership, limited partnership, membership organization, trade association, cooperative, or corporation without capital stock as long as the political action committee only solicits contributions from employees of the organization that established the political action committee, or members of the organization that established the political action committee, and the employees or members are participating in a payroll deduction program established by the employer of the employee or member.

(aa) “Expenditure” means a gift, transfer, disbursement, or promise of money or a thing of value by or on behalf of a campaign finance entity to:

(1) promote or assist in the promotion of the success or defeat of a candidate, political party, question, or prospective question at an election; [or]

(2) PAY EXPENSES ASSOCIATED WITH CONTESTING AN ELECTION UNDER TITLE 12 OF THIS ARTICLE; OR

[(2)] (3) pay for the publication expense of a legislative newsletter under Title 13, Subtitle 4 of this article.”;

and strike in their entirety lines 5 through 22, inclusive.

AMENDMENT NO. 3

On page 4, in line 6, strike “0.1%” and substitute “0.25%”; in line 13, after “(B)” insert “(1)”; in lines 14 and 15, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; after line 15, insert:

“(2) “CONTESTED ELECTION” INCLUDES AN ELECTION THAT MAY BE SUBJECT TO A RECOUNT UNDER SUBTITLE 1 OF THIS TITLE, BUT FOR WHICH A RECOUNT DOES NOT OCCUR BECAUSE NEITHER CANDIDATE FILES A FORMAL RECOUNT PETITION OR INITIATES A JUDICIAL ACTION.”;

after line 19, insert:

“(A) THIS SUBTITLE APPLIES ONLY TO A PERSON THAT ACCEPTS PUBLIC CAMPAIGN FINANCING UNDER:

(1) TITLE 15 OF THIS ARTICLE; OR

(2) § 13–505 OF THIS ARTICLE.”;

in line 20, before “A” insert “(B)”; and in line 26, after “COMMITTEE” insert “AT ANY TIME”.

On page 5, strike in their entirety lines 13 through 28, inclusive; after line 28, insert:

“(A) (1) A PERSON THAT ACCEPTS PUBLIC CAMPAIGN FINANCING UNDER TITLE 15 OF THIS ARTICLE MAY NOT SOLICIT OR ACCEPT A DONATION ON BEHALF OF A CONTESTED ELECTION COMMITTEE IN EXCESS OF THE CONTRIBUTION LIMITS ESTABLISHED UNDER TITLE 15 OF THIS ARTICLE.

(2) A PERSON THAT ACCEPTS PUBLIC CAMPAIGN FINANCING UNDER § 13–505 OF THIS ARTICLE MAY NOT SOLICIT OR ACCEPT A DONATION ON BEHALF OF A CONTESTED ELECTION COMMITTEE IN EXCESS OF THE CONTRIBUTION LIMITS

ESTABLISHED IN LAW BY THE GOVERNING BODY OF THE COUNTY IN ACCORDANCE WITH § 13-505 OF THIS ARTICLE.”;

and in line 29, strike “(E)” and substitute “(B)”.

On page 11, after line 14, insert:

“(A) (1) ANY PART OF A PUBLIC CONTRIBUTION MADE TO A CONTESTED ELECTION COMMITTEE THAT IS NOT SPENT SHALL BE REPAID TO THE APPROPRIATE GOVERNMENT ENTITY.

(2) IN COMPUTING WHETHER PART OF A PUBLIC CONTRIBUTION IS NOT SPENT, ALL PRIVATE CONTRIBUTIONS TO THE PERSON SHALL BE TREATED AS SPENT BEFORE THE EXPENDITURE OF ANY PUBLIC CONTRIBUTION.”;

in line 15, strike “BEFORE” and substitute:

“(B) AFTER REPAYING REMAINING PUBLIC CONTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND BEFORE”;

in line 26, after “(a)” insert “IN THIS SECTION, “CONTESTED ELECTION COMMITTEE” MEANS A CONTESTED ELECTION COMMITTEE ESTABLISHED UNDER TITLE 12, SUBTITLE 3 OF THIS ARTICLE.

(B)”;

after line 28, insert:

“(2) A SYSTEM OF PUBLIC FINANCING ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE PUBLIC FINANCING OF A CONTESTED ELECTION COMMITTEE.”;

and in line 29, strike “(2)” and substitute “(3)”.

On page 12, in line 5, strike “(b)” and substitute “(C)”;

in the same line, strike “(a)” and substitute “(B)”;

in line 26, strike the brackets; strike in their entirety lines 27 through 29, inclusive; in line 30, strike the brackets; and in the same line, strike “(8)”.

On page 13, in line 1, strike “(c)” and substitute “**(D)**”; in the same line, strike “(a)” and substitute “**(B)**”; in line 7, after “Article;” insert “**AND**”; and strike beginning with “**(3)**” in line 8 down through “**CANDIDATE**” in line 12 and substitute:

“(3) ALLOW A PUBLICLY FINANCED CANDIDATE TO TRANSFER ANY AMOUNT OF FUNDS FROM THE CANDIDATE’S CAMPAIGN FINANCE ENTITY TO THE CANDIDATE’S CONTESTED ELECTION COMMITTEE”.

AMENDMENT NO. 4

On page 13, after line 12, insert:

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

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

(2) “Electronic count” means the vote totals produced by the voting system.

(3) “Manual count” means inspection of voter–verifiable paper records by hand and eye to obtain vote totals in a contest.

(4) “Risk limit” means the small, predetermined maximum chance that a risk–limiting audit will not require a full manual count of voter–verifiable paper records in an audited contest if a full manual count of the voter–verifiable paper records would find a different outcome than the outcome determined by the electronic count.

(5) “Risk–limiting audit” means a postelection audit procedure that employs statistical methods to ensure a large, predetermined minimum chance of requiring a full manual count of voter–verifiable paper records in an audited contest if a full manual count of the voter–verifiable paper records would find a different outcome than the outcome determined by the electronic count.

(6) “State Administrator” means the State Administrator of Elections.

(7) “State Board” means the State Board of Elections.

(8) “Voter–verifiable paper record” has the meaning stated in § 9–102 of the Election Law Article.

(b) (1) The State Administrator shall convene a Risk–Limiting Audits Workgroup.

(2) The Workgroup shall consist of the following persons selected by the State Administrator:

- (i) experts in the theory and practice of risk-limiting audits;
- (ii) at least one representative of the voting system vendor; and
- (iii) local election officials.

(3) The State Administrator, or the State Administrator's designee, shall serve as chair of the Workgroup.

(4) The first meeting of the Workgroup shall be held on or before June 10, 2021.

(5) The Workgroup shall:

(i) draft a plan to conduct a risk-limiting audit of at least one statewide contest and at least one countywide or other local contest in each county after each statewide election;

(ii) draft proposed legislation for consideration by the General Assembly during the 2022 regular session that would enact the plan for conducting risk-limiting audits after each statewide election; and

(iii) meet periodically thereafter to make recommendations to the State Board to revise and improve the risk-limiting audit process as appropriate.

(c) The plan for conducting risk-limiting audits drafted by the Workgroup shall:

(1) require manual examination of randomly chosen individual voter-verifiable paper records or batches of voter-verifiable paper records until the maximum chance of a full manual count finding a different outcome than the outcome determined by the electronic count is no larger than the risk limit, or until there has been a full manual count;

(2) require a risk-limiting audit to:

(i) be completed before certification of the election results; and

(ii) be observable by the public to the maximum extent practicable;

(3) require that, if a risk-limiting audit finds that the election outcome determined by the electronic count is incorrect, the official result of the election be altered to match the outcome determined by the risk-limiting audit;

(4) require that a public report concerning the risk-limiting audit process and the results of the risk-limiting audit be released after each statewide election; and

(5) include:

- (i) criteria for determining the contests to be audited;
- (ii) the risk limit; and
- (iii) the audit method.

(d) On or before December 17, 2021, the Risk-Limiting Audits Workgroup shall submit its plan for conducting risk-limiting audits and its proposed legislation that would enact the plan to the Senate Education, Health, and Environmental Affairs Committee and the Committee on Ways and Means in accordance with § 2-1257 of the State Government Article.”;

in line 13, strike “2.” and substitute “3.”; and in line 14, strike “October” and substitute “June”.

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 1017 – Delegate Beitzel

AN ACT concerning

Income Tax Credit for Venison Donation – Alterations, Extension, and Testing for Chronic Wasting Disease

HB1017/725767/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1017

(First 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 5 and 13, in each instance, strike the brackets; in line 5, strike “\$75”; in line 13, strike “\$600”; after line 19, 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.”;

and strike in their entirety lines 20 through 33, inclusive.

On page 3, in lines 1, 6, and 8, 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 427 – Senators Elfreth and West

AN ACT concerning

Public Schools – Provision of Menstrual Hygiene Products – Requirement

SB0427/635362/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 427

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “middle and high”; in line 5, after the first “the” insert “women’s”; in line 7 after “dates;” insert “requiring a public elementary school to install menstrual hygiene product dispensers in at least one restroom by a certain date;”; and strike beginning with “requiring” in line 11 down through “date;” in line 13.

AMENDMENT NO. 2

On page 2, in line 5, strike “**(1)**”; in lines 5 and 6 strike “**PARAGRAPH (2) OF THIS SUBSECTION**” and substitute “**SUBSECTION (C) OF THIS SECTION**”; in line 7, strike “**MIDDLE AND HIGH**”; in line 8, after the first “THE” insert “**WOMEN’S**”; in line 9, strike “**(2)**” and substitute “**(C) (1)**”; in line 19, strike “**(3) (I)**” and substitute “**(2) A PUBLIC ELEMENTARY SCHOOL SHALL INSTALL MENSTRUAL HYGIENE PRODUCT DISPENSERS IN AT LEAST ONE RESTROOM ON OR BEFORE OCTOBER 1, 2022.**”

(D) (1);

in lines 21 and 22, strike “**PARAGRAPH (2) OF THIS SUBSECTION**” and substitute “**SUBSECTION (C) OF THIS SECTION**”; in lines 23, 27, and 29, strike “**(II)**”, “**1.**”, and “**2.**”, respectively, and substitute “**(2)**”, “**(I)**”, and “**(II)**”, respectively; in line 27, strike “**PARAGRAPH (2)(I) OF THIS SUBSECTION**” and substitute “**SUBSECTION (C)(1)(I) AND (2) OF THIS SECTION**”; and in line 29, strike “**PARAGRAPH (2)(II) OF THIS SUBSECTION**” and substitute “**SUBSECTION (C)(1)(II) OF THIS SECTION**”.

On page 3, in line 1, strike “**(III)**” and substitute “**(3)**”; in line 2, strike “**\$325,000**” and substitute “**\$500,000**”; in line 4, strike “**SUBPARAGRAPH (II)1 OF THIS PARAGRAPH**” and substitute “**UNDER PARAGRAPH (2) OF THIS SUBSECTION**”; and strike in their entirety lines 5 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.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

Senate Bill 632 – Senator Kagan

AN ACT concerning

Election Law – Contested Elections

SB0632/835364/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 632

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Contested Elections**” and substitute “**Postelection Procedures**”; and strike beginning with “prohibiting” in line 3 down through “circumstances;” in line 6.

On page 3, in line 1, after “committee;” insert “requiring the State Administrator of Elections to convene a Risk-Limiting Audits Workgroup; requiring the Workgroup to consist of certain persons selected by the State Administrator; requiring the State Administrator, or the State Administrator’s designee, to serve as chair of the Workgroup; requiring that the first meeting of the Workgroup be held on or before a certain date; requiring the Workgroup to draft a plan to conduct a risk-limiting audit of certain contests after each statewide election and proposed legislation for consideration by the General Assembly that would enact the plan; requiring the plan for conducting risk-limiting audits drafted by the Workgroup to include certain requirements and certain elements; requiring the Workgroup to submit its plan for conducting risk-limiting audits and its proposed legislation that would enact the plan to certain committees of the General Assembly on or before a certain date;”; in line 3, strike “contested elections” and substitute “postelection procedures”; and in line 11, strike “12-101(a), 12-103(a),”.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 19 on page 4 through line 3 on page 5, inclusive.

On page 5, in line 19, strike “0.1%” and substitute “**0.25%**”.

On page 15, after line 24, insert:

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

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

(2) “Electronic count” means the vote totals produced by the voting system.

(3) “Manual count” means inspection of voter–verifiable paper records by hand and eye to obtain vote totals in a contest.

(4) “Risk limit” means the small, predetermined maximum chance that a risk–limiting audit will not require a full manual count of voter–verifiable paper records in an audited contest if a full manual count of the voter–verifiable paper records would find a different outcome than the outcome determined by the electronic count.

(5) “Risk–limiting audit” means a postelection audit procedure that employs statistical methods to ensure a large, predetermined minimum chance of requiring a full manual count of voter–verifiable paper records in an audited contest if a full manual count of the voter–verifiable paper records would find a different outcome than the outcome determined by the electronic count.

(6) “State Administrator” means the State Administrator of Elections.

(7) “State Board” means the State Board of Elections.

(8) “Voter–verifiable paper record” has the meaning stated in § 9–102 of the Election Law Article.

(b) (1) The State Administrator shall convene a Risk–Limiting Audits Workgroup.

(2) The Workgroup shall consist of the following persons selected by the State Administrator:

(i) experts in the theory and practice of risk–limiting audits;

(ii) at least one representative of the voting system vendor; and

(iii) local election officials.

(3) The State Administrator, or the State Administrator's designee, shall serve as chair of the Workgroup.

(4) The first meeting of the Workgroup shall be held on or before June 10, 2021.

(5) The Workgroup shall:

(i) draft a plan to conduct a risk-limiting audit of at least one statewide contest and at least one countywide or other local contest in each county after each statewide election;

(ii) draft proposed legislation for consideration by the General Assembly during the 2022 regular session that would enact the plan for conducting risk-limiting audits after each statewide election; and

(iii) meet periodically thereafter to make recommendations to the State Board to revise and improve the risk-limiting audit process as appropriate.

(c) The plan for conducting risk-limiting audits drafted by the Workgroup shall:

(1) require manual examination of randomly chosen individual voter-verifiable paper records or batches of voter-verifiable paper records until the maximum chance of a full manual count finding a different outcome than the outcome determined by the electronic count is no larger than the risk limit, or until there has been a full manual count;

(2) require a risk-limiting audit to:

(i) be completed before certification of the election results; and

(ii) be observable by the public to the maximum extent practicable;

(3) require that, if a risk-limiting audit finds that the election outcome determined by the electronic count is incorrect, the official result of the election be altered to match the outcome determined by the risk-limiting audit;

(4) require that a public report concerning the risk-limiting audit process and the results of the risk-limiting audit be released after each statewide election; and

(5) include:

(i) criteria for determining the contests to be audited;

(ii) the risk limit; and

(iii) the audit method.

(d) On or before December 17, 2021, the Risk-Limiting Audits Workgroup shall submit its plan for conducting risk-limiting audits and its proposed legislation that would enact the plan to the Senate Education, Health, and Environmental Affairs Committee and the Committee on Ways and Means in accordance with § 2-1257 of the State Government Article.”;

in line 25, strike “2.” and substitute “3.”; and in line 26, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

Senate Bill 669 – Senator Waldstreicher

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Constitutional Amendment – Civil Jury Trials

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

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

Senate Bill 670 – Senator Waldstreicher

AN ACT concerning

Courts – Civil Jury Trials – Amount in Controversy

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

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

Senate Bill 627 – Senator Carter

EMERGENCY BILL

AN ACT concerning

Maryland Police Accountability Act of 2021 – Law Enforcement Officers’ Bill of Rights – Repeal and Procedures for Discipline

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. 85

House Bill 607 – Delegate Kipke

EMERGENCY BILL

AN ACT concerning

State Health and Welfare Benefits Program – Requirements for Selection of Pharmacy Benefits Manager

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

Delegate Shoemaker moved the Bill be recommitted.

The motion was rejected by a roll call vote as follows:

Affirmative – 40 Negative – 91 (See Roll Call No. 1318)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1319)

ADJOURNMENT

At 8:49 P.M. on motion of Delegate Luedtke the House adjourned until 11:30 A.M. on Legislative Day March 26, 2021, Calendar Day, Saturday, April 10, 2021.

Annapolis, Maryland
Legislative Day: March 26, 2021
Calendar Day: Saturday, April 10, 2021
11:30 A.M. Session

The House met at 11:39 A.M. and pledged Allegiance to the Flag.

QUORUM CALL

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

(See Roll Call No. 1320)

EXCUSED:

Delegate Anderson – illness
Delegate T. Branch – late – personal
Delegate Bridges – personal
Delegate Walker – business
Delegate R. Watson – left early – medical

The Journal of March 25, 2021 was read and approved.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0043
SPONSOR: Senator Elfreth
SUBJECT: Criminal Law – Law Enforcement Officers – Prohibition on
Sexual Activity

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 Hettleman, Chair
Senator Bailey
Senator Jackson

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0043
SPONSOR: Senator Elfreth
SUBJECT: Criminal Law – Law Enforcement Officers – Prohibition on
Sexual Activity

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 Hettleman, Chairman
Senator Bailey
Senator Jackson.

The House appoints:

Delegate Williams, Chair
Delegate Moon
Delegate Griffith

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: SB0105
SPONSOR: Senator Sydnor
SUBJECT: Peace Orders – Workplace Violence

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 Sydnor, Chair
Senator Hettleman
Senator Carter

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0105
SPONSOR: Senator Sydnor
SUBJECT: Peace Orders – Workplace Violence

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 Sydnor, Chairman
Senator Hettleman
Senator Carter.

The House appoints:

Delegate Atterbeary, Chair

Delegate Shetty
Delegate Williams

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: SB0250
SPONSOR: Senator Lee
SUBJECT: Criminal Law – Sexual Crimes – Fourth Degree Sexual Offense
and Spousal Defense

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 Lee, Chair
Senator Carter
Senator Hough

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0250
SPONSOR: Senator Lee

SUBJECT: Criminal Law – Sexual Crimes – Fourth Degree Sexual Offense and Spousal Defense

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 Lee, Chairman
Senator Carter
Senator Hough.

The House appoints:

Delegate Crutchfield, Chair
Delegate Shetty
Delegate Arikan

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 421 SPONSOR: **Delegate Rosenberg**
SUBJECT: Income Tax Distribution – Tax Clinics for
Low–Income Marylanders

THIRD READING CALENDAR HOUSE NO. **25** SENATE NO. 26

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 (HB0421/279132/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0421/853222/1) be adopted.

HB0421/853222/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 421

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Income Tax Distribution** –”; in line 4, strike “a”; in the same line, strike “year” and substitute “years”; in line 5, strike “income tax revenue from individuals” and substitute “certain abandoned property funds”; in line 10, strike “requiring” and substitute “authorizing”; in line 11, after “Fund” insert “beginning in a certain fiscal year”; in line 13, after “making” insert “stylistic changes and”; in line 14, after “term,” insert “providing for the termination of certain provisions of this Act;”; and in line 23, strike “and 2–608.2”.

On page 2, strike in their entirety lines 3 through 7, 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, in line 27, strike “**REVENUE**” and substitute “**PROCEEDS**”; and strike beginning with “**§**” in line 27 down through “**ARTICLE**” in line 28 and substitute “**§ 17–317 OF THE COMMERCIAL LAW ARTICLE**”.

On page 3, in lines 11, 12, and 14, strike “40%”, “40%”, and “20%”, respectively, and substitute “ONE-THIRD”, respectively; in line 15, strike “EACH FISCAL YEAR, THE GOVERNOR SHALL” and substitute “BEGINNING IN FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY”.

On pages 3 and 4, strike in their entirety the lines beginning with line 28 on page 3 through line 10 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 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 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.”.

Senate Members:

House Members:

Chair,

Craig J. Zucker

Chair,

Jessica Feldmark

Sarah K. Elfreth

Julie Palakovich Carr

Paul D. Corderman

Jason C. Buckel

 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 – 121 Negative – 13 (See Roll Call No. 1321)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 1322)

CALENDAR OF THIRD READING HOUSE BILLS NO. 107

House Bill 88 – Delegates Brooks, Bagnall, Cox, C. Jackson, and R. Lewis

AN ACT concerning

~~Police Officers – Mental Health – Employee Assistance Programs~~
**Maryland Police Accountability Act of 2021 – Prohibition Against Penalization
 for Seeking Mental Health Services**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1323)

The Bill was then sent to the Senate.

House Bill 238 – Delegate Wells

AN ACT concerning

Criminal Procedure – ~~Automatic~~ Expungement of Records

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

Affirmative – 97 Negative – 36 (See Roll Call No. 1324)

The Bill was then sent to the Senate.

House Bill 1017 – Delegate Beitzel

AN ACT concerning

Income Tax Credit for Venison Donation – ~~Alterations, Extension, Reporting Requirement~~ and Testing for Chronic Wasting Disease

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1325)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 108

House Bill 607 – ~~Delegate Kipke~~ Health and Government Operations Committee

~~EMERGENCY BILL~~

AN ACT concerning

**~~State Health and Welfare Benefits Program – Requirements for Selection of Pharmacy Benefits Manager~~
Judges' Retirement System – Retiree Health Benefits – Mandatory Retirement**

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

Affirmative – 87 Negative – 48 (See Roll Call No. 1326)

The Bill was then sent to the Senate.

House Bill 761 – Delegate Kaiser

AN ACT concerning

Election Law – ~~Contested Elections~~ Postelection Procedures

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1327)

The Bill was then sent to the Senate.

APPROPRIATIONS COMMITTEE REPORT NO. 24

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

Senate Bill 97 – Senator Rosapepe

AN ACT concerning

Purple Line Marketing Act

SB0097/624367/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 97

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 3, in line 1, strike “**2021**” and substitute “**2023, OR 12 MONTHS PRECEDING THE OPENING OF THE PURPLE LINE, WHICHEVER IS LATER**”; and strike beginning with “It” in line 14 down through “effect.” in line 16.

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 249 – Senator Bailey

EMERGENCY BILL

AN ACT concerning

Higher Education – Senatorial Scholarships – Program Accreditation

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 308 – Senator Ellis

AN ACT concerning

**Higher Education – Maryland Community College Promise Scholarship –
~~Revisions~~ 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 630 – Senator Ferguson

AN ACT concerning

Education – Adult High School Pilot Program – Funding and Grants

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 732 – Senator Patterson

AN ACT concerning

**Economic Development – Maryland Innovation Initiative University
Partnership Pilot Program – Establishment**

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 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 46

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

Senate Bill 490 – Senators Beidle, Elfreth, and Simonaire

AN ACT concerning

Anne Arundel County – Board of License Commissioners – Chief Inspector

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 44

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

House Bill 943 – Delegate Bridges

AN ACT concerning

Community Development Administration – Live Near Your School Program – Establishment

HB0943/680012/1

BY: Environment and Transportation Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 8, in each instance, strike “requiring” and substitute “authorizing”; in line 10, after “funds;” insert “requiring the Administration to utilize available funding sources for a certain home buyer assistance program;”; in line 12, after “persons” insert “and to utilize certain funding under certain circumstances”; and in line 20, after “terms;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, in line 10, after “**STATE;**” insert “**AND**”; strike beginning with the semicolon in line 11 down through “**CREDITS**” in line 13 and substitute “**IN AN UNDERGRADUATE LEVEL, GRADUATE LEVEL, OR PROFESSIONAL DEGREE PROGRAM**”; in line 19, strike “**120 CREDITS**” and substitute “**:**”

(I) 120 CREDITS IN AN UNDERGRADUATE LEVEL PROGRAM; OR

(II) 30 CREDITS IN A GRADUATE LEVEL OR PROFESSIONAL DEGREE PROGRAM”;

in line 20, strike “**SHALL**” and substitute “**MAY**”; and in line 30, strike “**AND**”.

On page 3, in line 3, after “**SECTION**” insert “**; AND**”

(4) UTILIZES AVAILABLE FUNDING SOURCES”;

in line 5, strike “**SHALL**” and substitute “**MAY**”; in line 7, strike “**AND**”; in line 9, after “**RESIDENCE**” insert “**; AND**”

(3) UTILIZE AVAILABLE FUNDING SOURCES”;

in line 13, after “**ORGANIZATIONS**” insert “**WITH EXISTING FUNDING FOR THE MARKETING OF CURRENT PROGRAMS OF THE DEPARTMENT, IF AVAILABLE**”;

and in line 10, strike “**SHALL**” and substitute “**MAY**”.

On page 4, in line 9, after “**STATE;**” insert “AND”; strike beginning with the semicolon in line 11 down through “**CREDITS**” in line 13 and substitute “IN AN UNDERGRADUATE LEVEL, GRADUATE LEVEL, OR PROFESSIONAL DEGREE PROGRAM”; in line 19, strike “**120 CREDITS**” and substitute “:

1. 120 CREDITS IN AN UNDERGRADUATE LEVEL PROGRAM; OR

2. 30 CREDITS IN A GRADUATE LEVEL OR PROFESSIONAL DEGREE PROGRAM”;

and in line 20, strike “**SHALL**” and substitute “MAY”.

AMENDMENT NO. 3

On page 5, in line 8, after “2021.” insert “It shall remain effective for a period of 3 years and, at the end of September 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 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 4 – Senators Edwards, Feldman, Ferguson, and Klausmeier

AN ACT concerning

Maryland Public Ethics Law – Officials and Employees – Acceptance of Gifts and Prohibited Retaliation for Reporting or Participating in Investigation – Prohibition

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 116 – ~~Senators Kagan and West~~ Senators Kagan, West, and Hester

AN ACT concerning

**Department of the Environment – Office of Recycling – Recycling Market
Development**

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 401 – Senator Carter

AN ACT concerning

Landlord–Tenant – Nonrenewal of Lease – Notice Requirements

SB0401/730817/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 401

(Third Reading File Bill)

On page 4, in line 24, strike “**3 MONTHS**” and substitute “**90 DAYS**”.

On page 5, in line 13, after “**(4)**” insert “**(I) THIS PARAGRAPH DOES NOT APPLY TO A PROPERTY THAT IS:**

- 1. IN BALTIMORE CITY OR MONTGOMERY COUNTY;**
- 2. OWNED BY A LANDLORD WHO OFFERS 5 OR MORE RESIDENTIAL DWELLING UNITS FOR RENT IN THE STATE; OR**
- 3. SUBJECT TO AN ORDER TO DOCKET UNDER § 7-105.1(E) OF THIS ARTICLE.**

(II)”;

strike beginning with “OF” in line 13 down through “UNITS” in line 14; strike beginning with the comma in line 15 down through the colon in line 16 and substitute “AND DESIRES TO TERMINATE THE TENANCY, THE LANDLORD SHALL PROVIDE WRITTEN NOTICE OF THE INTENT TO TERMINATE A TENANCY;”; in line 17, strike “(I)” and substitute “1.”; in the same line, strike “1 MONTH” and substitute “30 DAYS”; in line 20, strike “(II)” and substitute “2.”; and in the same line, strike “2 MONTHS” and substitute “60 DAYS”.

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:

Senate Bill 637 – Senator Hayes

AN ACT concerning

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

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 673 – ~~Senator Gallion~~ Senators Gallion, Ellis, Hester, and Washington

AN ACT concerning

Department of Agriculture – Urban Agriculture Grant Program

SB0673/720517/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 673

(Third Reading File Bill)

On page 3, strike beginning with “DISTRIBUTED” in line 16 down through “ARTICLE” in line 17 and substitute “APPROPRIATED TO THE FUND UNDER SUBSECTION (G) OF THIS SECTION”.

On page 6, in line 12, strike “§ 2–2003(G)” and substitute “§ 2–2003(H)”.

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 674 – Senators Elfreth, Griffith, West, Waldstreicher, Jackson, Smith, Guzzone, Pinsky, Augustine, Beidle, ~~and McCray~~ McCray, Ellis, Hester, Kagan, Lam, and Washington

AN ACT concerning

Environment – Commission on Environmental Justice and Sustainable Communities – Reform

SB0674/900014/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 674

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “year;” insert “requiring the Commission to host at least a certain number of community listening sessions per calendar year, with a majority of the members of the Commission present at each community listening session;”; in the same line, after “meetings” insert “and community listening sessions”; in line 11, after “State;” insert “requiring the Commission’s meetings and community listening sessions to be reasonably accessible to all attendees, including certain persons; requiring the Department to post notice of the time and location of its meetings and community listening sessions on its website at least a certain number of days before the meeting or community listening session; prohibiting a member of the Commission from representing more than one entity or group;”; in line 12, after “State” insert “and local”; in the same line, after “laws” insert “.

permits, actions.”; in line 13, after “issues;” insert “requiring the Commission to assess compliance with a certain federal law;”; in the same line, after “the” insert “Maryland Office of Minority Health and Health Disparities and the”; and strike beginning with “requiring” in line 15 down through the semicolon in line 17.

AMENDMENT NO. 2

On page 2, in line 10, after “(2)” insert ““BUSINESS ORGANIZATION” MEANS A CORPORATION, BUSINESS TRUST, PARTNERSHIP, OR ANY OTHER FOR-PROFIT ENTITY.”

(3)”;

in line 12, strike “(3)” and substitute:

“(4) “COMMUNITY LISTENING SESSION” MEANS A PUBLIC CONVENING TO GATHER INFORMATION AND INPUT FROM COMMUNITY MEMBERS.”

(5)”;

after line 14, insert:

“(6) “ENVIRONMENTAL ORGANIZATION” MEANS A NONPROFIT ENTITY ENGAGED IN ADVOCACY OR ACTION RELATED TO CONSERVATION, STEWARDSHIP OF NATURAL RESOURCES, OR POLLUTION REDUCTION.”;

and strike in their entirety lines 15 through 18, inclusive.

On page 3, in line 7, strike “ONE” and substitute “AT LEAST ONE”; in line 8, after “COMMUNITY” insert “DISPROPORTIONATELY”; in the same line, strike “justice ISSUES” and substitute “AND PUBLIC HEALTH HAZARDS”; in line 14, after the semicolon insert “AND”; strike in their entirety lines 15 and 16, inclusive; in line 17, strike “6.” and substitute “5.”; in line 22, strike “THREE” and substitute “AT LEAST THREE”; in the same line, after “COMMUNITIES” insert “DISPROPORTIONATELY”; in line 23, strike “JUSTICE ISSUES” and substitute “AND PUBLIC HEALTH HAZARDS THAT REPRESENT THE GEOGRAPHIC DIVERSITY OF THE STATE”; and in line 31, strike “AND”.

On page 4, in line 2, after “LEAGUE” insert “; AND”

(XIII) TWO REPRESENTATIVES OF A LABOR UNION, DESIGNATED BY THE MARYLAND STATE AND D.C. AFL–CIO.

in line 7, after “STATE” insert “, ACCORDING TO THE MOST RECENT AVAILABLE CENSUS DATA”; in line 22, strike “meet” and substitute “:

1. MEET”;

in line 23, after “YEAR” insert “; AND

2. HOST AT LEAST FOUR COMMUNITY LISTENING SESSIONS PER CALENDAR YEAR IN COMMUNITIES DISPROPORTIONATELY IMPACTED BY ENVIRONMENTAL AND PUBLIC HEALTH HAZARDS, WITH A MAJORITY OF THE MEMBERS OF THE COMMISSION PRESENT AT EACH COMMUNITY LISTENING SESSION”;

in line 24, after “MEETINGS” insert “AND COMMUNITY LISTENING SESSIONS”; in line 25, after “PARAGRAPH” insert “, THE COMMISSION SHALL ESTABLISH ROTATING MEETING OR COMMUNITY LISTENING SESSION LOCATIONS IN DIFFERENT GEOGRAPHIC LOCATIONS OF THE STATE, INCLUDING”; in lines 26 and 28, in each instance, strike “SHALL BE HELD”; and after line 29, insert:

“(III) THE MEETINGS AND COMMUNITY LISTENING SESSIONS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE REASONABLY ACCESSIBLE TO ALL ATTENDEES, INCLUDING PERSONS WITH:

1. LIMITED ENGLISH PROFICIENCY; AND

2. DISABILITIES.

(IV) THE DEPARTMENT SHALL POST NOTICE OF THE TIME AND LOCATION OF A MEETING OR COMMUNITY LISTENING SESSION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON ITS WEBSITE AT LEAST 30 DAYS BEFORE THE MEETING OR COMMUNITY LISTENING SESSION.”.

On page 5, after line 7, insert:

“(4) A MEMBER OF THE COMMISSION MAY NOT REPRESENT MORE THAN ONE ENTITY OR GROUP.”;

in line 12, after “State” insert “**AND LOCAL**”; in the same line, after “laws” insert “**, PERMITS, ACTIONS,**”; in line 13, after “communities” insert “**, INCLUDING CUMULATIVE IMPACTS, EFFECTS, AND EXPOSURE**”; in line 15, after “communities” insert “**, INCLUDING ASSESSING COMPLIANCE WITH TITLE VI OF THE FEDERAL CIVIL RIGHTS ACT OF 1964**”; in line 17, after “Council” insert “**, THE MARYLAND OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES,**”; in line 18, after “communities;” insert “**AND**”; and strike beginning with “**AFTER**” in line 20 down through “(6)” in line 24.

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 888 – Senator Beidle

AN ACT concerning

**Anne Arundel County – Speed Monitoring Systems – Maryland Route 175
(Jessup Road)**

SB0888/170011/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 888

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “requirements;” insert “**requiring that the fines collected by Anne Arundel County as a result of violations enforced by certain speed monitoring systems be used to assist in covering the cost of speed reduction measures and roadway and pedestrian safety measures on Maryland Route 175 (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard County line;**

requiring a certain real-time display of a driver’s traveling speed for a speed monitoring system operating on Maryland Route 175 (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard County line; providing for the termination of this Act;”; after line 9, insert:

“BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–302(e)(4)
Annotated Code of Maryland
(2020 Replacement Volume)”;

in line 12, strike “and (viii)”;

and in line 17, strike “and (vi)” and substitute “, (vi), and (viii)”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“Article – Courts and Judicial Proceedings

7–302.

(e) (4) (i) From the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems or school bus monitoring cameras, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems or school bus monitoring cameras; and

2. Subject to subparagraphs (ii) and (iii) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

(ii) 1. For any fiscal year, if the balance remaining from the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, after the costs of implementing and administering the systems are recovered in accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total revenues of the political subdivision for the fiscal year, the political subdivision shall remit any funds that exceed 10% of the total revenues to the Comptroller.

2. The Comptroller shall deposit any money remitted under this subparagraph to the General Fund of the State.

(iii) The fines collected by Prince George’s County as a result of violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted to the Comptroller for distribution to the State Highway Administration to be used solely to assist in covering the costs of:

1. Examining the engineering, infrastructure, and other relevant factors that may contribute to safety issues on Maryland Route 210 in Prince George’s County;

2. Reporting its findings and recommendations on any solutions to these safety issues; and

3. Implementing any solutions to these safety issues.

(IV) FROM THE FINES COLLECTED BY ANNE ARUNDEL COUNTY AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS ON MARYLAND ROUTE 175 (JESSUP ROAD) BETWEEN THE MARYLAND ROUTE 175/295 INTERCHANGE AND THE ANNE ARUNDEL COUNTY–HOWARD COUNTY LINE, ANY BALANCE REMAINING AFTER THE ALLOCATION OF FINES UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE REMITTED TO THE COMPTROLLER FOR DISTRIBUTION TO THE STATE HIGHWAY ADMINISTRATION TO BE USED SOLELY TO ASSIST IN COVERING THE COST OF SPEED REDUCTION MEASURES AND ROADWAY AND PEDESTRIAN SAFETY IMPROVEMENTS ON MARYLAND ROUTE 175 (JESSUP ROAD) BETWEEN THE MARYLAND ROUTE 175/295 INTERCHANGE AND THE ANNE ARUNDEL COUNTY–HOWARD COUNTY LINE.”.

AMENDMENT NO. 3

On page 3, in line 18, strike “or” and substitute a comma; in line 19, after “paragraph,” insert “**OR IN ANNE ARUNDEL COUNTY ON MARYLAND ROUTE 175 (JESSUP ROAD) BETWEEN THE MARYLAND ROUTE 175/295 INTERCHANGE AND THE ANNE ARUNDEL COUNTY–HOWARD COUNTY LINE,**”; and in line 27, after “County” insert “**OR IN ANNE ARUNDEL COUNTY ON MARYLAND ROUTE 175 (JESSUP ROAD) BETWEEN THE MARYLAND ROUTE 175/295 INTERCHANGE AND THE ANNE ARUNDEL COUNTY–HOWARD COUNTY LINE**”.

AMENDMENT NO. 4

On page 4, in line 7, after “2021.” insert “It shall remain effective for a period of 5 years and, at the end of September 30, 2026, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Arikan moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 34

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

House Bill 836 – Delegate Pena–Melnyk

EMERGENCY BILL

AN ACT concerning

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

HB0836/346786/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 836

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, strike “requiring” and substitute “authorizing”; in line 14, strike “first”; in the same line, after “use” insert “only”; strike beginning with “requiring” in line 15 down through “circumstances;” in line 16; in line 19, after “information” insert “and elements”; in line 27, after “date;” insert “altering the effective date of certain provisions of law governing the disclosure of outpatient facility fees;”; in the same line, after “year,” insert “certain”; in line 28, strike “adopt and implement” and substitute “establish”; in line 29, in each instance, strike “testing” and substitute “security”; in lines 29 and 30, strike “adopted and implemented” and substitute “established”; in line 30, after “by” insert “certain”; in the same line, strike “include a certain requirement” and substitute “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"; in line 31, strike "home health agencies,"; and in the same line, strike the second comma.

On page 2, in line 7, strike "associated costs" and substitute "related items and services"; strike beginning with "prohibiting" in line 8 down through "coverage;" in line 10; in line 13, after "Assembly;" insert "providing that any funding appropriate for the implementation of this Act may consist only of certain federal funds"; and after line 24, insert:

"BY repealing and reenacting, with amendments,

Chapter 365 of the Acts of the General Assembly of 2020

Section 2".

AMENDMENT NO. 2

On page 3, in line 10, strike "**APRIL 1, 2021**" and substitute "**JUNE 1, 2021**"; and strike beginning with "A" in line 6 down through "**COVID-19**" in line 8 and substitute "**AN IN VITRO DIAGNOSTIC TEST FOR THE DETECTION OF SARS-CoV-2 OR THE DIAGNOSIS OF THE VIRUS THAT CAUSES COVID-19, AS DESCRIBED IN § 3201 OF THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT**".

On page 6, in line 5, strike "**APRIL 1, 2021**" and substitute "**JUNE 1, 2021**".

On page 10, strike beginning with "A" in line 3 down through "**COVID-19**" in line 5 and substitute "**AN IN VITRO DIAGNOSTIC TEST FOR THE DETECTION OF SARS-CoV-2 OR THE DIAGNOSIS OF THE VIRUS THAT CAUSES COVID-19, AS DESCRIBED IN § 3201 OF THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT**"; and in line 31, after "FUNDING" insert "**IN THE BUDGET**".

On page 11, strike beginning with "A" in line 13 down through "**COVID-19**" in line 15 and substitute "**AN IN VITRO DIAGNOSTIC TEST FOR THE DETECTION OF SARS-CoV-2 OR THE DIAGNOSIS OF THE VIRUS THAT CAUSES COVID-19, AS DESCRIBED IN § 3201 OF THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT**".

On page 12, strike beginning with “A” in line 10 down through “COVID-19” in line 12 and substitute “AN IN VITRO DIAGNOSTIC TEST FOR THE DETECTION OF SARS-CoV-2 OR THE DIAGNOSIS OF THE VIRUS THAT CAUSES COVID-19, AS DESCRIBED IN § 3201 OF THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT”.

On page 13, strike beginning with “A” in line 6 down through “COVID-19” in line 8 and substitute “AN IN VITRO DIAGNOSTIC TEST FOR THE DETECTION OF SARS-CoV-2 OR THE DIAGNOSIS OF THE VIRUS THAT CAUSES COVID-19, AS DESCRIBED IN § 3201 OF THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT”.

On page 14, strike beginning with “A” in line 2 down through “COVID-19” in line 4 and substitute “AN IN VITRO DIAGNOSTIC TEST FOR THE DETECTION OF SARS-CoV-2 OR THE DIAGNOSIS OF THE VIRUS THAT CAUSES COVID-19, AS DESCRIBED IN § 3201 OF THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT”; and line 6, before “RAPID” insert “, CLEARED, OR AUTHORIZED”.

AMENDMENT NO. 3

On page 3, strike beginning with “UP” in line 27 down through “STATE” in line 28 and substitute “THE SURVEILLANCE TESTING REQUIRED TO SAFELY REOPEN AND KEEP OPEN SCHOOLS, INSTITUTIONS OF HIGHER EDUCATION, WORKPLACES, AND OTHER COMMUNITY FACILITIES IN THE STATE WHILE MINIMIZING THE COMMUNITY SPREAD OF COVID-19”; and in line 31, strike “IN CALENDAR YEARS 2021 AND 2022 AT LEAST SIX” and substitute “THE REQUIRED NUMBER OF”.

On page 4, in line 1, strike “PER 100,000 RESIDENTS” and substitute “TO ACHIEVE THE SURVEILLANCE TESTING GOAL DESCRIBED IN ITEM 1 OF THIS ITEM”; and strike beginning with “INCLUDE” in line 2 down through “COVERAGE” in line 12 and substitute “ESTIMATE THE FUNDING REQUIRED TO IMPLEMENT THE SURVEILLANCE TESTING GOAL DESCRIBED IN ITEM (III)1 OF THIS ITEM AND THE EXTENT TO WHICH FEDERAL FUNDING ALREADY RECEIVED BY THE STATE IN FISCAL YEAR 2021 AND FEDERAL FUNDING THAT IS PROVIDED TO THE STATE AND RECEIVED AFTER MARCH 1, 2021, CAN BE USED TO COVER THE COST REQUIRED TO ACHIEVE THAT GOAL”.

AMENDMENT NO. 4

On page 9, strike in their entirety lines 5 through 11, inclusive; in line 14, strike “AND”; in line 16, strike “MONITOR” and substitute “:

(I) MONITOR;

in line 17, after “DISEASE” insert “;AND”

(II) ACHIEVE STATE HEALTH IMPROVEMENT PROCESS GOALS;

(3) MAKE RECOMMENDATIONS REGARDING THE ESTABLISHMENT OF A MARYLAND PUBLIC HEALTH JOB CORPS TO RESPOND TO THE OUTBREAK OF COVID-19 OR SIMILAR OUTBREAKS; AND

(4) CONSIDER, WHERE APPROPRIATE, THE USE OF FEDERAL FUNDS TO IMPLEMENT ANY RECOMMENDATIONS MADE UNDER THIS SUBSECTION”.

AMENDMENT NO. 5

On page 8, in line 5, strike “APRIL 1, 2021” and substitute “JUNE 1, 2021”; in line 20, strike “AND”; and in line 24, after “MORTALITY” insert “:

(III) A VACCINE DISTRIBUTION STRATEGY THAT ALLOCATES RESOURCES AND VACCINES ACROSS ALL PARTNERS AND VACCINATION SITES IN AN EQUITABLE MANNER THAT ENSURES THAT THE VACCINE ALLOCATION BY JURISDICTION ACCOUNTS FOR THE DISPROPORTIONATE IMPACT OF THE COVID-19 PANDEMIC ON UNDERSERVED AND MINORITY COMMUNITIES; AND

(IV) A STRATEGY FOR OUTREACH AND DISTRIBUTION OF VACCINES TO INDIVIDUALS WHO ARE NOT RECEIVING THE VACCINE, DUE TO EITHER LACK OF ACCESS OR VACCINE HESITANCY”.

AMENDMENT NO. 6

On page 10, in line 7, after “EDUCATION” insert “THAT HAS RESIDENCE HALLS FOR STUDENTS”; strike beginning with “ADOPT” in line 8 down through “EDUCATION” in line 10 and substitute “ESTABLISH A COVID-19 SECURITY PLAN THAT INCLUDES BOTH SCREENING AND TESTING PROCEDURES THAT WILL KEEP STUDENTS, FACULTY, AND STAFF SAFE WHILE ON CAMPUS FOR FACE-TO-FACE INSTRUCTION DURING THE PANDEMIC”; in line 11, strike “COVID-19 TESTING”; and strike beginning

with “INCLUDE” in line 12 down through “EDUCATION” in line 20 and substitute “BE POSTED ON THE WEBSITE OF THE INSTITUTION OF HIGHER EDUCATION AND MADE AVAILABLE TO THE PUBLIC”.

AMENDMENT NO. 7

On page 11, in line 17, strike “TESTING” and substitute “INFECTION CONTROL AND PREVENTION”; in line 20, before “THE” insert “(1)”; in the same line, strike “COVID-19 TESTING PLAN SHALL ENSURE” and substitute “PLAN REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL:

(I) BE ADOPTED AND IMPLEMENTED IN ACCORDANCE WITH ANY APPLICABLE FEDERAL ORDERS AND GUIDANCE; AND

(II) ENSURE”;

in line 22, strike “TESTED” and substitute “SCREENED”; in lines 22 and 23, strike “AT A FREQUENCY THAT IS SUFFICIENT TO” and substitute “TESTED OR REFERRED FOR TESTING FOR COVID-19, IF REQUIRED OR RECOMMENDED UNDER APPLICABLE FEDERAL ORDERS OR GUIDANCE, TO CONTROL AND”; and after line 24, insert:

“(2) THE SCREENING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE REPORTING TO THE HOME HEALTH AGENCY OF ANY:

(I) SYMPTOMS RELATED TO COVID-19 EXPERIENCED BY PATIENTS AND STAFF; AND

(II) KNOWN EXPOSURES OF PATIENTS AND STAFF TO INDIVIDUALS WHO HAVE BEEN DIAGNOSED WITH COVID-19.”.

On pages 11 and 12, strike in their entirety the lines beginning with line 25 on page 11 through line 2 on page 12, inclusive, and substitute:

“(D) A HOME HEALTH AGENCY SHALL PROVIDE THE PLAN REQUIRED UNDER SUBSECTION (B) OF THIS SECTION TO:

(1) PATIENTS AND STAFF; AND

(2) MEMBERS OF THE PUBLIC ON REQUEST.”.**AMENDMENT NO. 8**

On page 14, after line 7, insert:

“(4) “HEALTH BENEFIT PLAN”:

(I) FOR A SMALL EMPLOYER PLAN, HAS THE MEANING STATED IN § 15-1201 OF THIS TITLE; AND

(II) FOR AN INDIVIDUAL PLAN, HAS THE MEANING STATED IN § 15-1301 OF THIS TITLE.”;

in line 8, strike “(4)” and substitute “(5)”; in line 12, after “(B)” insert “(1)”; in lines 13 and 17, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; after line 19, insert:

“(2) THIS SECTION APPLIES TO EACH INDIVIDUAL AND SMALL EMPLOYER HEALTH BENEFIT PLAN THAT IS ISSUED OR DELIVERED IN THE STATE BY AN INSURER, A NONPROFIT HEALTH SERVICE PLAN, OR A HEALTH MAINTENANCE ORGANIZATION, IRRESPECTIVE OF §§ 15-1207(D) AND 31-116 OF THIS ARTICLE.”;

in line 21, strike “ASSOCIATED COSTS” and substitute “RELATED ITEMS AND SERVICES”; in line 22, after “TESTS” insert “, INCLUDING FACILITY FEES, HEALTH CARE PRACTITIONER FEES, AND EVALUATION OF THE MEMBER FOR PURPOSES OF DETERMINING THE NEED FOR THE COVID-19 TEST, AS REQUIRED BY THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT, THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT, AND ANY APPLICABLE FEDERAL REGULATIONS OR GUIDANCE”; and in line 20, strike “(1)”.

On pages 14 and 15, strike in their entirety the lines beginning with line 23 on page 14 through line 6 on page 15, inclusive.

On page 15, in line 7, strike “(4)” and substitute “(D)”; and in lines 8 and 9, strike “THE COVERAGE REQUIRED UNDER THIS SECTION” and substitute “COVERAGE FOR COVID-19 TESTS AND RELATED ITEMS AND SERVICES FOR THE ADMINISTRATION OF COVID-19 TESTS”.

AMENDMENT NO. 9

On page 7, in line 14, strike “(I)”; in the same line, strike “SHALL FIRST” and substitute “MAY”; in the same line, after “USE” insert “ONLY”; strike in their entirety lines 19 through 22, inclusive; strike beginning with “IT” in line 28 down through “FIRST” in line 30 and substitute “THE DEPARTMENT MAY”; in line 30, after “USE” insert “ONLY”; and in line 34, strike “; AND” and substitute a period.

On page 8, strike in their entirety lines 1 through 3, inclusive.

On page 10, in line 30, before “IT” insert “(1)”; in the same line, strike the colon; and in line 31, strike “(1) THE” and substitute “THE”.

On page 11, in line 3, strike “; AND” and substitute a period; in line 4, strike “ITEM” and substitute “PARAGRAPH”; in line 5, after “SUBSECTION” insert “SHALL”; and after line 6, insert:

“(3) ANY FUNDING PROVIDED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL CONSIST ONLY OF FEDERAL FUNDING ALLOCATED TO THE STATE UNDER THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT AND ANY OTHER FEDERAL LEGISLATION ENACTED IN CALENDAR YEARS 2020 THROUGH 2022 TO PROVIDE FUNDING REQUIRED UNDER THIS SUBSECTION.”

On page 15, before line 10, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That any funding appropriated for the implementation of this Act may consist only of federal funding allocated to the State under the federal Coronavirus Response and Relief Supplemental Appropriations Act and any other federal legislation enacted in calendar years 2020 through 2022. Any federal funding appropriated under this Act for vaccine distribution, testing, or contact tracing shall be limited to funding specifically allocated for those purposes under the Coronavirus Aid, Relief, and Economic Security Act, the Consolidated Appropriation Act, or the American Rescue Plan Act of 2021 except to the extent other funding is provided for these purposes by the Governor.”;

in line 10, strike “3.” and substitute “4.”; and in line 13, strike “4.” and substitute “5.”.

AMENDMENT NO. 10

On page 3, in line 11 after “STATE” insert “AND THE MARYLAND STATE DEPARTMENT OF EDUCATION”.

On pages 5 and 6, strike in their entirety the lines beginning with line 11 on page 5 through line 4 on page 6, inclusive, and substitute:

“(C) THE PLAN REQUIRED UNDER THIS SECTION SHALL HAVE A DESIGN THAT ADDRESSES THE DISPROPORTIONATE IMPACT OF THE COVID–19 PANDEMIC ON UNDERSERVED AND MINORITY COMMUNITIES IN THE STATE.”

On page 6, in line 10, after “TRACING” insert “, OR FOR ANY OTHER PUBLIC HEALTH PURPOSE RELATED TO COVID–19 RESPONSE FOR WHICH FEDERAL FUNDING IS AUTHORIZED”; and strike beginning with “TESTING” in line 11 down through “TRACING” in line 12 and substitute “RESPONSE”.

AMENDMENT NO. 11

On page 9, in line 3, strike “INFRASTRUCTURE”; in line 4, strike the colon and substitute “REPRESENTATIVES OF THE DEPARTMENT, LOCAL HEALTH DEPARTMENTS, SUBJECT MATTER EXPERTS, AND ANY OTHER RELEVANT STAKEHOLDERS.”.

AMENDMENT NO. 12

On page 9, after line 21, insert:

“Chapter 365 of the Acts of 2020

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect [July 1, 2021] JANUARY 1, 2022.”

The preceding 12 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 879 – Delegate R. Watson

AN ACT concerning

Maryland Emergency Management Agency – Cybersecurity Coordination and Operations Office – Establishment

HB0879/546284/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 879
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Maryland Emergency Management Agency –**”; in line 3, strike “**Office – Establishment**” and substitute “– Maryland Cybersecurity Council Study and Report”; in line 4, after “of” insert “requiring the Maryland Cybersecurity Council to conduct a certain study on cybersecurity coordination and operations in the State; requiring the Council to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to a report on cybersecurity coordination and operations”; strike beginning with “establishing” in line 4 down through “MEMA” in line 13; strike lines 14 through 18 in their entirety; and in line 20 strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 21 on page 1 through line 22 on page 3, inclusive.

On page 3, after line 22, insert:

“(a) The Maryland Cybersecurity Council shall:

(1) study:

(i) the State’s existing cybersecurity programs and coordination policies and efforts, including the responsibilities of the Maryland Emergency Management Agency and Department of Information Technology, as well as the coordination of responsibilities between these units;

(ii) cybersecurity coordination and operations programs in other states;

(iii) best practices and recommendations of models for cybersecurity coordination and operations by a state;

(iv) the traits of a government agency or department that is well suited to manage cybersecurity coordination and operations for a state;

(v) what State agency or department best matches the traits identified in item (iv) of this item or whether a new State agency or department should be created to manage cybersecurity coordination and operations for the State;

(vi) the needs for cybersecurity coordination and operations by State, local, and nongovernmental entities in the State; and

(vii) issues regarding the constitutional authority of the General Assembly and the Executive Branch to enact and maintain an effective cybersecurity policy for the State; and

(2) develop a comprehensive cybersecurity coordination and response structure and plan for the State based on the findings from studying the items in paragraph (1) of this subsection.

(b) On or before December 1, 2021, the Council shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee, the House Health and Government Operations Committee, and the Joint Committee on Cybersecurity, Information Technology, and Biotechnology.”;

in line 24, strike “October” and substitute “July”; and in the same line, after the period insert “It shall remain effective for a period of 1 year and 1 month and, at the end of July 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

Senate Bill 49 – Senator Lee

AN ACT concerning

State Government – Department of Information Technology – Cybersecurity

SB0049/626989/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 49

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Technology” and substitute “Technology, in consultation with the Attorney General,”; and in line 7, strike “Secretary” and substitute “Secretary, in consultation with the Attorney General,”.

AMENDMENT NO. 2

On page 5, in line 6, after “(6)” insert “IN CONSULTATION WITH THE ATTORNEY GENERAL,”; and in line 13, after “(8)” insert “IN CONSULTATION WITH THE ATTORNEY GENERAL,”.

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 82 – Senator Augustine

AN ACT concerning

**State Board of ~~Professional Counselors and Therapists~~ Examiners for
Audiologists, Hearing Aid Dispensers, and Speech-Language
Pathologists – Maryland Music Therapists Act**

SB0082/896488/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 82
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 27, after “circumstances;” insert “prohibiting an individual licensed under a certain provision of law from representing to the public that the individual is authorized to treat a certain disorder;”.

On page 3, in line 5, after “Therapists”; insert “2-402.2”.

AMENDMENT NO. 2

On page 6, after line 12, insert:

“2-402.2.

(a) [Unless] SUBJECT TO SUBSECTION (D) OF THIS SECTION, UNLESS authorized to practice speech-language pathology under this title or unless otherwise provided for under this article, a person may not represent to the public by title, by description of services, methods, or procedures, or otherwise that the person:

(1) Is authorized to practice speech-language pathology in this State; or

(2) Evaluates, examines, instructs, or counsels individuals suffering from disorders or conditions that affect speech, language, communication, and swallowing.

(b) [Unless] SUBJECT TO SUBSECTION (D) OF THIS SECTION, UNLESS authorized to practice speech-language pathology under this title or unless otherwise provided for under this article, a person may not use any word or term connoting professional proficiency in speech-language pathology, including but not limited to:

(1) “Communication disorders”;

(2) “Communicologist”;

(3) “Dysphagist”;

- (4) “Language pathologist”;
- (5) “Logopedist”;
- (6) “Speech and language clinician”;
- (7) “Speech and language therapist”;
- (8) “Speech clinic”;
- (9) “Speech clinician”;
- (10) “Speech correction”;
- (11) “Speech correctionist”;
- (12) “Speech pathology”;
- (13) “Speech–language pathology”;
- (14) “Speech therapist”;
- (15) “Speech therapy”; or
- (16) “Swallowing therapist”.

(c) While performing the duties of that employment, an individual employed by any agency of the federal government may use any of the titles listed in subsection (b) of this section.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL LICENSED UNDER SUBTITLE 4A OF THIS TITLE TO ENGAGE IN THE PRACTICE OF MUSIC THERAPY MAY NOT REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS AUTHORIZED TO TREAT A COMMUNICATION DISORDER.

(2) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT AN INDIVIDUAL LICENSED UNDER SUBTITLE 4A OF THIS TITLE TO ENGAGE IN THE PRACTICE OF MUSIC THERAPY FROM REPRESENTING TO THE PUBLIC THAT THE INDIVIDUAL MAY WORK WITH A CLIENT WHO HAS A COMMUNICATION DISORDER AND ADDRESS COMMUNICATION SKILLS.”.

On page 8, in line 7, after “DISORDER” insert “SO THAT A MUSIC THERAPIST MAY WORK WITH THE CLIENT AND ADDRESS COMMUNICATION SKILLS”.

AMENDMENT NO. 4

On page 15, in line 23, after “EXPIRATION;” insert “AND”; in line 24, strike “SERIAL” and substitute “LICENSE”; and strike beginning with the semicolon in line 24 down through “BOARD” in line 27.

AMENDMENT NO. 5

On page 21, in line 5, strike “\$10,000” and substitute “\$5,000”.

On page 25, in line 9, strike “(A)”; in line 11, strike “\$10,000” and substitute “\$5,000”; and strike in their entirety lines 12 through 14, inclusive.

The preceding 5 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 550 – Senators Beidle, Augustine, Eckardt, Feldman, Kelley, King, Klausmeier, Waldstreicher, ~~and Salling~~ Salling, Corderman, Edwards, Elfreth, Griffith, Guzzone, McCray, Peters, Rosapepe, Young, and Zucker

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 56

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

Senate Bill 187 – Senator Sydnor

AN ACT concerning

**Criminal Procedure – Forensic Genetic Genealogical DNA Analysis, Searching,
Regulation, and Oversight**

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 800 – Senator Patterson

AN ACT concerning

Inmate Training and Job Act of 2021

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 9

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 137 – Senator Zucker

AN ACT concerning

**Maryland Transit Administration – Conversion to Zero-Emission Buses
(Zero-Emission Bus Transition Act)**

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 Ways and Means:

Senate Bill 269 – Senator Ellis

AN ACT concerning

**Property Tax Exemption – Disabled Active Duty Service Members, Disabled
Veterans, and Surviving Spouses – Refund**

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 334 – Senator Carter

AN ACT concerning

Water Pollution Control – Intervention in Civil Actions – Rights and Authority

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 460 – Senator Feldman

AN ACT concerning

Economic Development – Advanced Clean Energy and Clean Energy Innovation Investments and Initiatives

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 Environment and Transportation:

Senate Bill 569 – The President (By Request – Administration)

AN ACT concerning

Driver’s Licenses, Learner’s Instructional Permits, and Identification Cards – Applications and Renewals

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 Ways and Means:

Senate Bill 578 – Senator McCray

AN ACT concerning

**Income Tax – ~~Retroactive Changes Under the Federal CARES Act – Addition~~
Modification Internal Revenue Code Amendments – Decoupling**

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 Economic Matters:

Senate Bill 677 – Senator Edwards

AN ACT concerning

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

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 and the Committee on Appropriations:

Senate Bill 711 – Senator King

AN ACT concerning

Growing Family Child Care Opportunities Pilot Program – Established

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

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

Senate Bill 829 – Senator Lam

AN ACT concerning

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

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 Environment and Transportation and the Committee on Appropriations:

Senate Bill 859 – Senator Hayes

AN ACT concerning

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

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 Economic Matters and
the Committee on Appropriations:

Senate Bill 902 – Senator Hester

AN ACT concerning

Economic Development – Cyber Workforce Program and Fund – Established

The Bill was re-referred to the Committee on Economic Matters 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 916 – Senator McCray

AN ACT concerning

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

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

**CONCURRENCE CALENDAR NO. 21
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 156 – Delegates Luedtke and Griffith

AN ACT concerning

Student and Military Voter Empowerment Act

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0156/744030/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 156

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 20 and 21, strike “of early voting centers and precinct polling places on campus,” and substitute “and collaboration with the local board regarding certain factors, and”; strike beginning with the comma in line 22 down through “voting” in line 23; and in line 24, before “requiring” insert “prohibiting the student voting plan from being used to disseminate certain information regarding certain information;”.

AMENDMENT NO. 2

On page 8, in line 22, after “REGARDING” insert “:

1.;

in line 24, after “BOARD” insert “:

2. PARKING;

3. CAMPAIGN SIGNS;

4. VOTER ACCESS TO CAMPUS WITHOUT IDENTIFICATION;

5. POLLING PLACE SPACE REQUIREMENTS IN COMPLIANCE WITH STATE BOARD REGULATIONS;

6. PUBLIC EDUCATION CAMPAIGN;

7. BALLOT DROP BOX SITING; AND

8. ANY OTHER FACTORS RELATING TO THE CONDUCT OF AN ELECTION”;

in line 27, after “STUDENTS;” insert “AND”; and strike beginning with the first “A” in line 28 down through “AND” in line 33.

On page 9, in line 1, strike “(VI)”; after line 3, insert:

“(5) THE STUDENT VOTING PLAN MAY NOT BE USED TO DISSEMINATE INFORMATION REGARDING:

(I) HOW A STUDENT SHOULD VOTE; OR

(II) WHO A STUDENT SHOULD VOTE FOR.”;

and in line 4, strike “(5)” and substitute “(6)”.

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 – 108 Negative – 25 (See Roll Call No. 1328)

AMENDED IN THE SENATE

House Bill 205 – Delegate Reznik

AN ACT concerning

Public Schools – Provision of Menstrual Hygiene Products – Requirement

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0205/404532/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 205

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the first “the” insert “women’s”; and in line 8, after “date;” insert “requiring the State to reimburse each county board for certain costs; requiring each county board to submit to the State Department of Education a request for reimbursement for certain costs on or before certain dates; requiring the Governor to include a certain appropriation in the annual budget bill in a certain fiscal year;”.

AMENDMENT NO. 2

On page 2, in line 5, after the first “THE” insert “WOMEN’S”; in line 9, after “TWO” insert “WOMEN’S”; in lines 10 and 19, in each instance, strike “2021” and substitute “2022”; strike beginning with the colon in line 11 down through “ALL” in line 14 and substitute “, ALL”; strike beginning with the semicolon in line 14 down through “RESTROOMS” in line 16; and after line 19, insert:

“(D) (1) THE STATE SHALL REIMBURSE A COUNTY BOARD FOR THE COSTS OF PURCHASING AND INSTALLING MENSTRUAL HYGIENE PRODUCT DISPENSERS TO COMPLY WITH THE REQUIREMENTS OF SUBSECTION (C) OF THIS SECTION.

(2) EACH COUNTY BOARD SHALL SUBMIT TO THE DEPARTMENT A REQUEST FOR REIMBURSEMENT FOR THE COSTS OF PURCHASING AND INSTALLING MENSTRUAL HYGIENE PRODUCT DISPENSERS TO COMPLY WITH THE REQUIREMENTS OF:

(I) SUBSECTION (C)(1)(I) AND (2) OF THIS SUBSECTION, ON OR BEFORE NOVEMBER 1, 2022; AND

(II) SUBSECTION (C)(1)(II) OF THIS SUBSECTION, ON OR BEFORE SEPTEMBER 1, 2025.

(3) FOR FISCAL YEAR 2023, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$500,000 TO BE USED TO REIMBURSE EACH COUNTY BOARD FOR THE COSTS REPORTED TO THE DEPARTMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION.”.

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 – 109 Negative – 27 (See Roll Call No. 1329)

AMENDED IN THE SENATE

House Bill 944 – Delegate Solomon

AN ACT concerning

Growing Family Child Care Opportunities Pilot Program – Established

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0944/724836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 944

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “Governor,” insert “subject to a certain provision of law.”

AMENDMENT NO. 2

On page 4, in line 16, after “(E)” insert “**(1)**”; in the same line, strike “**FOR**” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR**”; and after line 18, insert:

“(2) TO THE EXTENT AUTHORIZED UNDER FEDERAL LAW, THE GOVERNOR SHALL USE FEDERAL FUNDS TO SATISFY THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION.”

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 – 128 Negative – 9 (See Roll Call No. 1330)

**CONCURRENCE CALENDAR NO. 22
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 1131 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bond

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1131/809533/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1131

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “paramount” and substitute “par amount”.

AMENDMENT NO. 2

On page 2, in line 26, strike “paramount” and substitute “par amount”.

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 – 136 Negative – 0 (See Roll Call No. 1331)

**CONCURRENCE CALENDAR NO. 23
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 363 – Delegate Lierman

AN ACT concerning

**Maryland Public Ethics Law – Retaliation for Reporting or Participating in
Investigation – Prohibition**

Delegate Barve moved that the House concur in the Senate amendments.

HB0363/424133/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 363

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Maryland**”; in the same line, strike “**Law**”; in the same line, before “**Retaliation**” insert “**Officials and Employees – Acceptance of Gifts and Prohibited**”; strike beginning with “**for**” in line 2 down through “**Prohibition**” in line 3; in line 4, after “of” insert “prohibiting an official or State employee from accepting a gift from a certain association or an entity acting on behalf of the association;”; in line 10, after “(l)” insert “and 5–505(a) and (c)”; and after line 12, insert:

“BY repealing and reenacting, with amendments,

Article – General Provisions

Section 5–505(b)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 24, insert:

“5–505.

(a) (1) An official or employee may not solicit any gift.

(2) An official may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from an individual regulated lobbyist described in § 5–702(a)(1) of this title.

(b) (1) In this subsection, “entity” does not include a governmental unit.

(2) Except as provided in subsection (c) of this section, an official or employee may not knowingly accept a gift, directly or indirectly, from an entity that the official or employee knows or has reason to know:

(i) does or seeks to do any business of any kind, regardless of amount, with the official's or employee's governmental unit;

(ii) engages in an activity that is regulated or controlled by the official's or employee's governmental unit;

(iii) has a financial interest that may be affected substantially and materially, in a manner distinguishable from the public generally, by the performance or nonperformance of the official's or employee's official duties; [or]

(iv) is a regulated lobbyist with respect to matters within the jurisdiction of the official or employee; OR

(V) IS AN ASSOCIATION, OR ANY ENTITY ACTING ON BEHALF OF AN ASSOCIATION, THAT IS ENGAGED ONLY IN REPRESENTING COUNTIES OR MUNICIPAL CORPORATIONS.

(c) (1) Notwithstanding subsection (b) of this section, an official or employee may accept a gift listed in paragraph (2) of this subsection unless:

(i) the gift would tend to impair the impartiality and independent judgment of the official or employee; or

(ii) as to a gift of significant value:

1. the gift would give the appearance of impairing the impartiality and independent judgment of the official or employee; or

2. the official or employee believes or has reason to believe that the gift is designed to impair the impartiality and independent judgment of the official or employee.

(2) Subject to paragraph (1) of this subsection, subsection (b) of this section does not apply to:

(i) 1. except for officials of the Legislative Branch, meals or beverages received and consumed by the official or employee in the presence of the donor or sponsoring entity;

2. for officials of the Legislative Branch, food or beverages received and consumed by the official in the presence of the donor or sponsoring entity as part of a meal or reception to which all members of a legislative unit were invited;

3. for a member of the General Assembly, food or beverages received from a donor or sponsoring entity, other than an individual regulated lobbyist described in § 5–701(a)(1) of this title, during a period when the General Assembly is not in session, at a location that is within a county that contains the member’s district, provided that the donor or sponsoring entity is located within a county that contains the member’s district; or

4. for a member of the General Assembly, food or beverages received at the time and geographic location of a meeting of a legislative organization for which the member’s presiding officer has approved the member’s attendance at State expense;

(ii) ceremonial gifts or awards of insignificant monetary value;

(iii) except for a State official of the Executive Branch or Legislative Branch, unsolicited gifts of nominal value;

(iv) for a State official of the Executive Branch or Legislative Branch, unsolicited gifts from a regulated lobbyist that are not meals or alcoholic beverages and that do not exceed \$20 in cost;

(v) trivial gifts of informational value;

(vi) in return for participation on a panel or a speaking engagement at a meeting, reasonable expenses for food, travel, lodging, or scheduled entertainment of the official or employee if the expenses are associated with the meeting, except that, if such expenses for a State official of the Legislative Branch or Executive Branch are to be paid by a regulated lobbyist and are anticipated to exceed \$500, the official shall notify the appropriate advisory body before attending the meeting;

(vii) for a member of the General Assembly, reasonable expenses for food, travel, lodging, or scheduled entertainment to attend a legislative conference that has been approved by the member’s presiding officer;

(viii) tickets or free admission extended to an elected constitutional officer from the person sponsoring or conducting the event, as a courtesy or ceremony to the office, to attend a charitable, cultural, or political event;

(ix) a specific gift or class of gifts exempted from subsection (b) of this section by the Ethics Commission on a written finding that:

1. acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of government; and

2. the gift is purely personal and private in nature;

(x) a gift from:

1. an individual related to the official or employee by blood or marriage; or

2. any other individual who is a member of the household of the official or employee; or

(xi) to the extent provided in subsection (d) of this section, honoraria.”

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. 1332)

AMENDED IN THE SENATE

House Bill 1207 – Delegate Bridges

AN ACT concerning

Environment – Commission on Environmental Justice and Sustainable Communities – Reform

Delegate Barve moved that the House concur in the Senate amendments.

HB1207/834833/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1207

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “year;” insert “requiring the Commission to host at least a certain number of community listening sessions per calendar year, with a majority of the members of the Commission present at each community listening session;”; in the same line, after “meetings” insert “and community listening sessions”; in lines 11 and 13, in each instance, after “meetings” insert “and community listening sessions”; in line 14, after “meeting” insert “or community listening session”; and strike beginning with “requiring” in line 21 down through the semicolon in line 24.

AMENDMENT NO. 2

On page 2, in line 18, after “**(4)**” insert ““COMMUNITY LISTENING SESSION” MEANS A PUBLIC CONVENING TO GATHER INFORMATION AND INPUT FROM COMMUNITY MEMBERS.”

(5)”;

and in line 21, strike “**(5)**” and substitute “**(6)**”.

On page 3, in line 14, strike “NOT FEWER THAN FOUR REPRESENTATIVES” and substitute “AT LEAST ONE REPRESENTATIVE”; in line 16, strike “THAT REPRESENT THE GEOGRAPHIC DIVERSITY OF THE STATE”; in lines 17, 20, and 21, in each instance, strike “TWO” and substitute “ONE”; in lines 18, 20, and 22, in each instance, strike “REPRESENTATIVES” and substitute “REPRESENTATIVE”; in line 18, after “OF” insert “A”; in lines 18 and 20, in each instance, strike “ORGANIZATIONS” and substitute “ORGANIZATION”; in line 20, after “OF” insert “AN”; in line 22, strike “ARE” and substitute “IS A”; in the same line, strike “EXPERTS” and substitute “EXPERT”; and after line 30, insert:

“(X) THE FOLLOWING MEMBERS APPOINTED JOINTLY BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

1. AT LEAST THREE REPRESENTATIVES FROM COMMUNITIES DISPROPORTIONATELY IMPACTED BY ENVIRONMENTAL AND PUBLIC HEALTH HAZARDS THAT REPRESENT THE GEOGRAPHIC DIVERSITY OF THE STATE;

2. ONE REPRESENTATIVE OF A BUSINESS ORGANIZATION;

3. ONE REPRESENTATIVE OF AN ENVIRONMENTAL ORGANIZATION; AND

4. ONE REPRESENTATIVE WHO IS A HEALTH EXPERT ON ENVIRONMENTAL JUSTICE ISSUES;”.

On page 4, in lines 9, 11, and 13, strike “**(X)**”, “**(XI)**”, and “**(XII)**”, respectively, and substitute “**(XI)**”, “**(XII)**”, and “**(XIII)**”, respectively; and in line 21, after “Governor” insert “**OR THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE**”.

On page 5, in line 4, strike “meet” and substitute “:

1. MEET”;

in line 5, after “YEAR” insert “**; AND**

2. HOST AT LEAST FOUR COMMUNITY LISTENING SESSIONS PER CALENDAR YEAR IN COMMUNITIES DISPROPORTIONATELY IMPACTED BY ENVIRONMENTAL AND PUBLIC HEALTH HAZARDS, WITH A MAJORITY OF THE MEMBERS OF THE COMMISSION PRESENT AT EACH COMMUNITY LISTENING SESSION”;

in line 6, after “MEETINGS” insert “**AND COMMUNITY LISTENING SESSIONS**”; in line 13, after “**MEETINGS**” insert “**AND COMMUNITY LISTENING SESSIONS**”; and in lines 7, 19, and 20, in each instance, after “**MEETING**” insert “**OR COMMUNITY LISTENING SESSION**”.

On page 6, in line 14, after “communities;” insert “**AND**”; and strike beginning with “**SEEK**” in line 16 down through “(6)” in line 21.

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 – 102 Negative – 35 (See Roll Call No. 1333)

**CONCURRENCE CALENDAR NO. 24
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 1261 – Delegate W. Fisher

AN ACT concerning

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

Delegate Clippinger moved that the House concur in the Senate amendments.

HB1261/758275/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1261
(Third Reading File Bill)

On page 6, in line 12, strike the second “AND”.

On page 7, in line 1, strike the period and substitute “;AND”

(III) AN ACKNOWLEDGEMENT OF THE TESTATOR AND THE AFFIDAVITS OF THE ATTESTING WITNESSES BEFORE A NOTARY PUBLIC, UNDER SEAL, ATTACHED OR ANNEXED TO THE WILL, IN SUBSTANTIALLY THE FOLLOWING FORM AND CONTENT:

THE STATE OF MARYLAND.

COUNTY OF _____.

BEFORE ME, THE UNDERSIGNED AUTHORITY/ATTORNEY, ON THIS DAY PERSONALLY APPEARED _____, AND _____, KNOWN TO ME TO BE THE TESTATOR AND THE WITNESSES, RESPECTIVELY, WHOSE NAMES ARE SIGNED TO THE

ATTACHED OR FOREGOING INSTRUMENT AND, ALL OF THESE PERSONS BEING BY ME DULY SWORN, _____, THE TESTATOR, DECLARED TO ME AND TO THE WITNESSES IN MY PHYSICAL OR ELECTRONIC PRESENCE THAT THE SAID INSTRUMENT IS THE TESTATOR’S WILL, THAT THE TESTATOR IS OF SOUND MIND, AND THAT THE TESTATOR HAD WILLINGLY SIGNED OR WILLINGLY DIRECTED ANOTHER TO SIGN THE WILL UNDER NO CONSTRAINT OR UNDUE INFLUENCE, AND EXECUTED IT IN THE PHYSICAL OR REMOTE PRESENCE OF THE WITNESSES AS A FREE AND VOLUNTARY ACT FOR THE PURPOSES THEREIN EXPRESSED, AND THAT THE WITNESSES, IN THE PHYSICAL OR ELECTRONIC PRESENCE AND AT THE REQUEST OF THE TESTATOR, SIGNED THE WILL AS WITNESSES, AND THAT TO THE BEST OF THE WITNESSES’ KNOWLEDGE THE TESTATOR WAS AT LEAST 18 YEARS OLD, OF SOUND MIND, AND UNDER NO CONSTRAINT OR UNDUE INFLUENCE.

_____ TESTATOR

_____ WITNESS

_____ WITNESS

SUBSCRIBED, SWORN AND ACKNOWLEDGED BEFORE ME BY _____, THE TESTATOR, AND SUBSCRIBED AND SWORN TO BEFORE ME BY _____ AND _____, WITNESSES, THIS _____ DAY OF _____, _____.
SEAL _____ NOTARY PUBLIC”.

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 – 3 (See Roll Call No. 1334)

**CONCURRENCE CALENDAR NO. 25
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 30 – Delegate Korman

AN ACT concerning

~~Public Utilities – Office of Climate Counsel – Establishment
(Climate Counsel Act)~~
**Office of People’s Counsel – Alterations
(Office of People’s Counsel Environmental Reform Act)**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0030/757371/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 30
(Third Reading File Bill)

On page 3, in line 34, strike “and”; and in line 35, after “2019” insert “, and Chapter 118 of the Acts of the General Assembly of 2020”.

On page 4, in line 1, strike “and”; and in line 2, after “2019” insert “, and Chapter 118 of the Acts of the General Assembly of 2020”.

On page 26, in line 22, strike “and”; and in the same line, after “2019” insert “, **and Chapter 118 of the Acts of the General Assembly of 2020**”.

On page 30, in line 10, strike “and”; and in the same line, after “2019” insert “, **and Chapter 118 of the Acts of the General Assembly of 2020**”.

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 – 96 Negative – 42 (See Roll Call No. 1335)

AMENDED IN THE SENATE

House Bill 419 – Delegate Qi

AN ACT concerning

**Economic Development – Advanced Clean Energy and Clean Energy Innovation
Investments and Initiatives**

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0419/247878/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 419

(Third Reading File Bill)

On page 4, after line 6, insert:

“(7) RENEWABLE CHEMICAL PRODUCTION;”;

and in lines 7, 9, 11, 13, 14, 15, 16, 19, 21, 22, 24, and 26, strike **“(7)”**, **“(8)”**, **“(9)”**, **“(10)”**, **“(11)”**, **“(12)”**, **“(13)”**, **“(14)”**, **“(15)”**, **“(16)”**, **“(17)”**, and **“(18)”**, respectively, and substitute **“(8)”**, **“(9)”**, **“(10)”**, **“(11)”**, **“(12)”**, **“(13)”**, **“(14)”**, **“(15)”**, **“(16)”**, **“(17)”**, **“(18)”**, and **“(19)”**, respectively.

On page 5, in lines 1, 2, and 6, strike **“(19)”**, **“(20)”**, and **“(21)”**, respectively, and substitute **“(20)”**, **“(21)”**, and **“(22)”**, respectively; and in line 7, strike **“(20)”** and substitute **“(21)”**.

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 – 40 (See Roll Call No. 1336)

AMENDED IN THE SENATE

House Bill 606 – Delegate D.E. Davis

EMERGENCY BILL

AN ACT concerning

Electricity and Gas – Limited–Income Mechanisms and Assistance

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0606/617676/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 606

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “establishing” in line 21 on page 1 down through “years” in line 1 on page 2 and substitute “requiring the Governor to make a certain appropriation in a certain amount for a certain fiscal year”.

AMENDMENT NO. 2

On pages 14 and 15, strike beginning with “THE” in line 22 on page 14 down through “expended” in line 7 on page 15 and substitute “FOR FISCAL YEAR 2023 ONLY, THE GOVERNOR SHALL APPROPRIATE TO THE OFFICE AN AMOUNT EQUAL TO THE UNEXPENDED APPROPRIATION TO THE OFFICE FOR FISCAL YEAR 2021 FUNDING THAT WAS INCLUDED IN SUPPLEMENTAL BUDGET NO. 5”.

On page 15, in line 8, strike “4.” and substitute “3.”.

On page 16, in line 26, strike “5.” and substitute “4.”; and in line 30, strike “6.” and substitute “5.”.

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 – 96 Negative – 42 (See Roll Call No. 1337)

AMENDED IN THE SENATE

House Bill 1108 – Delegate Wivell

EMERGENCY BILL

AN ACT concerning

Washington County – Alcoholic Beverages – Special Event Permits for Wineries

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB1108/334338/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1108
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “measure;” insert “providing for the termination of this Act:”.

AMENDMENT NO. 2

On page 2, in line 21, after “enacted.” insert “It shall remain effective through June 30, 2023, and, at the end of June 30, 2023, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 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 – 136 Negative – 0 (See Roll Call No. 1338)

CONCURRENCE CALENDAR NO. 26
HOUSE BILLS AMENDED IN THE SENATE

AMENDED IN THE SENATE

House Bill 1091 – Delegate Reznik

AN ACT concerning

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

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1091/404733/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1091
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in lines 16 and 43, in each instance, strike “Governor’s”; in line 24, after “approved;” insert “requiring a procurement officer to evaluate a certain contractor’s ability to perform the requirements of an emergency procurement based on certain criteria under certain circumstances; requiring a procurement officer to execute a certain written contract for an emergency procurement under certain circumstances; prohibiting a unit from paying more than a certain amount in advance of or concurrent with the execution of a certain emergency procurement contract; prohibiting a unit from making certain additional payments under a certain emergency procurement contract for a certain period of time unless authorized by the Board of Public Works; requiring a unit to submit a copy of a certain emergency procurement contract to the Board within a certain period of time; authorizing the Board to review a certain emergency procurement contract at a certain meeting and to direct a unit or the appropriate control agency to take certain actions; altering certain reporting requirements related to emergency procurement contracts; adding certain reporting requirements for certain emergency procurement contracts; requiring an emergency procurement contract to include provisions addressing the contractor’s ability to perform the requirements of the contract within a certain time frame;”; in line 26, strike “of Public Works”; in line 32, after “circumstances;” insert “reducing the number of days after the end of each fiscal year that a primary procurement unit has to submit a certain report concerning certain procurement contracts;”; and in line 40, after “Act;” insert “requiring a certain report to be submitted by the Department of General Services instead of the Department of Budget and Management;”.

AMENDMENT NO. 2

On page 7, in line 28, strike “GOVERNOR’S”.

On page 8, in line 29, after “circumstances” insert “, INCLUDING BY MAKING REASONABLE EFFORTS TO SOLICIT AT LEAST THREE ORAL QUOTES”; in line 32, strike “and”; after line 32, insert:

“(III) BEFORE AWARDING AN EMERGENCY PROCUREMENT CONTRACT TO A PROSPECTIVE CONTRACTOR, EVALUATE THE CONTRACTOR’S ABILITY TO PERFORM THE REQUIREMENTS OF THE CONTRACT BASED ON:

1. THE LENGTH OF TIME THE CONTRACTOR HAS BEEN IN BUSINESS;

2. THE CONTRACTOR'S LEVEL OF EXPERIENCE PROVIDING THE TYPES AND AMOUNTS OF SUPPLIES, SERVICES, MAINTENANCE, COMMODITIES, CONSTRUCTION, OR CONSTRUCTION-RELATED SERVICES REQUIRED UNDER THE CONTRACT; AND

3. THE CONTRACTOR'S HISTORY OF SUCCESSFUL PROCUREMENT CONTRACTS WITH THE STATE AND OTHER JURISDICTIONS;

(IV) EXECUTE A WRITTEN CONTRACT WITH THE SUCCESSFUL CONTRACTOR WHICH INCLUDES THE TERMS OF THE EMERGENCY PROCUREMENT; AND”;

and in line 33, strike “(iii)” and substitute “(v)”.

On page 9, in line 3, after “(4)” insert “(I) **THIS PARAGRAPH APPLIES ONLY TO AN EMERGENCY PROCUREMENT CONTRACT WITH A VALUE OF \$1,000,000 OR MORE.**

(II) 1. IN ADVANCE OF OR CONCURRENT WITH THE EXECUTION OF AN EMERGENCY PROCUREMENT CONTRACT THAT IS SUBJECT TO THIS PARAGRAPH, A UNIT MAY NOT PAY AN AMOUNT THAT EXCEEDS \$2,000,000, PLUS 30% OF THE CONTRACT VALUE IN EXCESS OF \$2,000,000.

2. UNLESS AUTHORIZED BY THE BOARD, THE UNIT MAY NOT MAKE ANY ADDITIONAL PAYMENT UNDER THE CONTRACT UNTIL AT LEAST 30 DAYS AFTER THE EXECUTION OF THE CONTRACT.

(III) NOT LATER THAN 7 DAYS AFTER AWARDING AN EMERGENCY PROCUREMENT CONTRACT THAT IS SUBJECT TO THIS PARAGRAPH, A UNIT SHALL SUBMIT A COPY OF THE CONTRACT TO THE BOARD.

(IV) THE BOARD MAY:

1. REVIEW AN EMERGENCY PROCUREMENT CONTRACT SUBMITTED UNDER THIS PARAGRAPH AT A REGULARLY SCHEDULED MEETING OF THE BOARD OR AT AN EMERGENCY MEETING CALLED FOR THAT PURPOSE; AND

2. DIRECT THE UNIT OR THE APPROPRIATE CONTROL AGENCY TO TAKE ANY ACTION, INCLUDING CANCELING OR RESCINDING THE CONTRACT, THAT THE BOARD DEEMS APPROPRIATE.

(5) IF SUPPLIES OR COMMODITIES PROCURED UNDER AN EMERGENCY PROCUREMENT CONTRACT ARE NOT DELIVERED AND USED WITHIN 1 MONTH AFTER THE DATE THE CONTRACT IS AWARDED, THE UNIT SHALL:

(I) PREPARE A REPORT DESCRIBING THE DELIVERY AND USE STATUS OF SUPPLIES AND COMMODITIES PROCURED UNDER THE CONTRACT AT LEAST ONCE PER MONTH UNTIL ALL SUPPLIES AND COMMODITIES HAVE BEEN DELIVERED AND USED; AND

(II) SUBMIT THE REPORTS PREPARED UNDER THIS PARAGRAPH TO THE BOARD, THE APPROPRIATE CONTROL AGENCY, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE SENATE BUDGET AND TAXATION COMMITTEE, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, AND THE JOINT AUDIT AND EVALUATION COMMITTEE.

(6) A PROCUREMENT CONTRACT AWARDED UNDER THIS SUBSECTION SHALL INCLUDE PROVISIONS ADDRESSING THE CONTRACTOR'S ABILITY TO PERFORM THE REQUIREMENTS OF THE CONTRACT WITHIN THE EMERGENCY TIME FRAME.

(7)";

and in line 7, strike "(5)" and substitute "(8)".

On page 10, in line 32, strike "(B)(4)" and substitute "(B)(7)".

On page 11, in line 5, strike “Governor’s”.

AMENDMENT NO. 3

On page 12, in line 23, strike the second “AND” and substitute “THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE,”; and in line 24, after “COMMITTEE” insert “, THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, AND THE JOINT AUDIT AND EVALUATION COMMITTEE”.

On page 13, in line 4, strike “Governor’s”; in line 6, strike “and” and substitute “the Senate Education, Health, and Environmental Affairs Committee,”; and in the same line, after the second “Committee” insert “, the House Health and Government Operations Committee, and the Joint Audit and Evaluation Committee”.

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 – 125 Negative – 12 (See Roll Call No. 1339)

**CONCURRENCE CALENDAR NO. 27
HOUSE BILLS AMENDED IN THE SENATE**

AMENDED IN THE SENATE

House Bill 974 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – License Sanctions and Sunday
Off-Sale Permits**

PG ~~317-20~~ 317-21

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB0974/564833/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 974

(Third Reading File Bill)

On page 8, in line 13, strike “4 YEARS” and substitute “18 MONTHS”.

The preceding amendment was read and concurred in.

HB0974/734833/1

BY: Senator Patterson

AMENDMENT TO HOUSE BILL 974, AS AMENDED

Click here to enter text.

In line 1 of the Education, Health, and Environmental Affairs Committee Amendment (HB0974/564833/1), strike “18 MONTHS” and substitute “2 YEARS”.

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. 1340)

AMENDED IN THE SENATE

House Bill 1210 – The Speaker

AN ACT concerning

Corporate Diversity – Board, Executive Leadership, and Mission

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB1210/367673/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1210
(Third Reading File Bill)

On page 3, in line 2, after “**TO**” insert “:

(1)”;

in the same line, after “PROPRIETOR” insert “;

(2) A LIMITED LIABILITY COMPANY OWNED BY A SINGLE MEMBER; OR

(3) A PRIVATELY HELD COMPANY IF AT LEAST 75% OF THE COMPANY’S SHAREHOLDERS ARE FAMILY MEMBERS”.

The preceding amendment was read and concurred in.

HB1210/943627/1

BY: Senator Hayes

AMENDMENTS TO HOUSE BILL 1210, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 6, strike “, maintain, and publicly post a certain Scorecard” and substitute “and maintain a certain report”.

AMENDMENT NO. 2

In the Finance Committee Amendment (HB1210/367673/1), in line 5, strike “OR”; in line 7, after “MEMBERS” and insert “; OR

(4) AN ENTITY THAT:

(I) HAS AN ANNUAL OPERATING BUDGET OR ANNUAL SALES LESS THAN \$5,000,000; AND

(II) DOES NOT QUALIFY FOR A STATE BENEFIT”.

AMENDMENT NO. 3

On page 3 of the bill, in line 11, strike “, MAINTAIN, AND POST PUBLICLY” and substitute “AND MAINTAIN”; and in line 12, strike “SCORECARD” and substitute “REPORT”.

The preceding 3 amendments were read and concurred in.

HB1210/403427/1

BY: Senator Salling

AMENDMENT TO HOUSE BILL 1210

(Third Reading File Bill)

On page 2, in line 28, after “SELF-IDENTIFY” insert “:

(I)”.

On page 3, in line 1, after “NATIVE” insert “; OR

(II) WITH ONE OR MORE OF THE RACIAL OR ETHNIC GROUPS LISTED IN ITEM (I) OF THIS PARAGRAPH”.

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 – 95 Negative – 42 (See Roll Call No. 1341)

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1342)

CALENDAR OF THIRD READING SENATE BILLS NO. 68

Senate Bill 201 – Senators Patterson and Sydnor

AN ACT concerning

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

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

Affirmative – 101 Negative – 36 (See Roll Call No. 1343)

The Bill was then returned to the Senate.

VETOED SENATE BILLS – 2021

VETOED MESSAGES – 2021 REGULAR SESSION

(See Exhibit R of Appendix II)

MESSAGE FROM THE SENATE

April 10, 2021

By the Majority Leader

Ladies and Gentlemen of the House of Delegates:

The Senate today, notwithstanding the objections of the Governor, voted to override the Veto on Senate Bill 35. Said bill is sent to you for your consideration.

By Order

Nicole M. Xander
Secretary of the Senate

Read and ordered journalized.

Senate Bill 35 – Senator Feldman

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)

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

Article – State Finance and Procurement

17–201.

(a) In this subtitle, unless the context indicates otherwise, the following words have the meanings indicated.

(b) “Apprentice” means an individual who:

(1) is at least 16 years old;

(2) has signed with an employer or employer’s agent, an association of employers, an organization of employees, or a joint committee from both, an agreement including a statement of:

(i) the trade, craft, or occupation that the individual is learning; and

(ii) the beginning and ending dates of the apprenticeship; and

(3) is registered in a program of the Council or the Office of Apprenticeship of the United States Department of Labor.

(c) “Commissioner” means:

(1) the Commissioner of Labor and Industry;

(2) the Deputy Commissioner of Labor and Industry; or

(3) an authorized representative of the Commissioner.

(d) “Construction” includes all:

(1) building;

(2) reconstructing;

(3) improving;

(4) enlarging;

(5) painting and decorating;

(6) altering;

(7) maintaining; and

(8) repairing.

(e) “Council” means the Apprenticeship and Training Council.

(f) (1) “Employee” means an apprentice or worker employed by a contractor or subcontractor under a public work contract.

(2) “Employee” does not include an individual employed by a public body.

(g) (1) “Locality” means the county in which the work is to be performed.

(2) If the public work is located within 2 or more counties, the locality includes all counties in which the public work is located.

(h) “Prevailing wage rate” means the hourly rate of wages paid in the locality as determined by the Commissioner under § 17–208 of this subtitle.

(i) (1) “Public body” means:

(i) the State;

(ii) except as provided in paragraph (2)(i) of this subsection, a unit of the State government or instrumentality of the State;

(iii) any political subdivision, agency, person, or entity~~;~~

~~1. with respect to the construction of an elementary or a secondary school for which 25% or more of the money used for construction is State money;~~

~~2. with respect to the construction of any other public work for which 50% 25% or more of the money used for construction is~~ **FUNDED IN WHOLE OR IN PART WITH** State money;

(iv) notwithstanding paragraph (2)(ii) of this subsection, a political subdivision if its governing body:

1. provides by ordinance or resolution that the political subdivision is covered by this subtitle; and

2. gives written notice of that ordinance or resolution to the Commissioner; and

(v) the Washington Suburban Sanitary Commission.

(2) “Public body” does not include:

(i) except as provided in paragraph (1)(v) of this subsection, a unit of the State government or instrumentality of the State funded wholly from a source other than the State; or

(ii) any political subdivision, agency, person, or entity~~;~~

~~1. with respect to the construction of an elementary or a secondary school for which less than 25% of the money used for construction is State money;~~ or

~~2.~~ with respect to the construction of any ~~other~~ public work for which less than ~~50%~~ 25% of the money used for construction is State money~~;~~.

(j) (1) Subject to paragraph (2) of this subsection, “public work” means a structure or work, including a bridge, building, ditch, road, alley, waterwork, or sewage disposal plant, that:

(i) is constructed for public use or benefit; or

(ii) is paid for wholly or partly by public money.

(2) “Public work” does not ~~include:~~

~~(i)~~ **INCLUDE; INCLUDE:**

(I) unless let to contract, a structure or work whose construction is performed by a public service company under order of the Public Service Commission or other public authority regardless of:

~~1. (I) 1.~~ public supervision or direction; or

~~2. (II) 2.~~ payment wholly or partly from public money; **OR**

(II) A CAPITAL PROJECT THAT RECEIVES MORE THAN 25% IN STATE FUNDS AND IS FUNDED IN THE ANNUAL STATE CAPITAL BUDGET AS:

~~1. A MISCELLANEOUS GRANT PROGRAM;~~

~~2.~~ **A LOCAL HOUSE OF DELEGATES INITIATIVE; OR**

~~3. 2. A LOCAL SENATE INITIATIVE;~~ or

~~(ii) an elementary or a secondary school if:~~

~~1. the school is not in a political subdivision covered under subsection (i)(1)(iv) of this section; and~~

~~2. the State provides less than 25% of the money for construction.~~

(k) “Public work contract” means a contract for construction of a public work.

(l) “Worker” means a laborer or mechanic.

17–202.

(a) This subtitle does not limit:

(1) the hours of work an employee may work in a particular period of time;

or

(2) the right of a contractor to pay an employee under a public work contract more than the prevailing wage rate.

(b) This subtitle does not apply to:

(1) a public work contract of less than ~~[\$500,000]~~ **\$250,000**; or

(2) the part of a public work contract for which the federal government provides money if, as to that part, the contractor is required to pay the prevailing wage rate as determined by the United States Secretary of Labor.

(c) If this subtitle and the federal Davis–Bacon Act apply and the federal act is suspended, the Governor may declare this subtitle suspended for the same period for:

(1) the part of that public work contract for which the United States Secretary of Labor would have been required to make a determination of a prevailing wage rate; or

(2) that entire public work contract.

(d) (1) Subject to paragraph (2) of this subsection, this subtitle applies to the construction of a structure or work, including a bridge, a building, a ditch, a road, an alley, a waterwork, or a sewage disposal plant, funded with bond proceeds from bonds issued in accordance with Title 12, Subtitle 2 of the Economic Development Article that is located in a designated tax increment financing development district created on or after July 1, 2018, established under State or local law.

(2) This subsection applies to the construction of a structure or work only if a political subdivision of the State, Baltimore City, or the Revenue Authority of Prince

George's County authorizes that the construction of the structure or work is subject to this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only to a public work contract executed on or after October 1, 2021.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

The Speaker put the following question: "Shall the Bill pass, notwithstanding the objections of the Governor?"

The veto was overridden by roll call vote as follows:

Affirmative – 96 Negative – 42 (See Roll Call No. 1344)

Said Bill was then returned to the Senate

MESSAGE TO THE SENATE

April 10, 2021

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor's veto of Senate Bill 35. Said Bill is returned to the Senate herewith, having been enacted under Article II, Section 17, of the Maryland Constitution.

By Order,

Sylvia Siegert, Chief Clerk

Read and adopted.

SPECIAL ORDER CALENDAR NO. 92

Senate Bill 65 – Senator Kelley

AN ACT concerning

Electricity – Renewable Energy Portfolio Standard – Qualifying Biomass

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 96 Negative – 42 (See Roll Call No. 1345)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 1346)

CALENDAR OF THIRD READING SENATE BILLS NO. 52

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

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

Affirmative – 97 Negative – 40 (See Roll Call No. 1347)

The Bill was then returned to the Senate.

**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

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1348)

The Bill was then returned to the Senate.

Senate Bill 360 – Senator Rosapepe

AN ACT concerning

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1349)

The Bill was then returned to the Senate.

Senate Bill 469 – Senator Washington

AN ACT concerning

Maryland Medical Assistance Program – Applied Behavior Analysis Services – Reimbursement

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1350)

The Bill was then returned to the Senate.

Senate Bill 666 – Senator Peters

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 – 124 Negative – 12 (See Roll Call No. 1351)

The Bill was then returned to the Senate.

Senate Bill 689 – Senator Sydnor

AN ACT concerning

Office of Small, Minority, and Women Business Affairs – Duties of the Special Secretary – Minority Business Enterprises

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1352)

The Bill was then returned to the Senate.

Senate Bill 736 – Senator Augustine

~~EMERGENCY BILL~~

AN ACT concerning

**Health Occupations – Pharmacists – Administration of Vaccinations Children’s
Vaccines – Study and Temporary Authority**

FLOOR AMENDMENT

SB0736/293028/1

BY: Delegate Hornberger

AMENDMENTS TO SENATE BILL 736

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Occupations**”; in the same line, strike “**Pharmacists** –” and substitute “**Policy Prohibition and**”; in line 3, strike “– **Study and Temporary Authority**” and substitute “**by Pharmacists**”; in line 4, after “of” insert “prohibiting the State, a county, a municipal corporation, and a county board of education and any other governmental agency from adopting a certain limiting policy based on an individual’s immunization status or health or injury status;”; in line 20, after “to” insert “a prohibition against adopting limiting policies and”; and after line 21, insert:

“BY adding to

Article – Health – General

Section 1–301 to be under the new subtitle “Subtitle 3. Miscellaneous Provisions”

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“Article – Health – General

SUBTITLE 3. MISCELLANEOUS PROVISIONS.

1-301.

THE STATE, A COUNTY, A MUNICIPAL CORPORATION, OR A COUNTY BOARD OF EDUCATION OR ANY OTHER GOVERNMENTAL ENTITY MAY NOT ADOPT A POLICY THAT LIMITS AN INDIVIDUAL’S AUTONOMY, DECISION MAKING, FREEDOM OF EXPRESSION, OR ACCESS TO PUBLIC SERVICES BASED ON THE INDIVIDUAL’S IMMUNIZATION STATUS OR HEALTH OR INJURY STATUS.”

The preceding 2 amendments were read only.

Delegate Cullison moved to make the Bill and Amendment a Special Order for the end of today’s business.

The motion was adopted.

CALENDAR OF THIRD READING SENATE BILLS NO. 66

Senate Bill 74 – ~~Senator Washington~~ Senators Washington, Smith, Waldstreicher, Bailey, Carter, Cassilly, Jackson, Lee, Sydnor, West, and Hettleman

AN ACT concerning

~~**Police Officers – Mental Health – Employee Assistance Programs**~~
Maryland Police Accountability Act of 2021 – Employee Assistance Programs and Early Intervention Programs

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1353)

The Bill was then returned to the Senate.

Senate Bill 414 – Senators Pinsky, Augustine, Kelley, Hettleman, Ellis, Smith, Zucker, Kagan, Patterson, Young, Hester, Feldman, Kramer, Lee, Rosapepe, Elfreth, Guzzone, Waldstreicher, Washington, Beidle, and Lam

AN ACT concerning

Climate Solutions Now Act of 2021

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

Affirmative – 95 Negative – 42 (See Roll Call No. 1354)

The Bill was then returned to the Senate.

Delegate Luedtke moved to Special Order rest of calendar until later today.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 1355)

RECESS

At 2:06 P.M. on motion of Delegate Luedtke the House recessed until 3:15 P.M. on Legislative Day, March 26, 2021, Calendar Day, Saturday, April 10, 2021.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 26, 2021
Calendar Day: Saturday, April 10, 2021

At 3:27 P.M. the House resumed its session and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1356)

EXCUSED:

Delegate Anderson – illness
Delegate Bridges – personal
Delegate Walker – business
Delegate C. Watson – left early – personal
Delegate R. Watson – medical

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB1047
SPONSOR: Delegate Wilkins
SUBJECT: Mail-In Voting Enhancement Act

The Senate does not recede in the Senate amendments.

The Senate respectfully requests the House reconsider and concur.

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and ordered journalized.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 40**

Senate Bill 57 – Senator Lee

AN ACT concerning

Family Law – Child Custody and Visitation

FOR the purpose of requiring a court, in a custody or visitation proceeding, to deny custody or visitation rights to a certain party under certain circumstances, unless the court makes a certain finding and states the reasons for the finding; authorizing the court to approve a supervised visitation arrangement under certain circumstances; providing that any reasonable effort to protect a child or a party to a custody or visitation order from the other party may not be deemed an unjustifiable denial or interference with visitation under a certain provision of law; ~~establishing that there is no presumption that joint custody is in the best interest of the child in a child custody or visitation proceeding; requiring the court, in determining the best interest of the child in a custody or visitation proceeding, to give extra weight to certain factors; requiring the court to consider certain factors; authorizing the court to consider certain factors; requiring the court to articulate certain findings of fact on the record; providing for the scope of certain provisions of this Act;~~ making certain clarifying and conforming changes; and generally relating to child custody and visitation.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 9-101, ~~9-101.1~~, and 9-105
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

~~BY adding to
Article – Family Law
Section 9-109
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 224 – Senator West

AN ACT concerning

Election Law – Correctional Facilities – Voter Registration and Voting

FOR the purpose of requiring the Department of Public Safety and Correctional Services to provide each individual who is released from a correctional facility with a voter

registration application and documentation with certain papers, display a certain sign in each parole and probation office, and post a certain notice on the Department's website; requiring the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote; requiring the regulations to require the State Board or local boards of elections to disseminate certain information and instructions, provide certain opportunities for eligible voters to register to vote and to vote, and provide for the timely return of certain applications and ballots; requiring each correctional facility to cooperate fully with the State Board and the local boards in implementing the program; requiring the State Board to submit a certain report on or before a certain date each year to certain committees of the General Assembly; defining certain terms; and generally relating to voter registration and voting by eligible voters who are released from a correctional facility or incarcerated in a correctional facility.

BY adding to

Article – Correctional Services
Section 2–501
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Election Law
Section 1–303.1
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law
Section 3–102
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

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

VETOED SENATE BILLS

VETOED MESSAGES – 2021 REGULAR SESSION

(See Exhibit R of Appendix II)

MESSAGE FROM THE SENATE

April 10, 2021

By the Majority Leader

Ladies and Gentlemen of the House of Delegates:

The Senate today, notwithstanding the objections of the Governor, voted to override the Veto on Senate Bill 71. Said bill is sent to you for your consideration.

By Order

Nicole M. Xander
Secretary of the Senate

Read and ordered journalized.

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, Employee Programs, and Use of Force

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

The veto was overridden by roll call vote as follows:

Affirmative – 94 Negative – 43 (See Roll Call No. 1357)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

April 10, 2021

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor’s veto of Senate Bill 71. Said Bill is returned to the Senate herewith, having been enacted under Article II, Section 17, of the Maryland Constitution.

By Order,
Sylvia Siegert, Chief Clerk

MESSAGE FROM THE SENATE

April 10, 2021

By the Majority Leader

Ladies and Gentlemen of the House of Delegates:

The Senate today, notwithstanding the objections of the Governor, voted to override the Veto on Senate Bill 494. Said bill is sent to you for your consideration.

By Order

Nicole M. Xander
Secretary of the Senate

Read and ordered journalized.

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)**

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

The veto was overridden by roll call vote as follows:

Affirmative – 88 Negative – 49 (See Roll Call No. 1358)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

April 10, 2021

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor’s veto of Senate Bill 494. Said Bill is returned to the Senate herewith, having been enacted under Article II, Section 17, of the Maryland Constitution.

By Order,
Sylvia Siegert, Chief Clerk

MESSAGE FROM THE SENATE

April 10, 2021

By the Majority Leader

Ladies and Gentlemen of the House of Delegates:

The Senate today, notwithstanding the objections of the Governor, voted to override the Veto on Senate Bill 178. Said bill is sent to you for your consideration.

By Order

Nicole M. Xander
Secretary of the Senate

Read and ordered journalized.

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)~~

Search Warrants and Inspection of Records Relating to Police Misconduct
(Anton’s Law)

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

The veto was overridden by roll call vote as follows:

Affirmative – 90 Negative – 46 (See Roll Call No. 1359)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

April 10, 2021

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor's veto of Senate Bill 178. Said Bill is returned to the Senate herewith, having been enacted under Article II, Section 17, of the Maryland Constitution.

By Order,
Sylvia Siegert, Chief Clerk

QUORUM CALL

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

(See Roll Call No. 1360)

SPECIAL ORDERS

CALENDAR OF THIRD READING SENATE BILLS NO. 66

STATUS OF BILL: BILLS ON 3RD READING.

Senate Bill 415 – Senator Pinsky

AN ACT concerning

Public Financing Act – Matching Fund Revisions (Maryland Fair Elections Act)

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

Affirmative – 98 Negative – 38 (See Roll Call No. 1361)

The Bill was then returned to the Senate.

Senate Bill 497 – Senators Kelley, Guzzone, Carter, Beidle, McCray, Feldman, Eckardt, Augustine, Smith, and Sydnor

AN ACT concerning

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

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

Affirmative – 125 Negative – 12 (See Roll Call No. 1362)

The Bill was then returned to the Senate.

Senate Bill 525 – Senator McCray

AN ACT concerning

~~**Baltimore City Department of Public Safety and Correctional Services and
State Board of Elections – Centralized Booking Facility – Voting Information
and Early Voting Polling Place Ballot Drop Box**~~

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

Affirmative – 93 Negative – 44 (See Roll Call No. 1363)

The Bill was then returned to the Senate.

Senate Bill 551 – Senator Rosapepe

AN ACT concerning

~~**School Construction Incentive Act of 2021
Workgroup on School Construction Incentives**~~

Delegate McIntosh moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

CALENDAR OF THIRD READING SENATE BILLS NO. 53

Senate Bill 95 – Senator Kramer

AN ACT concerning

Public Utilities – Investor-Owned Utilities – Prevailing Wage

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

Affirmative – 93 Negative – 42 (See Roll Call No. 1364)

The Bill was then returned to the Senate.

Senate Bill 318 – Senators Bailey and Simonaire

AN ACT concerning

Natural Resources – Fishing and Hunting Rights

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

Affirmative – 106 Negative – 29 (See Roll Call No. 1365)

The Bill was then returned to the Senate.

Senate Bill 392 – Senator Augustine

EMERGENCY BILL

AN ACT concerning

Electricity and Gas – Limited-Income Mechanisms and Assistance

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

Affirmative – 93 Negative – 41 (See Roll Call No. 1366)

The Bill was then returned to the Senate.

Senate Bill 501 – Senator Beidle

AN ACT concerning

**Towing or Removal of Vehicles From Parking Lots – Placement of Signs –
Regional Malls**

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

Affirmative – 112 Negative – 25 (See Roll Call No. 1367)

The Bill was then returned to the Senate.

Senate Bill 681 – Senator Ready

AN ACT concerning

Motor Vehicles – Inspection Certificates – Exception

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1368)

The Bill was then returned to the Senate.

Senate Bill 691 – Senator Hettleman

AN ACT concerning

Real Property – Landlord and Tenant – Reusable Tenant Screening Reports

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

Affirmative – 116 Negative – 20 (See Roll Call No. 1369)

The Bill was then returned to the Senate.

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**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1370)

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: HB0289
SPONSOR: Delegate Atterbeary
SUBJECT: Peace Orders – Workplace Violence

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 Atterbeary, Chairman
Delegate Shetty
Delegate Williams.

The Senate appoints:

Senator Sydnor, Chair
Senator Hettleman
Senator Carter

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and ordered journalized.

CALENDAR OF THIRD READING SENATE BILLS NO. 67

Senate Bill 427 – Senators Elfreth and West

AN ACT concerning

Public Schools – Provision of Menstrual Hygiene Products – Requirement

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

Affirmative – 104 Negative – 31 (See Roll Call No. 1371)

The Bill was then returned to the Senate.

Senate Bill 627 – Senator Carter

EMERGENCY BILL

AN ACT concerning

Maryland Police Accountability Act of 2021 – Law Enforcement Officers’ Bill of Rights – Repeal and Procedures for Discipline

FLOOR AMENDMENT

SB0627/893824/1

BY: Delegate Malone

AMENDMENTS TO SENATE BILL 627, AS AMENDED

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AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0627/312211/1), in line 16 of Amendment No. 1, strike “sent to” and substitute “served in a certain manner on”.

AMENDMENT NO. 2

On page 6 of the House Judiciary Committee Amendments, in line 21 of Amendment No. 2, after “SERVED” insert “, BY WAY OF DIRECT PERSONAL SERVICE,”.

On page 17 of the House Judiciary Committee Amendments, in line 13 of Amendment No. 2, after “SERVED” insert “, BY WAY OF DIRECT PERSONAL SERVICE,”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0627/783123/1

BY: Delegate Dumais

AMENDMENTS TO SENATE BILL 627, AS AMENDED

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AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0627/312211/1), in the tenth line from the bottom of Amendment No. 1, after “persons” insert “in a certain manner”.

AMENDMENT NO. 2

On page 6 of the House Judiciary Committee Amendments, in the third line from the bottom of Amendment No. 2, after “NOTICE” insert “AND A COPY”; in the second line from the bottom, after “SUBSECTION” insert “, ALONG WITH INSTRUCTIONS TO OBTAIN INDEPENDENT COUNSEL”; and in the same line, after “SERVED” insert “, BY THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY PROSECUTING THE CASE BY DIRECT PERSONAL SERVICE,”.

On page 7 of the House Judiciary Committee Amendments, after line 9 of Amendment No. 2, insert:

“(3) DIRECT PERSONAL SERVICE MAY NOT BE ACCOMPLISHED BY LEAVING THE NOTICE AND COMPLAINT:

(I) AT THE OFFICE OR HOME OF THE INDIVIDUAL DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION; OR

(II) WITH AN INDIVIDUAL OF SUITABLE AGE AND DISCRETION RESIDING AT THE HOME, OTHER THAN THOSE INDIVIDUALS LISTED IN PARAGRAPH (2) OF THIS SUBSECTION.”;

and in line 10, strike “(3)” and substitute “(4)”.

On page 17 of the House Judiciary Committee Amendments, in line 12 of Amendment No. 2, after “NOTICE” insert “AND A COPY”; in line 13, after “SUBSECTION” insert “, ALONG WITH INSTRUCTIONS TO OBTAIN INDEPENDENT COUNSEL,”; and in the same line, after “SERVED” insert “, BY THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY PROSECUTING THE CASE BY DIRECT PERSONAL SERVICE,”.

On page 18 of the House Judiciary Committee Amendments, after line 3 of Amendment No. 2, insert:

“(3) DIRECT PERSONAL SERVICE MAY NOT BE ACCOMPLISHED BY LEAVING THE NOTICE AND COMPLAINT:

(I) AT THE OFFICE OR HOME OF THE INDIVIDUAL DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION; OR

(II) WITH AN INDIVIDUAL OF SUITABLE AGE AND DISCRETION RESIDING AT THE HOME, OTHER THAN THOSE INDIVIDUALS LISTED IN PARAGRAPH (2) OF THIS SUBSECTION.”;

and in line 4, strike “(3)” and substitute “(4)”.

The preceding 2 amendments were withdrawn.

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

Affirmative – 94 Negative – 42 (See Roll Call No. 1372)

The Bill was then returned to the Senate.

Senate Bill 632 – Senator Kagan

AN ACT concerning

Election Law – Contested Elections

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1373)

The Bill was then returned to the Senate.

Senate Bill 669 – Senator Waldstreicher

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Constitutional Amendment – Civil Jury Trials

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

Affirmative – 100 Negative – 35 (See Roll Call No. 1374)

The Bill was then returned to the Senate.

Senate Bill 670 – Senator Waldstreicher

AN ACT concerning

Courts – Civil Jury Trials – Amount in Controversy

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

Affirmative – 100 Negative – 35 (See Roll Call No. 1375)

The Bill was then returned to the Senate.

Senate Bill 133 – Senator Rosapepe

AN ACT concerning

Local Tax Relief for Working Families Act of 2021

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

Affirmative – 95 Negative – 40 (See Roll Call No. 1376)

The Bill was then returned to the Senate.

**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

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1377)

The Bill was then returned to the Senate.

Senate Bill 459 – Senator Feldman

AN ACT concerning

**~~Economic Development – Maryland Small Business Innovation Research
Technical Assistance Program – Alterations~~ Comprehensive Technical
Assistance Program – Establishment**

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

Affirmative – 133 Negative – 1 (See Roll Call No. 1378)

The Bill was then returned to the Senate.

**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**

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

Affirmative – 126 Negative – 8 (See Roll Call No. 1379)

The Bill was then returned to the Senate.

Senate Bill 659 – Senator Guzzone

AN ACT concerning

Historic Revitalization Tax Credit – Small Commercial Projects – Alterations

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1380)

The Bill was then returned to the Senate.

Senate Bill 716 – Senators Carozza, Hershey, and Lam

AN ACT concerning

Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere

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

Affirmative – 100 Negative – 33 (See Roll Call No. 1381)

The Bill was then returned to the Senate.

Senate Bill 887 – Senators Elfreth and Simonaire

AN ACT concerning

Property Tax Credit – Business Entities – State of Emergency

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1382)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 59

Senate Bill 119 – Senators Guzzone and Elfreth

AN ACT concerning

Clean Water Commerce Act of 2021

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

Affirmative – 95 Negative – 39 (See Roll Call No. 1383)

The Bill was then returned to the Senate.

Senate Bill 278 – Senator Kagan

EMERGENCY BILL

AN ACT concerning

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

FLOOR AMENDMENT

SB0278/713429/1

BY: Delegate Arikan

AMENDMENTS TO SENATE BILL 278

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “requiring the State Department of Education and the Maryland Department of Health to establish certain requirements for, apply a certain standard and scope of oversight to, and ensure compliance with certain laws for certain services, and to prohibit the provision of certain services, by a school-based health center providing health care services through telehealth;”.

AMENDMENT NO. 2

On page 2, in line 14, strike “may not”; after line 14, insert:

“(1) shall:

(i) require a school-based health center to submit an application to and receive approval from the State Department of Education and, as appropriate, the Maryland Department of Health before providing health care services through telehealth;

(ii) apply the same standard and scope of oversight to a school-based health center providing health care services through telehealth as the standards and scope of oversight applied to a school-based health center providing traditional health care services;

(iii) ensure that a school-based health center approved to provide health care services through telehealth meets all applicable privacy law requirements, including those required for protecting student information;

(iv) require that a school-based health center notify a student's parent or guardian of any health care services provided to the student through telehealth; and

(v) prohibit a school-based health center from providing or referring a student for or counseling a student on abortion services or prescribing an abortifacient drug, including Mifeprex and mifepristone, through telehealth; and”;

strike in their entirety lines 15 through 18, inclusive; and in line 19, after “(2)” insert “may not”.

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

Affirmative – 41 Negative – 93 (See Roll Call No. 1384)

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

Affirmative – 116 Negative – 16 (See Roll Call No. 1385)

The Bill was then returned to the Senate.

Senate Bill 546 – Senator McCray

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 – 129 Negative – 1 (See Roll Call No. 1386)

The Bill was then returned to the Senate.

Senate Bill 697 – Senator Eckardt

AN ACT concerning

State Procurement – Minority Business Enterprise Program – Participation by Gender or Race

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

Affirmative – 131 Negative – 1 (See Roll Call No. 1387)

The Bill was then returned to the Senate.

Senate Bill 777 – Senators Elfreth, Augustine, Ferguson, Beidle, Washington, Feldman, Jackson, Guzzone, Griffith, Eckardt, and Waldstreicher

AN ACT concerning

Public Health – Maryland Prenatal and Infant Care Grant Program Fund

FLOOR AMENDMENT

SB0777/453420/1

BY: Delegate Wivell

AMENDMENTS TO SENATE BILL 777

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after “program;” insert “prohibiting the Secretary from awarding a grant to a certain federally qualified health center, hospital, or provider of prenatal care;”.

AMENDMENT NO. 2

On page 7, in line 6, strike “**THE**” and substitute “**SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**”; after line 12, insert:

“(II) THE SECRETARY MAY NOT AWARD A GRANT UNDER THIS SECTION TO A FEDERALLY QUALIFIED HEALTH CENTER, HOSPITAL, OR PROVIDER OF PRENATAL CARE THAT PROVIDES ABORTION SERVICES.”;

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

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

Affirmative – 40 Negative – 92 (See Roll Call No. 1388)

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

Affirmative – 111 Negative – 22 (See Roll Call No. 1389)

The Bill was then returned to the Senate.

Senate Bill 830 – Senator Lam

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 – 97 Negative – 36 (See Roll Call No. 1390)

The Bill was then returned to the Senate.

Senate Bill 958 – Senators Zucker and Peters

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 – 0 (See Roll Call No. 1391)

The Bill was then returned to the Senate.

JUDICIARY COMMITTEE REPORT NO. 60

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

House Bill 899 – Delegate Bartlett

AN ACT concerning

Courts – Civil Jury Trials – Amount in Controversy

HB0899/802412/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 899

(First Reading File Bill)

On page 1, in line 17, strike “**\$30,000**” and substitute “**\$25,000**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 902 – Delegate Bartlett

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Constitutional Amendment – Civil Jury Trials

HB0902/922419/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 902

(First Reading File Bill)

On page 2, in lines 3 and 15, in each instance, strike “**\$30,000**” and substitute “**\$25,000**”.

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. 7

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

House Joint Resolution 1 – Delegate Stein

A House Joint Resolution concerning

Natural Resources – Fishing – Wild–Caught Blue Catfish

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 Joint Resolution 4 – Senator Guzzone

A Senate Joint Resolution concerning

Natural Resources – Fishing – Wild–Caught Blue Catfish

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 8

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably with amendments:

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

AN ACT concerning

Historic St. Mary’s City Fort to 400 Commission

SB0946/353128/1

BY: Rules and Executive Nominations Committee

AMENDMENTS TO SENATE BILL 946

(First Reading File Bill)

On page 2, strike in their entirety lines 28 and 29.

On page 3, in lines 1 and 3, in each instance, strike “**ONE MEMBER**” and substitute “**TWO MEMBERS**”; strike line 20 in its entirety; and in lines 1, 3, 5, 7, 9, 11, 12, 14, 16, 18, 21, and 23, 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.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 12 SPONSOR: Delegate Watson, C.

SUBJECT: Alcoholic Beverages – Sale or Delivery for
Off-Premises Consumption

THIRD READING CALENDAR HOUSE NO. 49 SENATE NO. 12

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 Education, Health, and Environmental Affairs Committee Amendments (HB0012/464133/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0012/553594/1) be adopted.

HB0012/553594/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 12

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “circumstances;” insert “providing that certain authorization for the holders of certain licenses to sell alcoholic beverages for off-premises consumption in a certain manner applies only in a jurisdiction in which the local licensing board has adopted certain regulations;”; and in line 10, after “transaction;” insert “requiring the Alcohol and Tobacco Commission and the Maryland Department of Health jointly to conduct a certain study and submit a certain report to the General Assembly;”.

AMENDMENT NO. 2

On page 2, after line 17, insert:

“(A) (1) THIS SECTION APPLIES ONLY IN A JURISDICTION IN WHICH THE LOCAL LICENSING BOARD HAS ADOPTED REGULATIONS TO AUTHORIZE THE SALE OR DELIVERY OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION IN ACCORDANCE WITH THIS SECTION.

“(2) IN CONSIDERING WHETHER TO ADOPT REGULATIONS UNDER THIS SECTION, A LOCAL LICENSING BOARD 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.”;

and in line 18, strike “(A)” and substitute “(B)”.

On page 3, in line 28, strike “(B)” and substitute “(C)”.

On page 5, in line 3, strike “(C)” and substitute “(D)”; after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Alcohol and Tobacco Commission and the Maryland Department of Health shall jointly:

(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.”;

and in line 10, strike “2.” and substitute “3.”.

Senate Members:

House Members:

Chair, **Bryan W. Simonaire**

Chair, **Dereck E. Davis**

Paul G. Pinsky

Talmadge Branch

Mary Washington

Courtney Watson

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 – 130 Negative – 0 (See Roll Call No. 1392)

The Bill was then sent to the Senate.

SPECIAL ORDERS

Senate Bill 551 – Senator Rosapepe

AN ACT concerning

~~School Construction Incentive Act of 2021~~
Workgroup on School Construction Incentives

STATUS OF BILL: BILL ON 3RD READING.

FLOOR COMMITTEE AMENDMENT

SB0551/713920/1

BY: Chair, Appropriations Committee

AMENDMENT TO SENATE BILL 551, AS AMENDED[Click here to enter text.](#)

On page 12 of the Appropriations Committee Amendments (SB0551/704062/1), in line 13 of Amendment No. 2, before “**NOTWITHSTANDING**” insert “**(I)**”; strike beginning with the bracket in line 16 down through “and” in line 17 and substitute a period; in line 18, before “advance” insert “**THE AUTHORITY MAY**”; in the same line, strike “fiscal year 2021” and substitute “**FISCAL YEARS 2021 AND 2022**”; and in line 21, strike the bracket.

The preceding amendment was read and adopted.Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 1393)

The Bill was then returned to the Senate.**SPECIAL ORDERS****Senate Bill 736 – Senator Augustine**~~EMERGENCY BILL~~

AN ACT concerning

**Health Occupations – Pharmacists – Administration of Vaccinations Children’s
Vaccines – Study and Temporary Authority**

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

SB0736/293028/1

BY: Delegate Hornberger

AMENDMENTS TO SENATE BILL 736

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Occupations**”; in the same line, strike “**Pharmacists** –” and substitute “**Policy Prohibition and**”; in line 3, strike “– **Study and Temporary Authority**” and substitute “**by Pharmacists**”; in line 4, after “of” insert “**prohibiting the State, a county, a municipal corporation, and a county board of education and any other governmental agency from adopting a certain limiting policy based on an individual’s immunization status or health or injury status;**”; in line 20, after “to” insert “**a prohibition against adopting limiting policies and**”; and after line 21, insert:

“BY adding to

Article – Health – General

Section 1–301 to be under the new subtitle “Subtitle 3. Miscellaneous Provisions”

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

Article – Health – General

SUBTITLE 3. MISCELLANEOUS PROVISIONS.

1–301.

THE STATE, A COUNTY, A MUNICIPAL CORPORATION, OR A COUNTY BOARD OF EDUCATION OR ANY OTHER GOVERNMENTAL ENTITY MAY NOT ADOPT A POLICY THAT LIMITS AN INDIVIDUAL’S AUTONOMY, DECISION MAKING, FREEDOM OF EXPRESSION, OR ACCESS TO PUBLIC SERVICES BASED ON THE INDIVIDUAL’S IMMUNIZATION STATUS OR HEALTH OR INJURY STATUS.”

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

Affirmative – 41 Negative – 90 (See Roll Call No. 1394)

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

Affirmative – 117 Negative – 15 (See Roll Call No. 1395)

The Bill was then returned to the Senate.

SPECIAL ORDERS

Senate Bill 888 – Senator Beidle

AN ACT concerning

**Anne Arundel County – Speed Monitoring Systems – Maryland Route 175
(Jessup Road)**

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

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

House Bill 1173 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bond

STATUS OF BILL: BILL ON 3RD READING.

Delegate Ghrist moved the previous question.

The motion was adopted.

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

Affirmative – 118 Negative – 15 (See Roll Call No. 1396)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE INTRODUCTORY SENATE BILLS NO. 41

**Senate Bill 154 – Senators Hettleman, Carter, Jackson, Lee, Smith, Sydnor, and
Waldstreicher, and West**

AN ACT concerning

Landlord and Tenant – ~~Eviction Action – Right~~ Residential Tenants – Access to Counsel

FOR the purpose of establishing that certain procedural notice requirements must be fulfilled prior to the filing of a complaint by a landlord or a landlord's duly qualified agent for the repossession of residential rental property for failure to pay rent; requiring that, before a landlord may file a complaint to repossess property for the failure to pay rent, the landlord provide certain written notice containing certain information to the tenant in a certain manner; establishing that certain individuals ~~have a right~~ shall have access to legal representation in eviction proceedings; establishing the ~~position of Right~~ Access to Counsel in Evictions ~~Coordinator in the Office of the Attorney General Program~~; providing for the purpose, ~~appointment, duties, and expenses of the Coordinator~~; requiring the legal representation of certain individuals in certain civil proceedings and matters by certain organizations; authorizing the ~~Coordinator to contract with certain organizations to manage all or part of certain services provided to certain individuals~~; of the Program; requiring the Maryland Legal Services Corporation to administer the Program; requiring the Maryland Legal Services Corporation, under the Program, to provide access to legal representation to certain individuals in eviction proceedings under certain circumstances; requiring the legal representation of certain individuals in certain civil proceedings and matters by certain organizations; authorizing the Maryland Legal Services Corporation to contract with certain organizations to manage all or part of certain services provided to certain individuals; authorizing the Maryland Legal Services Corporation to contract with a certain organization to manage all or part of certain services provided to certain individuals; requiring the ~~Coordinator~~ Maryland Legal Services Corporation to develop a certain pamphlet and for a sheriff or constable to provide certain individuals with the pamphlet when serving process for certain civil proceedings; requiring the ~~Coordinator~~ Maryland Legal Services Corporation to designate certain community groups for a certain purpose; requiring the ~~Coordinator~~ Maryland Legal Services Corporation to report to the Governor and the General Assembly on or before a certain date, ~~to publish the report on the Attorney General's website, and to hold a public hearing on the report~~; establishing the ~~Right~~ Access to Counsel in Evictions Task Force; providing for the composition, ~~staffing~~, and chair 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 to the Governor and the General Assembly on or before a certain date; authorizing the Task Force to apply for certain grants for a certain purpose; establishing the ~~Right~~ Access to Counsel in Evictions ~~Special~~ Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the ~~Right to Counsel in Evictions Coordinator~~ Maryland Legal Services Corporation to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the

State; requiring that the provisions of this Act be fully implemented within a certain period of time; providing that priority of funding under this Act be given to tenants in certain local jurisdictions; authorizing a local jurisdiction to adopt certain local law; requiring the ~~Coordinator~~ Maryland Legal Services Corporation to provide funds to certain local jurisdictions under certain circumstances; ~~requiring the Coordinator to adopt certain regulations~~ requiring the Maryland Judiciary to develop and publish a certain form; making the provisions of this Act severable; defining certain terms; and generally relating to ~~the right~~ access to counsel in housing proceedings.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–401

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – Real Property

Section 8–901 through ~~8–912~~ 8–911 to be under the new subtitle “Subtitle 9. ~~Right~~
Access to Legal Representation in Eviction Cases”

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020 and Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)128. and 129.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020 and Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)130.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2020 and Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1397)

ADJOURNMENT

At 5:59 P.M. on motion of Delegate Luedtke the House adjourned until 1:00 P.M. on Legislative Day March 27, 2021, Calendar Day, Monday, April 12, 2021.

Annapolis, Maryland
Legislative Day: March 27, 2021
Calendar Day: Monday, April 12, 2021
1:00 P.M. Session

The House met at 1:06 P.M. and pledged Allegiance to the Flag.

QUORUM CALL

The presiding officer announced a quorum call, showing 111 Members present.

(See Roll Call No. 1398)

EXCUSED:

Delegate Anderson – illness
Delegate Reznik – late – personal
Delegate Shoemaker – late – medical
Delegate R. Watson – medical

The Journal of March 26, 2021 was read and approved.

YEAS AND NAYS NO. 12
HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 90	Del. Lierman	State and Local Housing Programs – Affirmatively Furthering Fair Housing
HB 92	Del. Luedtke	Procurement – Invasive Plant Species – Prohibition on Use of State Funds
HB 97 (Emerg)	Del. Lierman	Department of Housing and Community Development – Office of Statewide Broadband – Established (Digital Connectivity Act of 2021)
HB 414	Del. D.M. Davis	Southern Maryland Rapid Transit Project – Funding
HB 561	Del. D.E. Davis	Renewable Energy Portfolio Standard – Wastewater Heating or Cooling System

NUMBER	SPONSOR	CONTENT
HB 804	Del. Palakovich Carr	Taxes – Whistleblower Reward Program and Statute of Limitations for Tax Collections
HB 815	Del. Shoemaker	State Agricultural Land Transfer Tax – Application of Nonagricultural Use Reduction and Exemption
HB 839	Del. Qi	State Department of Assessments and Taxation – Lists of Business Entities Not Filing Annual Report
HB 867	Del. Smith	Baltimore Regional Neighborhood Initiative Program Fund
HB 1155	Howard County Delegation	Howard County – Alcoholic Beverages – Delivery Ho. Co. 01–21
HB 1239	Del. Lierman	Department of Housing and Community Development – Appraisal Gap From Historic Redlining Financial Assistance Program – Establishment
HB 1311	Del. Mangione	Property Tax Exemption – Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Refund

Read and ordered journalized.

**MESSAGE FROM THE SENATE
INTRODUCTORY SENATE BILLS NO. 42**

Senate Bill 853 – Senator Carter (By Request – Juvenile Justice Reform Council)

AN ACT concerning

Juvenile Law – Juvenile Justice Reform Council Extension and Grant Funding

FOR the purpose of ~~altering provisions of law relating to the jurisdiction of the juvenile court; providing that a child who is under a certain age is not subject to the jurisdiction of the juvenile court and may not be charged with a crime; establishing an exception to the requirement that a certain intake officer forward a certain complaint and copy of a certain intake case file to the State's Attorney under certain circumstances; altering provisions of law relating to the referral by an intake officer of a complaint alleging the commission of a certain act by a juvenile under certain~~

~~circumstances; establishing a certain exception to the requirement that a certain intake officer provide certain information to a victim; repealing the requirement that a victim consent before a certain intake officer is authorized to proceed with an informal adjustment of a certain matter; authorizing a court to hold a certain proceeding in abeyance to allow for informal adjustment under certain circumstances; requiring a court to dismiss a delinquency petition under certain circumstances; requiring a court to resume certain proceedings against a child under certain circumstances; requiring the juvenile court or an intake officer to consider the results of a risk scoring instrument under certain circumstances; prohibiting a certain child from being placed in detention before a hearing under certain circumstances; altering a requirement that the Department of Juvenile Services appear at a certain hearing before the juvenile court with a certain child to explain the reasons for the child's continued detention under certain circumstances; requiring the Department of Juvenile Services to submit a certain plan to the juvenile court within a certain number of days after a decision to detain a certain child; altering a provision of law prohibiting a certain child from being committed to the Department of Juvenile Services for out of home placement under certain circumstances; providing for certain maximum periods of time that the juvenile court is authorized to place a child on probation; authorizing the court to extend a certain period of probation by certain periods of time under certain circumstances; prohibiting a certain child from being placed in a facility used for detention for a certain technical violation of probation; authorizing a certain law enforcement officer to issue a citation to a child for an offense that would be a misdemeanor if committed by an adult under certain circumstances and subject to a certain exception; requiring the State Department of Education to develop and implement certain educational programming; requiring the Governor's Office of Crime Prevention, Youth, and Victim Services to request and analyze certain data; requiring the Governor's Office of Crime Prevention, Youth, and Victim Services to annually report certain findings to the Governor and the General Assembly; establishing the Commission on Juvenile Justice Reform and Emerging and Best Practices; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation but authorizing the reimbursement of certain expenses; requiring the Commission to research and evaluate certain matters; requiring the Commission to annually report its findings to the Governor and the General Assembly requiring the Governor to include in the annual budget bill an appropriation for a certain grant; prohibiting the chair of the Juvenile Justice Reform Council from being employed by or under contract with the Department of Juvenile Services; requiring the Juvenile Justice Reform Council to submit a supplemental report on its findings and recommendations to the Governor and the General Assembly on or before a certain date; altering the termination date for the Council; requiring the Department of Juvenile Services to report on certain matters to the General Assembly on or before a certain date; requiring the Governor's Office of Crime Prevention, Youth, and Victim Services to develop a certain model policy, study certain matters, and report its findings to the General Assembly on or before a certain date; altering certain definitions; defining certain terms; correcting an obsolete cross reference; repealing an obsolete term; making conforming changes; and generally relating to juvenile justice.~~

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

~~Article — Courts and Judicial Proceedings~~

~~Section ~~3~~ 8A-01(a)~~

~~Annotated Code of Maryland~~

~~(2020 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~

~~Article — Courts and Judicial Proceedings~~

~~Section ~~3~~ 8A-01(l) and (dd), ~~3~~ 8A-03, ~~3~~ 8A-10(e)(4) and (e), ~~3~~ 8A-15(b) and (l),~~

~~~~3~~ 8A-19(d)(1)(i) and (3)(i), and ~~3~~ 8A-33(a)~~

~~Annotated Code of Maryland~~

~~(2020 Replacement Volume)~~

~~BY adding to~~

~~Article — Courts and Judicial Proceedings~~

~~Section ~~3~~ 8A-10(n), ~~3~~ 8A-15(m), ~~3~~ 8A-19.6, and ~~3~~ 8A-19.7~~

~~Annotated Code of Maryland~~

~~(2020 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~

~~Article — Education~~

~~Section ~~22~~ 303~~

~~Annotated Code of Maryland~~

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

BY adding to

Article – Public Safety

Section ~~3~~ ~~523~~ 4-1010

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

~~BY adding to~~

~~Article — State Government~~

~~Section ~~9~~ 3301 and ~~9~~ 3302 to be under the new subtitle “Subtitle 33. Commission on Juvenile Justice Reform and Emerging and Best Practices”~~

~~Annotated Code of Maryland~~

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

BY repealing and reenacting, with amendments,

Chapter 253 of the Acts of the General Assembly of 2019

Section 1(g)(2) ~~1(e) and (g)(2)~~ and 2

BY adding to

Chapter 253 of the Acts of the General Assembly of 2019

Section 1(g)(3)

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

### QUORUM CALL

The presiding officer announced a quorum call, showing 119 Members present.

(See Roll Call No. 1399)

### ECONOMIC MATTERS COMMITTEE REPORT NO. 47

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

#### **Senate Bill 307 – Senator Guzzone**

AN ACT concerning

#### **Labor and Employment – Direct Care Workforce Innovation Program**

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 396 – Senator Carter**

AN ACT concerning

#### **Baltimore City – Alcoholic Beverages Licenses – Hours of Sale**

**SB0396/883795/1**

BY: Economic Matters Committee

#### AMENDMENT TO SENATE BILL 396

(Third Reading File Bill)

On page 2, in line 17, strike “**NORTH**” and substitute “**SOUTH**”.

The preceding amendment was read only.

Delegate Luedtke moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 46**

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

**Senate Bill 137 – Senator Zucker**

AN ACT concerning

**Maryland Transit Administration – Conversion to Zero-Emission Buses  
(Zero-Emission Bus Transition Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 61**

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

**Senate Bill 515 – Senator Klausmeier**

**EMERGENCY BILL**

AN ACT concerning

**Criminal Procedure – Registered Sex Offenders – Entry Onto School Property**

Favorable report adopted.

**FLOOR AMENDMENT**

**SB0515/483520/1**

BY: Delegate Cox

AMENDMENTS TO SENATE BILL 515  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Property**” insert “**and Residency Restrictions**”; in line 10, after “policy;” insert “**prohibiting a certain individual registered with the State sex offender registry from residing within a certain distance of certain locations; establishing a certain penalty; providing for the application of a certain provision of this Act;**”; in line 12, strike “on school property”; and after line 17, insert:

“BY adding to

Article – Criminal Procedure

Section 11–722.1

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 4, after line 6, insert:

**11–722.1.**

**(A) THIS SECTION APPLIES ONLY TO A REGISTRANT FOR WHICH THE OFFENSE RESULTING IN REGISTRATION INVOLVED A VICTIM UNDER THE AGE OF 18 YEARS AND THE REGISTRANT WAS AT LEAST 21 YEARS OLD AT THE TIME THE OFFENSE WAS COMMITTED.**

**(B) A REGISTRANT MAY NOT RESIDE WITHIN 1,000 FEET OF:**

**(1) A SCHOOL; OR**

**(2) A CHILD CARE FACILITY.**

**(C) 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 \$5,000 OR BOTH.**

SECTION 2. AND BE IT FURTHER ENACTED, That § 11–722.1 of the Criminal Procedure Article, as enacted by this Act, shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any person required to register as a sex offender before the effective date of this Act.”;

and in line 7, strike “2.” and substitute “3.”.

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

Affirmative – 47    Negative – 85    (See Roll Call No. 1400)

Read the second time and ordered prepared for Third Reading.

### **SPECIAL ORDERS**

#### **Senate Bill 396 – Senator Carter**

AN ACT concerning

#### **Baltimore City – Alcoholic Beverages Licenses – Hours of Sale**

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

**SB0396/883795/1**

BY: Economic Matters Committee

#### AMENDMENT TO SENATE BILL 396

(Third Reading File Bill)

On page 2, in line 17, strike “NORTH” and substitute “SOUTH”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 35**

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

#### **Senate Bill 167 – Senator West**

AN ACT concerning

**State Board of Social Work Examiners – Temporary License to Practice Social Work**

**SB0167/736882/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 167

(Third Reading File Bill)

On page 3, in line 1, strike “**THE**” and substitute “**IF AN EXAMINATION REQUIRED UNDER THIS SUBTITLE IS UNAVAILABLE TO AN APPLICANT FOR A PERIOD OF AT LEAST 7 DAYS, THE**”; in line 2, strike “**AN**” and substitute “**THE**”; in lines 2 and 3 strike “**OTHERWISE REQUIRED UNDER THIS SUBTITLE**”; and strike beginning with “**THE**” in line 17 down through “**ISSUED**” in line 24 and substitute “**90 DAYS AFTER THE EXAMINATION BECOMES READILY AVAILABLE TO THE APPLICANT**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 45**

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

**Senate Bill 319 – Senators Hester and Elfreth**

AN ACT concerning

**Clean Energy Loan Program – Remediation and Resiliency**

**SB0319/550210/1**

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 319

(Third Reading File Bill)

AMENDMENT NO. 1



On page 1, in line 6, after the second “projects,” insert “and”; and in line 7, strike “, and grid resiliency projects”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with “**(F)**” in line 25 on page 2 down through “**REQUIREMENTS.**” in line 8 on page 3.

On page 3, in lines 9 and 11, strike “**(G)**” and “**(H)**”, respectively, and substitute “**(F)**” and “**(G)**”, respectively.

On page 4, in line 8, after the semicolon insert “**AND**”; strike beginning with the semicolon in line 9 down through the second “**PROJECTS**” in line 11; in line 20, after “**PROJECTS,**” insert “**AND**”; and in line 21, strike “**, AND GRID RESILIENCY PROJECTS**”.

The preceding 2 amendments were read only.

Delegate Barve moved to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was withdrawn.

**SB0319/550210/1**

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 319

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the second “projects,” insert “and”; and in line 7, strike “, and grid resiliency projects”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with “**(F)**” in line 25 on page 2 down through “**REQUIREMENTS.**” in line 8 on page 3.

On page 3, in lines 9 and 11, strike “**(G)**” and “**(H)**”, respectively, and substitute “**(F)**” and “**(G)**”, respectively.

On page 4, in line 8, after the semicolon insert “AND”; strike beginning with the semicolon in line 9 down through the second “PROJECTS” in line 11; in line 20, after “PROJECTS,” insert “AND”; and in line 21, strike “, AND GRID RESILIENCY PROJECTS”.

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 375 – Senator Kagan**

AN ACT concerning

#### **Agriculture – Neonicotinoid Pesticides – Sale and Storage**

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 446 – Senator West**

AN ACT concerning

#### **Department of the Environment – Supplemental Environmental Projects Database**

**SB0446/390214/1**

BY: Environment and Transportation Committee

#### AMENDMENTS TO SENATE BILL 446

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 7, after “database;” insert “authorizing the Department to consider a certain supplemental environmental project in a certain manner; prohibiting the Department from choosing a certain supplemental environmental project except under”

certain circumstances;”; in the same line, strike “prioritize” and substitute “give priority consideration to”; in line 8, strike “as” and substitute “impacted by”; and in line 10, strike “is commensurate with the scope and cost of a violation” and substitute “fulfills certain requirements”.

#### AMENDMENT NO. 2

On page 2, in lines 7 and 8, strike “**FROM WHICH A PERSON THAT VIOLATES THIS ARTICLE MAY CHOOSE TO UNDERTAKE**” and substitute “**THAT THE DEPARTMENT MAY CONSIDER FOR IMPLEMENTATION AS PART OF A SETTLEMENT OF AN ENFORCEMENT ACTION**”; in line 11, strike “**MOST IMPACTED BY ENVIRONMENTAL JUSTICE ISSUES**” and substitute “**OVERBURDENED, UNDERSERVED, OR OTHERWISE DISADVANTAGED BY ENVIRONMENTAL STRESSORS**”; after line 11, insert:

**“(C) (1) THE DEPARTMENT MAY, WITH REASONABLE JUSTIFICATION, CONSIDER A SUPPLEMENTAL ENVIRONMENTAL PROJECT THAT IS NOT INCLUDED IN THE DATABASE REQUIRED IN SUBSECTION (B) OF THIS SECTION AS PART OF A SETTLEMENT OF AN ENFORCEMENT ACTION.**

**(2) THE DEPARTMENT MAY NOT CHOOSE A SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFERED BY THE VIOLATOR UNLESS THE DEPARTMENT:**

**(I) APPROVES THE PROJECT; AND**

**(II) MAINTAINS DOCUMENTATION OF THE APPROVAL.**”;

in line 12, strike “(C)” and substitute “(D)”; in line 14, strike “**PRIORITIZE**” and substitute “**GIVE PRIORITY CONSIDERATION TO**”; in line 15, strike “**AS**” and substitute “**IMPACTED BY**”; in line 17, strike “**COMMENSURATE WITH THE SCOPE AND COST**” and substitute “**REASONABLY RELATED TO THE NEXUS**”; and in the same line, after “**VIOLATION**” insert “**OR THE ADVERSE IMPACT OF THE VIOLATION AND THE COST IS SUFFICIENT TO ALLOW THE DEPARTMENT AND THE ALLEGED VIOLATOR TO REACH A SETTLEMENT**”.

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 723 – Senator Hester**

EMERGENCY BILL

AN ACT concerning

**Maryland Food System Resiliency Council**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**CONFERENCE COMMITTEE REPORT**

BILL NO.: SB 43                      SPONSOR: Senator Elfreth  
SUBJECT: Criminal Law – Law Enforcement Officers –  
Prohibition on Sexual Activity  
THIRD READING CALENDAR              HOUSE NO. 40              SENATE NO. 4

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 House Judiciary Committee Amendments (SB0043/292414/1) be rejected; and

(2) That the attached Conference Committee Amendments (SB0043/103129/1) be adopted.

**SB0043/103129/1**

BY: Conference Committee

AMENDMENT TO SENATE BILL 43  
(Third Reading File Bill)

On page 3, in line 15, after “OFFICER” insert “:

**(I)**”;

and in line 16, after “PERSON” insert “; AND”

**(II) DID NOT ACT UNDER THE COLOR OR PRETENSE OF OFFICE OR UNDER COLOR OF OFFICIAL RIGHT WHEN SEEKING CONSENT TO THE VAGINAL INTERCOURSE, SEXUAL ACT, OR SEXUAL CONTACT.”**

Senate Members:

House Members:

\_\_\_\_\_  
Chair, **Shelly Hettleman**

\_\_\_\_\_  
Chair, **Nicole A. Williams**

\_\_\_\_\_  
**Jack Bailey**

\_\_\_\_\_  
(not signed)  
**David Moon**

\_\_\_\_\_  
**Michael A. Jackson**

\_\_\_\_\_  
(not signed)  
**Mike Griffith**

\_\_\_\_\_  
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 – 8    (See Roll Call No. 1401)

The Bill was then returned to the Senate.

**CONFERENCE COMMITTEE REPORT**

BILL NO.: SB 200            SPONSOR: Senator Young  
SUBJECT: Natural Resources – Organized Killing Contests –  
Restriction  
THIRD READING CALENDAR            HOUSE NO. 30            SENATE NO. 4

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 Environment and Transportation Committee Amendments (SB0200/790313/1) be rejected.

(2) That the attached Conference Committee Amendment (SB0200/133820/1) be adopted.

**SB0200/133820/1**

BY: Conference Committee

AMENDMENT TO SENATE BILL 200

(Third Reading File Bill)

On page 2, in line 8, strike “\$100” and substitute “\$50”.

Senate Members:

House Members:

\_\_\_\_\_  
Chair, **Cheryl C. Kagan**

\_\_\_\_\_  
Chair, **Jim Gilchrist**

\_\_\_\_\_  
**Bryan W. Simonaire**

\_\_\_\_\_  
**Dana Stein**

\_\_\_\_\_  
**Clarence K. Lam**

\_\_\_\_\_  
**Jay A. Jacobs**

\_\_\_\_\_  
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.

Delegate Kipke moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0069  
SPONSOR: Senator Hester  
SUBJECT: Cybersecurity Coordination and Operations – Establishment and Reporting

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 Hester, Chair  
Senator Kagan  
Senator Reilly

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

### MESSAGE TO THE SENATE

BILL: **SB0069**  
SPONSOR: Senator Hester  
SUBJECT: Cybersecurity Coordination and Operations – Establishment and Reporting

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 Hester, Chairman  
Senator Kagan  
Senator Reilly.

The House appoints:

Delegate Rosenberg, Chair

Delegate Johnson  
Delegate Hill

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: SB0649  
SPONSOR: Senator Griffith, et al  
SUBJECT: Procurement – MBE Program Compliance Review and Oversight

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 Washington, Chair  
Senator Simonaire  
Senator Lam

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

### MESSAGE TO THE SENATE

BILL: SB0649  
SPONSOR: Senator Griffith, et al  
SUBJECT: Procurement – MBE Program Compliance Review and Oversight



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 Washington, Chairman  
Senator Simonaire  
Senator Lam.

The House appoints:

Delegate Sample–Hughes, Chair  
Delegate Rosenberg  
Delegate Belcastro

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### CONFERENCE COMMITTEE REPORT

BILL NO.: HB 289      SPONSOR: Delegate Atterbeary  
SUBJECT: Peace Orders – Workplace Violence  
THIRD READING CALENDAR      HOUSE NO. 3      SENATE NO. 31

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 (HB0289/938771/1) be rejected.
- (2) That the attached Conference Committee Amendments (HB0289/733925/1) be adopted.

**HB0289/733925/1**

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 289

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “circumstances;” insert “repealing a provision that provides certain immunity from certain liability to a certain employer under certain circumstances;”; in line 12, after “Act;” insert “providing for a delayed effective date for a certain provision of this Act;”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–1503(e)

Annotated Code of Maryland

(2020 Replacement Volume)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 16, after line 26, insert:

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

**Article – Courts and Judicial Proceedings**

3–1503.

(e) (1) An employer shall notify an employee before an employer files a petition under this subtitle.

(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.

(3) An employer may not retaliate against an employee who does not provide information for or testify at a proceeding under this subtitle.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2023.”;

in line 27, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, subject to Section 3 of this Act.”.

Senate Members:

House Members:

Chair, **Charles E. Sydnor, III**

Chair, **Vanessa E. Atterbeary**

**Shelly Hettleman**

**Emily Shetty**

**Jill P. Carter**

**Nicole A. Williams**

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 – 137    Negative – 0    (See Roll Call No. 1402)

The Bill was then sent to the Senate.

**CONFERENCE COMMITTEE REPORT**

BILL NO.: SB 205            SPONSOR: Senator Hettleman  
SUBJECT: Alcoholic Beverages – Sale or Delivery for  
Off-Premises Consumption

THIRD READING CALENDAR            HOUSE NO. 16            SENATE NO. 47

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 Economic Matters Committee Amendments (SB0205/443298/1) be rejected.
- (2) That the attached Conference Committee Amendments (SB0205/203696/1) be adopted.

**SB0205/203696/1**

BY: Conference Committee

AMENDMENTS TO SENATE BILL 205  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “circumstances;” insert “providing that certain authorization for the holders of certain licenses to sell alcoholic beverages for off-premises consumption in a certain manner applies only in a jurisdiction in which the local licensing board has adopted certain regulations;”; strike beginning with “a” in line 4 down through “allow” in line 5; in line 11, after “requiring” insert “the Alcohol and Tobacco Commission and”; and in the same line, after “Health” insert “jointly”.

AMENDMENT NO. 2

On page 2, in line 13, strike “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; strike in their entirety lines 20 through 22, inclusive, and substitute:

**“(A) (1) THIS SECTION APPLIES ONLY IN A JURISDICTION IN WHICH THE LOCAL LICENSING BOARD HAS ADOPTED REGULATIONS TO AUTHORIZE THE SALE OR DELIVERY OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION IN ACCORDANCE WITH THIS SECTION.”;**

strike beginning with “A” in line 23 down through “ORDINANCE” in line 24 and substitute “REGULATIONS”; and in line 24, strike “COUNTY” and substitute “LOCAL LICENSING BOARD”.

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, 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 “A” in line 14 down through “(1)” in line 17; 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”; strike beginning with “UNDER” in line 22 down through “ADOPTED” in line 23; in line 25, after “That” insert “the Alcohol and Tobacco Commission and”; and in line 26, after “shall” insert “jointly”.

On page 6, in line 3, strike “this Act and any local law or ordinance adopted under”.

Senate Members:

House Members:

\_\_\_\_\_  
Chair, **Bryan W. Simonaire**

\_\_\_\_\_  
Chair, **Dereck E. Davis**

\_\_\_\_\_  
**Paul G. Pinsky**

\_\_\_\_\_  
**Talmadge Branch**

\_\_\_\_\_  
**Mary Washington**

\_\_\_\_\_  
**Courtney Watson**

\_\_\_\_\_  
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 – 134    Negative – 2    (See Roll Call No. 1403)

The Bill was then returned to the Senate.

**CONFERENCE COMMITTEE REPORT**

BILL NO.: SB 762

SPONSOR: Senator McCray

SUBJECT: Maryland Electricians Act – Revisions  
THIRD READING CALENDAR      HOUSE NO. 19      SENATE NO. 44

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 House Economic Matters Committee Amendments (SB0762/253791/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0762/313725/1) be adopted.

**SB0762/313725/1**

BY: Conference Committee

AMENDMENTS TO SENATE BILL 762  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 5 down through “date;” in line 7.

On page 2, in line 10, strike “, subject to a certain exception.”; in line 15, after “changes;” insert “declaring the intent of the General Assembly;”; and in line 28, strike “6–104, 6–307.1,” and substitute “6–307.1”.

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”.

On page 21, in line 23, strike the second “license” and substitute “REGISTRATION”.

AMENDMENT NO. 2

On page 7, strike in their entirety lines 1 through 6, inclusive.

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 22, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that Title 6 of the Business Occupations and Professions Article continue to be interpreted to not apply to the low-voltage industry or the provision of limited energy services.”;

and in line 23, strike “3.” and substitute “4.”.

Senate Members:

House Members:

\_\_\_\_\_  
Chair, **Paul G. Pinsky**

\_\_\_\_\_  
Chair, **Brian M. Crosby**

\_\_\_\_\_  
**Mary Washington**

\_\_\_\_\_  
**Mike Rogers**

\_\_\_\_\_  
(not signed) \_\_\_\_\_  
**Edward R. Reilly**

\_\_\_\_\_  
**Christopher T. Adams**

\_\_\_\_\_  
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 – 114    Negative – 23    (See Roll Call No. 1404)

The Bill was then returned to the Senate.

**CONFERENCE COMMITTEE REPORT**

**BILL NO.: SB 107      SPONSOR: Senator Hayes**

**SUBJECT: Labor and Employment – Secure Maryland Wage Act**

**THIRD READING CALENDAR      HOUSE NO. 17      SENATE NO. 24**

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 attached House Economic Matters Committee Amendments (SB0107/183995/1) be adopted.

**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.

Senate Members:

House Members:

Chair, **Antonio Hayes**

Chair, **Kathleen M. Dumais**

**Pamela Beidle**

**Kriselda Valderrama**

**Malcolm Augustine**

**Lily Qi**

Read in the Senate:

Read in the House of Delegates:





The Bill was then returned to the Senate.

**Senate Bill 82 – Senator Augustine**

AN ACT concerning

**State Board of ~~Professional Counselors and Therapists~~ Examiners for  
Audiologists, Hearing Aid Dispensers, and Speech–Language  
Pathologists – Maryland Music Therapists Act**

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

Affirmative – 103    Negative – 35    (See Roll Call No. 1409)

The Bill was then returned to the Senate.

**Senate Bill 97 – Senator Rosapepe**

AN ACT concerning

**Purple Line Marketing Act**

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

Affirmative – 98    Negative – 41    (See Roll Call No. 1410)

The Bill was then returned to the Senate.

**Senate Bill 401 – Senator Carter**

AN ACT concerning

**Landlord–Tenant – Nonrenewal of Lease – Notice Requirements**

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

Affirmative – 94    Negative – 44    (See Roll Call No. 1411)

The Bill was then returned to the Senate.

**Senate Bill 673 – ~~Senator Gallion~~ Senators Gallion, Ellis, Hester, and Washington**

AN ACT concerning

**Department of Agriculture – Urban Agriculture Grant Program**

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

Affirmative – 134 Negative – 3 (See Roll Call No. 1412)

The Bill was then returned to the Senate.

**Senate Bill 674 – Senators Elfreth, Griffith, West, Waldstreicher, Jackson, Smith, Guzzone, Pinsky, Augustine, Beidle, ~~and McCray~~ McCray, Ellis, Hester, Kagan, Lam, and Washington**

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 – 106 Negative – 31 (See Roll Call No. 1413)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 65**

**Senate Bill 299 – ~~Senator Carter~~ Senators Carter, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Klausmeier, Kramer, and Ready**

AN ACT concerning

**Human Services – Trauma-Informed Care – Commission and Training  
(Healing Maryland’s Trauma Act)**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1414)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 109**

**House Bill 836 – Delegate Pena-Melnyk**

**EMERGENCY BILL**

AN ACT concerning

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

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

Affirmative – 113    Negative – 25    (See Roll Call No. 1415)

The Bill was then sent to the Senate.

**House Bill 879 – Delegate R. Watson**

AN ACT concerning

~~Maryland Emergency Management Agency~~ **Cybersecurity Coordination and Operations Office Establishment – Maryland Cybersecurity Council Study and Report**

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

Affirmative – 137    Negative – 2    (See Roll Call No. 1416)

The Bill was then sent to the Senate.

**House Bill 943 – Delegate Bridges**

AN ACT concerning

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

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

Affirmative – 135    Negative – 4    (See Roll Call No. 1417)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 110****House Bill 899 – Delegate Bartlett**

AN ACT concerning

**Courts – Civil Jury Trials – Amount in Controversy**

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

Affirmative – 104    Negative – 34    (See Roll Call No. 1418)

The Bill was then sent to the Senate.

**House Bill 902 – Delegate Bartlett**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Constitutional Amendment – Civil Jury Trials**

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

Affirmative – 102    Negative – 36    (See Roll Call No. 1419)

The Bill was then sent to the Senate.

**House Joint Resolution 1 – Delegate Stein**

A House Joint Resolution concerning

**Natural Resources – Fishing – Wild-Caught Blue Catfish**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1420)

The Bill was then sent to the Senate.

**CONCURRENCE CALENDAR NO. 28  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 23 – Delegate Stein**

AN ACT concerning

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

Delegate Clippinger moved that the House concur in the Senate amendments.

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 23

(Third Reading File Bill)

On page 8, in line 18, after “**(2)**” insert “**(1)**”; after line 20, insert:

**“(II) “DATABASE” DOES NOT INCLUDE A REGISTRY OPERATED UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE.”;**

and strike in their entirety lines 25 and 26.

On pages 8 and 9, strike in their entirety the lines beginning with line 28 on page 8 through line 15 on page 9, inclusive, and substitute:

**“(1) DENY ACCESS TO THE DATABASE TO ANY INDIVIDUAL WHO IS SEEKING ACCESS FOR THE PURPOSE OF ENFORCING FEDERAL IMMIGRATION LAW, UNLESS THE INDIVIDUAL PRESENTS A VALID WARRANT ISSUED BY A FEDERAL COURT OR A COURT OF THIS STATE; AND**

**(2) REQUIRE AN INDIVIDUAL ACCESSING THE DATABASE TO PROVIDE TO THE ENTITY:**

**(I) THE INDIVIDUAL’S NAME;**

**(II) THE INDIVIDUAL’S CONTACT INFORMATION, INCLUDING A TELEPHONE NUMBER, AN E-MAIL ADDRESS, AND A PHYSICAL ADDRESS; AND**

**(III) UNLESS THE INDIVIDUAL PRESENTS A VALID WARRANT ISSUED BY A FEDERAL COURT OR A COURT OF THIS STATE, A STATEMENT BY THE INDIVIDUAL, UNDER PENALTY OF PERJURY, THAT THE INDIVIDUAL IS NOT ACCESSING THE DATABASE FOR THE PURPOSE OF ENFORCING FEDERAL IMMIGRATION LAW.”.**

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 – 42    (See Roll Call No. 1421)

**AMENDED IN THE SENATE**

**House Bill 316 – Delegate Smith**

AN ACT concerning

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

Delegate Clippinger moved that the House concur in the Senate amendments.

**HB0316/648677/1**

BY:    Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 316

(Third Reading File Bill)

On page 7, strike beginning with “as” in line 1 down through “members” in line 2.

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 – 96    Negative – 43    (See Roll Call No. 1422)

**AMENDED IN THE SENATE**

**House Bill 425 – Delegate Barron**

AN ACT concerning

**Criminal Law – Crimes Involving Computers**

Delegate Clippinger moved that the House concur in the Senate amendments.

**HB0425/558978/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 425

(Third Reading File Bill)

On page 4, strike beginning with “**THE**” in line 28 down through “**PURPOSES**” in line 29 and substitute “**A PERSON WHO HAS A BONA FIDE SCIENTIFIC, EDUCATIONAL, GOVERNMENTAL, TESTING, NEWS, OR OTHER SIMILAR JUSTIFICATION FOR POSSESSING RANSOMWARE**”.

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. 1423)

**CONCURRENCE CALENDAR NO. 30  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 15 – Delegate Pena–Melnyk**

AN ACT concerning

**Governor’s Office of Immigrant Affairs**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0015/594735/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 15

(Third Reading File Bill)

On page 1, in line 2, before “**Governor’s**” insert “**Creating**”.

On page 3, in line 14, strike “**THE**” and substitute “**SUBJECT TO THE AVAILABILITY OF FUNDING, 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 – 101    Negative – 38    (See Roll Call No. 1424)

### AMENDED IN THE SENATE

#### House Bill 222 – Delegate Wilkins

AN ACT concerning

#### Value My Vote Act

Delegate Kaiser moved that the House concur in the Senate amendments.

#### HB0222/794337/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO HOUSE BILL 222

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike “**Value My Vote Act**” and substitute “**Election Law – Correctional Facilities – Voter Registration and Voting**”; strike beginning with “requiring” in line 7 down through “requirements;” in line 15; in line 16, after “Board” insert “of Elections”; in line 19, after “boards” insert “of elections”; in line 20, after “vote,” insert “and”; and strike beginning with “, and” in line 21 down through “basis” in line 22.

On pages 1 and 2, strike beginning with “prohibiting” in line 23 on page 1 down through “voters;” in line 2 on page 2, inclusive.

On page 2, strike beginning with “establishing” in line 4 down through “facilities” in line 15; strike in their entirety lines 21 and 22 and substitute “Section 2–501”; and in line 27, strike “through 1–303.3”.

#### AMENDMENT NO. 2

On page 2, strike line 38 in its entirety.

On page 3, strike in their entirety lines 13 through 30, inclusive.

On page 4, in line 17, strike “TWICE DURING THE PERIOD BEGINNING”; in the same line, strike “60” and substitute “30”; strike beginning with “AND” in line 18 down through “ELECTION” in line 19; in line 24, after “VOTE;” insert “AND”; and strike beginning with “; AND” in line 27 down through “ARTICLE” in line 30.

On page 5, in line 1, strike “(1)”; strike in their entirety lines 4 through 11, inclusive; in line 26, after “ARTICLE;” insert “AND”; and in line 28, strike “; AND” and substitute a period.

On pages 5 through 7, strike in their entirety the lines beginning with line 29 on page 5 through line 7 on page 7, inclusive.

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 – 98    Negative – 41    (See Roll Call No. 1425)

### AMENDED IN THE SENATE

#### House Bill 532 – Allegany County Delegation

AN ACT concerning

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

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB0532/703727/1**

BY: Budget and Taxation Committee

#### AMENDMENTS TO HOUSE BILL 532

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike “**Terminals**” and substitute “**Facilities**”; in the same line, strike “**and**” and substitute a comma; in line 3, after “**Proceeds**” insert “**, and Building Restrictions**”; in lines 5 and 6, strike “of video lottery terminal proceeds” and substitute “from the State Lottery Fund”; in line 13, after “facility;” insert “requiring the State Lottery and Gaming Control Commission to include certain information in a certain report;”; in line 14, after “conforming” insert “and technical”; after line 16, insert:

“BY repealing and reenacting, with amendments,

Article – State Government

Section 9–120(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)”;

and in line 20, strike “9–1A–27(a) and (b)” and substitute “9–1A–27(b)”.

On page 2, in line 3, strike “9–1A–27(c)” and substitute “9–1A–27(a) and (c)”; and after line 5, insert:

“BY repealing and reenacting, with amendments,

Chapter 1 of the Acts of the Second Special Session of the General Assembly of 2012

Section 10”.

#### AMENDMENT NO. 2

On page 2, after line 8, insert:

“9–120.

(b) (1) By the end of the month following collection, the Comptroller shall deposit [or], cause to be deposited, OR PAY:

(i) into the Maryland Stadium Facilities Fund established under § 7–312 of the State Finance and Procurement Article from the money that remains in the State Lottery Fund, after the distribution under subsection (a) of this section, an amount not to exceed \$20,000,000 in any fiscal year;

(ii) after June 30, 2014, into the Maryland Veterans Trust Fund 10% of the money that remains in the State Lottery Fund from the proceeds of sales of tickets

from instant ticket lottery machines by veterans' organizations under § 9–112(d) of this subtitle, after the distribution under subsection (a) of this section;

(iii) after June 30, 2014, into the Baltimore City Public School Construction Financing Fund established under § 10–656 of the Economic Development Article 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) and (ii) of this paragraph, an amount equal to \$20,000,000 in each fiscal year that bonds are outstanding and unpaid, to be paid in two installments with at least \$10,000,000 paid no later than December 1 of each fiscal year;

(iv) after June 30, 2021, into the Racing and Community Development Financing Fund established under § 10–657.2 of the Economic Development Article from the money that remains in the State Lottery Fund, after the distribution under subsection (a) of this section, an amount equal to \$17,000,000 in each fiscal year until the bonds issued for a racing facility have matured;

(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) of this paragraph, an amount equal to \$1,000,000 in each fiscal year; [and]

**(VI) AFTER JUNE 30, 2021, TO ANNE ARUNDEL COUNTY OR BALTIMORE CITY EACH FISCAL YEAR THE AMOUNT REQUIRED TO BE DISTRIBUTED UNDER § 9–1A–31(A)(7)(II) OF THIS TITLE TO BE USED AS REQUIRED UNDER § 9–1A–31 OF THIS TITLE; AND**

[(vi)] **(VII)** into the General Fund of the State 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), (iii), and (iv)] **(I) THROUGH (VI)** of this paragraph.

(2) The money paid into the General Fund under this subsection is available in the fiscal year in which the money accumulates in the State Lottery Fund.”.

On page 3, strike in their entirety lines 18 through 26, inclusive; in lines 27 and 29, strike “[**(d)**] **(E)**” and “[**(e)**] **(F)**”, respectively, and substitute “**(D)**” and “**(E)**”, respectively.

On page 4, in line 3, strike “AND (D)”.

On page 9, strike beginning with “THE” in line 7 down through “SUBTITLE” in line 8 and substitute “THE STATE LOTTERY FUND ESTABLISHED UNDER § 9-120(B) OF THIS TITLE”.

AMENDMENT NO. 3

On page 5, in line 4, strike “BEFORE JANUARY 1, 2023,”.

AMENDMENT NO. 4

On page 6, in lines 1 and 10, in each instance, strike “JANUARY” and substitute “JULY”.

AMENDMENT NO. 5

On page 9, after line 26, insert:

“Chapter 1 of the Acts of the Second Special Session of 2012

SECTION 10. AND BE IT FURTHER ENACTED, That, on or before December 1, 2022, the State Lottery and Gaming Control Commission shall:

(1) REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE CHANGE IN EACH VIDEO LOTTERY FACILITY’S AVERAGE PAYOUT PERCENTAGE AND THE IMPACT OF THE CHANGE ON THE AMOUNT OF VIDEO LOTTERY TERMINAL PROCEEDS GENERATED AT EACH FACILITY AS A RESULT OF THE REDUCTION OF THE AVERAGE PAYOUT PERCENTAGE UNDER § 9-1A-22 OF THE STATE GOVERNMENT ARTICLE, AS ENACTED BY CHAPTER (H.B. 532) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021; AND

(2) report and make recommendations to the Governor and, in accordance with [§ 2-1246] § 2-1257 of the State Government Article, the General Assembly on the tax structure and competitiveness of the Maryland gaming market.”.

The preceding 5 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 – 121    Negative – 15    (See Roll Call No. 1426)

**AMENDED IN THE SENATE**

**House Bill 1322 – Delegate Washington**

**EMERGENCY BILL**

AN ACT concerning

**Primary and Secondary Education – School Personnel – Prohibition on Retaliation for Not Returning to In-Person Instruction and Work**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB1322/484537/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1322

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “– **Prohibition on Retaliation for**”; in line 3, after “**Work**” insert “– Accommodations and Discipline”; strike beginning with “prohibiting” in line 4 down through “circumstances;” in line 10; in line 10, after “Board” insert “of Education”; in the same line, after “boards” insert “of education”; in line 11, after “circumstances” insert “during a certain school year”; in line 13, after “circumstances” insert “during a certain school year; requiring a county board to send a response to a certain individual who submits a certain application for an accommodation within a certain period of time; prohibiting the Governor, the State Superintendent of Schools, the State Board of Education, a county superintendent of schools, and a county board of education, during a certain school year, from taking certain actions against certain school personnel under certain circumstances”; and in line 14, strike “the prohibition on retaliation” and substitute “accommodations for and discipline”.

On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 15 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 18 through 36, inclusive.

On page 3, strike in their entirety lines 1 through 4, inclusive; in line 5, strike “(c)” and substitute “(a)”; in the same line, strike “Consistent” and substitute “During the 2020–2021 school year, consistent”; in the same line, after “laws” insert “, Centers for Disease Control and Prevention guidelines,”; in line 7, after “shall” insert “, to the extent practicable,”; in line 8, strike “who have not received the full course of an FDA–approved” and substitute “to instruct or work remotely if:

- (i) the individual has not received a federally authorized”;

in line 9, strike “to instruct or work remotely to the extent practicable” and substitute “; or

(ii) two weeks has not passed following the second dose in a 2–dose series of a federally authorized vaccine for COVID–19 or the administration of a single dose of a federally authorized vaccine for COVID–19, in accordance with Centers for Disease Control and Prevention guidelines regarding full vaccination”;

and after line 14, insert:

“(b) During the 2020–2021 school year, a teacher, an educational support professional, or any other professional school personnel may submit to the county board of education an application for an accommodation to instruct or work remotely if the individual:

- (1) (i) is at least 65 years old;

(ii) has documentation of an underlying medical condition that the Centers for Disease Control and Prevention or the individual’s physician has identified as putting the individual at increased risk from COVID–19;

(iii) lives in a household with or is the caretaker of an individual who is at least 65 years old or who has documentation of an underlying medical condition that the Centers for Disease Control and Prevention or the individual’s physician has identified as putting the individual at increased risk from COVID–19; or

(iv) is a teacher, educational support professional, or other professional school personnel who has been temporarily assigned to instruct or work remotely;

(2) has not received a federally authorized vaccine for COVID–19 due to having an underlying medical condition that the Centers for Disease Control and Prevention or the individual’s physician has identified as putting the individual at increased risk from complications from the vaccine; and

(3) chooses not to return to the school building for in–person instruction.

(c) Within 5 days of the date of receipt of an application for an accommodation to instruct or work remotely submitted by an individual in accordance with subsection (b) of this section, the county board of education shall send a response to the individual who submitted the application.

(d) The Governor, the State Superintendent of Schools, the State Board of Education, a county superintendent of schools, or a county board of education may not take any of the following actions against a teacher, an education support professional, or other professional school personnel as a consequence of the individual’s choosing to not return to the school building for in–person instruction during the 2020–2021 school year:

(1) suspend or revoke State certification of a teacher or other professional personnel; or

(2) discipline, suspend, terminate, or otherwise retaliate against the individual.”.

The preceding 2 amendments were read and concurred in.

**HB1322/463627/1**

BY: Senator Ready

AMENDMENTS TO HOUSE BILL 1322, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, before “making” insert “providing for the construction of this Act;”.



AMENDMENT NO. 2

On page 3, before line 15, insert:

“(e) Nothing in this Act may be construed to supersede collective bargaining laws or agreements.”

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 – 99    Negative – 40    (See Roll Call No. 1427)

**CONCURRENCE CALENDAR NO. 29  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

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

AN ACT concerning

**Clean Cars Act of 2021**

Delegate Barve moved that the House concur in the Senate amendments.

**HB0044/137472/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 44  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “reductions;” insert “requiring the Motor Vehicle Administration and the Maryland Department of the Environment to submit a certain report to certain committees of the General Assembly on or before a certain date; prohibiting the Motor Vehicle Administration from selecting a proposed awardee for a certain contract prior to the submission of a certain report; prohibiting the Motor Vehicle Administration from awarding a certain contract before a certain date; requiring the Maryland Energy Administration, in consultation with the Maryland Department of

Transportation, to submit a certain report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 5, after line 25, insert:

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

(a) The General Assembly is concerned that the Motor Vehicle Administration and the Maryland Department of the Environment are proceeding with the procurement of a new vehicle emissions inspection program with significant transportation budget and policy implications without providing the General Assembly with a report, briefing, background, or a detailed plan for the regulatory or legislative changes necessary to implement the underlying program.

(b) On or before January 15, 2022, in accordance with § 2-1257 of the State Government Article, the Motor Vehicle Administration and the Maryland Department of the Environment shall submit a joint report to the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Environment and Transportation Committee, and the House Appropriations Committee that provides:

(1) information on the proposed changes to the vehicle emissions inspection program under consideration, and what legislative and regulatory changes are necessary to effect those changes;

(2) the projected fiscal impact of the proposed changes on the Transportation Trust Fund;

(3) information on how the proposed changes may impact air quality and any discussions and approvals sought by U.S. Environmental Protection Agency of the proposed changes to the program; and

(4) an environmental justice analysis of the impact of running the program and assessing fees only on citizens who own older cars, and a recommendation on whether to pay vehicle emissions inspection program expenses from vehicle registration fees.

(c) The Motor Vehicle Administration may not select a proposed awardee for a new contract to operate the vehicle emissions inspection program prior to the submission

of the report required in subsection (b) of this section, and may not award a contract to a new vendor before March 1, 2022.

SECTION 4. AND BE IT FURTHER ENACTED, That on or before December 1, 2021, in accordance with § 2–1257 of the State Government Article, the Maryland Energy Administration, in consultation with the Maryland Department of Transportation, shall submit a report to the Senate Finance Committee and the House Environment and Transportation Committee that provides:

(1) the fiscal impact of zero emission vehicles registered in the State on the Transportation Trust Fund;

(2) measures to reduce the impact of zero emission vehicles on the Transportation Trust Fund; and

(3) a survey of measures enacted by other states or jurisdictions.”;

and in line 30, strike “3.” and substitute “5.”.

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 – 39    (See Roll Call No. 1428)

#### AMENDED IN THE SENATE

#### House Bill 545 – Delegate Hornberger

AN ACT concerning

**Natural Resources – Licenses, ~~Permits, Registrations, and Certificates – Digital~~  
or Electronic Format and Stamps – Revisions**

Delegate Barve moved that the House concur in the Senate amendments.

**HB0545/634636/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 545

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “format” insert “subject to a certain exception; requiring a certain license to be permanently affixed to a boat”; and in line 17, after “(g)” insert “and 4-745(d)(2)”.

AMENDMENT NO. 2

On page 3, in line 5, strike “AN” and substitute “**(1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION, AN**”; and after line 9, insert:

**“(2) AN ANNUAL SPECIAL CHESAPEAKE BAY AND COASTAL SPORT FISHING LICENSE SHALL BE PERMANENTLY AFFIXED TO A BOAT IN ACCORDANCE WITH § 4-745(D)(2) OF THIS ARTICLE.”**

On page 4, after line 4, insert:

“(d) (2) (i) The Department may provide by regulation for issuance of an annual special Chesapeake Bay and coastal sport fishing license, which when permanently affixed to a boat registered in any state shall authorize any person on the boat to fish for finfish in the Chesapeake Bay or in its tributaries up to tidal boundaries or in State waters of the Atlantic Ocean and the Atlantic coastal bays and their tributaries, except that such a license may not be used on a boat that has been hired to take such persons fishing.

(ii) The annual fee for this special license shall be \$50.

(iii) If a boat owner purchases the special license under this paragraph, the boat owner may fish anywhere in the Chesapeake Bay and its tributaries or the State waters of the Atlantic Ocean and the Atlantic coastal bays and their tributaries, whether the boat owner is fishing in the owner’s boat, in another person’s boat, on land, or elsewhere. The Department shall issue a complimentary Chesapeake Bay and coastal sport fishing license to the boat owner who purchases a special license under this paragraph. If a boat to which the special license is affixed has more than one owner, then only the individual applicant who signs the application for the special license shall be entitled to a complimentary Chesapeake Bay and coastal sport fishing license under this paragraph.”

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 – 139    Negative – 0    (See Roll Call No. 1429)

**AMENDED IN THE SENATE**

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

AN ACT concerning

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

Delegate Barve moved that the House concur in the Senate amendments.

**HB0967/858370/1**

BY:    Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 967

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “City;” insert “requiring an agency to mail a warning notice instead of a citation for a violation recorded by a speed monitoring system on Interstate 83 in Baltimore City during a certain time period following the activation of the speed monitoring system;”.

AMENDMENT NO. 2

On page 2, in line 2, after “(viii)” insert “and (d)(2)”.

On page 3, in line 1, after “**(IV)**” insert “**1.**”; after line 8, insert:

**“2. FINES REMITTED TO THE BALTIMORE CITY DEPARTMENT OF TRANSPORTATION UNDER SUBPARAGRAPH (IV)1 OF THIS PARAGRAPH ARE SUPPLEMENTAL TO AND ARE NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT WOULD OTHERWISE BE APPROPRIATED FOR USES DESCRIBED UNDER SUBPARAGRAPH (IV)1 OF THIS PARAGRAPH.”**

On page 5, after line 21, insert:

“(d) (2) (I) [An] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN agency may mail a warning notice instead of a citation to the owner liable under subsection (c) of this subsection.

(II) WITH REGARD TO A SPEED MONITORING SYSTEM ESTABLISHED ON INTERSTATE 83 IN BALTIMORE CITY, AN AGENCY SHALL MAIL A WARNING NOTICE INSTEAD OF A CITATION FOR A VIOLATION RECORDED BY THE SPEED MONITORING SYSTEM DURING THE FIRST 90 DAYS THAT THE SPEED MONITORING SYSTEM IS IN OPERATION.”;

in line 23, strike “October” and substitute “June”; and in the same line, strike “4 years and 9 months” and substitute “5 years and 1 month”.

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. 1430)

### QUORUM CALL

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

(See Roll Call No. 1431)

### CALENDAR OF THIRD READING SENATE BILLS NO. 58

#### Senate Bill 592 – Senators Zucker and Kelley

AN ACT concerning

#### State Child Welfare System – Reporting

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1432)

The Bill was then returned to the Senate.

#### Senate Bill 606 – Senator Hershey

AN ACT concerning

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

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1433)

The Bill was then returned to the Senate.

**Senate Bill 680 – Senator Jennings**

AN ACT concerning

~~**Teachers' Pension System – Vested Allowance – Break in Service**~~  
**State Retirement and Pension System – Administration of Benefits –  
 Clarification**

FLOOR AMENDMENT

**SB0680/903829/1**

BY: Delegate Szeliga

AMENDMENTS TO SENATE BILL 680

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 3 and 4 and substitute “**State Prescription Drug Benefits – Retirees**”; strike beginning with “providing” in line 5 down through “System” in line 17 and substitute “authorizing certain retirees who began State service before a certain date to be eligible for prescription drug benefits in the State Employee and Retiree Health and Welfare Benefits Program; specifying that prescription drug benefits shall be discontinued for certain Medicare-eligible retirees who began State service on or after a certain date and their Medicare-eligible spouses and dependent children; repealing the Maryland State Retiree Prescription Drug Coverage Program; repealing the Maryland State Retiree Catastrophic Prescription Drug Assistance Program; repealing the Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program; repealing a requirement that the Secretary of Budget and Management provide a certain notice; repealing a requirement that the Department of Budget and Management ensure Medicare-eligible retirees have access to certain services; repealing a requirement that the Department submit certain reports; repealing a requirement that the Department adopt certain regulations; making conforming changes; repealing provisions of law made obsolete by this Act; and generally relating to State prescription drug benefits for retirees from State employment”; and strike in their entirety lines 18 through 22, inclusive, and substitute:

“BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–509.1  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)

BY repealing  
Chapter 767 of the Acts of the General Assembly of 2019  
Section 2, 4, and 5”.

#### AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 4 on page 2 through line 16 on page 5, inclusive, and substitute:

“2–509.1.

(a) (1) Except as provided in subsection (b) of this section, the State shall continue to include a prescription drug benefit plan in the health insurance benefit options established under the Program and available to retirees under §§ 2–508 and 2–509 of this subtitle notwithstanding the enactment of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003 or any other federal law permitting states to discontinue prescription drug benefit plans to retirees of a state.

(2) Except as provided in subsection (b) of this section:

(i) a retiree may elect to cover the retiree’s spouse or dependent child under the State prescription drug benefit plan under §§ 2–508 and 2–509 of this subtitle; and

(ii) if a surviving spouse or surviving dependent child of a retiree is eligible to enroll in the State prescription drug benefit plan under § 2–508 or § 2–509 of this subtitle, the surviving spouse or surviving dependent child may elect to enroll in the State prescription drug benefit plan.

(b) (1) THIS SUBSECTION APPLIES ONLY TO A RETIREE WHO BEGAN STATE SERVICE ON OR AFTER JULY 1, 2011.

(2) Except as provided in [subsection (c) of this section] PARAGRAPH (3) OF THIS SUBSECTION, on January 1, 2019, the State shall discontinue prescription drug benefits for:

[(1) (I) a Medicare–eligible retiree;

[(2) (II) the Medicare–eligible spouse or surviving spouse of a retiree; and

[(3) (III) a Medicare–eligible dependent child or surviving dependent child



of a retiree.

[(c) (1)] (3) (I) If a retiree is eligible to participate in the prescription drug benefit plan under Medicare, but the retiree's spouse or dependent child is not eligible to participate in a Medicare prescription drug benefit plan, the retiree may elect to cover the retiree's spouse or dependent child under the State prescription drug benefit plan.

[(2)] (II) If the surviving spouse or surviving dependent child of a retiree is eligible to enroll in the State prescription drug benefit plan under § 2-508 or § 2-509 of this subtitle, but is not eligible to participate in the prescription drug benefit plan under Medicare, the surviving spouse or surviving dependent child may elect to enroll in the State prescription drug benefit plan.

[(d) (1) This subsection applies only to a retiree, a retiree's spouse or surviving spouse, and a retiree's dependent child or surviving dependent child:

(i) who is enrolled in a prescription drug benefit plan under Medicare;

(ii) if the retiree is retired on or before December 31, 2019; and

(iii) if the retiree is eligible under § 2-508 or § 2-509 of this subtitle to enroll and participate in the health insurance benefit options established under the Program.

(2) (i) Subject to subparagraph (ii) of this paragraph, on or before January 1, 2020, the Department shall establish a Maryland State Retiree Prescription Drug Coverage Program that reimburses a participant for out-of-pocket costs that exceed the limits established for non-Medicare-eligible retirees in § 2-508(d)(2)(iii) of this subtitle.

(ii) The Department may establish an out-of-pocket limit higher than the limits established in subparagraph (i) of this paragraph for a retiree who qualifies for a partial State subsidy.

(3) The Maryland State Retiree Prescription Drug Coverage Program established under paragraph (2) of this subsection may include:

(i) a health reimbursement account established in accordance with § 105(h) of the Internal Revenue Code; or

(ii) another program that provides assistance with prescription drug costs.

(4) A retiree, a retiree's spouse or surviving spouse, and a retiree's dependent child or surviving dependent child may enroll in the Maryland State Retiree Prescription Drug Coverage Program during the open enrollment period or any special

enrollment period for retiree health insurance benefit options.

(e) (1) This subsection applies only to a retiree, a retiree’s spouse or surviving spouse, and a retiree’s dependent child or surviving dependent child:

(i) who is enrolled in a prescription drug benefit plan under Medicare; and

(ii) if the retiree:

1. began State service on or before June 30, 2011;

2. retired on or after January 1, 2020; and

3. is eligible under § 2–508 or § 2–509 of this subtitle to enroll and participate in the health insurance benefit options established under the Program.

(2) (i) Subject to subparagraph (ii) of this paragraph, on or before January 1, 2020, the Department shall establish a Maryland State Retiree Catastrophic Prescription Drug Assistance Program that reimburses a participant for out-of-pocket costs after the participant has entered catastrophic coverage under a prescription drug benefit plan under Medicare.

(ii) The Department may establish a maximum reimbursement amount for a retiree who qualifies for a partial State subsidy.

(3) The Maryland State Retiree Catastrophic Prescription Drug Assistance Program under paragraph (2) of this subsection may provide reimbursements through:

(i) a health reimbursement account established in accordance with § 105(h) of the Internal Revenue Code; or

(ii) another program that provides assistance with prescription drug costs.

(4) A retiree, a retiree’s spouse or surviving spouse, and a retiree’s dependent child or surviving dependent child may enroll in the Maryland State Retiree Catastrophic Prescription Drug Assistance Program during the open enrollment period or any special enrollment period for retiree health insurance benefit options.

(f) (1) This subsection applies only to a retiree, a retiree’s spouse or surviving spouse, and a retiree’s dependent child or surviving dependent child:

(i) who is enrolled in:

1. the Maryland State Retiree Prescription Drug Coverage Program established under subsection (d) of this section; or

2. the Maryland State Retiree Catastrophic Prescription Drug Assistance Program established under subsection (e) of this section; and

(ii) if the retiree is eligible under § 2–508 or § 2–509 of this subtitle to enroll and participate in the health insurance benefit options established under the Program.

(2) (i) On or before January 1, 2020, the Department shall establish a Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program that reimburses a participant for out–of–pocket costs for a life–sustaining prescription drug that is:

1. covered by the prescription drug benefit plan in the health insurance benefit options established under the Program; and

2. not covered by the prescription drug benefit plan under Medicare in which the participant is enrolled.

(ii) The Department shall develop a list of the prescription drugs that qualify for reimbursement under subparagraph (i) of this paragraph.

(iii) The Department may establish maximum reimbursement amounts for a retiree who qualifies for a partial State subsidy.

(3) The Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program established under paragraph (2) of this subsection may provide reimbursements through:

(i) a health reimbursement account established in accordance with § 105(h) of the Internal Revenue Code; or

(ii) another program that provides assistance with prescription drug costs.

(4) A retiree, a retiree’s spouse or surviving spouse, and a retiree’s dependent child or surviving dependent child shall be automatically enrolled in the Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program on enrollment in:

(i) the Maryland State Retiree Prescription Drug Coverage Program established under subsection (d) of this section; or

(ii) the Maryland State Retiree Catastrophic Prescription Drug Assistance Program established under subsection (e) of this section.

(g) (1) Subject to paragraph (2) of this subsection, not later than July 1 of each

year, the Secretary shall provide written certified notice of the change in the State prescription drug benefit plan under this section to the individuals who will become eligible in the next calendar year to enroll in the:

(i) Maryland State Retiree Prescription Drug Coverage Program;

(ii) Maryland State Retiree Catastrophic Prescription Drug Assistance Program; or

(iii) Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program.

(2) The notice shall include information regarding:

(i) coverage options available in the Medicare prescription drug benefit plan, including options that are similar to the prescription drug benefit plan in the health insurance benefit options established under the Program;

(ii) the potential for significant penalties if an individual does not promptly choose a Medicare prescription drug benefit plan immediately on termination of the individual's participation in the State prescription drug benefit plan;

(iii) the programs available under subsections (d), (e), and (f) of this section; and

(iv) any additional resources made available by the Department in accordance with this section.

(h) (1) The Department shall ensure Medicare-eligible retirees have access to one-on-one counseling services to assist retirees in selecting a Medicare prescription drug benefit plan.

(2) The Department shall develop a plan to communicate to Medicare-eligible retirees the availability of:

(i) the programs under subsections (d), (e), and (f) of this section; and

(ii) services and information regarding prescription drug benefit plans under Medicare.

(3) On or before December 31, 2019, the Department shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2-1257 of the State Government Article, on the plan developed under paragraph (2) of this subsection.

(4) The report required under paragraph (3) of this subsection shall

include:

(i) options for providing one-on-one counseling, including:

1. in-person, over-the-phone, or web-based counseling;

2. the times at which one-on-one counseling will be available;

3. a plan to ensure equitable geographic access to one-on-one counseling; and

4. entering into a statewide contract with an employee benefits administrator or similar entity to provide one-on-one counseling services;

(ii) plans for holding seminars in every county of the State to provide information regarding eligibility for and available benefits under the programs established under subsections (d), (e), and (f) of this section;

(iii) plans for providing access to a web-based overview and interactive website that provide information on:

1. Medicare prescription drug benefit plans; and

2. subsidy and financial assistance programs for low-income individuals; and

(iv) plans for providing a toll-free hotline for reporting issues and concerns regarding the services provided in accordance with this paragraph.

(i) Subject to the requirements of § 13-108 of the State Finance and Procurement Article, the Department may make an emergency procurement for:

(1) staff required to carry out the provisions of this section; and

(2) a third party to administer health reimbursement accounts established under this section.

(i) The Department shall submit quarterly reports to the Governor and, in accordance with § 2-1257 of the State Government Article, the House Appropriations Committee, the Senate Budget and Taxation Committee, and the Joint Committee on Pensions, on:

(1) the status of establishing the programs under subsections (d), (e), and (f) of this section, including:

(i) the status of procuring any contracts necessary to operate the

programs; and

(i) the prescription drugs determined to qualify for reimbursement under the Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program under subsection (f) of this section;

(2) the availability of one–on–one counseling services required under subsection (h) of this section;

(3) the details of the health reimbursement accounts or other programs to provide assistance with prescription drug costs for individuals enrolled in the programs under subsections (d), (e), and (f) of this section, including:

(i) the specific out–of–pocket costs eligible for reimbursement;

(ii) the required process for receiving reimbursement;

(iii) the method of reimbursement;

(iv) the timing of reimbursement; and

(v) a plan to use debit cards to process reimbursements in a convenient and efficient manner; and

(4) in total and by category for the previous quarter, the number of issues and concerns reported to the hotline.

(k) The Department shall adopt regulations to implement the provisions of this section.]

### **Chapter 767 of the Acts of 2019**

[SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, if the final resolution of the injunction issued in the U.S. District Court for the District of Maryland in Fitch v. State of Maryland et al, Case No. 1:18 CV–0287–PM (D. Md.) occurs on a date that is:

(1) less than 9 months before the first day of the next State health benefits open enrollment period, the following shall begin on the first day of the second State health benefits plan year immediately following the resolution:

(i) the elimination of the State prescription drug benefits for Medicare–eligible retirees, Medicare–eligible spouses or surviving spouses of retirees, and Medicare–eligible dependent children or surviving dependent children of retirees under § 2–509.1(b) of the State Personnel and Pensions Article;

(ii) the establishment of the Maryland State Retiree Prescription

Drug Coverage Program, the Maryland State Retiree Catastrophic Prescription Drug Assistance Program, and the Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program in § 2-509.1(d), (e), and (f) of the State Personnel and Pensions Article, respectively, as enacted by Section 1 of this Act; and

(iii) the provision of written certified notice to individuals under § 2-509.1(g) of the State Personnel and Pensions Article, as enacted by Section 1 of this Act;  
or

(2) 9 months or more before the first day of the next State health benefits open enrollment period, the following shall begin on the first day of the State health benefits plan year immediately following the resolution following the next open enrollment period:

(i) the elimination of the State prescription drug benefits for Medicare-eligible retirees, Medicare-eligible spouses or surviving spouses of retirees, and Medicare-eligible dependent children or surviving dependent children of retirees under § 2-509.1(b) of the State Personnel and Pensions Article;

(ii) the establishment of the Maryland State Retiree Prescription Drug Coverage Program, the Maryland State Retiree Catastrophic Prescription Drug Assistance Program, and the Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program in § 2-509.1(d), (e), and (f) of the State Personnel and Pensions Article, respectively, as enacted by Section 1 of this Act; and

(iii) the provision of written certified notice to individuals under § 2-509.1(g) of the State Personnel and Pensions Article, as enacted by Section 1 of this Act.]

[SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management establish the Maryland State Retiree Prescription Drug Coverage Program, the Maryland State Retiree Catastrophic Prescription Drug Assistance Program, and the Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program in § 2-509.1(d), (e), and (f) of the State Personnel and Pensions Article, respectively, in a manner that allows retirees to access reimbursement at the time of prescription drug purchase, through a mechanism such as debit cards.]

[SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management attend at least one meeting each year of the Joint Committee on Pensions to update the Committee on implementation of the provisions of this Act.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.”.

The preceding 2 amendments were read only.

Delegate McIntosh moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted by a roll call vote as follows:

Affirmative – 97    Negative – 42    (See Roll Call No. 1434)

**Senate Bill 701 – Senator West**

AN ACT concerning

**Bay Restoration Fund – County Authority to Incur Indebtedness**

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

Affirmative – 117    Negative – 20    (See Roll Call No. 1435)

The Bill was then returned to the Senate.

**Senate Bill 895 – Senator Rosapepe**

AN ACT concerning

**University System of Maryland – Student Fees – Review and ~~Retention~~  
Spending**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1436)

The Bill was then returned to the Senate.

**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**

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

Affirmative – 131    Negative – 7    (See Roll Call No. 1437)



The Bill was then returned to the Senate.

**Senate Bill 931 – Senator Jackson**

AN ACT concerning

**Prince George’s County – School Facilities and Public Safety Surcharges and Report – Sunset Extension and Report**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1438)

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:                    SB0065  
SPONSOR:            Senator Kelley  
SUBJECT:            Electricity – Renewable Energy Portfolio Standard – Qualifying Biomass

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 Augustine  
Senator Hershey

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

**MESSAGE TO THE SENATE**

BILL: **SB0065**  
SPONSOR: Senator Kelley  
SUBJECT: Electricity – Renewable Energy Portfolio Standard – Qualifying  
Biomass

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 Feldman, Chairman  
Senator Augustine  
Senator Hershey.

The House appoints:

Delegate D.E. Davis, Chair  
Delegate Dumais  
Delegate Brooks

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

#### CALENDAR OF THIRD READING SENATE BILLS NO. 57

##### Senate Bill 138 – Senator Hettleman

AN ACT concerning

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

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

Affirmative – 98    Negative – 40    (See Roll Call No. 1439)

The Bill was then returned to the Senate.

**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)**

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

Affirmative – 104    Negative – 35    (See Roll Call No. 1440)

The Bill was then returned to the Senate.

**Senate Bill 206 – Chair, Finance Committee (By Request – Departmental – Labor)**

AN ACT concerning

**State Collection Agency Licensing Board – Sunset Extension**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1441)

The Bill was then returned to the Senate.

**Senate Bill 235 – Chair, Finance Committee (By Request – Departmental –  
Information Technology)**

AN ACT concerning

**Major Information Technology Development Project Fund – Use of Funds**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1442)

The Bill was then returned to the Senate.

**Senate Bill 240 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Maryland Information Technology Development Project Fund – Sources of Revenue**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1443)

The Bill was then returned to the Senate.

**Senate Bill 256 – Chair, Finance Committee (By Request – Departmental – Commerce) and Senators Augustine, Beidle, Hayes, and Kelley**

AN ACT concerning

**Arts and Entertainment Districts – Artistic Work and Arts and Entertainment Enterprise – Definitions**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1444)

The Bill was then returned to the Senate.

**Senate Bill 556 – Senator Young**

AN ACT concerning

**Collective Bargaining – ~~Teachers at the~~ Maryland School for the Deaf – Application and Separate Bargaining Unit**

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

Affirmative – 97    Negative – 42    (See Roll Call No. 1445)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 60**

**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**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1446)

The Bill was then returned to the Senate.

**Senate Bill 364 – Senator McCray**

AN ACT concerning

**Baltimore City – Civil Claims Against Law Enforcement Officers of an  
Institution of Higher Education – Prohibition Against ~~Nondisclosure Provision~~  
Nondisparagement Clause in Settlement Agreement**

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

Affirmative – 101    Negative – 37    (See Roll Call No. 1447)

The Bill was then returned to the Senate.

**Senate Bill 636 – Senator Hayes**

AN ACT concerning

**Housing and Community Development – Neighborhood Revitalization – Passive  
House Pilot Program**

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

Affirmative – 113    Negative – 25    (See Roll Call No. 1448)

The Bill was then returned to the Senate.

**Senate Bill 661 – Senator Patterson**

AN ACT concerning

**Environment – Maryland Oil Disaster Containment, Clean-Up and Contingency  
Fund and Oil Contaminated Site Environmental Cleanup Fund – Funding,  
Reallocation, and Reimbursements, and Study**

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

Affirmative – 137    Negative – 2    (See Roll Call No. 1449)

The Bill was then returned to the Senate.

**Senate Bill 764 – Senator Washington (Chair, Joint Committee on Ending Homelessness)**

AN ACT concerning

**Workgroup on Adaptive Reuse of Vacant Commercial Spaces**

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

Affirmative – 137    Negative – 2    (See Roll Call No. 1450)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 71**

**Senate Bill 4 – Senators Edwards, Feldman, Ferguson, and Klausmeier**

AN ACT concerning

~~**Maryland Public Ethics Law – Officials and Employees – Acceptance of Gifts and Prohibited Retaliation for Reporting or Participating in Investigation – Prohibition**~~

FLOOR AMENDMENT

**SB0004/793222/1**

BY: Delegate Ghrist

AMENDMENTS TO SENATE BILL 4

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “Acceptance of Gifts and”; strike beginning with “prohibiting” in line 5 down through “association.” in line 6; in line 12, strike “and 5–505(a) and (c)”; and strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 5 on page 3 through line 17 on page 5, inclusive.

The preceding 2 amendments were read and rejected.

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

Affirmative – 119    Negative – 13    (See Roll Call No. 1451)

The Bill was then returned to the Senate.

**Senate Bill 116 – ~~Senators Kagan and West~~ Senators Kagan, West, and Hester**

AN ACT concerning

**Department of the Environment – Office of Recycling – Recycling Market  
Development**

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

Affirmative – 131    Negative – 4    (See Roll Call No. 1452)

The Bill was then returned to the Senate.

**Senate Bill 308 – Senator Ellis**

AN ACT concerning

**Higher Education – Maryland Community College Promise Scholarship –  
~~Revisions~~ Eligibility**

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

Affirmative – 135    Negative – 2    (See Roll Call No. 1453)

The Bill was then returned to the Senate.

**Senate Bill 630 – Senator Ferguson**

AN ACT concerning

**Education – Adult High School Pilot Program – Funding and Grants**

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

Affirmative – 127    Negative – 10    (See Roll Call No. 1454)

The Bill was then returned to the Senate.

**Senate Bill 732 – Senator Patterson**

AN ACT concerning

**Economic Development – Maryland Innovation Initiative University  
Partnership Pilot Program – Establishment**

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

Affirmative – 135    Negative – 2    (See Roll Call No. 1455)

The Bill was then returned to the Senate.

**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**

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

Affirmative – 136    Negative – 2    (See Roll Call No. 1456)

The Bill was then returned to the Senate.

**AMENDED IN 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)**

Delegate Davis, D.E. moved that the House not concur in the Senate amendments.

**HB0581/517574/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 581  
(Third Reading File Bill)



On page 2, strike beginning with “authorizing” in line 8 down through “circumstances;” in line 11.

On page 20, strike in their entirety lines 24 through 33, inclusive.

The preceding amendment was read and not concurred in.

**HB0581/957575/1**

BY: Senator Augustine

AMENDMENT TO HOUSE BILL 581

(Third Reading File Bill)

On page 18, strike beginning with “IF” in line 1 down through “FOR” in line 2 and substitute “TO THE EXTENT FUNDING IS PROVIDED THROUGH THE STATE BUDGET OR BY BUDGET AMENDMENT TO COMPENSATE AN ESSENTIAL EMPLOYER FOR THE COST OF PROVIDING”.

The preceding amendment was read and not concurred in.

**MESSAGE TO THE SENATE**

BILL: HB0581  
SPONSOR: Delegate Davis, D.E.  
SUBJECT: Labor and Employment – Employment Standards During an  
Emergency (Maryland Essential Workers’ Protection 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 Wilson, Chair  
Delegate D.E. Davis  
Delegate Dumais

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**CONCURRENCE CALENDAR NO. 31  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 1245 – Delegate Washington**

AN ACT concerning

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

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB1245/484930/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1245

(Third Reading File Bill)

On page 3, in line 9, after “9” insert “OR GRADE 10”.

On page 4, in line 16, strike “\$2,500,000” and substitute “\$5,000,000”.

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 – 104    Negative – 32    (See Roll Call No. 1457)

**AMENDED IN THE SENATE**

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

AN ACT concerning

**Prior Authorizations of State Debt – Alterations**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB1374/813827/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1374

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 11, insert:

“BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 22  
of the Acts of the General Assembly of 2017

Section 1(3) Item WA01(A)”;

and after line 19, insert:

“BY repealing and reenacting, with amendments,

Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter  
463 of the Acts of the General Assembly of 2014

Section 1(3) Item ZA00(F)”.

On page 2, in line 1, strike “ZA00(G)” and substitute “ZA00(F) and (G)”; in the same line, after “ZA01(H)” insert “and (I)”; in the same line, strike the first “and” and substitute a comma; in the same line, after “(AI),” insert “and (BJ), and”; after line 5, insert:

“BY repealing and reenacting, with amendments,

Chapter 463 of the Acts of the General Assembly of 2014, as amended by Chapter  
595 of the Acts of the General Assembly of 2020

Section 1(3) Item KA05(C)(1)”;

and in line 30, after “Item” insert “ZA02(BL) and”.

On page 3, in line 13, strike “ZA00(DI),” and substitute “ZA00(BZ), (CA), (CM), (DI),”; and in the same line, strike “ZA03(P)” and substitute “ZA03(M) and (P)”.

AMENDMENT NO. 2

On page 3, after line 21, insert:

**“Chapter 336 of the Acts of 2008, as amended by  
Chapter 22 of the Acts of 2017**

Section 1(3)

WA01

DEPARTMENT OF STATE POLICE

(A) Tactical Service Facility – Garage. Provide funds to construct and equip a garage and storage building at the Maryland State Police Waterloo Barrack Complex in Jessup. Notwithstanding Section 1(7) of this Act, this authorization may not terminate before June 1, [2021] 2023 (Howard County)..... 2,498,000”.

On page 4, after line 30, insert:

**“Chapter 424 of the Acts of 2013, as amended by  
Chapter 463 of the Acts of 2014**

Section 1(3)

ZA00

MISCELLANEOUS GRANT PROGRAMS

(F) Central Baltimore Partnership. Provide a grant to the Board of Directors of the Central Baltimore Partnership, Inc. to acquire and demolish blighted property and conduct site improvements in 10 central Baltimore neighborhoods. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2023 (Baltimore City)..... 3,000,000”;

and after line 33, insert:

“(F) Central Baltimore Partnership. Provide a grant to the Board of Directors of the Central Baltimore Partnership, Inc. for the acquisition, design, and construction of redevelopment projects in 10 central Baltimore City neighborhoods. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2023 (Baltimore City)..... 1,500,000”.

On page 5, after line 19, insert:



|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                      |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| (C) | <u>Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 and 5–906 of the Natural Resources Article .....</u>                                                                                                                                                                                                                                         | <u>41,635,000</u>    |
|     | <u>(1) Program Open Space – Stateside – Prior Funds Replacement. Notwithstanding §§ 5–905 and 5–906 of the Natural Resources Article, \$6,000,000 of this authorization is restricted for the purposes of providing a grant to Baltimore City for the construction of capital improvements to the Gwynns Falls/Leakin Park Urban Children in Nature Campus project and \$300,000 of this authorization is restricted for the purposes of providing a grant to [the Board of Directors of The Upton Planning Committee, Inc.] <b>BALTIMORE CITY RECREATION AND PARKS</b> for construction of capital improvements to Robert C. Marshall Park .....</u> | <u>18,872,000”</u> . |

On page 10, in line 8, strike “2020” and substitute “**2023**”; after line 13, insert:

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| “ZA02<br>(BL) | <u>LOCAL SENATE INITIATIVES</u><br><u>[American Legion Post 381 Annex] <b>LIBERTY SPORTS PARK.</b> Provide a grant of \$100,000 to the [HWV Enterprises, LLC] <b>BOARD OF DIRECTORS OF THE GREEN BRANCH MANAGEMENT GROUP, CORP.</b> for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the [American Legion Post 381 Annex] <b>LIBERTY SPORTS PARK</b>, located in Prince George’s County (Prince George’s County) .....</u> | <u>100,000”</u> . |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|

in line 15, after “a” insert “**\$50,000**”; strike beginning with “equal” in line 15 down through “provided,” in line 17; and strike beginning with the period in line 21 down through “contributions” in line 25.

On page 13, after line 26, insert:

“(BZ) [Bay Sox Stadium] **LIBERTY SPORTS PARK.** Provide a grant to the [Maryland–National Capital Park and Planning Commission] **BOARD OF DIRECTORS OF THE GREEN BRANCH MANAGEMENT GROUP, CORP.** for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of

|      |                                                                                                                                                                                                                                                                                                                                                                                                                            |                  |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
|      | <u>infrastructure improvements [at] OF the [Bay Sox Stadium, also known as Prince George’s Stadium] LIBERTY SPORTS PARK (Prince George’s County) .....</u>                                                                                                                                                                                                                                                                 | <u>500,000</u>   |
| (CA) | <u>[Bladensburg Waterfront Dock] LIBERTY SPORTS PARK. Provide a grant to the [Maryland–National Capital Park and Planning Commission] BOARD OF DIRECTORS OF THE GREEN BRANCH MANAGEMENT GROUP, CORP. for the design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of [a new dock at the Bladensburg Waterfront] LIBERTY SPORTS PARK (Prince George’s County) .....</u>        | <u>250,000</u>   |
| (CM) | <u>[Hands on Patterson Park Public] CLAY HILL PUBLIC CHARTER SCHOOL. Provide a grant to the Board of Directors of the Patterson Park Public Charter School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of [Hands on Patterson Park Public] CLAY HILL PUBLIC CHARTER SCHOOL, located in Baltimore City (Baltimore City).....</u> | <u>300,000”.</u> |

On page 14, after line 35, insert:

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                  |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| “(M) | <u>Blight Reduction and Homeownership Initiative. Provide a grant equal to the lesser of (i) \$270,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cherry Hill Development Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of [seven] blighted homes for homeownership, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City) .....</u> | <u>270,000”.</u> |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|

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 – 2    (See Roll Call No. 1458)

**AMENDED IN THE SENATE****House Bill 1153 – Delegate Adams**

AN ACT concerning

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

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB1153/578473/1**

BY: Judicial Proceedings Committee

**AMENDMENTS TO HOUSE BILL 1153**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 7, strike “the State Board of Physicians and”; in line 8, strike “the State Board of Physicians and”; and in line 9, strike “notice” and substitute “application”.

**AMENDMENT NO. 2**

On page 3, in line 11, after “ENTITY” insert “**THAT IS NOT EXEMPT UNDER § 5-107(A)(1) OF THIS SUBTITLE AND**”; in line 13, strike “**THE STATE BOARD OF PHYSICIANS AND**”; strike beginning with “**ON**” in line 15 down through “**(4)**” in line 24; in line 24, strike “**THE NOTICE REQUIRED**” and substitute “**AN APPLICATION FROM AN ENTITY DESCRIBED**”; in the same line, strike “**(1)**” and substitute “**(2)**”; in line 26, after the semicolon insert “**OR**”; strike beginning with “**REFER**” in line 27 down through “**(III)**” in line 29; and strike beginning with “**VIOLATES**” in line 30 down through “**ACTION**” in line 32 and substitute “**IS DECEPTIVE OR MISLEADING, REFER THE APPLICATION TO THE MARYLAND DEPARTMENT OF HEALTH**”.

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. 1459)



AMENDED IN THE SENATE

House Bill 1288 – Delegate Amprey

AN ACT concerning

Baltimore City – 40th District Alcoholic Beverages

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

HB1288/554233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1288

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “City” insert “under certain circumstances”; and in the same line, after “in” insert “certain areas of”.

AMENDMENT NO. 2

On page 3, in line 25, strike “C BEER, WINE, AND LIQUOR” and substitute “B-D-7”; in the same line, strike “IN” and substitute “ON THE EASTERN SIDE OF”; in line 26, after “DISTRICT” insert “IF:”

**(I) THE APPLICANT DOES NOT CONVERT THE LICENSE TO A DIFFERENT LICENSE CLASS;**

**(II) ALCOHOLIC BEVERAGES ARE SERVED OUTDOORS ONLY TO PATRONS SEATED AT TABLES OR STANDING IN A COURTYARD AREA;**

**(III) THE APPLICANT DOES NOT ALLOW THE OFF-PREMISES SALE OF ALCOHOLIC BEVERAGES;**

**(IV) ALCOHOLIC BEVERAGES SALES BEGIN NO EARLIER THAN 10 A.M.; AND**

(V) THE APPLICANT EXECUTES MEMORANDUMS OF UNDERSTANDING WITH THE DOWNTOWN PARTNERSHIP OF BALTIMORE AND THE MARKET CENTER MERCHANTS ASSOCIATION”;

and in line 27, after “(12)” insert “IF THE APPLICANT EXECUTES A MEMORANDUM OF UNDERSTANDING WITH THE BOLTON HILL COMMUNITY ASSOCIATION,”.

On page 7, in line 7, after “10 P.M.” insert “WITHIN AN AREA BOUNDED AS FOLLOWS:

(I) FROM THE INTERSECTION OF REISTERSTOWN ROAD AND QUANTICO AVENUE, NORTHWEST ON REISTERSTOWN ROAD TO THE INTERSECTION WITH WYLIE AVENUE, NORTHEAST ON WYLIE AVENUE TO THE INTERSECTION WITH PIMLICO ROAD, NORTHWEST ON PIMLICO ROAD TO THE INTERSECTION WITH DUPONT AVENUE, EAST ON DUPONT AVENUE TO THE INTERSECTION WITH PALL MALL ROAD, SOUTHEAST ON PALL MALL ROAD TO THE INTERSECTION WITH EDGECOMBE CIRCLE NORTH, EAST ON EDGECOMBE CIRCLE NORTH TO THE INTERSECTION WITH FINNEY AVENUE, SOUTH ON FINNEY AVENUE TO THE INTERSECTION WITH OAKFORD AVENUE, WEST ON OAKFORD AVENUE TO THE INTERSECTION WITH PALL MALL ROAD, SOUTHEAST ON PALL MALL ROAD TO THE INTERSECTION WITH LOYOLA NORTHWAY, SOUTHWEST ON LOYOLA NORTHWAY TO THE INTERSECTION WITH PIMLICO ROAD, SOUTHEAST ON PIMLICO ROAD TO THE INTERSECTION WITH QUANTICO AVENUE, AND SOUTHWEST ON QUANTICO AVENUE TO THE INTERSECTION WITH REISTERSTOWN ROAD;

(II) FROM THE INTERSECTION OF NORTH MONROE STREET AND WESTWOOD AVENUE, NORTH ON NORTH MONROE STREET TO THE INTERSECTION WITH WEST NORTH AVENUE, EAST ON WEST NORTH AVENUE TO THE INTERSECTION WITH WHITELOCK STREET, NORTHEAST ON WHITELOCK STREET TO THE INTERSECTION WITH MCCULLOH STREET, SOUTHEAST ON MCCULLOH STREET TO THE INTERSECTION WITH GOLD STREET, SOUTHWEST ON GOLD STREET TO THE INTERSECTION WITH NORTH CALHOUN STREET, NORTHWEST ON NORTH CALHOUN STREET TO THE INTERSECTION WITH WESTWOOD AVENUE, AND WEST ON WESTWOOD AVENUE TO THE INTERSECTION WITH NORTH MONROE STREET; AND

(III) FROM THE INTERSECTION OF MILLINGTON AVENUE WITH WILKENS AVENUE, NORTHWEST ON MILLINGTON AVENUE TO THE INTERSECTION WITH FREDERICK AVENUE, NORTHEAST ON FREDERICK AVENUE TO THE INTERSECTION WITH WEST PRATT STREET, EAST ON WEST PRATT STREET TO THE INTERSECTION WITH SOUTH MOUNT STREET, SOUTH ON SOUTH MOUNT STREET TO THE INTERSECTION WITH EAGLE STREET, SOUTHWEST ON EAGLE STREET TO THE INTERSECTION WITH SOUTH SMALLWOOD STREET, NORTHWEST ON SOUTH SMALLWOOD STREET TO THE INTERSECTION WITH WILKENS AVENUE, AND SOUTHWEST ON WILKENS AVENUE TO THE INTERSECTION WITH MILLINGTON AVENUE.”.

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. 1460)

**CALENDAR OF THIRD READING SENATE BILLS NO. 73**

**Senate Bill 888 – Senator Beidle**

AN ACT concerning

**Anne Arundel County – Speed Monitoring Systems – Maryland Route 175  
(Jessup Road)**

FLOOR AMENDMENT

**SB0888/373120/1**

BY: Delegate Saab

AMENDMENTS TO SENATE BILL 888

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “correction;” insert “providing for the application of this Act;”; in line 12, strike the first comma and substitute “and”; in the same line, strike “, and (c)”; and in line 17, after “(vi)” insert “and (c)”.

AMENDMENT NO. 2

On page 4, after line 5, insert:

**“(4) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A DRIVER OF A MOTOR VEHICLE WITH MARYLAND HOUSE OF DELEGATES OR MARYLAND SENATE REGISTRATION PLATES MAY NOT BE EXEMPT FROM A CITATION OR A CIVIL PENALTY ISSUED UNDER THIS SUBSECTION.”**

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

Affirmative – 39    Negative – 88    (See Roll Call No. 1461)

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

Affirmative – 93    Negative – 39    (See Roll Call No. 1462)

The Bill was then returned to the Senate.

**Senate Joint Resolution 4 – Senator Guzzone**

A Senate Joint Resolution concerning

**Natural Resources – Fishing – Wild-Caught Blue Catfish**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1463)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 70****Senate Bill 187 – Senator Sydnor**

AN ACT concerning

**Criminal Procedure – Forensic Genetic Genealogical DNA Analysis, Searching, Regulation, and Oversight**

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

Affirmative – 137    Negative – 1    (See Roll Call No. 1464)

The Bill was then returned to the Senate.

**Senate Bill 490 – Senators Beidle, Elfreth, and Simonaire**

AN ACT concerning

**Anne Arundel County – Board of License Commissioners – Chief Inspector**

FLOOR AMENDMENT

**SB0490/353123/1**

BY: Delegate Chisholm

AMENDMENTS TO SENATE BILL 490  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Chief Inspector**” and substitute “**Inspectors**”; in line 4, after the second “inspector;” insert “requiring an inspector to use a body-worn camera during the course of inspecting a licensed establishment;”; and after line 16, insert:

“BY adding to

Article – Alcoholic Beverages  
Section 11-206(e)  
Annotated Code of Maryland  
(2016 Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“(E) AN INSPECTOR CONDUCTING AN INSPECTION OF A LICENSED ESTABLISHMENT SHALL USE A BODY-WORN CAMERA DURING THE COURSE OF THE INSPECTION.”.

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

Affirmative – 41    Negative – 92    (See Roll Call No. 1465)

FLOOR AMENDMENT

**SB0490/943325/1**

BY: Delegate Arikan

AMENDMENTS TO SENATE BILL 490

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Chief Inspector**” and substitute “**Inspectors**”; in line 4, after the second “inspector;” insert “specifying the time during which an inspector may inspect a licensed establishment, except in certain circumstances;”; and in line 14, after “11-206(a)” insert “and (b)”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“(b) An inspector:

(1) has all the powers of a peace officer or sheriff in the State arising out of or relating to the enforcement of this article;

(2) may serve a summons under § 11-2604 of this title; [and]

(3) may issue a civil citation under § 11-2605 of this title; AND

(4) MAY INSPECT A LICENSED ESTABLISHMENT BETWEEN 8:00 A.M. AND 7:00 P.M., ABSENT EXIGENT CIRCUMSTANCES.”.

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

Affirmative – 39    Negative – 92    (See Roll Call No. 1466)

## FLOOR AMENDMENT

**SB0490/223126/1**

BY: Delegate Saab

AMENDMENT TO SENATE BILL 490

(Third Reading File Bill)

On page 2, in line 20, strike “**WITHIN**” and substitute “**AT THE BASE OF**”.

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

Affirmative – 39    Negative – 91    (See Roll Call No. 1467)

FLOOR AMENDMENT

**SB0490/453122/1**

BY: Delegate Saab

AMENDMENTS TO SENATE BILL 490

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “change;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 3, in line 10, strike “2021” and substitute “2022”.

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

Affirmative – 40    Negative – 93    (See Roll Call No. 1468)

FLOOR AMENDMENT

**SB0490/653929/1**

BY: Delegate Saab

AMENDMENTS TO SENATE BILL 490

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “change;” insert “making this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

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

(a) Section 1 of this Act is contingent on the Board of License Commissioners for Anne Arundel County resuming the collection of license fees for the 2021–2022 licensing year.

(b) Within 5 days after resuming the collection of license fees for the 2021–2022 licensing year, the Board shall notify the Department of Legislative Services.

(c) If notice of the resumption of the collection of license fees is received by the Department of Legislative Services on or before July 1, 2021, Section 1 of this Act shall take effect on the date the notice is received by the Department of Legislative Services in accordance with subsection (b) of this section.

(d) If notice of the resumption of the collection of license fees is not received by the Department of Legislative Services on or before July 1, 2021, Section 1 of this Act, with no further action required by the General Assembly, shall be null and void.”;

in line 9, strike “2.” and substitute “3.”; and in the same line, after “That” insert “, subject to Section 2 of this Act.”.

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

Affirmative – 42    Negative – 91    (See Roll Call No. 1469)

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

Affirmative – 97    Negative – 38    (See Roll Call No. 1470)

The Bill was then returned to the Senate.

**Senate Bill 550 – Senators Beidle, Augustine, Eckardt, Feldman, Kelley, King, Klausmeier, Waldstreicher, ~~and Salling~~ Salling, Corderman, Edwards, Elfreth, Griffith, Guzzone, McCray, Peters, Rosapepe, Young, and Zucker**

AN ACT concerning

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

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1471)

The Bill was then returned to the Senate.

**Senate Bill 637 – Senator Hayes**

AN ACT concerning



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

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

Affirmative – 121    Negative – 16    (See Roll Call No. 1472)

The Bill was then returned to the Senate.

**Senate Bill 800 – Senator Patterson**

AN ACT concerning

**Inmate Training and Job Act of 2021**

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

Affirmative – 104    Negative – 32    (See Roll Call No. 1473)

The Bill was then returned to the Senate.

**CONFERENCE COMMITTEE REPORT**

BILL NO.: **SB 509**      SPONSOR: **Senator Peters**

SUBJECT:    **National    Capital    Strategic    Economic  
Development Program – Eligibility**

THIRD READING CALENDAR      HOUSE NO. **51**      SENATE NO. **27**

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 Appropriations Committee Amendments (SB0509/104060/1) be rejected; and

(2) That the attached Conference Committee Amendments (SB0509/203729/1) be adopted.

**SB0509/203729/1**

BY: Conference 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 “years” and substitute “**YEAR**”; in the same lines, in each instance, strike “through 2025” and substitute “**AND EACH FISCAL YEAR THEREAFTER**”; strike beginning with “**IN**” in line 25 down through “**(2)**” in line 29; and in line 29, strike “**YEAR 2024 AND EACH FISCAL YEAR THEREAFTER**” and substitute “**YEARS 2022 AND 2023**”.

On page 4, in line 1, strike the first comma and substitute “:

**(I) IN PRINCE GEORGE’S COUNTY;**

in line 2, after “**COLUMBIA**” insert “**; OR**

**(II) IN MONTGOMERY COUNTY, WITHIN AN ENTERPRISE ZONE OR THE BOUNDARY CREATED BY:**

- 1. PRINCE GEORGE’S COUNTY;**
  - 2. MARYLAND ROUTE 200;**
  - 3. INTERSTATE 270;**
  - 4. INTERSTATE 495 TO THE MARYLAND STATE LINE;**
- AND**
- 5. THE DISTRICT OF COLUMBIA;**

and after line 2, insert:

**“(2) IN FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, 100% OF THE FUND SHALL BE USED FOR COMMUNITY ENHANCEMENT PROJECTS IN SUSTAINABLE COMMUNITIES LOCATED, AT LEAST IN PART, WITHIN THE BOUNDARY CREATED BY INTERSTATE 495 IN THE STATE AND THE DISTRICT OF COLUMBIA.”**

Senate Members:

House Members:

Chair, **Paul G. Pinsky**

Chair, **Ben Barnes**

**Mary Washington**

**Marc Korman**

**Obie Patterson**

**Tony Bridges**

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 – 104 Negative – 33 (See Roll Call No. 1474)

The Bill was then returned to the Senate.

**MESSAGE FROM THE SENATE  
INTRODUCTORY SENATE BILLS NO. 43**

**Senate Bill 810 – Senator Feldman**

AN ACT concerning

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

FOR the purpose of altering the renewable energy portfolio standard in certain years to require a certain percentage of energy from Tier 1 renewable sources each year to be derived from certain geothermal heating and cooling systems; requiring a certain percentage of energy required to be derived from certain geothermal heating and cooling systems to be from systems installed on certain property; clarifying that energy from certain geothermal heating and cooling systems is eligible for inclusion in meeting the renewable energy portfolio standard; altering the methods by which the Public Service Commission shall determine certain energy savings; specifying that certain geothermal heating and cooling systems are eligible for inclusion in meeting the renewable energy portfolio standard if the company installing the system meets certain requirements; ~~requiring the Public Service Commission to~~

~~adopt certain regulations; providing for regulation and enforcement of certain requirements by the Department of Labor; clarifying who is eligible to receive certain renewable energy credits under certain circumstances; requiring certain electricity suppliers to pay certain compliance fees into the Maryland Strategic Energy Investment Fund under certain circumstances; requiring certain money in the Fund to be used only in a certain manner; requiring the Commission to report to the General Assembly on or before certain dates on the status of the implementation of geothermal heating and cooling systems in the State; requiring the Maryland Energy Administration to conduct a certain study on geothermal heating and cooling systems; providing for the content of the study; authorizing the Administration to contract with a third party to conduct the study; requiring the Administration to submit the results of the study to the Geothermal Energy Workgroup on or before a certain date; establishing the Workgroup; 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 Administration, in consultation with the Workgroup, to develop recommendations for a certain incentive structure; requiring the Director of the Administration, or the Director's designee, to report certain results, findings, and recommendations to the General Assembly on or before a certain date; providing that existing obligations or contract rights may not be impaired by this Act; defining certain terms; and generally relating to the renewable energy portfolio standard and geothermal heating and cooling systems.~~

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7-701(a) through (c) and (s)  
Annotated Code of Maryland  
(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7-701(d), 7-703(b), 7-704(h), ~~7-705(b)~~, and ~~7-712~~ and 7-705(b)  
Annotated Code of Maryland  
(2020 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Public Utilities  
Section 7-701(e-1) and (i-1), 7-703(f), and 7-705(b-1)  
Annotated Code of Maryland  
(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9-20B-05(a) and (b)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Government  
 Section 9–20B–05(i–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.

**YEAS AND NAYS NO. 13  
 HOUSE BILLS PASSED IN THE SENATE**

| NUMBER  | SPONSOR                           | CONTENT                                                                                                        |
|---------|-----------------------------------|----------------------------------------------------------------------------------------------------------------|
| HB 429  | Del. Shetty                       | Pharmacists – Required Notification and Authorized Substitution – Lower–Cost Drug or Device Product            |
| HB 584  | Del. R. Watson                    | Public Utilities – Net Energy Metering                                                                         |
| HB 652  | Del. Qi                           | Health Facilities – Residential Service Agencies – Guidance and Reporting                                      |
| HB 685  | Del. Valderrama                   | Labor and Employment – Secure Maryland Wage Act                                                                |
| HB 934  | Del. Bartlett                     | Public Health – Chief Medical Examiner – Autopsy Findings and Conclusions                                      |
| HB 977  | Prince George’s County Delegation | Prince George’s County – Public Safety and Behavioral Health Surcharges – Behavioral Health Programs PG 414–21 |
| HB 1364 | Del. Crosby                       | Historic St. Mary’s City Fort to 400 Commission                                                                |

Read and ordered journalized.

**CLERK’S OFFICE RECEIPTS AND MESSAGES TO THE  
 SECRETARY OF STATE FOR 2021 OVERRIDDEN VETOED BILLS**

(See Exhibit S of Appendix II)

**QUORUM CALL**

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

(See Roll Call No. 1475)

**ADJOURNMENT**

At 3:49 P.M. on motion of Delegate Luedtke the House adjourned until 6:30 P.M. on Legislative Day March 28, 2021, Calendar Day, Monday, April 12, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 28, 2021**  
**Calendar Day: Monday, April 12, 2021**  
**6:30 P.M. Session**

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The House met at 6:38 P.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 119 Members present.

(See Roll Call No. 1476)

**EXCUSED:**

Delegate Anderson – illness

Delegate R. Watson – medical

The Journal of March 27, 2021 was read and approved.

**YEAS AND NAYS NO. 14**  
**HOUSE BILLS PASSED IN THE SENATE**

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| NUMBER | SPONSOR            | CONTENT                                                                                                                                  |
|--------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| HB 65  | Del. Bhandari      | State Board of Environmental Health Specialists – Fees – General Fund                                                                    |
| HB 70  | Del. Rogers        | Energy Efficiency – Net–Zero Homes – Contract Preferences                                                                                |
| HB 95  | Del. Krebs         | Health Occupations – Nurses – Delegation of Tasks                                                                                        |
| HB 119 | Del. Sample–Hughes | Maryland Department of Health – Public Health Outreach Programs – Cognitive Impairment, Alzheimer’s Disease, and Other Types of Dementia |
| HB 125 | Del. Lierman       | Public Institutions of Higher Education – Student Athletes (Jordan McNair Safe and Fair Play Act)                                        |

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| NUMBER | SPONSOR                                                            | CONTENT                                                                                                                  |
|--------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| HB 164 | Del. Stein                                                         | Department of the Environment – Office of Recycling – Recycling Market Development                                       |
| HB 208 | Del. Healey                                                        | Agriculture – Neonicotinoid Pesticides – Sale and Storage                                                                |
| HB 210 | Del. Bhandari                                                      | State Board of Physical Therapy Examiners – Temporary Licenses to Practice Physical Therapy and Limited Physical Therapy |
| HB 216 | Del. Valentino–Smith                                               | Higher Education – Tuition Exemption for Foster Care Recipients and Homeless Youth – Alterations and Reports             |
| HB 224 | Del. Krebs                                                         | Department of Information Technology – Study of a Common Information Technology Platform for Health Occupations Boards   |
| HB 280 | Del. Charkoudian                                                   | Maryland Recycling Act – Recyclable Materials and Resource Recovery Facilities – Alterations                             |
| HB 294 | Del. Williams                                                      | Business Occupations and Professions – Architects – Scope of Licensure                                                   |
| HB 307 | Del. Rosenberg                                                     | Maryland Technology Internship Program – Qualifications for Participation – Alterations                                  |
| HB 444 | Montgomery County Delegation and Prince George’s County Delegation | Prince George’s County Planning Board – Nontraditional Recreational Opportunities – Establishment and Fund MC/PG 104–21  |
| HB 460 | Del. Solomon                                                       | Transfer With Success Act                                                                                                |



| NUMBER         | SPONSOR                                                            | CONTENT                                                                                                            |
|----------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| HB 464         | Montgomery County Delegation and Prince George's County Delegation | Maryland–National Capital Park and Planning Commission – Mandatory Referral Review MC/PG 101–21                    |
| HB 466         | Del. Palakovich Carr                                               | Higher Education – Student Identification Cards – Required Information                                             |
| HB 495         | Del. Palakovich Carr                                               | Income Tax – Internal Revenue Code Amendments – Decoupling                                                         |
| HB 507         | Del. Stein                                                         | Clean Water Commerce Act of 2021                                                                                   |
| HB 563         | Del. Long                                                          | Local Government – Animal Control Facilities – Adoption Fee Waiver for Veterans (Pets for Vets Act of 2021)        |
| HB 597         | Del. Kelly                                                         | Child Care Centers – Teacher Qualifications                                                                        |
| HB 604         | Del. Kipke                                                         | Funeral Establishments and Crematories – Unclaimed Cremains of Veterans – Notification, Disposition, and Reporting |
| HB 636         | Del. Solomon                                                       | School Buildings – Drinking Water Outlets – Elevated Level of Lead (Safe School Drinking Water Act)                |
| HB 637         | Allegany County Delegation                                         | Allegany County and Garrett County – Archery Hunting – Safety Zone                                                 |
| HB 667         | Del. Sample–Hughes                                                 | General Provisions – State Song – Repeal                                                                           |
| HB 692         | Cecil County Delegation                                            | Cecil County – Board of Education – Member Terms and Compensation                                                  |
| HB 736 (Emerg) | The Speaker                                                        | Interstate Licensed Professional Counselors Compact                                                                |

| NUMBER            | SPONSOR                      | CONTENT                                                                                                                |
|-------------------|------------------------------|------------------------------------------------------------------------------------------------------------------------|
| HB 756            | Del. Krimm                   | Office of Legislative Audits – Acceptance and Investigation of Allegations of Fraud, Waste, and Abuse                  |
| HB 799<br>(Emerg) | Del. Clark                   | Aquaculture Coordinating Council – Application of Tidal Wetlands Permit Requirements to Aquaculture Operations – Study |
| HB 801            | Del. Clark                   | Calvert County – Public Safety – Buildings Used for Agritourism                                                        |
| HB 811            | Del. Cullison                | State Board of Social Work Examiners – Revisions                                                                       |
| HB 831<br>(Emerg) | Del.<br>Charkoudian          | Maryland Food System Resiliency Council                                                                                |
| HB 990            | Del. Krebs                   | Maryland Department of Emergency Management – Establishment and Transfer of Maryland 9–1–1 Board                       |
| HB 1124           | Del. Harrison                | Higher Education – Richard W. Collins III Leadership With Honor Scholarship – Bowie State                              |
| HB 1127           | Del. Beitzel                 | Garrett County – Memorial Hospital – Board Membership and Meetings                                                     |
| HB 1160           | Calvert County<br>Delegation | Calvert County – Long–Term Contracts for Cellular Tower Leases                                                         |
| HB 1287           | Del. R. Lewis                | Alcohol and Drug Counseling – Alcohol and Drug Trainees – Practice Through Telehealth                                  |

Read and ordered journalized.

**YEAS AND NAYS NO. 15  
HOUSE BILLS PASSED IN THE SENATE**

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| NUMBER           | SPONSOR             | CONTENT                                                                                                                      |
|------------------|---------------------|------------------------------------------------------------------------------------------------------------------------------|
| HB 34<br>(Emerg) | Del. Rosenberg      | State Department of Education and Maryland Department of Health – Maryland School–Based Health Center Standards – Telehealth |
| HB 94            | Del. Stein          | Environment – Water Quality Revolving Loan Fund – Uses of Fund                                                               |
| HB 108           | Del.<br>Charkoudian | Behavioral Health Crisis Response Services – Modifications                                                                   |
| HB 161           | Del. Kelly          | Health Occupations – Licensing of Audiology Assistants                                                                       |
| HB 278           | Del. Feldmark       | Economic Development – Job Creation Tax Credit – Qualified Position and Revitalization Area                                  |

Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB0581  
 SPONSOR: Delegate Davis, D.E.  
 SUBJECT: Labor and Employment – Employment Standards During an  
 Emergency (Maryland Essential Workers’ Protection Act)

The Senate recesses from its position on HB0581.

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: SB0883  
SPONSOR: Senator Guzzone  
SUBJECT: Tobacco Tax – Out-of-State Sales of Premium Cigars and Pipe  
Tobacco

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 McCray, Chair  
Senator Elfreth  
Senator Salling

Said Bill is returned herewith.

By Order,

Nicole Xander  
Secretary

Read and ordered journalized.

### MESSAGE TO THE SENATE

BILL: SB0883  
SPONSOR: Senator Guzzone  
SUBJECT: Tobacco Tax – Out-of-State Sales of Premium Cigars and Pipe  
Tobacco

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 McCray, Chairman  
Senator Elfreth  
Senator Salling.

The House appoints:

Delegate Luedtke, Chair  
Delegate D. Barnes  
Delegate Buckel

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**CONCURRENCE CALENDAR NO. 34  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 206 – Delegate Washington**

AN ACT concerning

**Election Law – Early Voting Centers – Hours of Operation**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB0206/414133/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 206

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “other than a presidential general election”.

AMENDMENT NO. 2

On page 2, in line 2, strike “8” and substitute “**7**”.

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 – 111    Negative – 24    (See Roll Call No. 1477)

**AMENDED IN THE SENATE**

**House Bill 714 – Delegate Guyton**

AN ACT concerning

**Special Education – Learning Continuity Plan – Requirement**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB0714/704430/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 714

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “and” in line 6 down through “purpose” in line 7.

AMENDMENT NO. 2

On page 6, strike in their entirety lines 13 through 18, inclusive.

On page 7, in lines 15, 24, and 29, strike “**(4)**”, “**(5)**”, and “**(6)**”, respectively, and substitute “**(3)**”, “**(4)**”, and “**(5)**”, respectively.

On page 10, in line 13, strike “existence” and substitute “effect”.

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. 1478)

## AMENDED IN THE SENATE

## House Bill 940 – The Speaker

AN ACT concerning

**Gaming – Regulation of Fantasy Gaming Competitions and Implementation of Sports Wagering**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB0940/559730/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 940

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 3, after “**Sports Wagering**” insert “– Supplementary Appropriation”.

On page 2, in line 29, strike “not more than a certain number of”; in line 35, after the comma insert “consider certain matters,”; in line 41, after “circumstances;” insert “establishing the Small, Minority–Owned, and Women–Owned Business Sports Wagering Assistance Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Commerce 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;”; and in line 45, after “date;” insert “requiring the Governor to include certain appropriations in the annual budget bill for a certain fiscal year; making this Act a supplementary appropriation to fund certain education–related programs; providing that the appropriation provided under this Act shall have priority over any other appropriation from the additional revenues resulting from this Act that are credited to a certain fund for a certain fiscal year; making this Act an emergency measure;”.

On page 3, in line 9, strike “5–219(b)” and substitute “5–206(b)”; in line 14, strike “5–219(f)” and substitute “5–206(f)”; after line 11, insert:

“(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)”;

after line 16, insert:

“(As enacted by Chapters 36, 37, and 38 of the Acts of the General Assembly of 2021)”;

in line 24, after “9-1A-33(b),” insert “9-1A-36(h)(3).”; and in line 35, strike “9-1E-15” and substitute “9-1E-16”.

On page 4, in line 8, strike “5-219.” and substitute “5-206.”; and in line 12, strike “2-605.1” and substitute “2-4A-02, 2-605.1, 2-1302.1.”.

On page 8, in line 29, strike “5-219” and substitute “5-206”.

On page 21, in line 11, strike “5-219” and substitute “5-206”.

On page 30, in line 19, strike “5-219” and substitute “5-206”.

On page 39, strike in their entirety lines 1 and 2 and substitute:

“SECTION 7. 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.”.

#### AMENDMENT NO. 2

On page 11, in line 23, strike “A” and substitute “A-1, A-2, B-1, OR B-2”; and strike beginning with “OR” in line 23 down through “LICENSE” in line 24.

On page 17, in line 32, strike “B” and substitute “B-1 OR B-2”.

On page 18, in line 2, strike “A” and substitute “A-1, A-2, B-1, OR B-2”; and strike beginning with “OR” in line 2 down through “LICENSE” in line 3.

On page 25, in line 12, strike “B” and substitute “B-1 OR B-2”.

#### AMENDMENT NO. 3

On page 6, after line 16, insert:



“9-1A-36.

(h) (3) (i) With respect to a video lottery operation license awarded to a location under paragraph (1)(iv) of this subsection, the holder of the video lottery operation license or any other person with a direct or indirect legal or financial interest in the Ocean Downs racetrack or video lottery facility may not[:

1. build any type of hotel, motel, or other public lodging accommodation on or within 10 miles of the property owned by the holder of the license on which a video lottery facility is operated;

2. convert an existing facility on or within 10 miles of the property described in item 1 of this subparagraph into any type of hotel, motel, or other public lodging accommodation; or

3.] build or operate a conference center or convention center, amusement park, amusement rides, arcade, or miniature golf course on or within 10 miles of the property [described in item 1 of this subparagraph] OWNED BY THE HOLDER OF THE LICENSE ON WHICH A VIDEO LOTTERY FACILITY IS OPERATED.

(ii) The prohibitions under subparagraph (i) of this paragraph apply to any subsequent holder of a video lottery operation license awarded under paragraph (1)(iv) of this subsection.”.

#### AMENDMENT NO. 4

On page 7, in line 17, after the semicolon insert “**AND**”; strike beginning with the semicolon in line 19 down through “**OPERATOR**” in line 21; after line 24, insert:

**“(G) “LOCATION PERCENTAGE” MEANS, FOR A FANTASY COMPETITION, THE PERCENTAGE, ROUNDED TO THE NEAREST ONE-TENTH OF A PERCENT, OF THE TOTAL ENTRY FEES COLLECTED BY A FANTASY COMPETITION OPERATOR FROM FANTASY COMPETITION PLAYERS IN THE STATE DIVIDED BY THE TOTAL ENTRY FEES COLLECTED FROM ALL FANTASY COMPETITION PLAYERS, REGARDLESS OF THE PLAYERS’ LOCATIONS, OF THE FANTASY CONTESTS.”;**

in line 25, strike “(G)” and substitute “(H)”; and in line 29, strike “RESIDENT” and substitute “**LOCATION**”.

On pages 7 and 8, strike in their entirety the lines beginning with line 30 on page 7 through line 3 on page 8, inclusive.

AMENDMENT NO. 5

On page 9, in line 11, strike “**(1)**”; in the same line, strike the colon; in line 12, strike “**(1)**”; strike beginning with the first comma in line 14 down through “COUNTY” in line 19 and substitute “TO HOLD RACING IN ANNE ARUNDEL COUNTY”; and strike in their entirety lines 20 and 21.

AMENDMENT NO. 6

On page 10, in line 1, after “ENTITY” insert “REGISTERED WITH A STATE TO DO BUSINESS WITHIN A JURISDICTION OF THE UNITED STATES”; strike beginning with “THAT” in line 5 down through “BETTORS” in line 8; after line 8, insert:

“(1) THE AMOUNT RETURNED TO SUCCESSFUL BETTORS;

“(2) THE CASH EQUIVALENTS OF ANY MERCHANDISE OR THING OF VALUE AWARDED AS A PRIZE TO SUCCESSFUL BETTORS;”;

in lines 9 and 11, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(3)**” and “**(4)**”, respectively; and in line 12, strike “PURSUANT TO” and substitute “IN ACCORDANCE WITH”.

AMENDMENT NO. 7

On page 11, in line 20, after “OWNED” insert “, LEASED, OR OCCUPIED”.

On page 12, in line 21, after “SUBSECTION” insert “AND § 9-1E-04 OF THIS SUBTITLE”.

On page 13, in lines 16, 17, and 18, in each instance, after “KIOSKS” insert “, DEVICES,”; and in line 19, after “KIOSK” insert “, DEVICE,”.

On page 24, in line 21, strike “IN” and substitute “AT”.

On page 25, in line 17, after “KIOSK” insert “, DEVICE,”.

On page 37, in line 1, after “LICENSE” insert “IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE”.

AMENDMENT NO. 8

On page 12, after line 24, insert:

“(C) A SPORTS WAGERING LICENSEE:

(1) SHALL:

(I) COMPLY WITH ALL STATE AND FEDERAL DATA SECURITY LAWS; AND

(II) MAINTAIN ALL SPORTS WAGERING DATA SECURELY FOR AT LEAST 10 YEARS; AND

(2) MAY NOT:

(I) SHARE ANY PERSONALLY IDENTIFIABLE INFORMATION WITH ANY THIRD PARTIES; AND

(II) TARGET ADVERTISING TO INDIVIDUALS WHO ARE PROHIBITED FROM PARTICIPATING IN SPORTS WAGERING AND OTHER AT-RISK INDIVIDUALS.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A SPORTS WAGERING FACILITY IS SUBJECT TO LOCAL ZONING LAWS.

(2) THE USE OF A FACILITY FOR SPORTS WAGERING IS NOT REQUIRED TO BE SUBMITTED TO OR APPROVED BY ANY COUNTY OR MUNICIPAL ZONING BOARD, AUTHORITY, OR UNIT IF THE FACILITY IS PROPERTY ZONED AND OPERATING AS OF THE EFFECTIVE DATE OF THIS ACT FOR THE FOLLOWING ACTIVITIES:

(I) OPERATION OF A VIDEO LOTTERY FACILITY;

(II) PARI-MUTUEL BETTING ON HORSE RACING; OR

**(III) OPERATION OF ELECTRONIC BINGO OR ELECTRONIC TIP JAR MACHINES.**”;

and in line 32, strike “**9-1E-15(H)**” and substitute “**9-1E-15**”.

**AMENDMENT NO. 9**

On page 13, in line 23, after “**PENALTIES,**” insert “**THE OUTCOME OF PLAYER DISCIPLINARY RULINGS, REPLAY REVIEWS,**”.

**AMENDMENT NO. 10**

On page 14, in line 16, strike the second “**AND**”; in line 18, strike “**AND**”; and after line 18, insert:

**“(XII) REQUIRING LICENSEES TO PROMINENTLY PUBLISH COMPLAINT PROCEDURES; AND**

**(XIII) ESTABLISHING A LIST OF INDIVIDUALS WHO ARE TO BE MANDATORILY EXCLUDED OR EJECTED BY A SPORTS WAGERING LICENSEE FROM ANY FACILITY OR WEBSITE OPERATED BY A SPORTS WAGERING LICENSEE; AND”.**

**AMENDMENT NO. 11**

On page 15, in line 28, after “**(C)**” insert “**(1)**”; in line 29, after “**IN**” insert “**THIS STATE OR**”; in line 30, strike “**OTHER STATE**” and substitute “**ISSUING AGENCY**”; and in line 33, strike “**(1)**” and substitute “**(I)**”.

On page 16, in line 1, strike “**(2)**” and substitute “**(II)**”; and after line 1, insert:

**“(2) THE COMMISSION MAY NOT WAIVE A REQUIREMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT RELATES TO:**

**(I) MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS AND PROCEDURES ESTABLISHED UNDER § 9-1E-07(B) OF THIS SUBTITLE; OR**

**(II) A REQUIREMENT OF THE SPORTS WAGERING APPLICATION REVIEW COMMISSION UNDER § 9-1E-15 OF THIS SUBTITLE.”.**

AMENDMENT NO. 12

On page 16, in line 29, strike “A” and substitute “A-1”; and in line 32, after “OPERATOR” insert “WITH MORE THAN 1,000 VIDEO LOTTERY TERMINALS”.

On page 17, in lines 1, 3, and 5, in each instance, after “OWNER” insert “, OR THE DESIGNEE OF THE OWNER,”; in lines 2 and 3, in each instance, after “FOOTBALL” insert “(NFL)”; strike in their entirety lines 7 through 13, inclusive, and substitute:

“(II) ISSUE A CLASS A-2 SPORTS WAGERING FACILITY LICENSE TO AN APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE WHO IS A VIDEO LOTTERY OPERATOR WITH 1,000 OR FEWER VIDEO LOTTERY TERMINALS;

“(III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ISSUE A CLASS B-1 SPORTS WAGERING FACILITY LICENSE TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE AND WHO IS NOT ELIGIBLE FOR A CLASS B-2 SPORTS WAGERING FACILITY LICENSE;

“(IV) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ISSUE A CLASS B-2 SPORTS WAGERING FACILITY LICENSE TO ANY APPLICANT WHO IS A PERSON WITH LESS THAN:

1. 25 FULL-TIME EMPLOYEES; OR
2. \$3,000,000 IN ANNUAL GROSS RECEIPTS; AND

“(V) ISSUE A MOBILE SPORTS WAGERING LICENSE TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE.”;

in line 16, strike “B” and substitute “B-1 OR B-2”; in lines 17, 19, and 26, in each instance, strike “A” and substitute “A-1 OR A-2”; in line 22, strike “A” and substitute “A-1 OR A-2”; in line 27, strike “B” and substitute “B-1 OR B-2”; and after line 32, insert:

“(4) IF AN APPLICANT DESIGNATES AN ENTITY TO HOLD THE LICENSE UNDER PARAGRAPH (1)(I)3 OF THIS SUBSECTION, THE DESIGNEE SHALL BE

CONSIDERED THE APPLICANT AND SUBJECT TO THE REQUIREMENTS OF THE APPLICATION PROCESS.”.

On page 18, in line 1, strike “(4)” and substitute “(5)”; and after line 4, insert:

“(6) A PERSON MAY HOLD MORE THAN ONE CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSE.”.

AMENDMENT NO. 13

On page 18, in line 7, strike “\$250,000” and substitute “\$2,000,000”; in the same line, strike “A” and substitute “A-1”; after line 7, insert:

“(2) \$1,000,000 FOR A CLASS A-2 SPORTS WAGERING FACILITY LICENSE;”;

in line 8, strike “(2) \$50,000” and substitute “(3) \$250,000”; in the same line, strike “B” and substitute “B-1”; in line 9, strike “AND”; after line 9, insert:

“(4) \$50,000 FOR A CLASS B-2 SPORTS WAGERING FACILITY LICENSE; AND”;

in line 10, strike “(3)” and substitute “(5)”; strike in their entirety lines 11 through 16, inclusive; in line 17, strike “(D)” and substitute “(C)”; strike beginning with “1%” in line 24 down through the period in line 27 and substitute a colon; after line 27, insert:

“(I) \$500,000 FOR A CLASS A-1 SPORTS WAGERING FACILITY LICENSE;”

“(II) \$300,000 FOR A CLASS A-2 SPORTS WAGERING FACILITY LICENSE;”

“(III) \$50,000 FOR A CLASS B-1 SPORTS WAGERING FACILITY LICENSE;”

“(IV) \$10,000 FOR A CLASS B-2 SPORTS WAGERING FACILITY LICENSE; AND”

**(v) \$100,000 FOR A MOBILE SPORTS WAGERING FACILITY LICENSE.**”;

in line 28, strike “(E)” and substitute “(D) (1)”; in line 30, after “FULL” insert “**AND THE APPLICANT REIMBURSES THE COMMISSION FOR EXPENSES RELATED TO PERFORMING BACKGROUND INVESTIGATIONS**”; and after line 30, insert:

**“(2) THE APPLICATION FEE UNDER SUBSECTION (B) OF THIS SECTION IS NONREFUNDABLE.”**.

#### AMENDMENT NO. 14

On page 19, strike beginning with the comma in line 3 down through “**COMMISSION**” in line 4; in line 14, strike “**AND**”; and in line 15, after “(IV)” insert “**THE NUMBER OF CURRENT CONTRACTS THE APPLICANT HAS WITH MINORITY- AND WOMEN-OWNED SUBCONTRACTORS; AND**”

**(v)**”.

On page 21, strike line 8 in its entirety.

#### AMENDMENT NO. 15

On page 24, strike beginning with the comma in line 23 down through the comma in line 25; in line 27, strike “**UNDER TITLE 11, SUBTITLE 5, PART II OF THE BUSINESS REGULATION ARTICLE**”; and strike in their entirety lines 28 through 30, inclusive.

On page 25, strike in their entirety lines 1 through 4, inclusive; in lines 5 and 9, strike “(V)” and “(VI)”, respectively, and substitute “(III)” and “(IV)”, respectively; in line 6, after “**FOOTBALL**” insert “(NFL)”; and in line 8, after “**LESSEE**” insert “**OR THE DESIGNEE OF THE OWNER OR LESSEE**”.

#### AMENDMENT NO. 16

On page 25, strike in their entirety lines 30 through 34, inclusive.

On page 26, in line 2, strike the period; and after line 2, insert:

**“(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A SPORTS WAGERING FACILITY LICENSEE MAY CONTRACT WITH ANY OTHER SPORTS**

WAGERING FACILITY LICENSEE TO PROVIDE SPORTS WAGERING SERVICES ON BEHALF OF THE LICENSEE AT A LOCATION WHERE THE LICENSEE IS AUTHORIZED TO ACCEPT WAGERS ON SPORTING EVENTS.

(2) IF A SPORTS WAGERING LICENSEE AUTHORIZED TO ACCEPT WAGERS AT A STADIUM UNDER SUBSECTION (A)(1)(III) OF THIS SECTION CONTRACTS WITH A VIDEO LOTTERY OPERATOR TO PROVIDE SPORTS WAGERING SERVICES AT THE STADIUM, THE LICENSEE MAY CONTRACT ONLY WITH A VIDEO LOTTERY OPERATOR THAT OPERATES A VIDEO LOTTERY FACILITY LOCATED IN THE SAME COUNTY AS THE STADIUM.”.

AMENDMENT NO. 17

On page 30, in line 5, after “A” insert “CLASS A-1 AND A-2”; and strike in their entirety lines 8 through 14, inclusive, and substitute:

“(III) A CLASS B-1 AND B-2 SPORTS WAGERING FACILITY LICENSEE SHALL RETAIN 87% OF THE PROCEEDS FROM SPORTS WAGERING CONDUCTED AT THE LOCATION DESCRIBED IN THE LICENSEE’S APPLICATION.

(IV) A MOBILE SPORTS WAGERING LICENSEE SHALL RETAIN 85% OF THE PROCEEDS FROM ONLINE SPORTS WAGERING RECEIVED BY THE LICENSEE.”.

AMENDMENT NO. 18

On page 34, in line 16, strike “AND”; after line 16, insert:

“(2) SHALL AWARD A CLASS A-1, A-2, B-1, OR B-2 FACILITY LICENSE TO ANY APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE; AND”;

strike in their entirety lines 17 through 21, inclusive, and substitute:

“(3) MAY NOT AWARD A MOBILE SPORTS WAGERING LICENSE UNTIL AFTER THE COMMISSION ADOPTS THE REGULATIONS REQUIRED UNDER SUBSECTION (H) OF THIS SECTION.”;

in line 26, after “(1)” insert “THIS SUBSECTION APPLIES ONLY TO MOBILE SPORTS WAGERING LICENSES.



**(2)**;

in lines 26 and 31, in each instance, strike “**(2)**” and substitute “**(3)**”; and in line 28, after “**FOR**” insert “**MOBILE**”.

On page 35, in line 12, strike “**AND**”; in line 13, after “**(III)**” insert “**CONSIDER ALLOWING EARLY ACCESS TO THE MOBILE SPORTS WAGERING MARKET TO:**”

**1. ENTITIES WITH A MEANINGFUL PARTNERSHIP WITH MINORITIES, WOMEN, AND MINORITY- AND WOMEN-OWNED BUSINESSES; OR**

**2. ENTITIES WITH A DEMONSTRATED HISTORY OF PARTNERING OR CONTRACTING WITH MINORITIES, WOMEN, AND MINORITY- AND WOMEN-OWNED BUSINESSES; AND**

**(IV)**;

in line 12, before “**SPORTS**” insert “**MOBILE**”; in line 13, after “**ADOPT**” insert “**EMERGENCY**”; in line 21, after “**AWARDING**” insert “**MOBILE SPORTS WAGERING**”; and in line 25, after “**FOR**” insert “**MOBILE**”.

#### **AMENDMENT NO. 19**

On page 37, strike beginning with “**(1)**” in line 13 down through “**(2)**” in line 17.

#### **AMENDMENT NO. 20**

On page 21, in line 3, strike “, **ANNUAL LICENSE FEES,**”; in line 9, strike the second “**AND**”; and in line 10, after “**(2)**” insert “**5% OF THE FEES COLLECTED FOR EACH CLASS A-1 AND A-2 SPORTS WAGERING FACILITY LICENSE TO THE SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND ESTABLISHED UNDER § 9-1E-16 OF THIS SUBTITLE; AND**”

**(3)**.

On page 38, after line 4, insert:

**9-1E-16.**

**(A) IN THIS SECTION, “FUND” MEANS THE SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND.**

**(B) THERE IS A SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND.**

**(C) THE PURPOSE OF THE FUND IS TO ASSIST SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESSES ENTERING THE SPORTS WAGERING MARKET.**

**(D) THE DEPARTMENT OF COMMERCE 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) REVENUE DISTRIBUTED TO THE FUND UNDER § 9-1E-07(D) OF THIS SUBTITLE;**

**(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND**

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

**(G) THE FUND MAY BE USED ONLY FOR GRANTS OR LOANS TO SMALL, MINORITY-OWNED, OR WOMEN-OWNED BUSINESSES FOR:**

**(1) SPORTS WAGERING LICENSE APPLICATION ASSISTANCE;**

**(2) ASSISTANCE WITH SPORTS WAGERING OPERATIONS; OR**

**(3) TARGETED TRAINING TO SUPPORT PARTICIPATION IN THE SPORTS WAGERING INDUSTRY.**

**(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 GENERAL FUND OF THE STATE.**

**(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.”.**

**AMENDMENT NO. 21**

On page 38, after line 35, insert:

**“SECTION 5. AND BE IT FURTHER ENACTED, That:**

**(a) For fiscal year 2023, the Governor shall include in the annual budget bill an appropriation in the amount of:**

**(1) \$1,500,000 for Morgan State University; and**

**(2) \$1,500,000 for Bowie State University.**

**(b) The appropriation required under subsection (a) of this section shall be used to establish a Center for the Study of Data Analytics and Sports Gaming at each university.**

**(c) The Center shall study and analyze emerging sports technologies, e-sports, operations management, policy, and regulation, and support scholarly inquiry on the dimensions and impacts of gaming to academic, industry, nonprofit, and government audiences.**

**SECTION 6. AND BE IT FURTHER ENACTED, That for fiscal year 2022 only and from only those additional revenues resulting from this Act that are credited to the Blueprint for Maryland’s Future Fund for fiscal year 2022, and from no other funds, and subject to the provisions of law relating to budgetary procedure to the extent applicable, the amounts specified below are hereby appropriated and authorized to be disbursed to the following programs authorized by Chapter 36 of the Acts of the General Assembly of 2021**

in the following priority order from as much of those additional revenues as are received by the State:

- (1) Accountability and Implementation Board – \$4,800,000;
- (2) Model Curriculum and Instructional Materials – \$2,500,000;
- (3) Expert Review Teams – \$1,300,000;
- (4) Career and Technology Education Committee – \$700,000;
- (5) Blueprint for Maryland’s Future Program Training – \$2,000,000; and
- (6) Maryland State Department of Education Financial System – \$2,500,000.”.

The preceding 21 amendments were read and concurred in.

#### **HB0940/655467/1**

BY: Budget and Taxation Committee

#### AMENDMENTS TO HOUSE BILL 940 (Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 3, after “**Sports Wagering**” insert “– Supplementary Appropriation”.

On page 2, in line 5, after “licenses;” insert “authorizing a holder of a certain sports wagering license to sell or transfer ownership of the license under certain circumstances;”; in line 26, after “date;” insert “requiring the State Lottery and Gaming Control Commission to report to the General Assembly, on or before a certain date, on certain information concerning certain license holders, certain market saturation information, and whether the number of certain licenses should be increased in order to meet a demand for sports wagering in the State; requiring the State Lottery and Gaming Control Commission, before submitting a certain report, to provide the Legislative Policy Committee at least a certain number of days to comment on the report;”; in line 29, strike “not more than a certain number of”; in line 35, after the comma insert “consider certain matters;”; in line 41, after “circumstances;” insert “establishing the Small, Minority-Owned, and Women-Owned”

Business Sports Wagering Assistance Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Commerce 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; repealing a certain limitation on the holder of a video lottery operation license for Worcester County or certain other persons to build or convert certain lodging facilities on or within a certain distance of the facility;”; and in line 45, after “date;” insert “requiring the Governor to include certain appropriations in the annual budget bill for a certain fiscal year; making this Act a supplementary appropriation to fund certain education–related programs; providing that the appropriation provided under this Act shall have priority over any other appropriation from the additional revenues resulting from this Act that are credited to a certain fund for a certain fiscal year; making the provisions of this Act severable; making this Act an emergency measure;”.

On page 3, in line 9, strike “5–219(b)” and substitute “5–206(b)”; in line 14, strike “5–219(f)” and substitute “5–206(f)”; after line 11, insert:

“(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)”;

after line 16, insert:

“(As enacted by Chapters 36, 37, and 38 of the Acts of the General Assembly of 2021)”;

in line 24, after “9–1A–33(b),” insert “9–1A–36(h)(3).”; and in line 35, strike “9–1E–15” and substitute “9–1E–16”.

On page 4, in line 8, strike “5–219.” and substitute “5–206.”; and in line 12, strike “2–605.1” and substitute “2–4A–02, 2–605.1, 2–1302.1.”.

On page 8, in line 29, strike “5–219” and substitute “5–206”.

On page 21, in line 11, strike “5–219” and substitute “5–206”.

On page 30, in line 19, strike “5–219” and substitute “5–206”.

On page 39, strike in their entirety lines 1 and 2 and substitute:

“SECTION 7. AND BE IT FURTHER ENACTED, That, if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act that can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 8. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

#### AMENDMENT NO. 2

On page 11, in line 23, strike “A” and substitute “A-1, A-2, B-1, OR B-2”; and strike beginning with “OR” in line 23 down through “LICENSE” in line 24.

On page 17, in line 32, strike “B” and substitute “B-1 OR B-2”.

On page 18, in line 2, strike “A” and substitute “A-1, A-2, B-1, OR B-2”; and strike beginning with “OR” in line 2 down through “LICENSE” in line 3.

On page 25, in line 12, strike “B” and substitute “B-1 OR B-2”.

#### AMENDMENT NO. 3

On page 6, after line 16, insert:

“9-1A-36.

(h) (3) (i) With respect to a video lottery operation license awarded to a location under paragraph (1)(iv) of this subsection, the holder of the video lottery operation license or any other person with a direct or indirect legal or financial interest in the Ocean Downs racetrack or video lottery facility may not[:

1. build any type of hotel, motel, or other public lodging accommodation on or within 10 miles of the property owned by the holder of the license on which a video lottery facility is operated;

2. convert an existing facility on or within 10 miles of the property described in item 1 of this subparagraph into any type of hotel, motel, or other public lodging accommodation; or

3.] build or operate a conference center or convention center, amusement park, amusement rides, arcade, or miniature golf course on or within 10 miles of the property [described in item 1 of this subparagraph] OWNED BY THE HOLDER OF THE LICENSE ON WHICH A VIDEO LOTTERY FACILITY IS OPERATED.

(ii) The prohibitions under subparagraph (i) of this paragraph apply to any subsequent holder of a video lottery operation license awarded under paragraph (1)(iv) of this subsection.”.

#### AMENDMENT NO. 4

On page 7, in line 17, after the semicolon insert “AND”; strike beginning with the semicolon in line 19 down through “OPERATOR” in line 21; after line 24, insert:

“(G) “LOCATION PERCENTAGE” MEANS, FOR A FANTASY COMPETITION, THE PERCENTAGE, ROUNDED TO THE NEAREST ONE-TENTH OF A PERCENT, OF THE TOTAL ENTRY FEES COLLECTED BY A FANTASY COMPETITION OPERATOR FROM FANTASY COMPETITION PLAYERS IN THE STATE DIVIDED BY THE TOTAL ENTRY FEES COLLECTED FROM ALL FANTASY COMPETITION PLAYERS, REGARDLESS OF THE PLAYERS’ LOCATIONS, OF THE FANTASY CONTESTS.”;

in line 25, strike “(G)” and substitute “(H)”; and in line 29, strike “RESIDENT” and substitute “LOCATION”.

On pages 7 and 8, strike in their entirety the lines beginning with line 30 on page 7 through line 3 on page 8, inclusive.

#### AMENDMENT NO. 5

On page 9, in line 11, strike “(1)”; in the same line, strike the colon; in line 12, strike “(I)”; strike beginning with the first comma in line 14 down through “COUNTY” in line 19 and substitute “TO HOLD RACING IN ANNE ARUNDEL COUNTY”; and strike in their entirety lines 20 and 21.

#### AMENDMENT NO. 6

On page 10, in line 1, after “ENTITY” insert “REGISTERED WITH A STATE TO DO BUSINESS WITHIN A JURISDICTION OF THE UNITED STATES”; strike beginning with “THAT” in line 5 down through “BETTORS” in line 8; after line 8, insert:

“(1) THE AMOUNT RETURNED TO SUCCESSFUL BETTORS;

“(2) THE CASH EQUIVALENTS OF ANY MERCHANDISE OR THING OF VALUE AWARDED AS A PRIZE TO SUCCESSFUL BETTORS;”;

in lines 9 and 11, strike “(1)” and “(2)”, respectively, and substitute “(3)” and “(4)”, respectively; and in line 12, strike “PURSUANT TO” and substitute “IN ACCORDANCE WITH”.

#### AMENDMENT NO. 7

On page 11, in line 20, after “OWNED” insert “, LEASED, OR OCCUPIED”.

On page 12, in line 21, after “SUBSECTION” insert “AND § 9-1E-04 OF THIS SUBTITLE”.

On page 13, in lines 16, 17, and 18, in each instance, after “KIOSKS” insert “, DEVICES,”; and in line 19, after “KIOSK” insert “, DEVICE,”.

On page 24, in line 21, strike “IN” and substitute “AT”.

On page 25, in line 17, after “KIOSK” insert “, DEVICE,”.

On page 37, in line 1, after “LICENSE” insert “IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE”.

#### AMENDMENT NO. 8

On page 12, after line 24, insert:

“(C) A SPORTS WAGERING LICENSEE:

(1) SHALL:



(I) COMPLY WITH ALL STATE AND FEDERAL DATA SECURITY LAWS; AND

(II) MAINTAIN ALL SPORTS WAGERING DATA SECURELY FOR AT LEAST 5 YEARS; AND

(2) MAY NOT:

(I) SHARE ANY PERSONALLY IDENTIFIABLE INFORMATION WITH ANY THIRD PARTIES WITHOUT PERMISSION, EXCEPT AS NEEDED TO OPERATE SPORTS WAGERING AND ADMINISTER THE LICENSEE’S OBLIGATIONS UNDER THIS SUBTITLE;

(II) TARGET ADVERTISING TO INDIVIDUALS WHO ARE PROHIBITED FROM PARTICIPATING IN SPORTS WAGERING AND OTHER AT-RISK INDIVIDUALS; OR

(III) ENGAGE IN ANY FALSE OR DECEPTIVE ADVERTISING.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A SPORTS WAGERING FACILITY IS SUBJECT TO LOCAL ZONING LAWS.

(2) THE USE OF A FACILITY FOR SPORTS WAGERING IS NOT REQUIRED TO BE SUBMITTED TO OR APPROVED BY ANY COUNTY OR MUNICIPAL ZONING BOARD, AUTHORITY, OR UNIT IF THE FACILITY IS PROPERLY ZONED AND OPERATING AS OF THE EFFECTIVE DATE OF THIS ACT FOR THE FOLLOWING ACTIVITIES:

(I) OPERATION OF A VIDEO LOTTERY FACILITY;

(II) PARI-MUTUEL BETTING ON HORSE RACING; OR

(III) OPERATION OF ELECTRONIC BINGO OR ELECTRONIC TIP JAR MACHINES.”;

and in line 32, strike “9-1E-15(H)” and substitute “9-1E-15”.

AMENDMENT NO. 9

On page 13, in line 23, after “PENALTIES,” insert “THE OUTCOME OF PLAYER DISCIPLINARY RULINGS, REPLAY REVIEWS,”; in line 27, strike the comma and substitute “AND”; and in line 28, strike “, AND POINT SPREADS, LINES, AND ODDS ARE DETERMINED”.

AMENDMENT NO. 10

On page 14, in line 16, strike the second “AND”; in line 18, strike “AND”; and after line 18, insert:

“(XII) REQUIRING LICENSEES TO PROMINENTLY PUBLISH COMPLAINT PROCEDURES; AND

(XIII) ESTABLISHING A LIST OF INDIVIDUALS WHO ARE TO BE MANDATORILY EXCLUDED OR EJECTED BY A SPORTS WAGERING LICENSEE FROM ANY FACILITY OR WEBSITE OPERATED BY A SPORTS WAGERING LICENSEE; AND”.

AMENDMENT NO. 11

On page 15, in line 28, after “(C)” insert “(1)”; in line 29, after “IN” insert “THIS STATE OR”; in line 30, strike “OTHER STATE” and substitute “ISSUING AGENCY”; and in line 33, strike “(1)” and substitute “(I)”.

On page 16, in line 1, strike “(2)” and substitute “(II)”; and after line 1, insert:

“(2) EXCEPT AS PROVIDED UNDER THIS SUBTITLE OR IN REGULATION, THE COMMISSION MAY NOT WAIVE A REQUIREMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT RELATES TO:

(I) MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS AND PROCEDURES ESTABLISHED UNDER § 9-1E-07(B) OF THIS SUBTITLE; OR

(II) A REQUIREMENT OF THE SPORTS WAGERING APPLICATION REVIEW COMMISSION UNDER § 9-1E-15 OF THIS SUBTITLE.”.

AMENDMENT NO. 12

On page 16, in line 29, strike “A” and substitute “A-1”; in line 32, after “OPERATOR” insert “WITH MORE THAN 1,000 VIDEO LOTTERY TERMINALS”; in the same line after the semicolon insert “OR”; and strike line 33 in its entirety.

On page 17, in line 1, strike “3.” and substitute “2.”; in lines 1, 3, and 5, in each instance, after “OWNER” insert “, OR THE DESIGNEE OF THE OWNER,”; in lines 2 and 3, in each instance, after “FOOTBALL” insert “(NFL)”; in line 4, strike “OR”; strike in their entirety lines 7 through 13, inclusive, and substitute:

“D. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL HOCKEY LEAGUE (NHL) FRANCHISE, THAT IS A LESSEE OF A STADIUM IN THE STATE;

E. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL BASKETBALL ASSOCIATION (NBA) FRANCHISE, THAT IS A LESSEE OF A STADIUM IN THE STATE; OR

F. THE OWNER, OR THE DESIGNEE OF THE OWNER, OF A PROFESSIONAL SOCCER LEAGUE (MLS) FRANCHISE, THAT IS A LESSEE OF A STADIUM IN THE STATE;

(II) ISSUE A CLASS A-2 SPORTS WAGERING FACILITY LICENSE TO AN APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE WHO IS:

1. A VIDEO LOTTERY OPERATOR WITH 1,000 OR FEWER VIDEO LOTTERY TERMINALS; OR

2. A HORSE RACING LICENSEE;

(III) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, ISSUE A CLASS B-1 SPORTS WAGERING FACILITY LICENSE TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE AND WHO IS NOT ELIGIBLE FOR A CLASS B-2 SPORTS WAGERING FACILITY LICENSE;

(IV) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, ISSUE A CLASS B-2 SPORTS WAGERING FACILITY LICENSE TO ANY APPLICANT WHO IS A PERSON WITH LESS THAN:

1. 25 FULL-TIME EQUIVALENT EMPLOYEES; OR
2. \$3,000,000 IN ANNUAL GROSS RECEIPTS; AND

(V) ISSUE NOT MORE THAN 60 MOBILE SPORTS WAGERING LICENSES TO ANY APPLICANT WHO MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE.

(2) (I) THE COMMISSION SHALL ISSUE A CLASS B-1 OR CLASS B-2 SPORTS WAGERING FACILITY LICENSE TO AN APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE WHO IS:

1. THE HOLDER OF A LICENSE ISSUED BY THE STATE RACING COMMISSION UNDER § 11-524 OF THE BUSINESS REGULATION ARTICLE, INCLUDING A SUBSIDIARY OF THE LICENSE HOLDER;

2. A PERSON WHO IS THE OWNER OR LESSEE OF A FACILITY APPROVED FOR SATELLITE SIMULCAST BETTING BEFORE JANUARY 1, 2021, UNLESS THE SATELLITE SIMULCAST FACILITY IS LOCATED AT A VIDEO LOTTERY FACILITY OR A RACETRACK; AND

3. A PERSON WHO HOLDS A COMMERCIAL BINGO LICENSE, IF THE FACILITY AT WHICH THE PERSON OPERATES COMMERCIAL BINGO WAS PERMITTED TO OPERATE AT LEAST 200 ELECTRONIC BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES ON JANUARY 1, 2021.

(II) IN ADDITION TO THE CLASS B-1 AND B-2 SPORTS WAGERING FACILITY LICENSES ISSUED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSION MAY ISSUE NOT MORE THAN 30 CLASS B-1 AND CLASS B-2 SPORTS WAGERING FACILITY LICENSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.”;

in lines 14 and 28, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively; in line 16, strike “B” and substitute “B-1 OR B-2”; in lines 17, 19, and 26, in each instance, strike “A” and substitute “A-1 OR A-2”; in line 22, strike “A” and substitute “A-1 OR A-2”; in line 27, strike “B” and substitute “B-1 OR B-2”; and after line 32, insert:

**“(5) IF AN APPLICANT DESIGNATES AN ENTITY TO HOLD THE LICENSE UNDER PARAGRAPH (1)(I)2 OF THIS SUBSECTION, THE DESIGNEE SHALL BE CONSIDERED THE APPLICANT AND SUBJECT TO THE REQUIREMENTS OF THE APPLICATION PROCESS.”**

On page 18, in line 1, strike “(4)” and substitute “(6)”.

#### AMENDMENT NO. 13

On page 18, in line 7, strike “\$250,000” and substitute “\$2,000,000”; in the same line, strike “A” and substitute “A-1”; after line 7, insert:

**“(2) \$1,000,000 FOR A CLASS A-2 SPORTS WAGERING FACILITY LICENSE;”**;

in line 8, strike “(2) \$50,000” and substitute “(3) \$250,000”; in the same line, strike “B” and substitute “B-1”; in line 9, strike “AND”; after line 9, insert:

**“(4) \$50,000 FOR A CLASS B-2 SPORTS WAGERING FACILITY LICENSE; AND”**;

in line 10, strike “(3)” and substitute “(5)”; strike in their entirety lines 11 through 16, inclusive; in line 17, strike “(D)” and substitute “(C)”; in line 28, strike “(E)” and substitute “(D) (1)”; in line 30, after “FULL” insert “AND THE APPLICANT REIMBURSES THE COMMISSION FOR EXPENSES RELATED TO PERFORMING BACKGROUND INVESTIGATIONS”; and after line 30, insert:

**“(2) THE APPLICATION FEE UNDER SUBSECTION (B) OF THIS SECTION IS NONREFUNDABLE.”**

#### AMENDMENT NO. 14

On page 19, strike beginning with the comma in line 3 down through “COMMISSION” in line 4; in line 14, strike “AND”; and in line 15, after “(IV)” insert “THE NUMBER OF”

**CURRENT CONTRACTS THE APPLICANT HAS WITH MINORITY- AND WOMEN-OWNED SUBCONTRACTORS; AND**

**(V)**.

On page 21, strike line 8 in its entirety.

On page 31, in lines 20 and 22, in each instance, strike “**APPLICANT**” and substitute “**LICENSEE**”; in line 24, strike “**APPLICANT**” and substitute “**LICENSEE**”;

**(4) THE NUMBER OF CURRENT CONTRACTS THE LICENSEE HAS WITH MINORITY- AND WOMEN-OWNED SUBCONTRACTORS**”;

and in line 25, strike “**(4)**” and substitute “**(5)**”.

**AMENDMENT NO. 15**

On page 24, strike beginning with the comma in line 23 down through the comma in line 25; in line 27, strike “**UNDER TITLE 11, SUBTITLE 5, PART II OF THE BUSINESS REGULATION ARTICLE**”; and strike in their entirety lines 28 through 30, inclusive.

On page 25, strike in their entirety lines 1 through 4, inclusive; in lines 5 and 9, strike “**(V)**” and “**(VI)**”, respectively, and substitute “**(III)**” and “**(VII)**”, respectively; in line 6, strike “**OR**” and substitute “**(NFL),**”; in line 7, after “**BASEBALL,**” insert “**PROFESSIONAL HOCKEY (NHL), PROFESSIONAL BASKETBALL (NBA), OR PROFESSIONAL SOCCER (MLS),**”; in line 8, after “**LESSEE**” insert “**OR THE DESIGNEE OF THE OWNER OR LESSEE**”; in the same line, strike “**OR**”; and after line 8, insert:

**“(IV) AT THE MARYLAND STATE FAIRGROUNDS IN TIMONIUM, IF THE SPORTS WAGERING LICENSEE IS THE HOLDER OF A LICENSE ISSUED BY THE STATE RACING COMMISSION UNDER § 11-524 OF THE BUSINESS REGULATION ARTICLE, OR A SUBSIDIARY OF THE LICENSE HOLDER;**

**(V) AT A SATELLITE SIMULCAST FACILITY, IF THE SPORTS WAGERING LICENSEE IS THE OWNER OR LESSEE OF A SATELLITE SIMULCAST FACILITY DESCRIBED UNDER § 9-1E-06(A)(2) OF THIS SUBTITLE;**

(VI) AT A COMMERCIAL BINGO FACILITY WITH AT LEAST 200 ELECTRONIC BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES, IF THE SPORTS WAGERING LICENSEE IS A COMMERCIAL BINGO OPERATOR DESCRIBED UNDER § 9-1E-06(A)(2) OF THIS SUBTITLE; OR”.

AMENDMENT NO. 16

On page 25, strike in their entirety lines 30 through 34, inclusive.

On page 26, in line 2, strike the period; and after line 2, insert:

“(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A SPORTS WAGERING FACILITY LICENSEE MAY CONTRACT WITH ANY OTHER SPORTS WAGERING FACILITY LICENSEE TO PROVIDE SPORTS WAGERING SERVICES ON BEHALF OF THE LICENSEE AT A LOCATION WHERE THE LICENSEE IS AUTHORIZED TO ACCEPT WAGERS ON SPORTING EVENTS.

(2) IF A SPORTS WAGERING LICENSEE AUTHORIZED TO ACCEPT WAGERS AT A STADIUM UNDER SUBSECTION (A)(1)(III) OF THIS SECTION CONTRACTS WITH A VIDEO LOTTERY OPERATOR, OR AN AFFILIATE OR A SUBSIDIARY OF THAT VIDEO LOTTERY OPERATOR, TO PROVIDE SPORTS WAGERING SERVICES AT THE STADIUM, THE LICENSEE MAY CONTRACT ONLY WITH A VIDEO LOTTERY OPERATOR, OR AN AFFILIATE OR A SUBSIDIARY OF THAT VIDEO LOTTERY OPERATOR, THAT OPERATES A VIDEO LOTTERY FACILITY LOCATED IN THE SAME COUNTY AS THE STADIUM.”.

AMENDMENT NO. 17

On page 30, in line 1, strike “(II) AND (III)” and substitute “(II), (III), AND (IV)”; in line 5, after “A” insert “CLASS A-1 AND A-2”; and strike in their entirety lines 8 through 14, inclusive, and substitute:

“(III) A CLASS B-1 AND B-2 SPORTS WAGERING FACILITY LICENSEE SHALL RETAIN 85% OF THE PROCEEDS FROM SPORTS WAGERING CONDUCTED AT THE LOCATION DESCRIBED IN THE LICENSEE’S APPLICATION.

(IV) A MOBILE SPORTS WAGERING LICENSEE SHALL RETAIN 85% OF THE PROCEEDS FROM ONLINE SPORTS WAGERING RECEIVED BY THE LICENSEE.”.

AMENDMENT NO. 18

On page 34, in line 16, strike “AND”; after line 16, insert:

**“(2) SHALL AWARD:**

**1. A CLASS A-1 OR A-2 FACILITY LICENSE TO ANY APPLICANT THAT MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE; AND**

**2. A CLASS B-1 OR B-2 FACILITY LICENSE TO ANY APPLICANT THAT IS DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE AND MEETS THE REQUIREMENTS FOR LICENSURE UNDER THIS SUBTITLE; AND”;**

strike in their entirety lines 17 through 21, inclusive, and substitute:

**“(3) MAY NOT AWARD A CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSE, OTHER THAN TO AN APPLICANT DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE, OR A MOBILE SPORTS WAGERING LICENSE UNTIL AFTER THE SPORTS WAGERING APPLICATION REVIEW COMMISSION ADOPTS THE REGULATIONS REQUIRED UNDER SUBSECTION (H) OF THIS SECTION.”;**

in line 26, after “(1)” insert **“THIS SUBSECTION APPLIES ONLY TO CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSES, OTHER THAN LICENSES ISSUED TO AN APPLICANT DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE, AND MOBILE SPORTS WAGERING LICENSES.**

**(2)”;**

in lines 26 and 31, in each instance, strike “(2)” and substitute **“(3)”**; and in line 28, after “FOR” insert **“CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSES, OTHER THAN LICENSES ISSUED TO AN APPLICANT DESCRIBED UNDER § 9-1E-06(A)(2)(I) OF THIS SUBTITLE, AND MOBILE”**.

On page 35, in line 12, strike “AND”; in line 13, after “(III)” insert **“CONSIDER WHETHER AN APPLICANT FOR A CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSE INTENDS TO CONDUCT SPORTS WAGERING AT A FACILITY LOCATED IN AN OPPORTUNITY ZONE OR AN ENTERPRISE ZONE;**



**(IV) CONSIDER ALLOWING EARLY ACCESS TO THE MOBILE SPORTS WAGERING MARKET TO ENTITIES WITH A MEANINGFUL PARTNERSHIP WITH MINORITIES, WOMEN, AND MINORITY- AND WOMEN-OWNED BUSINESSES; AND**

**(V)**;

in line 13, after “ADOPT” insert “**EMERGENCY**”; and in line 17, strike “**(3)**” and substitute “**(4)**”.

**AMENDMENT NO. 19**

On page 37, strike beginning with “**(1)**” in line 13 down through “**(2)**” in line 17.

**AMENDMENT NO. 20**

On page 21, in line 3, strike “, ANNUAL LICENSE FEES,”; in line 9, strike the second “AND”; and in line 10, after “**(2)**” insert “**5% OF THE FEES COLLECTED FOR EACH CLASS A-1 AND A-2 SPORTS WAGERING FACILITY LICENSE TO THE SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND ESTABLISHED UNDER § 9-1E-16 OF THIS SUBTITLE; AND**

**(3)**”.

On page 38, after line 4, insert:

**9-1E-16.**

**(A) IN THIS SECTION, “FUND” MEANS THE SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND.**

**(B) THERE IS A SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS SPORTS WAGERING ASSISTANCE FUND.**

**(C) THE PURPOSE OF THE FUND IS TO ASSIST SMALL, MINORITY-OWNED, AND WOMEN-OWNED BUSINESSES ENTERING THE SPORTS WAGERING MARKET.**

**(D) THE DEPARTMENT OF COMMERCE 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) REVENUE DISTRIBUTED TO THE FUND UNDER § 9-1E-07(D) OF THIS SUBTITLE;**

**(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND**

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

**(G) THE FUND MAY BE USED ONLY FOR GRANTS OR LOANS TO SMALL, MINORITY-OWNED, OR WOMEN-OWNED BUSINESSES FOR:**

**(1) SPORTS WAGERING LICENSE APPLICATION ASSISTANCE;**

**(2) ASSISTANCE WITH SPORTS WAGERING OPERATIONS; OR**

**(3) TARGETED TRAINING TO SUPPORT PARTICIPATION IN THE SPORTS WAGERING INDUSTRY.**

**(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 GENERAL FUND OF THE STATE.**

**(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.”.**

On page 38, after line 35, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) For fiscal year 2023, the Governor shall include in the annual budget bill an appropriation in the amount of:

(1) \$1,500,000 for Morgan State University; and

(2) \$1,500,000 for Bowie State University.

(b) The appropriation required under subsection (a) of this section shall be used to establish a Center for the Study of Data Analytics and Sports Gaming at each university.

(c) The Center shall study and analyze emerging sports technologies, e-sports, operations management, policy, and regulation, and support scholarly inquiry on the dimensions and impacts of gaming to academic, industry, nonprofit, and government audiences.

SECTION 6. AND BE IT FURTHER ENACTED, That for fiscal year 2022 only and from only those additional revenues resulting from this Act that are credited to the Blueprint for Maryland’s Future Fund for fiscal year 2022, and from no other funds, and subject to the provisions of law relating to budgetary procedure to the extent applicable, the amounts specified below are hereby appropriated and authorized to be disbursed to the following programs authorized by Chapter 36 of the Acts of the General Assembly of 2021 in the following priority order from as much of those additional revenues as are received by the State:

(1) Accountability and Implementation Board – \$4,800,000;

(2) Model Curriculum and Instructional Materials – \$2,500,000;

(3) Expert Review Teams – \$1,300,000;

(4) Career and Technology Education Committee – \$700,000;

(5) Blueprint for Maryland’s Future Program Training – \$2,000,000;

(6) Maryland State Department of Education Financial System – \$2,500,000; and

(7) An educational organization that received funding under the Funding for Educational Organizations (R00A03) – Other Institutions (R00A03.03) in fiscal year 2020 but not in fiscal years 2021 or 2022 – \$500,000.”.

AMENDMENT NO. 22

On page 23, after line 26, insert:

**“(I) (1) THE HOLDER OF A CLASS B-1 OR B-2 SPORTS WAGERING FACILITY LICENSE OR A MOBILE SPORTS WAGERING LICENSE MAY ONLY SELL OR TRANSFER OWNERSHIP OF THE LICENSE IF THE LICENSEE WAS ACTIVELY ENGAGED IN OPERATING SPORTS WAGERING IN THE STATE FOR AT LEAST 3 YEARS IMMEDIATELY PRECEDING THE SALE OR TRANSFER OF THE OWNERSHIP OF THE LICENSE.**

**(2) NOTHING IN PARAGRAPH (1) OF THIS SUBSECTION MAY BE CONSTRUED TO LIMIT THE ABILITY OF THE COMMISSION TO ENFORCE THIS SUBTITLE.”.**

AMENDMENT NO. 23

On page 31, after line 33, insert:

**“(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR BEFORE DECEMBER 1, 2025, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE RACIAL, ETHNIC, GENDER, AND GEOGRAPHIC DIVERSITY OF HOLDERS OF CLASS B-1 AND B-2 SPORTS WAGERING FACILITY LICENSES AND MOBILE SPORTS WAGERING LICENSES UNDER THIS SUBTITLE, THE LEVEL OF MARKET SATURATION OF SPORTS WAGERING IN THE STATE, AND WHETHER THE NUMBER OF CLASS B-1 AND B-2 SPORTS WAGERING FACILITY LICENSES AND MOBILE SPORTS WAGERING LICENSES THAT MAY BE ISSUED UNDER THIS SUBTITLE SHOULD BE INCREASED IN ORDER TO ADDRESS THE DEMAND FOR SPORTS WAGERING IN THE STATE.**

**(2) BEFORE THE COMMISSION SUBMITS THE REPORT DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL PROVIDE THE LEGISLATIVE POLICY COMMITTEE WITH AT LEAST 30 DAYS TO SUBMIT COMMENTS TO THE COMMISSION.”.**

The preceding 23 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 – 124    Negative – 14    (See Roll Call No. 1479)

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

BILL:                    SB0414  
SPONSOR:             Senator Pinsky, et al  
SUBJECT:              Climate Solutions Now Act of 2021

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:                    SB0414  
SPONSOR:             Senator Pinsky, et al  
SUBJECT:              Climate Solutions Now Act of 2021

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 Barve, Chair  
Delegate Stein  
Delegate Brooks

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

#### **RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 10**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably with amendments:

#### **Senate Bill 55 – Senator Sydnor**

#### **CONSTITUTIONAL AMENDMENT**

AN ACT concerning

#### **Legislative Department – Eligibility to Serve as Senators and Delegates – Place of Abode**

**SB0055/643628/1**

BY: Rules and Executive Nominations Committee

#### AMENDMENTS TO SENATE BILL 55

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “if” insert “, beginning on a certain date,”; and in line 6, after the first “a” insert “primary”.

AMENDMENT NO. 2

On page 2, in lines 3 and 4 and 7 and 8, in each instance, strike “AND MAINTAINED A PLACE OF ABODE”; in line 4, after “date” insert “AND, BEGINNING JANUARY 1, 2024, HAS MAINTAINED A PRIMARY PLACE OF ABODE IN THAT DISTRICT FOR SIX MONTHS NEXT PRECEDING THAT DATE”; and in line 8, after “established” insert “AND, BEGINNING JANUARY 1, 2024, SHALL HAVE MAINTAINED A PRIMARY PLACE OF ABODE IN THE DISTRICT FOR AS LONG AS IT HAS BEEN ESTABLISHED”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Luedtke moved to put **Senate Bill 55** on Third Reading on the same day in compliance with the Constitution.

The motion was adopted by a roll call vote as follows:

Affirmative – 132    Negative – 7    (See Roll Call No. 1480)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 55** was placed on Third Reading.

**Senate Bill 55 – Senator Sydnor**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Legislative Department – Eligibility to Serve as Senators and Delegates – Place of Abode**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1481)

The Bill was then returned to the Senate.

**APPROPRIATIONS COMMITTEE REPORT NO. 25**

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

**Senate Bill 927 – Senator Pinsky**

AN ACT concerning

**Institutions of Higher Education – Prohibition Against Incentive Payments –  
Foreign Student Exemption**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**APPROPRIATIONS COMMITTEE REPORT NO. 26**

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

**Senate Bill 81 – Senator Ellis**

AN ACT concerning

**Southern Maryland Rapid Transit Project – 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 127 – Senators Patterson and Augustine**

AN ACT concerning

**Institutions of Higher Education – Use of Criminal History in Admission –  
Modifications**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 36**



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

**Senate Bill 829 – Senator Lam**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**WAYS AND MEANS COMMITTEE REPORT NO. 41**

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 269 – Senator Ellis**

AN ACT concerning

**Property Tax Exemption – Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Refund**

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 300 – Senator Peters**

AN ACT concerning

**Special Education – Learning Continuity Plan – Requirement**

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 578 – Senator McCray**

AN ACT concerning

**~~Income Tax – Retroactive Changes Under the Federal CARES Act – Addition  
Modification Internal Revenue Code Amendments – Decoupling~~**

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 711 – Senator King**

AN ACT concerning

**Growing Family Child Care Opportunities Pilot Program – Established**

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 916 – Senator McCray**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**CONCURRENCE CALENDAR NO. 32  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 240 – Delegate Shetty**

AN ACT concerning

**Criminal Procedure – Forensic Genetic Genealogical DNA Analysis, Searching,  
Regulation, and Oversight**

Delegate Clippinger moved that the House concur in the Senate amendments.

**HB0240/738672/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 240

(Third Reading File Bill)

On page 5, in line 6, strike "KIDNAPPING, HUMAN TRAFFICKING,".

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 – 136    Negative – 1    (See Roll Call No. 1482)

**AMENDED IN THE SENATE**

**House Bill 719 – Delegate Moon**

**EMERGENCY BILL**

AN ACT concerning

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

Delegate Clippinger moved that the House concur in the Senate amendments.

**HB0719/248472/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 719

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "may be" and substitute "is"; and in line 9, after "Act;" insert "providing that the period of the declared state of emergency and catastrophic health emergency may not be used for the purposes of calculating the time limitation on filing a certain action;".

AMENDMENT NO. 2

On page 2, in line 8, strike “may” and substitute “shall”; in the same line, after “unenforceable” insert “during the period of the state of emergency and catastrophic health emergency beginning March 5, 2020, with the Governor’s “Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID–19” and ending 180 days after the expiration or rescission of the Governor’s proclamation”; in line 16, after “Governor;” insert “and”; in line 20, strike “; and” and substitute a period; strike in their entirety lines 21 and 22; after line 32, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the period of the state of emergency and catastrophic health emergency beginning March 5, 2020, with the Governor’s “Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID–19” and ending on the expiration or rescission of the Governor’s proclamation may not be considered for the purposes of calculating time limitations restricting the filing of an action alleging liability that accrued during the state of emergency and catastrophic health emergency under a personal liability clause of a commercial lease.”;

and in line 33, strike “2.” and substitute “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 – 106    Negative – 31    (See Roll Call No. 1483)

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL:                    SB0525  
SPONSOR:             Senator McCray  
SUBJECT:             Department of Public Safety and Correctional Services and State  
                             Board of Elections – Centralized Booking Facility – Ballot Drop  
                             Box

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 Lam

Said Bill is returned herewith.

By Order,

Nicole Xander  
 Secretary

Read and ordered journalized.

**Senate Bill 525 – Senator McCray**

AN ACT concerning

**Baltimore City Department of Public Safety and Correctional Services and State Board of Elections – Centralized Booking Facility – ~~Voting Information and Early Voting Polling Place~~ Ballot Drop Box**

Delegate Clippinger moved that the House recede on its amendment.

**SB0525/952510/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 525

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “**Department of Public Safety and Correctional Services and State Board of Elections – Centralized Booking Facility**” and substitute “**Election Law – Correctional Facilities**”; in line 4, before “**Ballot**” insert “**Voting Information and**”; in lines 5 and 10, in each instance, strike “the Baltimore City centralized booking facility” and substitute “**certain correctional facilities**”; in line 7, strike “the Baltimore City centralized booking facility” and substitute “**certain correctional facilities**”; in line 9, after “voter;” insert “**requiring certain correctional facilities to display certain signs in certain areas;**”; in line 11, strike “and”; in the same line, after “guidance” insert “, **and certain signs**”; strike beginning with the second “**requiring**” in line 17 down through “**facility**” in line 18 and substitute “**requiring certain correctional**”

facilities”; in line 22, after “Services” insert “and correctional facilities”; in the same line, strike “and” and substitute a comma; and in the same line, after “notifications” insert “, and certain signs”.

On pages 1 and 2, strike beginning with the third “the” in line 25 on page 1 down through “facility” in line 1 on page 2 and substitute “certain correctional facilities”.

On page 2, in line 2, strike “the” and substitute “certain”; in the same line, strike “board” and substitute “boards”; in line 3, strike “for Baltimore City”; in line 5, strike “the” and substitute “certain”; in the same line, strike “board” and substitute “boards”; in the same line, strike “of elections for Baltimore City”; in line 7, strike “the” and substitute “certain”; in the same line, strike “board” and substitute “boards”; in the same line, strike “of elections for Baltimore City”; in line 9, strike “certain committees of”; in line 10, after “terms,” insert “providing for the application of certain provisions of this Act,”; strike beginning with “the” in line 11 down through “facility” in line 12 and substitute “correctional facilities”; and in line 15, after “2-501” insert “through 2-503”.

#### AMENDMENT NO. 2

On page 3, in line 1, strike “**(1)**”; in the same line, strike “**SECTION**” and substitute “**SUBTITLE**”; after line 2, insert:

**“(B) “CORRECTIONAL FACILITY” HAS THE MEANING STATED IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE.”;**

strike in their entirety lines 3 through 5, inclusive; in lines 6 and 12, strike “**(3)**” and “**(4)**”, respectively, and substitute “**(C)**” and “**(D)**”, respectively; strike beginning with “**THE**” in line 13 down through “**FACILITY**” in line 14 and substitute “**A CORRECTIONAL FACILITY**”; after line 15, insert:

**“2-502.**

**THIS SUBTITLE APPLIES ONLY TO CORRECTIONAL FACILITIES WITH A CAPACITY OF MORE THAN 50 ADULTS.**

**2-503.”;**

in line 16, strike “**(B)**” and substitute “**(A)**”; in the same line, strike “**THE BALTIMORE CITY CENTRALIZED BOOKING FACILITY**” and substitute “**EACH CORRECTIONAL**

FACILITY"; in line 22, strike "THE FOLLOWING"; strike beginning with the colon in line 24 down through "FORMS" in line 27; and in line 29, strike "AND".

### AMENDMENT NO. 3

On page 4, in line 5, after "SUBSECTION" insert "; AND

**(4) DISPLAY SIGNS PROVIDED BY THE STATE BOARD OF ELECTIONS UNDER § 1-301.1 OF THE ELECTION LAW ARTICLE IN ALL AREAS WHERE INDIVIDUALS ARE PROCESSED DURING INTAKE OR FOR RELEASE AND IN APPROPRIATE AREAS WHERE THERE IS HIGH VISIBILITY**;

in lines 6 and 15, strike "(C)" and "(D)", respectively, and substitute "(B)" and "(C)", respectively; strike beginning with "THE" in line 7 down through "FACILITY" in line 8 and substitute "EACH CORRECTIONAL FACILITY"; in lines 10 and 13, in each instance, strike "(B)" and substitute "(A)"; in line 11, after "SECTION" insert ";

**(II) THE SIGNS TO BE DISPLAYED UNDER SUBSECTION (A) OF THIS SECTION**;

in line 12, strike "(II)" and substitute "(III)"; in line 15, strike "THE BALTIMORE CITY CENTRALIZED BOOKING FACILITY" and substitute "EACH CORRECTIONAL FACILITY"; strike in their entirety lines 22 through 25, inclusive; and after line 25, insert:

**"(2) 'CORRECTIONAL FACILITY' HAS THE MEANING STATED IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE."**

On page 5, strike beginning with "THE" in line 2 down through "FACILITY" in line 3 and substitute "A CORRECTIONAL FACILITY"; in line 6, after "SERVICES" insert "AND CORRECTIONAL FACILITIES"; strike beginning with the second "THE" in line 7 down through "FACILITY" in line 8 and substitute "EACH CORRECTIONAL FACILITY"; in line 8, strike "§ 2-501" and substitute "TITLE 2, SUBTITLE 5"; in line 11, strike "AND"; in line 13, after "BOX" insert "; AND

**(3) SIGNS FOR DISPLAY CONTAINING INFORMATION ON ELIGIBILITY REQUIREMENTS TO VOTE, VOTER REGISTRATION, AND THE BALLOT DROP BOX**;

strike beginning with “THE” in line 15 down through “FACILITY” in line 16 and substitute “EACH CORRECTIONAL FACILITY”; and in lines 19, 25, and 30, in each instance, strike “BALTIMORE CITY” and substitute “A COUNTY IN WHICH A CORRECTIONAL FACILITY WITH A BALLOT DROP BOX IS LOCATED”.

On pages 5 and 6, strike beginning with “SENATE” in line 30 on page 5 down through “COMMITTEE” in line 1 on page 6 and substitute “GENERAL ASSEMBLY”.

House recessed and the amendment was removed.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 95    Negative – 43    (See Roll Call No. 1484)

The Bill was then returned to the Senate.

### MESSAGE TO THE SENATE

BILL: SB0525  
SPONSOR: Senator McCray  
SUBJECT: Department of Public Safety and Correctional Services and State Board of Elections – Centralized Booking Facility – Ballot Drop Box

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates recesses from its position on SB0525.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### CONFERENCE COMMITTEE REPORT

BILL NO.: SB 202            SPONSOR: Senator Kelley  
SUBJECT: Correctional Services – Parole – Life Imprisonment  
THIRD READING CALENDAR    HOUSE NO. 8            SENATE NO. 47



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 House Judiciary Committee Amendments (SB0202/702811/1) be rejected.
- (2) That the attached Conference Committee Amendments (SB0202/282915/1) be adopted.

**SB0202/282915/1**

BY: Conference Committee

AMENDMENT TO SENATE BILL 202

(Third Reading File Bill)

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 page 4, in line 15, strike “(1)”; and strike beginning with “THE” in line 17 down through “INFORMATION” in line 21 and substitute “AT LEAST SIX AFFIRMATIVE VOTES ARE REQUIRED TO APPROVE THE INMATE FOR PAROLE, BASED ON CONSIDERATION OF THE FACTORS”.

Senate Members:

House Members:

\_\_\_\_\_  
 Chair, **Jill P. Carter**

\_\_\_\_\_  
 Chair, **Luke Clippinger**

\_\_\_\_\_  
**Jeff Waldstreicher**

\_\_\_\_\_  
**Nicole A. Williams**

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(not signed)

**Michael J. Hough**

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(not signed)

**Michael E. Malone**

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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.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 88    Negative – 50    (See Roll Call No. 1485)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 35  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 251 – Delegate Carr**

AN ACT concerning

**Maryland Funding Accountability and Transparency Act – Nonbudgeted State  
Agencies**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0251/193326/1**

BY: Chair, Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 251

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 2, after “Act –” insert “Real Property Records Improvement Fund and”; in line 8, after “time;” insert “authorizing the Judiciary to transfer up to a certain amount of a General Fund”

appropriation to a certain special fund;”; and in line 9, after “changes;” insert “making this Act an emergency measure;””.

AMENDMENT NO. 2

On page 3, after line 8, insert:

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

(a) Notwithstanding any other provision of law, on or before June 30, 2021, the Judiciary may transfer up to \$12,000,000 of the fiscal year 2021 General Fund appropriation for the Judiciary to the Circuit Court Real Property Records Improvement Fund established under § 13–602 of the Courts and Judicial Proceedings Article.

(b) Notwithstanding § 7–302 of the State Finance and Procurement Article or any other provision of law, any amount transferred under subsection (a) of this section may not revert to the General Fund.”;

and strike in their entirety lines 9 and 10 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 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. 1486)

**AMENDED IN THE SENATE**

**House Bill 269 – Delegate Wells**

AN ACT concerning

**Department of Agriculture – Urban Agriculture Grant Program**

Delegate Barve moved that the House concur in the Senate amendments.

**HB0269/294838/1**

BY: Senator Gallion

AMENDMENT TO HOUSE BILL 269

(Third Reading File Bill)

On page 3, strike beginning with “**DISTRIBUTED**” in line 19 down through “**ARTICLE**” in line 20 and substitute “**APPROPRIATED TO THE FUND UNDER SUBSECTION (G) OF THIS SECTION**”.

On page 6, in line 14, strike “**§ 2-2003(G)**” and substitute “**§ 2-2003(H)**”.

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 – 6    (See Roll Call No. 1487)

**AMENDED IN THE SENATE**

**House Bill 991 – Delegate Gilchrist**

AN ACT concerning

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

Delegate Barve moved that the House concur in the Senate amendments.

**HB0991/594438/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 991

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3, and substitute “Tree Solutions Now Act of 2021”; and in line 10, after “purposes;” insert “requiring a certain landowner who”

enrolls in the Conservation Reserve Enhancement Program in certain fiscal years to receive a certain signing bonus; requiring certain signing bonuses to be funded in a certain manner; establishing the policy of the State to support and encourage certain tree-planting efforts, with a goal of planting and helping to maintain in the State a certain number of sustainable trees of species native to the State by the end of a certain year; specifying that this goal is in addition to certain trees projected to be planted under certain programs and includes certain tree plantings accomplished through certain State programs and private efforts; establishing the intent of the General Assembly that a certain minimum number of trees should be planted in certain underserved areas; making the Department of the Environment responsible for tracking the State's progress toward meeting certain tree-planting goals and requiring the Department of the Environment to serve as the lead agency to receive certain data; establishing a 5 Million Tree Program Coordinator within the Department of the Environment; establishing the responsibilities of the Program Coordinator and requiring the Program Coordinator to consolidate certain data and make a certain report to certain committees of the General Assembly on or before a certain date each year; requiring the Governor to formally pledge the State's commitment to achieving certain tree-planting goals through the U.S. Chapter of the World Economic Forum's One Trillion Trees Initiative; requiring a certain amount from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to be used for certain purposes in certain fiscal years; requiring the BayStat Subcabinet agencies to distribute certain funds through grants to the Green Shores Program; establishing an Urban Trees Program administered by the Chesapeake Bay Trust; providing for the purpose of the Urban Trees Program; requiring the Trust to make grants to qualified organizations for certain purposes; specifying certain eligible Program expenses for the Urban Trees Program; providing for the funding of the Urban Trees Program; requiring the Trust to seek certain funds, grants, and donations for the purpose of the Urban Trees Program; requiring a certain grant agreement to specify the allowed uses of certain funds and include provisions for the verification of certain information; requiring the Trust to report certain information concerning certain grant awards to the Department of Natural Resources and the Department of the Environment on or before a certain date each year; requiring the Department of the Environment to make certain transfers from the Bay Restoration Fund for certain purposes in a certain fiscal year, after funding certain eligible costs; establishing certain authorizations and restrictions regarding the distribution and use of certain funds in the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; providing that certain funds transferred from the Bay Restoration Fund are supplemental to and may not take the place of certain other funding; establishing the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings; providing for the composition, chair, and staffing of the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings; prohibiting a member of the Commission for the Innovation

and Advancement of Carbon Markets and Sustainable Tree Plantings from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings to study and make recommendations regarding certain matters; requiring the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the Governor to include certain appropriations in the State budget for certain programs and purposes in certain fiscal years; providing that certain money is supplemental to and may not take the place of certain funding;”; in line 18, after “Assembly;” insert “making certain provisions of this Act subject to a certain contingency;”; and in line 20, after “bank” insert “and tree planting in the State”.

On page 2, after line 23, insert:

“BY adding to

Article – Agriculture

Section 8–706

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY adding to

Article – Environment

Section 2–1212

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 8–2A–02(a), 8–2A–04(a), and 8–1901

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–2A–02(f) and 8–2A–04(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

BY adding to

Article – Natural Resources  
Section 8–1911  
Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment  
Section 9–1605.2(i)(1)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment  
Section 9–1605.2(i)(2)(xii) and (xiii)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

BY adding to

Article – Environment  
Section 9–1605.2(i)(2)(xiv) and (11)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment  
Section 9–1605.2(i)(1)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)  
(As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

BY repealing and reenacting, with amendments,

Article – Environment  
Section 9–1605.2(i)(2)(xi) and (xii)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)  
(As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

BY adding to

Article – EnvironmentSection 9–1605.2(i)(2)(xiii) and (10)Annotated Code of Maryland(2014 Replacement Volume and 2020 Supplement)(As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017).AMENDMENT NO. 2

On page 3, in line 7, strike “IS”; in line 8, strike “APPROVED” and substitute “WAS APPROVED ON OR BEFORE DECEMBER 31, 2020,”; and in line 11, strike “ENCUMBERED” and substitute “IS ENCUMBERED”.

On page 4, in line 28, strike “50%” and substitute “20%”.

On page 7, in line 15, strike the second “and”; in line 17, strike the second “and”; and after line 17 insert:

6. the extent to which existing forest mitigation banks are composed of forests that have been created or restored versus forests that are under qualified conservation; and

7. the effect of using qualified conservation completed in a forest mitigation bank to meet afforestation or reforestation requirements under State or local programs on the State’s policy of achieving no net loss of forest; and”.

AMENDMENT NO. 3

On page 6, after line 6, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Agriculture8–706.

(A) TO MAXIMIZE PARTICIPATION IN THE CONSERVATION RESERVE ENHANCEMENT PROGRAM, IN FISCAL YEARS 2023 THROUGH 2031, INCLUSIVE, A LANDOWNER WHO ENROLLS LAND PLANTED WITH A FORESTED STREAMSIDE BUFFER SHALL RECEIVE A ONE–TIME SIGNING BONUS OF UP TO \$1,000 PER ACRE OF LAND ENROLLED.



(B) SIGNING BONUSES PROVIDED UNDER THIS SECTION SHALL BE FUNDED WITH:

(1) MONEY APPROPRIATED UNDER SUBSECTION (C) OF THIS SECTION; AND

(2) THE AMOUNT SPECIFIED IN § 9-1605.2(I)(11)(I) OF THE ENVIRONMENT ARTICLE.

(C) (1) FOR FISCAL YEARS 2024 THROUGH 2031, IN EACH YEAR THE GOVERNOR SHALL APPROPRIATE \$2,500,000 IN THE ANNUAL STATE BUDGET TO FUND TREE PLANTING UNDER THIS SECTION AND OTHER TREE PLANTING PROGRAMS ON AGRICULTURAL LAND.

(2) MONEY APPROPRIATED UNDER THIS SUBSECTION IS SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE OF FUNDING THAT WOULD OTHERWISE BE APPROPRIATED FOR TREE PLANTINGS UNDER THIS SECTION AND OTHER TREE PLANTING PROGRAMS ON AGRICULTURAL LAND.

#### Article – Environment

2-1212.

(A) (1) IT IS THE POLICY OF THE STATE TO SUPPORT AND ENCOURAGE PUBLIC AND PRIVATE TREE-PLANTING EFFORTS, WITH A GOAL OF PLANTING AND HELPING TO MAINTAIN IN THE STATE 5,000,000 SUSTAINABLE TREES OF SPECIES NATIVE TO THE STATE BY THE END OF CALENDAR YEAR 2031.

(2) THIS GOAL:

(I) IS IN ADDITION TO ANY TREES PROJECTED TO BE PLANTED UNDER PROGRAMS DESCRIBED IN THE 2019 DRAFT GREENHOUSE GAS EMISSIONS REDUCTION PLAN; AND

(II) INCLUDES NATIVE TREE PLANTINGS ACCOMPLISHED THROUGH STATE PROGRAMS AND THROUGH THE EFFORTS OF NONPROFIT AND PRIVATE ORGANIZATIONS.

(3) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT AT LEAST 500,000 OF THE 5,000,000 TREES CALLED FOR BY THIS SUBSECTION SHOULD BE PLANTED IN AN “UNDERSERVED AREA”, AS DEFINED IN § 8-1911 OF THE NATURAL RESOURCES ARTICLE.

(B) (1) THE DEPARTMENT:

(I) IS RESPONSIBLE FOR TRACKING THE STATE’S PROGRESS TOWARD MEETING THE GOALS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION; AND

(II) SHALL SERVE AS THE LEAD AGENCY TO RECEIVE DATA FROM:

1. THE MARYLAND DEPARTMENT OF AGRICULTURE REGARDING TREE PLANTINGS ACCOMPLISHED THROUGH THE CONSERVATION RESERVE ENHANCEMENT PROGRAM AND OTHER AGRICULTURAL INITIATIVES;

2. THE DEPARTMENT OF NATURAL RESOURCES REGARDING TREE PLANTINGS ACCOMPLISHED THROUGH THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND, THE MEL NOLAND WOODLAND INCENTIVES FUND, AND OTHER FORESTRY INITIATIVES; AND

3. THE CHESAPEAKE BAY TRUST REGARDING TREE PLANTINGS ACCOMPLISHED THROUGH THE URBAN TREES PROGRAM.

(2) (I) THERE IS A 5 MILLION TREE PROGRAM COORDINATOR WITHIN THE DEPARTMENT.

(II) THE PRIMARY RESPONSIBILITY OF THE PROGRAM COORDINATOR IS TO PROMOTE, FACILITATE, AND ALIGN THE STATE’S EFFORTS TO ACHIEVE THE GOALS ESTABLISHED UNDER SUBSECTION (A)(1) OF THIS SECTION.

(III) ON OR BEFORE DECEMBER 1 EACH YEAR, THE PROGRAM COORDINATOR SHALL:

1. CONSOLIDATE DATA ON TREE PLANTINGS FROM MULTIPLE SOURCES; AND

2. REPORT, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE ON THE STATE’S PROGRESS TOWARD MEETING THE GOALS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION.

(C) THE GOVERNOR SHALL FORMALLY PLEDGE THE STATE’S COMMITMENT TO ACHIEVING THE GOALS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION THROUGH THE U.S. CHAPTER OF THE WORLD ECONOMIC FORUM’S ONE TRILLION TREES INITIATIVE.

Article – Natural Resources8-2A-02.

(a) There is a Chesapeake and Atlantic Coastal Bays 2010 Trust Fund.

(f) (1) The Fund may be used only for the implementation of nonpoint source pollution control projects to:

(i) Support State and local watershed implementation plans by targeting limited financial resources on the most effective nonpoint source pollution control projects; and

(ii) Improve the health of the Atlantic Coastal Bays and their tributaries.

(2) It is the intent of the General Assembly that, when possible, moneys in the Fund shall be granted to local governments and other political subdivisions for agricultural, forestry, stream and wetland restoration, and urban and suburban stormwater nonpoint source pollution control projects, including up to 25% in matching funds to local governments and other political subdivisions that have enacted a stormwater remediation fee under § 4-202.1 of the Environment Article.

**(3) (I) IN EACH FISCAL YEAR FROM 2023 THROUGH 2031, INCLUSIVE, \$1,250,000 FROM THE FUND SHALL BE USED TO FUND:**

**1. THE 5 MILLION TREE PROGRAM COORDINATOR POSITION IN THE DEPARTMENT OF THE ENVIRONMENT; AND**

**2. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, 13 CONTRACTOR POSITIONS IN THE FOREST SERVICE OF THE DEPARTMENT TO PROVIDE TECHNICAL ASSISTANCE, PLANNING, AND COORDINATION RELATED TO TREE PLANTINGS, TREE BUFFER MANAGEMENT, AND FOREST MANAGEMENT, INCLUDING INVASIVE VINE REMOVAL, ON PUBLIC, PRIVATE, AND AGRICULTURAL LANDS AND IN “UNDERSERVED AREAS” AS DEFINED IN § 8-1911 OF THIS ARTICLE.**

**(II) THE DEPARTMENT SHALL MAKE REASONABLE EFFORTS TO ENSURE THAT CONTRACTORS HIRED UNDER SUBPARAGRAPH (I)2 OF THIS**

PARAGRAPH REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE.

(4) (I) IN EACH FISCAL YEAR FROM 2024 THROUGH 2031, INCLUSIVE, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET AN APPROPRIATION OF \$2,500,000 TO THE FUND, TO BE USED, SUBJECT TO THE REQUIREMENTS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR TREE PLANTINGS ON PUBLIC AND PRIVATE LAND.

(II) THE MONEY APPROPRIATED UNDER THIS PARAGRAPH:

1. MAY BE DISTRIBUTED IN ACCORDANCE WITH § 8-2A-04(C)(2) OF THIS SUBTITLE;

2. MAY BE USED TO COVER THE COSTS OF:

A. SITE PREPARATION, LABOR, AND MATERIALS FOR TREE-PLANTING PROJECTS;

B. MAINTAINING TREES FOLLOWING A TREE-PLANTING PROJECT; AND

C. LANDOWNER INCENTIVE PAYMENTS OR SIGNING BONUSES OF UP TO \$1,000 PER ACRE OF TREES PLANTED;

3. MAY NOT BE USED TO PLANT TREES INTENDED FOR TIMBER HARVEST; AND

4. MAY BE USED ONLY FOR TREE PLANTINGS ON PRIVATE LAND IF THE LANDOWNER ENTERS INTO A BINDING LEGAL AGREEMENT TO MAINTAIN THE PLANTED AREA IN TREE COVER FOR AT LEAST 15 YEARS.

(III) MONEY APPROPRIATED UNDER THIS PARAGRAPH IS SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR TREE PLANTINGS ON PUBLIC AND PRIVATE LAND.

8-2A-04.

(a) The BayStat Program shall direct the administration of the Trust Fund in accordance with this section.

(c) (1) The BayStat Program shall distribute funds from the Trust Fund to the BayStat Subcabinet agencies in accordance with the final work and expenditure plans.

(2) The BayStat Subcabinet agencies shall administer the funds in accordance with the final work and expenditure plans, including the distribution of funds:

(i) Through grants to:

1. Counties;

2. Bicounty agencies;

3. Municipalities;

4. Forest conservancy district boards;

5. Soil conservation districts;

6. Academic institutions; and

7. Nonprofit organizations having a demonstrated ability to implement nonpoint source pollution control projects;

(ii) To the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund established under § 9-1605.3 of the Environment Article;

(iii) To the Maryland Agricultural Cost-Share Program established under Title 8, Subtitle 7 of the Agriculture Article for nonpoint source pollution control projects; [and]

(iv) **TO THE GREEN SHORES PROGRAM ESTABLISHED UNDER § 5-429 OF THIS ARTICLE; AND**

(V) To the Mel Noland Woodland Incentives Fund established under § 5–307 of this article.

8–1901.

- (a) In this part the following words have the meanings indicated.
- (b) “Board” means the Board of Trustees of the Chesapeake Bay Trust.
- (c) “Trust” means the Chesapeake Bay Trust.

8–1911.

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “PROGRAM” MEANS THE URBAN TREES PROGRAM.**

**(3) “QUALIFIED ORGANIZATION” MEANS:**

**(I) A NONPROFIT ORGANIZATION;**

**(II) A SCHOOL;**

**(III) A COMMUNITY ASSOCIATION;**

**(IV) A SERVICE, YOUTH, OR CIVIC GROUP;**

**(V) AN INSTITUTION OF HIGHER EDUCATION;**

**(VI) A COUNTY OR MUNICIPALITY; OR**

**(VII) A FOREST CONSERVANCY DISTRICT BOARD.**

**(4) “UNDERSERVED AREA” MEANS AN AREA OF THE STATE FALLING WITHIN THE BOUNDARIES OF:**

(I) AN URBAN AREA, AS DELINEATED BY THE UNITED STATES CENSUS BUREAU; AND

(II) 1. A NEIGHBORHOOD THAT WAS, AT ANY POINT IN TIME, REDLINED OR GRADED AS “HAZARDOUS” BY THE HOME OWNERS’ LOAN CORPORATION;

2. A CENSUS TRACT WITH AN AVERAGE RATE OF UNEMPLOYMENT FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE THAT EXCEEDS THE AVERAGE RATE OF UNEMPLOYMENT FOR THE STATE;

3. A CENSUS TRACT WITH A MEDIAN HOUSEHOLD INCOME FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE THAT IS EQUAL TO OR LESS THAN 75% OF THE MEDIAN HOUSEHOLD INCOME FOR THE STATE DURING THAT PERIOD; OR

4. A HOUSING PROJECT AS DEFINED IN § 12-101 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(B) THERE IS AN URBAN TREES PROGRAM ADMINISTERED BY THE TRUST.

(C) THE PURPOSE OF THE PROGRAM IS TO PLANT NATIVE SPECIES OF TREES IN UNDERSERVED AREAS, IN FURTHERANCE OF THE GOALS ESTABLISHED UNDER § 2-1212 OF THE ENVIRONMENT ARTICLE.

(D) (1) BEGINNING IN FISCAL YEAR 2023, THE TRUST SHALL MAKE GRANTS TO QUALIFIED ORGANIZATIONS FOR TREE-PLANTING PROJECTS IN UNDERSERVED AREAS.

(2) ELIGIBLE PROGRAM EXPENSES INCLUDE PERSONNEL COSTS, SUPPLIES, SITE PREPARATION, AND OTHER EXPENSES AND MATERIALS RELATED TO PLANNING, IMPLEMENTING, AND MAINTAINING TREE-PLANTING PROJECTS IN UNDERSERVED AREAS.

(3) IN AWARDING PROGRAM GRANTS UNDER THIS SECTION, THE TRUST SHALL PRIORITIZE:

(I) GRANT APPLICATIONS FROM QUALIFIED ORGANIZATIONS LOCATED IN THE UNDERSERVED AREAS WHERE THE PROPOSED TREE-PLANTING PROJECTS WILL BE IMPLEMENTED; AND

(II) GRANT APPLICATIONS THAT INCLUDE PLANS FOR ENGAGING INDIVIDUALS, ORGANIZATIONS, OR BUSINESSES LOCATED IN UNDERSERVED AREAS TO IMPLEMENT AND MAINTAIN TREE-PLANTING PROJECTS IN THEIR COMMUNITIES.

(E) (1) THE PROGRAM SHALL BE FUNDED WITH:

(I) THE AMOUNT SPECIFIED IN § 9-1605.2(I)(11)(I) OF THE ENVIRONMENT ARTICLE; AND

(II) ANY ADDITIONAL FUNDS THAT MAY BE ALLOCATED BY THE TRUST THROUGH ITS ANNUAL BUDGET PROCESS.

(2) THE TRUST SHALL SEEK FEDERAL FUNDS AND GRANTS AND DONATIONS FROM PRIVATE SOURCES TO BE MADE TO THE TRUST FOR THE PURPOSE OF THE PROGRAM.

(F) A GRANT AGREEMENT REGARDING FUNDS FROM THE TRUST FOR THE PROGRAM SHALL:

(1) SPECIFY THE ALLOWED USE OF THE FUNDS PROVIDED UNDER THE GRANT; AND

(2) INCLUDE PROVISIONS FOR VERIFICATION THAT TREE-PLANTING PROJECTS ARE BEING IMPLEMENTED AND MAINTAINED AS PLANNED.

(G) ON OR BEFORE OCTOBER 1 EACH YEAR, THE TRUST SHALL REPORT TO THE DEPARTMENT AND THE DEPARTMENT OF THE ENVIRONMENT ON THE GRANTS AWARDED BY THE PROGRAM DURING THE IMMEDIATELY PRECEDING FISCAL YEAR, INCLUDING:

(1) THE NAMES AND DESCRIPTIONS OF GRANT RECIPIENTS;



**(2) THE NUMBER AND LOCATION OF TREES PLANTED BY GRANT RECIPIENTS; AND**

**(3) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT OR THE DEPARTMENT OF THE ENVIRONMENT.**

**(H) (1) FOR FISCAL YEARS 2024 THROUGH 2031, IN EACH YEAR THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET AN APPROPRIATION OF \$10,000,000 FOR THE PROGRAM.**

**(2) MONEY APPROPRIATED UNDER THIS SUBSECTION IS SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAM.**

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article – Environment**

9–1605.2.

(i) (1) In this subsection, “eligible costs” means the additional costs that would be attributable to upgrading a wastewater facility to enhanced nutrient removal, as determined by the Department.

(2) Funds in the Bay Restoration Fund shall be used only:

(xii) For costs associated with the implementation of alternate compliance plans authorized in § 4–202.1(k)(3) of this article; [and]

(xiii) After funding any eligible costs identified under item (iv)1 and 2 of this paragraph, for costs associated with the purchase of cost-effective nitrogen, phosphorus, or sediment load reductions in support of the State’s efforts to restore the health of the Chesapeake Bay, not to exceed \$4,000,000 in fiscal year 2018, \$6,000,000 in fiscal year 2019, and \$10,000,000 per year in fiscal years 2020 and 2021; AND

(XIV) AFTER FUNDING ANY ELIGIBLE COSTS IDENTIFIED UNDER ITEM (IV)1 AND 2 OF THIS PARAGRAPH, FOR THE TRANSFERS REQUIRED UNDER PARAGRAPH (11) OF THIS SUBSECTION.

(11) (I) IN FISCAL YEAR 2023 THE DEPARTMENT SHALL TRANSFER FROM THE BAY RESTORATION FUND:

1. \$10,000,000 TO THE CHESAPEAKE BAY TRUST FOR THE URBAN TREES PROGRAM ESTABLISHED UNDER § 8-1911 OF THE NATURAL RESOURCES ARTICLE;

2. \$2,500,000 TO THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND IN THE DEPARTMENT OF NATURAL RESOURCES, TO BE USED, SUBJECT TO THE REQUIREMENTS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR TREE PLANTING ON PUBLIC AND PRIVATE LAND; AND

3. \$2,500,000 TO THE MARYLAND DEPARTMENT OF AGRICULTURE TO FUND TREE PLANTINGS UNDER THE CONSERVATION RESERVE ENHANCEMENT PROGRAM IN ACCORDANCE WITH § 8-706 OF THE AGRICULTURE ARTICLE AND OTHER TREE-PLANTING PROGRAMS ON AGRICULTURAL LAND.

(II) FUNDS TRANSFERRED TO THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH:

1. MAY BE DISTRIBUTED IN ACCORDANCE WITH § 8-2A-04(C)(2) OF THE NATURAL RESOURCES ARTICLE;

2. MAY BE USED TO COVER THE COSTS OF:

A. SITE PREPARATION, LABOR, AND MATERIALS FOR TREE-PLANTING PROJECTS;

B. MAINTAINING TREES FOLLOWING A TREE-PLANTING PROJECT; AND

**C. LANDOWNER INCENTIVE PAYMENTS OR SIGNING BONUSES OF UP TO \$1,000 PER ACRE OF TREES PLANTED;**

**3. MAY NOT BE USED TO PLANT TREES INTENDED FOR TIMBER HARVEST; AND**

**4. MAY BE USED ONLY FOR TREE PLANTINGS ON PRIVATE LAND IF THE LANDOWNER ENTERS INTO A BINDING LEGAL AGREEMENT TO MAINTAIN THE PLANTED AREA IN TREE COVER FOR AT LEAST 15 YEARS.**

**(III) FUNDS TRANSFERRED FROM THE BAY RESTORATION FUND UNDER THIS PARAGRAPH ARE SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAMS AND INITIATIVES SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article – Environment**

9–1605.2.

(i) (1) In this subsection, “eligible costs” means the additional costs that would be attributable to upgrading a wastewater facility to enhanced nutrient removal, as determined by the Department.

(2) Funds in the Bay Restoration Fund shall be used only:

(xi) Subject to the allocation of funds and the conditions under subsection (h) of this section, for projects related to the removal of nitrogen from on-site sewage disposal systems and cover crop activities; [and]

(xii) For costs associated with the implementation of alternate compliance plans authorized in § 4–202.1(k)(3) of this article; AND

**(XIII) AFTER FUNDING ANY ELIGIBLE COSTS IDENTIFIED UNDER ITEM (IV)1 AND 2 OF THIS PARAGRAPH, FOR THE TRANSFERS REQUIRED UNDER PARAGRAPH (10) OF THIS SUBSECTION.**

**(10) (I) IN FISCAL YEAR 2023 THE DEPARTMENT SHALL TRANSFER FROM THE BAY RESTORATION FUND:**

**1. \$10,000,000 TO THE CHESAPEAKE BAY TRUST FOR THE URBAN TREES PROGRAM ESTABLISHED UNDER § 8-1911 OF THE NATURAL RESOURCES ARTICLE;**

**2. \$2,500,000 TO THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND IN THE DEPARTMENT OF NATURAL RESOURCES, TO BE USED, SUBJECT TO THE REQUIREMENTS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR TREE PLANTING ON PUBLIC AND PRIVATE LAND; AND**

**3. \$2,500,000 TO THE MARYLAND DEPARTMENT OF AGRICULTURE TO FUND TREE PLANTINGS UNDER THE CONSERVATION RESERVE ENHANCEMENT PROGRAM IN ACCORDANCE WITH § 8-706 OF THE AGRICULTURE ARTICLE AND OTHER TREE-PLANTING PROGRAMS ON AGRICULTURAL LAND.**

**(II) FUNDS TRANSFERRED TO THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH:**

**1. MAY BE DISTRIBUTED IN ACCORDANCE WITH § 8-2A-04(C)(2) OF THE NATURAL RESOURCES ARTICLE;**

**2. MAY BE USED TO COVER THE COSTS OF:**

**A. SITE PREPARATION, LABOR, AND MATERIALS FOR TREE-PLANTING PROJECTS;**

**B. MAINTAINING TREES FOLLOWING A PLANTING PROJECT; AND**

**C. LANDOWNER INCENTIVE PAYMENTS OR SIGNING BONUSES OF UP TO \$1,000 PER ACRE OF TREES PLANTED;**

**3. MAY NOT BE USED TO PLANT TREES INTENDED FOR  
TIMBER HARVEST; AND**

**4. MAY BE USED ONLY FOR TREE PLANTINGS ON  
PRIVATE LAND IF THE LANDOWNER ENTERS INTO A BINDING LEGAL AGREEMENT TO  
MAINTAIN THE PLANTED AREA IN TREE COVER FOR AT LEAST 15 YEARS.**

**(iii) FUNDS TRANSFERRED FROM THE BAY RESTORATION FUND  
UNDER THIS PARAGRAPH ARE SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE  
OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAMS AND  
INITIATIVES SPECIFIED IN SUBPARAGRAPH (i) OF THIS PARAGRAPH.**

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) There is a Commission for the Innovation and Advancement of Carbon  
Markets and Sustainable Tree Plantings.

(b) The Commission consists of the following members:

(1) the Secretary of the Environment, or the Secretary's designee;

(2) the Secretary of Natural Resources, or the Secretary's designee;

(3) the Secretary of Agriculture, or the Secretary's designee;

(4) the State Treasurer, or the State Treasurer's designee;

(5) one representative of the Maryland Association of Counties, selected by  
the Maryland Association of Counties;

(6) one representative of the Maryland Municipal League, selected by the  
Maryland Municipal League;

(7) one representative of the Commission on Environmental Justice and  
Sustainable Communities, appointed by the Commission on Environmental Justice and  
Sustainable Communities;

(8) one representative of the Chesapeake Bay Foundation, appointed by the Chesapeake Bay Foundation;

(9) one representative of the Maryland League of Conservation Voters, appointed by the Maryland League of Conservation Voters;

(10) one representative of Blue Water Baltimore, appointed by Blue Water Baltimore;

(11) one representative of the Maryland Chapter of the Nature Conservancy, selected by the Maryland Chapter of the Nature Conservancy;

(12) one representative of the Maryland Farm Bureau, selected by the Maryland Farm Bureau;

(13) one researcher from the University of Maryland, College Park, who has expertise in forestry-based carbon sequestration, selected by the President of the University of Maryland, College Park;

(14) one representative of Patapsco Heritage Greenway, selected by Patapsco Heritage Greenway; and

(15) the President of the Maryland Forestry Foundation, or the President's designee.

(c) The Secretary of the Environment, or the Secretary's designee, shall chair the Commission.

(d) The Department of the Environment and, as necessary, the Department of Natural Resources shall provide staff for the Commission.

(e) A member of the Commission:

(1) may not receive compensation as a member of the Commission; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) The Commission shall develop:

(i) a plan to achieve the State's carbon mitigation goal of planting 5,000,000 native trees by 2030 in accordance with § 2-1212 of the Environment Article, as enacted by Section 4 of this Act;

(ii) a plan to ensure that trees planted under this Act are properly maintained;

(iii) recommendations regarding the establishment of a Maryland-based carbon offset market to support the State's tree-planting goals; and

(iv) recommendations on reviewing State policies to reduce and fully mitigate the clearing of trees during the construction of State highways and other transportation projects.

(2) The plans and recommendations shall include:

(i) science-based guidelines to inform a State strategy for using trees to maximize carbon sequestration, mitigate heat deserts, and improve water and air quality;

(ii) recommendations regarding potential planting sites, including the impact that planting trees at these sites will have on agricultural and other private land and associated ecological services;

(iii) a strategy for ensuring that at least 500,000 trees are planted in underserved areas, in accordance with § 2-1212 of the Environment Article, as enacted by Section 4 of this Act;

(iv) a list of native tree species that will be planted;

(v) a review of existing programs and current resource capacity for tree plantings;

(vi) a plan for expanding or creating new capacities necessary to achieve the State's tree-planting goals;

(vii) an analysis of trees scheduled to be cut down and the impact that will have on carbon sequestration;

(viii) an overview and analysis of logistical and policy barriers to achieving the State’s tree-planting goals;

(ix) a plan for seeking private capital to support tree plantings and forest conservation in the State;

(x) a plan for establishing a State-based carbon offset market to support the State’s tree-planting goals;

(xi) recommendations for policy changes necessary to facilitate the use of the Water Quality Revolving Loan Fund and Environmental Impact Bonds for tree plantings; and

(xii) a plan for reviewing future transportation procurement to minimize and fully mitigate tree clearing.

(g) On or before October 31, 2022, the Commission shall report its plan and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.”;

and in line 7, strike “3.” and substitute “7.”.

On page 7, in line 30, strike “4.” and substitute “8.”.

On page 8, in line 1, after “section,” insert “Section 1 of”; in line 9, strike “5.” and substitute “9.”; in line 11, strike “3” and substitute “7”; after line 14, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That Section 5 of this Act shall take effect on the taking effect of the termination provision specified in Section 5 of Chapters 366 and 367 of the Acts of the General Assembly of 2017. If that termination provision takes effect, Section 4 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.”;

in line 15, strike “6.” and substitute “11.”; in the same line, after “That” insert “, except as provided in Section 10 of this Act,”; in lines 16 and 17, in each instance, strike “Section 3” and substitute “Sections 1, 2, and 7”; in line 16, after “years” insert “and 1 month”; in line 17, strike “May 31” and substitute “June 30”; and in line 18, after “effect.” insert “Subject”



to Section 10 of this Act, Sections 3, 4, and 5 of this Act shall remain effective for a period of 10 years and 1 month and, at the end of June 30, 2031, Sections 3, 4, and 5 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. Section 6 of this Act shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2023, Section 6 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and concurred in.

**HB0991/953823/1**

BY: Senator Beidle

AMENDMENT TO HOUSE BILL 991, AS AMENDED

On page 5 of the Education, Health, and Environmental Affairs Committee Amendments (HB0991/594438/1), in line 4 of Amendment No. 2, strike “50%”; and in the same line, strike “20%”.

The preceding amendment was read and concurred in.

Delegate Lierman moved the previous question.

The motion was adopted.

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. 1488)

**AMENDED IN THE SENATE**

**House Bill 1069 – Delegate Stewart**

AN ACT concerning

**Water Supply – Private Well Safety Program**

Delegate Barve moved that the House concur in the Senate amendments.

**HB1069/564436/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1069  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 9, after “manner;” insert “establishing a certain civil penalty; authorizing a local health department to enforce this Act and collect a certain civil penalty; requiring the Department to adopt certain regulations;”; and in line 10, after the semicolon insert “requiring the Department to report to certain committees of the General Assembly on or before a certain date regarding certain reports received under this Act;”.

AMENDMENT NO. 2

On page 9, in line 18, strike the second “CONTAMINATION” and substitute “ISSUE, INCLUDING BY:

1. PROVIDING AN APPROVED POTABLE WATER SUPPLY ON AN ONGOING BASIS;

2. PERMANENTLY REMEDIATING THE CONTAMINATION;

OR

3. PROVIDING THE TENANT WITH THE OPTION TO TERMINATE THE LEASE”;

and after line 18, insert:

“(C) (1) A PERSON WHO VIOLATES A PROVISION OF THIS SECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$1,000.

(2) A LOCAL HEALTH DEPARTMENT MAY:

(I) ENFORCE THIS SECTION; AND

(II) COLLECT THE CIVIL PENALTY PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

**(D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO ESTABLISH MINIMUM CRITERIA FOR WATER QUALITY TESTING REQUIRED UNDER THIS SECTION.**

**AMENDMENT NO. 3**

On page 12, after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 31, 2022, the Department of the Environment shall, in accordance with § 2–1257 of the State Government Article, report to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee regarding any reports of private water supply contamination received by the Department under Section 1 of this Act.”;

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

The preceding 3 amendments were read and concurred in.

Delegate Adams moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

**YEAS AND NAYS NO. 16  
HOUSE BILLS PASSED IN THE SENATE**

| NUMBER | SPONSOR      | CONTENT                                                                                |
|--------|--------------|----------------------------------------------------------------------------------------|
| HB 288 | Del. Charles | Audiology and Speech–Language Pathology Interstate Compact                             |
| HB 366 | Del. Cardin  | District Court Commissioners – Arrest Warrants – Recall and Issuance of a Summons      |
| HB 399 | Del. Krimm   | Real Property – Required Notices for Contracts of Sale – Zones of Dewatering Influence |
| HB 401 | Del. Guyton  | Public Schools – Pregnant and Parenting Students – Policies and Reports                |

| NUMBER         | SPONSOR                      | CONTENT                                                                                                                   |
|----------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| HB 541         | Montgomery County Delegation | Montgomery County – Residential Property Sales – School District Information MC 01–21                                     |
| HB 567         | Montgomery County Delegation | Montgomery County – Cooperative Housing Corporations, Condominiums, and Homeowners Associations – Reserve Studies MC 3–21 |
| HB 581 (Emerg) | Del. D.E. Davis              | Labor and Employment – Employment Standards During an Emergency (Maryland Essential Workers’ Protection Act)              |
| HB 716         | Del. Griffith                | Special Education – Individualized Education Programs – Educational Evaluations                                           |
| HB 771         | Del. Queen                   | Public Schools – Centers for Disease Control and Prevention Surveys – Revisions                                           |
| HB 1134        | Del. Carey                   | Natural Resources – Fishing and Hunting Rights                                                                            |
| HB 1339        | Chair, Judiciary Committee   | Child Support – Guidelines                                                                                                |

Read and ordered journalized.

#### **ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 49**

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

#### **House Bill 592 – Delegate Fraser–Hidalgo**

AN ACT concerning

#### **State Vehicle Fleet – Conversion to Zero–Emission Electric Vehicles**

**HB0592/640714/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 592  
(First Reading File Bill)

AMENDMENT NO. 1

In line 2, strike “**Electric**” and substitute “**Passenger Cars and Other Light-Duty**”; strike beginning with “prohibiting” in line 3 down through “vehicle;” in line 5 and substitute “establishing the intent of the General Assembly that a certain percentage of passenger cars and other light-duty vehicles in the State vehicle fleet be zero-emission vehicles by certain years; requiring the State to ensure that a certain minimum percentage of passenger cars and other light-duty vehicles purchased for the State vehicle fleet in certain fiscal years are zero-emission vehicles, subject to the availability of funding; requiring the Department of General Services to ensure the development of certain charging infrastructure; requiring the Chief Procurement Officer to submit a certain report to the General Assembly on or before a certain date each year; requiring certain units to cooperate with the Chief Procurement Officer in the collection and reporting of certain information; providing for the application of this Act; defining certain terms;”; and in line 6, strike “electric” and substitute “passenger cars and other light-duty”.

AMENDMENT NO. 2

Strike in their entirety lines 16 through 18, inclusive, and substitute:

**“(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “LIGHT-DUTY VEHICLE” MEANS A VEHICLE WITH A GROSS WEIGHT OF 8,500 POUNDS OR LESS.**

**(3) “PASSENGER CAR” HAS THE MEANING STATED IN § 11-144.2 OF THE TRANSPORTATION ARTICLE.**

**(4) “ZERO-EMISSION VEHICLE” HAS THE MEANING STATED IN § 23-206.4 OF THE TRANSPORTATION ARTICLE.**

**(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT 100% OF:**

**(1) PASSENGER CARS IN THE STATE VEHICLE FLEET BE ZERO-EMISSION VEHICLES BY 2030; AND**

**(2) OTHER LIGHT-DUTY VEHICLES IN THE STATE VEHICLE FLEET BE ZERO-EMISSION VEHICLES BY 2035.**

**(C) THIS SECTION DOES NOT APPLY TO THE PURCHASE OF VEHICLES:**

**(1) THAT HAVE SPECIAL PERFORMANCE REQUIREMENTS NECESSARY FOR THE PROTECTION AND WELFARE OF THE PUBLIC; OR**

**(2) BY THE DEPARTMENT OF TRANSPORTATION OR THE MARYLAND TRANSIT ADMINISTRATION THAT WILL BE USED TO PROVIDE PARATRANSIT SERVICE.**

**(D) SUBJECT TO THE AVAILABILITY OF FUNDING, THE STATE SHALL ENSURE THAT:**

**(1) (I) IN FISCAL YEARS 2022 THROUGH 2024, INCLUSIVE, AT LEAST 25% OF PASSENGER CARS PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES;**

**(II) IN FISCAL YEARS 2025 AND 2026, INCLUSIVE, AT LEAST 50% OF PASSENGER CARS PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES; AND**

**(III) BEGINNING IN FISCAL YEAR 2027, 100% OF PASSENGER CARS PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES;**

**(2) (I) IN FISCAL YEARS 2027 THROUGH 2029, INCLUSIVE, AT LEAST 25% OF ALL OTHER LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES;**

**(II) IN FISCAL YEARS 2030 AND 2031, INCLUSIVE, AT LEAST 50% OF ALL OTHER LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES; AND**

**(III) BEGINNING IN FISCAL YEAR 2032, 100% OF ALL OTHER LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES.**

**(E) THE DEPARTMENT SHALL ENSURE THE DEVELOPMENT OF CHARGING INFRASTRUCTURE TO SUPPORT THE OPERATION OF ZERO-EMISSION VEHICLES IN THE STATE VEHICLE FLEET.**

**(F) (1) ON OR BEFORE DECEMBER 1 EACH YEAR, THE CHIEF PROCUREMENT OFFICER SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, AN ANNUAL REPORT THAT INCLUDES, FOR THE IMMEDIATELY PRECEDING FISCAL YEAR:**

(I) THE TOTAL NUMBER OF PASSENGER CARS AND OTHER LIGHT-DUTY VEHICLES PURCHASED BY EACH UNIT;

(II) THE NUMBER OF ZERO-EMISSION PASSENGER CARS AND OTHER LIGHT-DUTY VEHICLES PURCHASED BY EACH UNIT;

(III) THE CURRENT PERCENTAGE OF PASSENGER CARS AND OTHER LIGHT-DUTY VEHICLES IN THE STATE VEHICLE FLEET THAT ARE ZERO-EMISSION VEHICLES;

(IV) ANY OPERATIONAL SAVINGS ASSOCIATED WITH THE PURCHASE AND OPERATION OF ZERO-EMISSION VEHICLES; AND

(V) AN EVALUATION OF THE CHARGING INFRASTRUCTURE THAT EXISTS TO SUPPORT THE OPERATION OF ZERO-EMISSION VEHICLES IN THE STATE VEHICLE FLEET.

(2) EACH UNIT SHALL COOPERATE WITH THE CHIEF PROCUREMENT OFFICER IN THE COLLECTION AND REPORTING OF THE INFORMATION REQUIRED UNDER THIS SUBSECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **APPROPRIATIONS COMMITTEE REPORT NO. 27**

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

#### **Senate Bill 563 – Senator Griffith**

AN ACT concerning

#### **Local Health Departments – Funding**

**SB0563/974769/1**

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 563

(Third Reading File Bill)

On page 4, in line 3, strike “AND”; in the same line, after “2022” insert “, **2023, AND 2024**”; in lines 11 and 16, in each instance, strike “2023” and substitute “**2025**”; in line 13, strike “2022” and substitute “**2024**”; in lines 14 and 33, in each instance, strike “2024” and substitute “**2026**”; and in lines 17 and 31, in each instance, strike “2025” and substitute “**2027**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 93****Senate Bill 680 – Senator Jennings**

AN ACT concerning

~~**Teachers’ Pension System – Vested Allowance – Break in Service**~~  
**State Retirement and Pension System – Administration of Benefits –**  
**Clarification**

STATUS OF BILL: BILL ON 3RD READING. FLOOR AMENDMENT DEL. SZELIGA PENDING.

FLOOR AMENDMENT

**SB0680/903829/1**

BY: Delegate Szeliga

AMENDMENTS TO SENATE BILL 680

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 3 and 4 and substitute “**State Prescription Drug Benefits – Retirees**”; strike beginning with “providing” in line 5 down through “**System**” in line 17 and substitute “**authorizing certain retirees who began State service before a certain date to be eligible for prescription drug benefits in the State Employee and**



Retiree Health and Welfare Benefits Program; specifying that prescription drug benefits shall be discontinued for certain Medicare-eligible retirees who began State service on or after a certain date and their Medicare-eligible spouses and dependent children; repealing the Maryland State Retiree Prescription Drug Coverage Program; repealing the Maryland State Retiree Catastrophic Prescription Drug Assistance Program; repealing the Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program; repealing a requirement that the Secretary of Budget and Management provide a certain notice; repealing a requirement that the Department of Budget and Management ensure Medicare-eligible retirees have access to certain services; repealing a requirement that the Department submit certain reports; repealing a requirement that the Department adopt certain regulations; making conforming changes; repealing provisions of law made obsolete by this Act; and generally relating to State prescription drug benefits for retirees from State employment”; and strike in their entirety lines 18 through 22, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2-509.1

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing

Chapter 767 of the Acts of the General Assembly of 2019

Section 2, 4, and 5”.

#### AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 4 on page 2 through line 16 on page 5, inclusive, and substitute:

“2-509.1.

(a) (1) Except as provided in subsection (b) of this section, the State shall continue to include a prescription drug benefit plan in the health insurance benefit options established under the Program and available to retirees under §§ 2-508 and 2-509 of this subtitle notwithstanding the enactment of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003 or any other federal law permitting states to discontinue prescription drug benefit plans to retirees of a state.

(2) Except as provided in subsection (b) of this section:

(i) a retiree may elect to cover the retiree’s spouse or dependent child under the State prescription drug benefit plan under §§ 2-508 and 2-509 of this subtitle; and

(ii) if a surviving spouse or surviving dependent child of a retiree is eligible to enroll in the State prescription drug benefit plan under § 2-508 or § 2-509 of this subtitle, the surviving spouse or surviving dependent child may elect to enroll in the State prescription drug benefit plan.

(b) (1) THIS SUBSECTION APPLIES ONLY TO A RETIREE WHO BEGAN STATE SERVICE ON OR AFTER JULY 1, 2011.

(2) Except as provided in [subsection (c) of this section] PARAGRAPH (3) OF THIS SUBSECTION, on January 1, 2019, the State shall discontinue prescription drug benefits for:

[(1) (I) a Medicare-eligible retiree;

[(2) (II) the Medicare-eligible spouse or surviving spouse of a retiree; and

[(3) (III) a Medicare-eligible dependent child or surviving dependent child of a retiree.

[(c) (1) (3) (I) If a retiree is eligible to participate in the prescription drug benefit plan under Medicare, but the retiree's spouse or dependent child is not eligible to participate in a Medicare prescription drug benefit plan, the retiree may elect to cover the retiree's spouse or dependent child under the State prescription drug benefit plan.

[(2) (II) If the surviving spouse or surviving dependent child of a retiree is eligible to enroll in the State prescription drug benefit plan under § 2-508 or § 2-509 of this subtitle, but is not eligible to participate in the prescription drug benefit plan under Medicare, the surviving spouse or surviving dependent child may elect to enroll in the State prescription drug benefit plan.

[(d) (1) This subsection applies only to a retiree, a retiree's spouse or surviving spouse, and a retiree's dependent child or surviving dependent child:

(i) who is enrolled in a prescription drug benefit plan under Medicare;

(ii) if the retiree is retired on or before December 31, 2019; and

(iii) if the retiree is eligible under § 2-508 or § 2-509 of this subtitle to enroll and participate in the health insurance benefit options established under the Program.

(2) (i) Subject to subparagraph (ii) of this paragraph, on or before January 1, 2020, the Department shall establish a Maryland State Retiree Prescription Drug Coverage Program that reimburses a participant for out-of-pocket costs that exceed the limits established for non-Medicare-eligible retirees in § 2-508(d)(2)(iii) of this subtitle.

(ii) The Department may establish an out-of-pocket limit higher than the limits established in subparagraph (i) of this paragraph for a retiree who qualifies

for a partial State subsidy.

(3) The Maryland State Retiree Prescription Drug Coverage Program established under paragraph (2) of this subsection may include:

(i) a health reimbursement account established in accordance with § 105(h) of the Internal Revenue Code; or

(ii) another program that provides assistance with prescription drug costs.

(4) A retiree, a retiree's spouse or surviving spouse, and a retiree's dependent child or surviving dependent child may enroll in the Maryland State Retiree Prescription Drug Coverage Program during the open enrollment period or any special enrollment period for retiree health insurance benefit options.

(e) (1) This subsection applies only to a retiree, a retiree's spouse or surviving spouse, and a retiree's dependent child or surviving dependent child:

(i) who is enrolled in a prescription drug benefit plan under Medicare; and

(ii) if the retiree:

1. began State service on or before June 30, 2011;

2. retired on or after January 1, 2020; and

3. is eligible under § 2-508 or § 2-509 of this subtitle to enroll and participate in the health insurance benefit options established under the Program.

(2) (i) Subject to subparagraph (ii) of this paragraph, on or before January 1, 2020, the Department shall establish a Maryland State Retiree Catastrophic Prescription Drug Assistance Program that reimburses a participant for out-of-pocket costs after the participant has entered catastrophic coverage under a prescription drug benefit plan under Medicare.

(ii) The Department may establish a maximum reimbursement amount for a retiree who qualifies for a partial State subsidy.

(3) The Maryland State Retiree Catastrophic Prescription Drug Assistance Program under paragraph (2) of this subsection may provide reimbursements through:

(i) a health reimbursement account established in accordance with § 105(h) of the Internal Revenue Code; or

(ii) another program that provides assistance with prescription drug

costs.

(4) A retiree, a retiree's spouse or surviving spouse, and a retiree's dependent child or surviving dependent child may enroll in the Maryland State Retiree Catastrophic Prescription Drug Assistance Program during the open enrollment period or any special enrollment period for retiree health insurance benefit options.

(f) (1) This subsection applies only to a retiree, a retiree's spouse or surviving spouse, and a retiree's dependent child or surviving dependent child:

(i) who is enrolled in:

1. the Maryland State Retiree Prescription Drug Coverage Program established under subsection (d) of this section; or

2. the Maryland State Retiree Catastrophic Prescription Drug Assistance Program established under subsection (e) of this section; and

(ii) if the retiree is eligible under § 2-508 or § 2-509 of this subtitle to enroll and participate in the health insurance benefit options established under the Program.

(2) (i) On or before January 1, 2020, the Department shall establish a Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program that reimburses a participant for out-of-pocket costs for a life-sustaining prescription drug that is:

1. covered by the prescription drug benefit plan in the health insurance benefit options established under the Program; and

2. not covered by the prescription drug benefit plan under Medicare in which the participant is enrolled.

(ii) The Department shall develop a list of the prescription drugs that qualify for reimbursement under subparagraph (i) of this paragraph.

(iii) The Department may establish maximum reimbursement amounts for a retiree who qualifies for a partial State subsidy.

(3) The Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program established under paragraph (2) of this subsection may provide reimbursements through:

(i) a health reimbursement account established in accordance with § 105(h) of the Internal Revenue Code; or

(ii) another program that provides assistance with prescription drug

costs.

(4) A retiree, a retiree's spouse or surviving spouse, and a retiree's dependent child or surviving dependent child shall be automatically enrolled in the Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program on enrollment in:

(i) the Maryland State Retiree Prescription Drug Coverage Program established under subsection (d) of this section; or

(ii) the Maryland State Retiree Catastrophic Prescription Drug Assistance Program established under subsection (e) of this section.

(g) (1) Subject to paragraph (2) of this subsection, not later than July 1 of each year, the Secretary shall provide written certified notice of the change in the State prescription drug benefit plan under this section to the individuals who will become eligible in the next calendar year to enroll in the:

(i) Maryland State Retiree Prescription Drug Coverage Program;

(ii) Maryland State Retiree Catastrophic Prescription Drug Assistance Program; or

(iii) Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program.

(2) The notice shall include information regarding:

(i) coverage options available in the Medicare prescription drug benefit plan, including options that are similar to the prescription drug benefit plan in the health insurance benefit options established under the Program;

(ii) the potential for significant penalties if an individual does not promptly choose a Medicare prescription drug benefit plan immediately on termination of the individual's participation in the State prescription drug benefit plan;

(iii) the programs available under subsections (d), (e), and (f) of this section; and

(iv) any additional resources made available by the Department in accordance with this section.

(h) (1) The Department shall ensure Medicare-eligible retirees have access to one-on-one counseling services to assist retirees in selecting a Medicare prescription drug benefit plan.

(2) The Department shall develop a plan to communicate to

Medicare-eligible retirees the availability of:

(i) the programs under subsections (d), (e), and (f) of this section;  
and

(ii) services and information regarding prescription drug benefit plans under Medicare.

(3) On or before December 31, 2019, the Department shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2-1257 of the State Government Article, on the plan developed under paragraph (2) of this subsection.

(4) The report required under paragraph (3) of this subsection shall include:

(i) options for providing one-on-one counseling, including:  
1. in-person, over-the-phone, or web-based counseling;

2. the times at which one-on-one counseling will be available;

3. a plan to ensure equitable geographic access to one-on-one counseling; and

4. entering into a statewide contract with an employee benefits administrator or similar entity to provide one-on-one counseling services;

(ii) plans for holding seminars in every county of the State to provide information regarding eligibility for and available benefits under the programs established under subsections (d), (e), and (f) of this section;

(iii) plans for providing access to a web-based overview and interactive website that provide information on:

1. Medicare prescription drug benefit plans; and  
2. subsidy and financial assistance programs for low-income individuals; and

(iv) plans for providing a toll-free hotline for reporting issues and concerns regarding the services provided in accordance with this paragraph.

(i) Subject to the requirements of § 13-108 of the State Finance and Procurement Article, the Department may make an emergency procurement for:

(1) staff required to carry out the provisions of this section; and

(2) a third party to administer health reimbursement accounts established under this section.

(j) The Department shall submit quarterly reports to the Governor and, in accordance with § 2–1257 of the State Government Article, the House Appropriations Committee, the Senate Budget and Taxation Committee, and the Joint Committee on Pensions, on:

(1) the status of establishing the programs under subsections (d), (e), and (f) of this section, including:

(i) the status of procuring any contracts necessary to operate the programs; and

(ii) the prescription drugs determined to qualify for reimbursement under the Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program under subsection (f) of this section;

(2) the availability of one–on–one counseling services required under subsection (h) of this section;

(3) the details of the health reimbursement accounts or other programs to provide assistance with prescription drug costs for individuals enrolled in the programs under subsections (d), (e), and (f) of this section, including:

(i) the specific out–of–pocket costs eligible for reimbursement;

(ii) the required process for receiving reimbursement;

(iii) the method of reimbursement;

(iv) the timing of reimbursement; and

(v) a plan to use debit cards to process reimbursements in a convenient and efficient manner; and

(4) in total and by category for the previous quarter, the number of issues and concerns reported to the hotline.

(k) The Department shall adopt regulations to implement the provisions of this section.]

### Chapter 767 of the Acts of 2019

[SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other

provision of law, if the final resolution of the injunction issued in the U.S. District Court for the District of Maryland in Fitch v. State of Maryland et al, Case No. 1:18 CV-0287-PM (D. Md.) occurs on a date that is:

(1) less than 9 months before the first day of the next State health benefits open enrollment period, the following shall begin on the first day of the second State health benefits plan year immediately following the resolution:

(i) the elimination of the State prescription drug benefits for Medicare-eligible retirees, Medicare-eligible spouses or surviving spouses of retirees, and Medicare-eligible dependent children or surviving dependent children of retirees under § 2-509.1(b) of the State Personnel and Pensions Article;

(ii) the establishment of the Maryland State Retiree Prescription Drug Coverage Program, the Maryland State Retiree Catastrophic Prescription Drug Assistance Program, and the Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program in § 2-509.1(d), (e), and (f) of the State Personnel and Pensions Article, respectively, as enacted by Section 1 of this Act; and

(iii) the provision of written certified notice to individuals under § 2-509.1(g) of the State Personnel and Pensions Article, as enacted by Section 1 of this Act;  
or

(2) 9 months or more before the first day of the next State health benefits open enrollment period, the following shall begin on the first day of the State health benefits plan year immediately following the resolution following the next open enrollment period:

(i) the elimination of the State prescription drug benefits for Medicare-eligible retirees, Medicare-eligible spouses or surviving spouses of retirees, and Medicare-eligible dependent children or surviving dependent children of retirees under § 2-509.1(b) of the State Personnel and Pensions Article;

(ii) the establishment of the Maryland State Retiree Prescription Drug Coverage Program, the Maryland State Retiree Catastrophic Prescription Drug Assistance Program, and the Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program in § 2-509.1(d), (e), and (f) of the State Personnel and Pensions Article, respectively, as enacted by Section 1 of this Act; and

(iii) the provision of written certified notice to individuals under § 2-509.1(g) of the State Personnel and Pensions Article, as enacted by Section 1 of this Act.]

[SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management establish the Maryland State Retiree Prescription Drug Coverage Program, the Maryland State Retiree Catastrophic Prescription Drug Assistance Program, and the Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program in § 2-509.1(d), (e), and (f) of the State Personnel



and Pensions Article, respectively, in a manner that allows retirees to access reimbursement at the time of prescription drug purchase, through a mechanism such as debit cards.]

[SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management attend at least one meeting each year of the Joint Committee on Pensions to update the Committee on implementation of the provisions of this Act.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.”

The preceding 2 amendments were withdrawn.

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1489)

The Bill was then returned to the Senate.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 48**

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

**Senate Bill 859 – Senator Hayes**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 1490)

**ADJOURNMENT**

At 8:16 P.M. on motion of Delegate Luedtke the House adjourned until 8:50 P.M. on Legislative Day March 29, 2021, Calendar Day, Monday, April 12, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 29, 2021**  
**Calendar Day: Monday, April 12, 2021**  
**8:50 P.M. Session**

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The House met at 9:01 P.M. and pledged Allegiance to the Flag.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 120 Members present.

(See Roll Call No. 1491)

**EXCUSED:**

Delegate Anderson – illness

Delegate R. Watson – medical

The Journal of March 28, 2021 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 120 Members present.

(See Roll Call No. 1492)

**CALENDAR OF THIRD READING SENATE BILLS NO. 78**

**Senate Bill 81 – Senator Ellis**

AN ACT concerning

**Southern Maryland Rapid Transit Project – Funding**

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

Affirmative – 94    Negative – 28    (See Roll Call No. 1493)

The Bill was then returned to the Senate.

**Senate Bill 127 – Senators Patterson and Augustine**

AN ACT concerning

**Institutions of Higher Education – Use of Criminal History in Admission –  
Modifications**

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

Affirmative – 90    Negative – 35    (See Roll Call No. 1494)

The Bill was then returned to the Senate.

**Senate Bill 269 – Senator Ellis**

AN ACT concerning

**Property Tax Exemption – Disabled Active Duty Service Members, Disabled  
Veterans, and Surviving Spouses – Refund**

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

Affirmative – 125    Negative – 0    (See Roll Call No. 1495)

The Bill was then returned to the Senate.

**Senate Bill 300 – Senator Peters**

AN ACT concerning

**Special Education – Learning Continuity Plan – Requirement**

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

Affirmative – 127    Negative – 0    (See Roll Call No. 1496)

The Bill was then returned to the Senate.

**Senate Bill 829 – Senator Lam**

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 – 117    Negative – 11    (See Roll Call No. 1497)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 79**

**Senate Bill 578 – Senator McCray**

AN ACT concerning

**~~Income Tax – Retroactive Changes Under the Federal CARES Act – Addition~~  
~~Modification~~ Internal Revenue Code Amendments – Decoupling**

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

Affirmative – 121    Negative – 17    (See Roll Call No. 1498)

The Bill was then returned to the Senate.

**Senate Bill 711 – Senator King**

AN ACT concerning

**Growing Family Child Care Opportunities Pilot Program – Established**

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

Affirmative – 132    Negative – 5    (See Roll Call No. 1499)

The Bill was then returned to the Senate.

**Senate Bill 916 – Senator McCray**

AN ACT concerning

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

Delegate Luedtke moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

**Senate Bill 927 – Senator Pinsky**

AN ACT concerning

**Institutions of Higher Education – Prohibition Against Incentive Payments –  
Foreign Student Exemption**

Delegate J. Lewis moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

**CONCURRENCE CALENDAR NO. 36  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 1007 – Delegate Charkoudian**

AN ACT concerning

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

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB1007/507770/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1007

(Third Reading File Bill)

On page 3, in line 27, strike "**2021**" and substitute "**2022**"; in line 28, strike "**POST-2021**" and substitute "**POST-2022**"; in line 29, strike "**JULY**" and substitute "**JANUARY**"; and in line 30, strike "**2022**" and substitute "**2023**".

On page 6, in line 17, strike the brackets; and strike beginning with "**AND**" in line 19 down through "**SYSTEMS;**" in line 21.

On page 7, in lines 1, 7, 13, 20, and 27, in each instance, strike "**POST-2021**" and substitute "**POST-2022**"; in line 1, strike "**0.15%**" and substitute "**0.05%**"; in line 7, strike "**0.25%**" and substitute "**0.15%**"; in line 13, strike "**0.5%**" and substitute "**0.25%**"; in line 20, strike "**0.75%**" and substitute "**0.5%**"; and in line 27, strike "**1%**" and substitute "**0.75%**".

On page 8, in lines 6, 13, and 20, in each instance, strike "**POST-2021**" and substitute "**POST-2022**".

On page 9, in lines 1 and 18, in each instance, strike “**POST-2021**” and substitute “**POST-2022**”.

On page 10, in line 25, strike “**POST-2021**” and substitute “**POST-2022**”.

On page 11, in line 23, strike “**POST-2021**” and substitute “**POST-2022**”.

On page 13, in line 29, strike “**POST-2021**” and substitute “**POST-2022**”.

On page 14, in line 4, strike “**2022**” and substitute “**2023**”; in the same line, strike “**2024**” and substitute “**2025**”; and in lines 5, 6, and 7, strike “**2025**”, “**2026**”, and “**2027**”, respectively, and substitute “**2026**”, “**2027**”, and “**2028**”, respectively.

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 – 105    Negative – 30    (See Roll Call No. 1500)

### AMENDED IN THE SENATE

#### House Bill 1152 – Howard County Delegation

AN ACT concerning

#### Howard County – Alcoholic Beverages – Class B Beer, Wine, and Liquor License – Off-Premises Consumption

Ho. Co. 04-21

Delegate Davis, D.E. moved that the House concur in the Senate amendments.

**HB1152/654539/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1152

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “license;” insert “authorizing the Board to limit the quantity of alcoholic beverages sold in a single transaction for off–premises consumption under the license;”.

AMENDMENT NO. 2

On page 3, after line 28, insert:

**“(E) THE BOARD MAY LIMIT THE QUANTITY OF ALCOHOLIC BEVERAGES SOLD IN A SINGLE TRANSACTION FOR OFF–PREMISES CONSUMPTION UNDER THE LICENSE.”;**

and in lines 29 and 32, strike “(e)” and “(f)”, respectively, and substitute “**(F)**” and “**(G)**”, 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 – 135    Negative – 0    (See Roll Call No. 1501)

**CONCURRENCE CALENDAR NO. 37  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 16 – Delegate Stewart**

AN ACT concerning

**Correctional Services – Immigration Detention – Prohibition  
(Dignity Not Detention Act)**

Delegate Clippinger moved that the House concur in the Senate amendments.

**HB0016/468779/1**

BY:    Judicial Proceedings Committee



AMENDMENT NO. 1

On page 1, in line 9, after “detainees;” insert “prohibiting a law enforcement agent from performing certain acts, subject to certain exceptions;”; and after line 21, insert:

“BY adding to

Article – Criminal Procedure

Section 5–104

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 5, after line 25, insert:

“Article – Criminal Procedure

5–104.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CIVIL IMMIGRATION VIOLATION” MEANS A VIOLATION OF FEDERAL CIVIL IMMIGRATION LAW.

(3) “FAMILY MEMBER” MEANS A RELATIVE BY BLOOD, ADOPTION, OR MARRIAGE.

(4) “HOUSEHOLD MEMBER” MEANS A PERSON WHO LIVES WITH ANOTHER OR IS A REGULAR PRESENCE IN THE HOME OF ANOTHER.

(5) (I) “LAW ENFORCEMENT AGENT” MEANS AN INDIVIDUAL WHO IS CERTIFIED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION UNDER § 3–209 OF THE PUBLIC SAFETY ARTICLE.

(II) “LAW ENFORCEMENT AGENT” DOES NOT INCLUDE AN AGENT OR EMPLOYEE OF A STATE CORRECTIONAL FACILITY OR A LOCAL CORRECTIONAL FACILITY.

(6) “LOCAL CORRECTIONAL FACILITY” HAS THE MEANING STATED IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE.

(7) “STATE CORRECTIONAL FACILITY” HAS THE MEANING STATED IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE.

(B) (1) IN THIS SUBSECTION, “ARREST” DOES NOT INCLUDE A ROUTINE BOOKING PROCEDURE.

(2) EXCEPT AS PROVIDED IN PARAGRAPHS (3) AND (4) OF THIS SUBSECTION, A LAW ENFORCEMENT AGENT MAY NOT, DURING THE PERFORMANCE OF REGULAR POLICE FUNCTIONS:

(I) INQUIRE ABOUT AN INDIVIDUAL’S CITIZENSHIP, IMMIGRATION STATUS, OR PLACE OF BIRTH DURING A STOP, A SEARCH, OR AN ARREST;

(II) DETAIN, OR PROLONG THE DETENTION OF, AN INDIVIDUAL:

1. FOR THE PURPOSE OF INVESTIGATING THE INDIVIDUAL’S CITIZENSHIP OR IMMIGRATION STATUS; OR

2. BASED ON THE SUSPICION THAT THE INDIVIDUAL HAS COMMITTED A CIVIL IMMIGRATION VIOLATION;

(III) TRANSFER AN INDIVIDUAL TO FEDERAL IMMIGRATION AUTHORITIES UNLESS REQUIRED BY FEDERAL LAW; OR

(IV) COERCE, INTIMIDATE, OR THREATEN ANY INDIVIDUAL BASED ON THE ACTUAL OR PERCEIVED CITIZENSHIP OR IMMIGRATION STATUS OF THE INDIVIDUAL OR:

1. THE INDIVIDUAL’S FAMILY MEMBER;

2. THE INDIVIDUAL’S HOUSEHOLD MEMBER;

**3. THE INDIVIDUAL’S LEGAL GUARDIAN; OR**

**4. ANOTHER INDIVIDUAL FOR WHOM THE INDIVIDUAL IS A LEGAL GUARDIAN.**

**(3) NOTHING IN THIS SUBSECTION SHALL PREVENT A LAW ENFORCEMENT AGENT FROM INQUIRING ABOUT ANY INFORMATION THAT IS MATERIAL TO A CRIMINAL INVESTIGATION.**

**(4) IF THE CITIZENSHIP OR IMMIGRATION STATUS OF AN INDIVIDUAL IS RELEVANT TO A PROTECTION ACCORDED TO THE INDIVIDUAL UNDER STATE OR FEDERAL LAW, OR SUBJECT TO A REQUIREMENT IMPOSED BY INTERNATIONAL TREATY, A LAW ENFORCEMENT AGENT MAY:**

**(I) NOTIFY THE INDIVIDUAL OF THE PROTECTION OR REQUIREMENT; AND**

**(II) PROVIDE THE INDIVIDUAL AN OPPORTUNITY TO VOLUNTARILY DISCLOSE THE INDIVIDUAL’S CITIZENSHIP OR IMMIGRATION STATUS FOR THE PURPOSE OF RECEIVING THE PROTECTION OR COMPLYING WITH THE REQUIREMENT.”.**

The preceding 2 amendments were read and concurred in.

Delegate Pena–Melnyk moved the previous question.

The motion was adopted.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 86    Negative – 46    (See Roll Call No. 1502)

**CONCURRENCE CALENDAR NO. 39  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 1187 – Delegate Clippinger**

AN ACT concerning

**Juvenile Law – Juvenile Justice Reform**

Delegate Clippinger moved that the House concur in the Senate amendments.

**HB1187/388270/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1187

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Reform**” insert “**Council Extension and Grant Funding**”.

On pages 1 and 2, strike beginning with “altering” in line 3 on page 1 down through “Services;” in line 25 on page 2 and substitute “requiring the Governor to include in the annual budget bill an appropriation for a certain grant;”.

On page 2, strike beginning with “requiring” in line 28 down through “changes;” in line 34; and strike in their entirety lines 41 through 45, inclusive.

On page 3, strike in their entirety lines 1 through 16, inclusive; in line 19, strike “3–523 and”; strike in their entirety lines 22 through 27, inclusive; and in line 30, strike “1(c) and (g)(2)” and substitute “1(g)(2)”.

On page 24, in line 1, strike “4.” and substitute “2.”.

AMENDMENT NO. 2

On pages 3 through 19, strike in their entirety the lines beginning with line 36 on page 3 through line 26 on page 19, inclusive, and substitute:

**“Article – Public Safety”**

On pages 20 and 21, strike in their entirety the lines beginning with line 1 on page 20 through line 26 on page 21, inclusive.

On pages 21 and 22, strike in their entirety the lines beginning with line 30 on page 21 through line 2 on page 22, inclusive.

On pages 22 and 23, strike in their entirety the lines beginning with line 14 on page 22 through line 32 on page 23, inclusive.

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 – 97    Negative – 40    (See Roll Call No. 1503)

**CONCURRENCE CALENDAR NO. 44  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 1324 – Delegate P. Young**

EMERGENCY BILL

SECOND PRINTING

AN ACT concerning

**Tobacco Tax and Sales and Use Tax – Out-of-State Sales of Premium Cigars and  
Pipe Tobacco and Tobacco Smoking Devices**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB1324/223922/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1324  
(Third Reading File Bill – Second Printing)

AMENDMENT NO. 1

On page 1, in lines 4 and 5, strike “certain items” and substitute “a certain item”.

AMENDMENT NO. 2

On page 4, in lines 1, 2, 3, and 4, in each instance, strike the bracket; in line 7, strike “or”; in line 9, after “Act” insert “; OR”

**(IV) TOBACCO PIPES, AS DEFINED UNDER § 11-104 OF THE TAX – GENERAL ARTICLE**”;

in line 16, after “(iii)” insert “**“TOBACCO PIPE” MEANS A PIPE MADE PRIMARILY OF MEERSCHAUM, WOOD, OR PORCELAIN WITH A BOWL DESIGNED TO BE USED WITHOUT A SCREEN OR FILTER.**”

**(IV)**”;

in line 20, after the semicolon insert “**AND**”; in line 21, after “**TOBACCO**” insert “**PIPES.**”; and strike beginning with “**FILTERS**” in line 21 down through the period in line 24.

On page 17, in line 30, strike “pipes or hookahs” and substitute “tobacco pipes”.

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 – 116    Negative – 19    (See Roll Call No. 1504)

**CONCURRENCE CALENDAR NO. 42  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 1248 – Delegate Washington**

AN ACT concerning

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

Delegate Clippinger moved that the House concur in the Senate amendments.

**HB1248/318071/1**

BY:    Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1248  
(Third Reading File Bill)

On page 2, in line 9, after “EACH” insert “USE OF FORCE”.

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 – 115    Negative – 21    (See Roll Call No. 1505)

**CONCURRENCE CALENDAR NO. 40**  
**HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 281 – Delegate Chang**

AN ACT concerning

~~Criminal Law~~ **Local Government – Humane Society and Animal Control Officers**  
**– Education and Training Requirements**

Delegate Barve moved that the House concur in the Senate amendments.

**HB0281/448074/1**

BY:    Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 281  
(Bill as Printed for Third Reading)

On page 1, in line 17, strike “13-110” and substitute “1-1314”.

On page 2, in line 14, strike “**13-110.**” and substitute “**1-1314.**”; in line 15, after “**(A)**” insert “**THIS SECTION APPLIES TO ALL COUNTIES AND MUNICIPALITIES.**”

**(B)**”;

and strike beginning with “MUNICIPAL” in line 18 down through “CORPORATION” in line 19 and substitute “MUNICIPALITY”.

On page 3, in line 6, strike “MUNICIPAL CORPORATION” and substitute “MUNICIPALITY”; in line 9, strike “(B)” and substitute “(C)”; and in line 11, strike “MUNICIPAL CORPORATION” and substitute “MUNICIPALITY”.

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 – 1    (See Roll Call No. 1506)

**CONCURRENCE CALENDAR NO. 43  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE**

**House Bill 1186 – Delegate Clippinger**

AN ACT concerning

**Office of the Attorney General – Firearm Crime, Injuries, Fatalities, and Crime  
Firearms – Study Extension**

Delegate Clippinger moved that the House concur in the Senate amendments.

**HB1186/748375/1**

BY:    Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1186

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “firearms;” insert “authorizing the Office of the Attorney General to access certain information from the District Court concerning certain protective orders for a certain purpose;”.

AMENDMENT NO. 2

On page 4, after line 21, insert:



“(D) (1) NOTWITHSTANDING THE PROVISIONS OF § 5-602(C) OF THE PUBLIC SAFETY ARTICLE CONCERNING ACCESS TO INFORMATION RELATED TO PROTECTIVE ORDERS, THE OFFICE OF THE ATTORNEY GENERAL MAY ACCESS INFORMATION FROM THE DISTRICT COURT FOR THE PURPOSE OF PROVIDING A REVIEW OF PROTECTIVE ORDER PETITIONS AND RELATED INFORMATION FOR RESEARCH PURPOSES TO DETERMINE HOW THESE ORDERS ARE BEING USED AND THE IMPACT, IF ANY, ON THE INCIDENCE OF HOMICIDES, ASSAULTS, AND SUICIDES BY FIREARMS IN THE STATE SINCE THE ENACTMENT OF TITLE 5, SUBTITLE 6 OF THE PUBLIC SAFETY ARTICLE, AND THE IMPACT OF THAT LAW AS COMPARED TO SIMILAR ENACTMENTS IN OTHER STATES.

(2) ALL INDIVIDUAL IDENTIFYING INFORMATION REVIEWED AND RESEARCHED UNDER THIS SECTION SHALL REMAIN CONFIDENTIAL AND ANY REPORT, STUDY, OR OTHER USE OF THE INFORMATION SHALL MAINTAIN THE STRICT CONFIDENTIALITY OF ANY INDIVIDUAL IDENTIFYING INFORMATION REVIEWED UNDER THE AUTHORITY OF THIS SECTION.

(3) THE OFFICE OF THE ATTORNEY GENERAL MAY DELEGATE THE REVIEW AND RESEARCH UNDERTAKEN UNDER THE AUTHORITY OF THIS SECTION TO A RECOGNIZED RESEARCH INSTITUTION LOCATED IN THE STATE OF MARYLAND.”;

and in line 22, strike “(d)” and substitute “(E)”.

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 – 42    (See Roll Call No. 1507)

### QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1508)

**CALENDAR OF THIRD READING SENATE BILLS NO. 76****Senate Bill 319 – Senators Hester and Elfreth**

AN ACT concerning

**Clean Energy Loan Program – Remediation and Resiliency**

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

Affirmative – 108    Negative – 28    (See Roll Call No. 1509)

The Bill was then returned to the Senate.

**Senate Bill 396 – Senator Carter**

AN ACT concerning

**Baltimore City – Alcoholic Beverages Licenses – Hours of Sale**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1510)

The Bill was then returned to the Senate.

**Senate Bill 446 – Senator West**

AN ACT concerning

**Department of the Environment – Supplemental Environmental Projects Database**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1511)

The Bill was then returned to the Senate.

**CALENDAR OF THIRD READING SENATE BILLS NO. 80****Senate Bill 563 – Senator Griffith**

AN ACT concerning

**Local Health Departments – Funding**

## FLOOR AMENDMENT

**SB0563/183321/1**

BY: Delegate Mautz

AMENDMENTS TO SENATE BILL 563

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Departments**” insert “**and Officers**”; in the same line, after “**Funding**” insert “**and COVID-19**”; in line 12, strike “defining a certain term;” and substitute “requiring a local health officer, within a certain time period after receiving an anonymous tip alleging that a business is in violation of a COVID-19-related order, to provide notice to the business; requiring the local health officer to provide the business with certain information; prohibiting the local health officer from providing the business with certain information; defining certain terms; providing for the termination of certain provisions of this Act;”; and in line 13, after “departments” insert “and officers”.

AMENDMENT NO. 2

On page 7, after line 6, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:(a) (1) In this section the following words have the meanings indicated.(2) “COVID-19” means, interchangeably and collectively, the coronavirus known as COVID-19 or 2019-nCoV and the SARS-CoV-2 virus.(3) “COVID-19-related order” means any State, county, or local order that includes restrictions intended to limit the spread of COVID-19.(b) (1) Within 24 hours after receiving an anonymous tip alleging that a business is in violation of a COVID-19-related order, a local health officer shall notify the business of the anonymous tip.(2) When making a notification under paragraph (1) of this subsection, the local health officer:

(i) shall provide the business with information regarding the anonymous tip that would help determine the nature and veracity of the anonymous tip; and

(ii) may not provide the business with the name of the person who submitted the anonymous tip.”;

in line 7, strike “3.” and substitute “4.”; and in line 8, after “2021.” insert “Section 3 of this Act shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2023, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

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

Affirmative – 43    Negative – 91    (See Roll Call No. 1512)

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

Affirmative – 111    Negative – 23    (See Roll Call No. 1513)

The Bill was then returned to the Senate.

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

##### Senate Bill 859 – Senator Hayes

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 – 114    Negative – 21    (See Roll Call No. 1514)

The Bill was then returned to the Senate.

#### CALENDAR OF THIRD READING SENATE BILLS NO. 75

##### Senate Bill 137 – Senator Zucker

AN ACT concerning

**Maryland Transit Administration – Conversion to Zero-Emission Buses  
(Zero-Emission Bus Transition Act)**

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

Affirmative – 101    Negative – 33    (See Roll Call No. 1515)

The Bill was then returned to the Senate.

**Senate Bill 307 – Senator Guzzone**

AN ACT concerning

**Labor and Employment – Direct Care Workforce Innovation Program**

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

Affirmative – 102    Negative – 35    (See Roll Call No. 1516)

The Bill was then returned to the Senate.

**Senate Bill 375 – Senator Kagan**

AN ACT concerning

**Agriculture – Neonicotinoid Pesticides – Sale and Storage**

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

Affirmative – 108    Negative – 28    (See Roll Call No. 1517)

The Bill was then returned to the Senate.

**Senate Bill 515 – Senator Klausmeier**

**EMERGENCY BILL**

AN ACT concerning

**Criminal Procedure – Registered Sex Offenders – Entry Onto School Property**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1518)

The Bill was then returned to the Senate.

**Senate Bill 723 – Senator Hester****EMERGENCY BILL**

AN ACT concerning

**Maryland Food System Resiliency Council**

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

Affirmative – 102    Negative – 36    (See Roll Call No. 1519)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 38  
HOUSE BILLS AMENDED IN THE SENATE**

**AMENDED IN THE SENATE****House Bill 18 – Delegates W. Fisher, Rosenberg, Stewart, and Wilkins**

AN ACT concerning

**Landlord and Tenant – ~~Eviction Action~~ Residential Tenants – Right to Counsel**

Delegate Clippinger moved that the House concur in the Senate amendments.

**HB0018/878471/1**

BY:    Judicial Proceedings Committee

**AMENDMENTS TO HOUSE BILL 18**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 2, strike “**Right**” and substitute “**Access**”; in line 3, after “of” insert “establishing that certain procedural notice requirements must be fulfilled prior to the filing of a complaint by a landlord or a landlord’s duly qualified agent for the repossession of residential rental property for failure to pay rent; requiring that, before a landlord may file a complaint to repossess property for the failure to pay rent, the landlord provide certain written notice containing certain information to the tenant in a certain manner;”; in the same line, strike “have a right” and substitute “shall have access”; in line 10, strike “providing exceptions to the Program;” and substitute “requiring the legal representation”

of certain individuals in certain civil proceedings and matters by certain organizations; authorizing the Maryland Legal Services Corporation to contract with certain organizations to manage all or part of certain services provided to certain individuals;”; and in line 16, after “proceedings;” insert “requiring the Maryland Legal Services Corporation to designate certain community groups for a certain purpose;”.

On page 1 in lines 4 and 21, and on page 2 in lines 3 and 22, in each instance, strike “Right” and substitute “Access”.

On page 2, in line 16, strike “requiring the”; in line 17, strike “Maryland Legal Services Corporation to adopt certain regulations;” and substitute “requiring the Maryland Judiciary to develop and publish a certain form;”; in line 19, strike “the right” and substitute “access”; after line 19, insert:

“BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–401

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)”;

and in line 22, strike “8–912” and substitute “8–911”.

## AMENDMENT NO. 2

On page 3, in line 18, strike “a right” and substitute “access”; in line 20, strike the second “and” and substitute “now, therefore,”; and strike in their entirety lines 21 through 27, inclusive.

On page 3 in line 31 and on page 4 in lines 19 and 26, in each instance, strike “**RIGHT**” and substitute “**ACCESS**”.

On page 4, in line 29, strike “**HAS A RIGHT**” and substitute “**SHALL HAVE ACCESS**”.

On page 4 in line 25, and on page 11 in line 31, in each instance, strike “**RIGHT**” and substitute “**ACCESS**”.

On page 7, in lines 1 and 2, strike “, **INCLUDING THE RIGHT**” and substitute “**AND THE ACCESS**”; in line 19, strike “, **INCLUDING THE RIGHT**” and substitute “**AND THE ACCESS**”.

On page 5 in line 2, on page 8 in line 3, and on page 9 in line 14, in each instance, strike “A RIGHT” and substitute “AN ACCESS”.

On page 9, in line 16, strike “A CIVIL RIGHT” and substitute “ACCESS”.

On page 10 in line 18 and on page 11 in line 3, in each instance, strike “A RIGHT” and substitute “ACCESS”.

#### AMENDMENT NO. 3

On page 4, in line 19, after “(D)” insert ““DESIGNATED ORGANIZATION” MEANS A NONPROFIT ENTITY DESIGNATED BY MLSC WITH THE ABILITY TO PROVIDE LEGAL REPRESENTATION TO COVERED INDIVIDUALS.”

(E);

and in lines 21, 24, 25, and 26, strike “(E)”, “(F)”, “(G)”, and “(H)”, respectively, and substitute “(F)”, “(G)”, “(H)”, and “(I)”, respectively.

On page 6, in line 5, strike “MLSC” and substitute “A DESIGNATED ORGANIZATION”; in line 13, strike “MLSC” and substitute “A DESIGNATED ORGANIZATION”; and strike in their entirety lines 18 through 24, inclusive, and substitute:

“(C) MLSC MAY CONTRACT WITH A DESIGNATED ORGANIZATION TO PROVIDE ALL OR PART OF THE SERVICES REQUIRED UNDER THIS SECTION.”

On page 8, in line 9, after “GROUPS” insert “OR DESIGNATED ORGANIZATIONS”.

On page 9, in line 1, after “SUBTITLE” insert “, INCLUDING THE PERFORMANCE OF DESIGNATED ORGANIZATIONS AND COMMUNITY GROUPS”; and in line 7, strike “YEAR” and substitute “JANUARY 1”.

#### AMENDMENT NO. 4

On page 5, in line 17, after “PROCEEDING” insert “TO EVICT OR TERMINATE THE TENANCY OR HOUSING SUBSIDY OF A COVERED INDIVIDUAL”; in line 18, strike “MLSC” and substitute “THE DESIGNATED ORGANIZATION”; and in line 19, strike the colon and substitute a period.



On pages 5 and 6, strike in their entirety the lines beginning with line 20 on page 5 down through line 4 on page 6, inclusive.

On page 6, in line 9, after “(I)” insert “A LANDLORD PROVIDES NOTICE TO TERMINATE A TENANCY;

(II)”;

in line 12, strike “(II)” and substitute “(III)”; and in line 13, after “PROCEEDING” insert “RELATED TO A CONSTRUCTIVE EVICTION”.

#### AMENDMENT NO. 5

On page 6, in line 30, strike “SPANISH” and substitute “OTHER LANGUAGES MLSC DETERMINES APPROPRIATE”.

#### AMENDMENT NO. 6

On page 8, in line 14, after “(V)” insert: “AT LEAST TWO REPRESENTATIVES OF LANDLORDS;

(VI) REPRESENTATIVES OF MLSC; AND

(VII)”;

and in lines 14 and 15, strike “; AND (VI) AT LEAST TWO REPRESENTATIVES OF LANDLORDS”.

#### AMENDMENT NO. 7

On page 10, in line 2, strike “MLSC” and substitute “A DESIGNATED ORGANIZATION OR ACTIVITY BY A COMMUNITY GROUP”; in line 5, strike “AND”; in line 6, after “(2)” insert “IF A LOCAL JURISDICTION ENACTS A PROGRAM AUTHORIZED UNDER THIS SUBTITLE, SERVICES PROVIDED BY THE LOCAL JURISDICTION TO IMPLEMENT ACCESS TO COUNSEL IN EVICTION PROCEEDINGS AS PROVIDED FOR IN THIS SUBTITLE, INCLUDING ALL COSTS ASSOCIATED WITH REQUIRED LEGAL REPRESENTATION IN ANY PROCEEDING AND ANY OUTREACH AND EDUCATION ACTIVITIES;

(3) ADMINISTRATIVE EXPENSES OF MLSC; AND

(4)”;

and in lines 31 and 32, strike “AND SHALL BE FULLY IMPLEMENTED” and substitute “WITH THE GOAL OF FULL IMPLEMENTATION”.

On page 11, after line 4, insert:

“(C) ACCESS TO LEGAL REPRESENTATION UNDER THIS SUBTITLE IS SUBJECT TO THE AVAILABILITY OF FUNDING.”

AMENDMENT NO. 8

On page 11, strike in their entirety lines 15 through 17, inclusive.

AMENDMENT NO. 9

On page 3, after line 30, insert:

“8-401.

(a) Whenever the tenant or tenants fail to pay the rent when due and payable, it shall be lawful for the landlord to have again and repossess the premises IN ACCORDANCE WITH THIS SECTION.

(b) (1) Whenever any landlord shall desire to repossess any premises to which the landlord is entitled under the provisions of subsection (a) of this section, the landlord or the landlord’s duly qualified agent or attorney shall ENSURE THAT THE LANDLORD HAS COMPLETED THE PROCEDURES REQUIRED UNDER SUBSECTION (C) OF THIS SECTION.

(2) AFTER COMPLETING THE PROCEDURES REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, A LANDLORD OR THE LANDLORD’S DULY QUALIFIED AGENT OR ATTORNEY MAY file the landlord’s written complaint under oath or affirmation, in the District Court of the county wherein the property is situated:

(i) Describing in general terms the property sought to be repossessed;

(ii) Setting forth the name of each tenant to whom the property is rented or any assignee or subtenant;

(iii) Stating the amount of rent and any late fees due and unpaid, less the amount of any utility bills, fees, or security deposits paid by a tenant under § 7–309 of the Public Utilities Article;

(iv) Requesting to repossess the premises and, if requested by the landlord, a judgment for the amount of rent due, costs, and any late fees, less the amount of any utility bills, fees, or security deposits paid by a tenant under § 7–309 of the Public Utilities Article;

(v) If applicable, stating that, to the best of the landlord’s knowledge, the tenant is deceased, intestate, and without next of kin; and

(vi) If the property to be repossessed is an affected property as defined in § 6–801 of the Environment Article, stating that the landlord has registered the affected property as required under § 6–811 of the Environment Article and renewed the registration as required under § 6–812 of the Environment Article and:

1. A. If the current tenant moved into the property on or after February 24, 1996, stating the inspection certificate number for the inspection conducted for the current tenancy as required under § 6–815(c) of the Environment Article;  
or

B. On or after February 24, 2006, stating the inspection certificate number for the inspection conducted for the current tenancy as required under § 6–815(c), § 6–817(b), or § 6–819(f) of the Environment Article; or

2. Stating that the owner is unable to provide an inspection certificate number because:

A. The owner has requested that the tenant allow the owner access to the property to perform the work required under Title 6, Subtitle 8 of the Environment Article;

B. The owner has offered to relocate the tenant in order to allow the owner to perform work if the work will disturb the paint on the interior surfaces

of the property and to pay the reasonable expenses the tenant would incur directly related to the relocation; and

C. The tenant has refused to allow access to the owner or refused to vacate the property in order for the owner to perform the required work.

(2) For the purpose of the court’s determination under subsection [(c)] (E) of this section the landlord shall also specify the amount of rent due for each rental period under the lease, the day that the rent is due for each rental period, and any late fees for overdue rent payments.

(3) The District Court shall issue its summons, directed to any constable or sheriff of the county entitled to serve process, and ordering the constable or sheriff to notify the tenant, assignee, or subtenant by first-class mail:

(i) To appear before the District Court at the trial to be held on the fifth day after the filing of the complaint; and

(ii) To answer the landlord’s complaint to show cause why the demand of the landlord should not be granted.

(4) (i) The constable or sheriff shall proceed to serve the summons upon the tenant, assignee, or subtenant or their known or authorized agent as follows:

1. If personal service is requested and any of the persons whom the sheriff shall serve is found on the property, the sheriff shall serve any such persons; or

2. If personal service is requested and none of the persons whom the sheriff is directed to serve shall be found on the property and, in all cases where personal service is not requested, the constable or sheriff shall affix an attested copy of the summons conspicuously upon the property.

(ii) The affixing of the summons upon the property after due notification to the tenant, assignee, or subtenant by first-class mail shall conclusively be presumed to be a sufficient service to all persons to support the entry of a default judgment for possession of the premises, together with court costs, in favor of the landlord, but it shall not be sufficient service to support a default judgment in favor of the landlord for the amount of rent due.

(5) Notwithstanding the provisions of paragraphs (1) through (4) of this subsection:

(i) In an action to repossess nonresidential property under this section, service of process on a tenant:

1. Shall be directed to the sheriff of the appropriate county or municipality; and

2. On plaintiff's request, may be directed to any person authorized under the Maryland Rules to serve process; and

(ii) In Wicomico County, in an action to repossess any premises under this section, service of process on a tenant may be directed to any person authorized under the Maryland Rules to serve process.

(6) (i) Notwithstanding the provisions of paragraphs (3) through (5) of this subsection, if the landlord certifies to the court in the written complaint required under paragraph (1) of this subsection that, to the best of the landlord's knowledge, the tenant is deceased, intestate, and without next of kin, the District Court shall issue its summons, directed to any constable or sheriff of the county entitled to serve process, and ordering the constable or sheriff to notify the occupant of the premises or the next of kin of the deceased tenant, if known, by personal service:

1. To appear before the District Court at the trial to be held on the fifth day after the filing of the complaint; and

2. To answer the landlord's complaint to show cause why the demand of the landlord should not be granted.

(ii) 1. The constable or sheriff shall proceed to serve the summons upon the occupant of the premises or the next of kin of the deceased tenant, if known, as follows:

A. If any of the persons whom the sheriff is directed to serve are found on the property or at another known address, the sheriff shall serve any such persons; or

B. If none of the persons whom the sheriff is directed to serve are found on the property or at another known address, the constable or sheriff shall affix an attested copy of the summons conspicuously upon the property.

2. The affixing of the summons upon the property shall conclusively be presumed to be a sufficient service to all persons to support the entry of a default judgment for possession of the premises, together with court costs, in favor of the landlord, but it shall not be sufficient service to support a default judgment in favor of the landlord for the amount of rent due.

**(C) (1) BEFORE A LANDLORD MAY FILE A COMPLAINT UNDER THIS SECTION, THE LANDLORD SHALL PROVIDE TO THE TENANT A WRITTEN NOTICE OF THE LANDLORD’S INTENT TO FILE A CLAIM IN THE DISTRICT COURT AGAINST THE TENANT TO RECOVER POSSESSION OF THE RESIDENTIAL PREMISES IF THE TENANT DOES NOT CURE WITHIN 10 DAYS AFTER THE WRITTEN NOTICE IS PROVIDED TO THE TENANT.**

**(2) THE WRITTEN NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE IN A FORM CREATED BY THE MARYLAND JUDICIARY AND NOTICE SHALL OCCUR WHEN THE NOTICE IS:**

**(I) SENT BY FIRST-CLASS MAIL, CERTIFICATE OF MAILING;**

**(II) AFFIXED TO THE DOOR OF THE PREMISES; OR**

**(III) IF ELECTED BY THE TENANT, SENT BY ELECTRONIC DELIVERY IN AT LEAST ONE OF THE FOLLOWING FORMS:**

**1. AN E-MAIL MESSAGE;**

**2. A TEXT MESSAGE; OR**

**3. THROUGH AN ELECTRONIC TENANT PORTAL.**

**(3) (I) A COMPLAINT FOR REPOSSESSION FILED IN ACCORDANCE WITH THIS SECTION SHALL INCLUDE A STATEMENT THAT STATES AND AFFIRMS THE**

DATE ON WHICH THE LANDLORD PROVIDED THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(II) A TENANT MAY CHALLENGE ASSERTIONS MADE BY A LANDLORD UNDER THIS PARAGRAPH, AND THE COURT MAY DISMISS THE LANDLORD'S COMPLAINT ON A SHOWING OF SUFFICIENT CAUSE.

[(b-1)] (D) (1) This subsection applies only to an action for the repossession of residential property for failure to pay rent due during a government shutdown.

(2) Notwithstanding any other law, the court shall stay the proceeding if the tenant or an occupant of the property that is the subject of the proceeding presents evidence satisfactory to the court that the occupant:

(i) Uses the property as the individual's primary residence;

(ii) Is an employee of the federal or State government or an employee of a local government in the State; and

(iii) Is involuntarily furloughed from work without pay because of a government shutdown, regardless of whether the employee is required to report to work during the furlough.

(3) (i) Subject to subparagraph (ii) of this paragraph, a stay under this subsection shall be granted for a time that the court considers reasonable.

(ii) A stay under this subsection may not be granted for a period that ends more than 30 days after the end of the government shutdown without a showing of sufficient cause by a party to the action.

[(c)] (E) (1) If, at the trial on the fifth day indicated in subsection (b) of this section, the court is satisfied that the interests of justice will be better served by an adjournment to enable either party to procure their necessary witnesses, the court may adjourn the trial for a period not exceeding 1 day, except with the consent of all parties, the trial may be adjourned for a longer period of time

(2) (i) The information required under subsection (b)(1)(vi) of this section may not be an issue of fact in a trial under this section.

(ii) If, when the trial occurs, it appears to the satisfaction of the court, that the rent, or any part of the rent and late fees are actually due and unpaid, the court shall determine the amount of rent and late fees due as of the date the complaint was filed less the amount of any utility bills, fees, or security deposits paid by a tenant under § 7–309 of the Public Utilities Article, if the trial occurs within the time specified by subsection (b)(3) of this section.

(iii) 1. If the trial does not occur within the time specified in subsection (b)(3)(i) of this section and the tenant has not become current since the filing of the complaint, the court, if the complaint so requests, shall enter a judgment in favor of the landlord for possession of the premises and determine the rent and late fees due as of the trial date.

2. The determination of rent and late fees shall include the following:

A. Rent claimed in the complaint;

B. Rent accruing after the date of the filing of the complaint;

C. Late fees accruing in or prior to the month in which the complaint was filed; and

D. Credit for payments of rent and late fees and other fees, utility bills, or security deposits paid by a tenant under § 7–309 of the Public Utilities Article after the complaint was filed.

(iv) In the case of a residential tenancy, the court may also give judgment in favor of the landlord for the amount of rent and late fees determined to be due together with costs of the suit if the court finds that the residential tenant was personally served with a summons.

(v) In the case of a nonresidential tenancy, if the court finds that there was such service of process or submission to the jurisdiction of the court as would support a judgment in contract or tort, the court may also give judgment in favor of the landlord for:

1. The amount of rent and late fees determined to be due;



2. Costs of the suit; and

3. Reasonable attorney's fees, if the lease agreement authorizes the landlord to recover attorney's fees.

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

(3) The court, when entering the judgment, shall also order that possession of the premises be given to the landlord, or the landlord's agent or attorney, within 4 days after the trial.

(4) The court may, upon presentation of a certificate signed by a physician certifying that surrender of the premises within this 4-day period would endanger the health or life of the tenant or any other occupant of the premises, extend the time for surrender of the premises as justice may require but not more than 15 days after the trial.

(5) However, if the tenant, or someone for the tenant, at the trial, or adjournment of the trial, tenders to the landlord the rent and late fees determined by the court to be due and unpaid, together with the costs of the suit, the complaint against the tenant shall be entered as being satisfied.

[(d)] (F) (1) (i) Subject to the provisions of (2) of this subsection, if judgment is given in favor of the landlord, and the tenant fails to comply with the requirements of the order within 4 days, the court shall, at any time after the expiration of the 4 days, issue its warrant, directed to any official of the county entitled to serve process, ordering the official to cause the landlord to have again and repossess the property by putting the landlord (or the landlord's duly qualified agent or attorney for the landlord's benefit) in possession thereof, and for that purpose to remove from the property, by force if necessary, all the furniture, implements, tools, goods, effects or other chattels of every description whatsoever belonging to the tenant, or to any person claiming or holding by or under said tenant.

(ii) If the landlord does not order a warrant of restitution within sixty days from the date of judgment or from the expiration date of any stay of execution, whichever shall be the later:

1. The judgment for possession shall be stricken; and

2. The judgment shall be applied to the number of judgments necessary to foreclose a tenant's right to redemption of the leased premises as established in subsection [(e)(2)] (G)(2) of this section unless the court in its discretion determines that the judgment may not apply for purposes of subsection [(e)(2)] (G)(2) of this section.

(iii) If the landlord orders a warrant of restitution but takes no action on the warrant within 60 days from the later of the date the court issues the order for the warrant or the date as otherwise extended by the court:

1. The warrant of restitution shall expire and the judgment for possession shall be stricken; and

2. The judgment shall be applied to the number of judgments necessary to foreclose a tenant's right to redemption of the leased premises as established in subsection [(e)(2)] (G)(2) of this section unless the court in its discretion determines that the judgment may not apply for purposes of subsection [(e)(2)] (G)(2) of this section.

(2) (i) The administrative judge of any district may stay the execution of a warrant of restitution of a residential property, from day to day, in the event of extreme weather conditions.

(ii) When a stay has been granted under this paragraph, the execution of the warrant of restitution for which the stay has been granted shall be given priority and completed within 3 days after the extreme weather conditions cease.

[(e)] (G) (1) Subject to paragraph (2) of this subsection, in any action of summary ejection for failure to pay rent where the landlord is awarded a judgment giving the landlord restitution of the leased premises, the tenant shall have the right to redemption of the leased premises by tendering in cash, certified check or money order to the landlord or the landlord's agent all past due amounts, as determined by the court under subsection [(c)] (E) of this section, plus all court awarded costs and fees, at any time before actual execution of the eviction order.

(2) This subsection does not apply to any tenant against whom 3 judgments of possession have been entered for rent due and unpaid in the 12 months prior to the initiation of the action to which this subsection otherwise would apply.

[(f)] (H) (1) The tenant or the landlord may appeal from the judgment of the District Court to the circuit court for any county at any time within 4 days from the rendition of the judgment.

(2) The tenant, in order to stay any execution of the judgment, shall give a bond to the landlord with one or more sureties, who are owners of sufficient property in the State of Maryland, with condition to prosecute the appeal with effect, and answer to the landlord in all costs and damages mentioned in the judgment, and other damages as shall be incurred and sustained by reason of the appeal.

(3) The bond shall not affect in any manner the right of the landlord to proceed against the tenant, assignee or subtenant for any and all rents that may become due and payable to the landlord after the rendition of the judgment.”.

On page 12, in line 1, after “That” insert “:

(a) On or before October 1, 2021, the Maryland Judiciary shall develop and publish on its website a form titled “Notice of Intent to File a Complaint for Summary Ejectment” to facilitate the implementation of § 8–401(c) of the Real Property Article, as enacted by Section 1 of this Act.

(b) The form required under subsection (a) of this section shall include:

(1) The date the notice is provided to the tenant and a description of the manner of delivery of the notice;

(2) A description of the past due rent in dispute, including:

(i) The amounts of rent and late fees due to the landlord, excluding charges related to utilities, services, other fees, fines, or court costs; and

(ii) The specific periods of time to which the past due rent and fees correspond;

(3) A statement informing the tenant that, on request of the tenant, the landlord will promptly provide an itemized accounting of debits and credits;

(4) A statement containing information on rental assistance programs;

(5) The contact information of the landlord;

(6) A statement that the landlord may initiate an action for repossession in the District Court if the tenant does not cure within 10 days after form notice is provided and that the tenant has the legal right to dispute the charges;

(7) Contact information for nonprofit legal services organizations that may provide legal advice or access to legal representation to the tenant, as compiled by the Maryland Legal Services Corporation; and

(8) Contact information for the following resources of the court:

(i) The Alternative Dispute Resolution Office; and

(ii) The Self–Help Center.

SECTION 3. AND BE IT FURTHER ENACTED, That”;

and in line 6, strike “3” and substitute “4”.

The preceding 9 amendments were read and concurred in.

Delegate Pena–Melnyk moved the previous question.

The motion was adopted.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 94    Negative – 43    (See Roll Call No. 1520)

### **CONFERENCE COMMITTEE REPORT**

BILL NO.: SB 883            SPONSOR: Senator Guzzone  
SUBJECT: Tobacco Tax – Out–of–State Sales of Premium Cigars  
and Pipe Tobacco  
THIRD READING CALENDAR            HOUSE NO. 56            SENATE NO. 30

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 Committee on Ways and Means Amendments (SB0883/465368/1) be rejected.
- (2) That the Delegate Luedtke Amendments (SB0883/853823/1) be rejected.
- (3) That the attached Conference Committee Amendments (SB0883/543824/1) be adopted.

**SB0883/543824/1**

BY: Conference Committee

AMENDMENTS TO SENATE BILL 883

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; 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 a certain item.”.

On page 2, in line 1, after “penalties;” insert “altering the sales and use tax rate imposed on sales of certain tobacco-related items;”; in line 10, after “definition;” insert “providing for the application of certain provisions of this Act; requiring the Comptroller to issue a certain refund to certain persons on application; making this Act an emergency measure;”; in the same line, after “date” insert “for certain provisions of this Act”; 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)

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;  
OR

(IV) TOBACCO PIPES, AS DEFINED UNDER § 11-104 OF THE TAX – GENERAL ARTICLE.

Article – Tax – General

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) “TOBACCO PIPE” MEANS A PIPE MADE PRIMARILY OF MEERSCHAUM, WOOD, OR PORCELAIN, WITH A BOWL DESIGNED TO BE USED WITHOUT A SCREEN OR FILTER.

(IV) “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; AND

(II) TOBACCO PIPES.

(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.

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

**Article – Business Regulation**”.

On page 15, after line 7, insert:

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

(a) Section 1 of this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any tax imposed on other tobacco products under Title 12 of the Tax – General Article on or after March 14, 2021; and

(b) On application by a person who paid the tobacco tax on tobacco pipes sold on or after March 14, 2021, but before the effective date of Section 1 of this Act, the Comptroller shall issue a refund of that amount to the person.”;

in line 8, strike “2.” and substitute “4.”; in the same line, after “That” insert “Section 2 of”; and after line 9, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and, except as provided in Section 4 of this Act, shall take effect from the date it is enacted.”.

Senate Members:

House Members:

Chair,

**Cory V. McCray**

Chair,

**Eric G. Luedtke**

(not signed)

**Sarah K. Elfreth**

**Darryl Barnes**

(not signed)

**Johnny Ray Salling**

**Jason C. Buckel**





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.”.

**SB0065/143029/1**

BY: Conference Committee

AMENDMENT TO SENATE BILL 65, AS AMENDED

[Click here to enter text.](#)

On page 7 of the Economic Matters Committee Amendments (SB0065/773192/1), in line 22 of Amendment No. 2, strike “2020” and substitute “2021”.

Senate Members:

House Members:

\_\_\_\_\_  
Chair, **Brian J. Feldman**

\_\_\_\_\_  
Chair, **Dereck E. Davis**

\_\_\_\_\_  
**Malcolm Augustine**

\_\_\_\_\_  
**Kathleen M. Dumais**

\_\_\_\_\_  
**Stephen S. Hershey, Jr.**

\_\_\_\_\_  
**Benjamin Brooks**

\_\_\_\_\_  
Read in the Senate:

\_\_\_\_\_  
Read in the House of Delegates:





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

Affirmative – 96    Negative – 41    (See Roll Call No. 1524)

The Bill was then returned to the Senate.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 49**

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

**Senate Bill 460 – Senator Feldman**

AN ACT concerning

**Economic Development – Advanced Clean Energy and Clean Energy Innovation  
Investments and Initiatives**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Luedtke moved to put **Senate Bill 460** on Third Reading on the same day in compliance with the Constitution.

The motion was adopted by a roll call vote as follows:

Affirmative – 98    Negative – 37    (See Roll Call No. 1525)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 460** was placed on Third Reading.

**Senate Bill 460 – Senator Feldman**

AN ACT concerning

**Economic Development – Advanced Clean Energy and Clean Energy Innovation  
Investments and Initiatives**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 97    Negative – 40    (See Roll Call No. 1526)

The Bill was then returned to the Senate.

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.

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 677 – Senator Edwards**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Luedtke moved to put **Senate Bill 677** on Third Reading on the same day in compliance with the Constitution.

The motion was adopted by a roll call vote as follows:

Affirmative – 118    Negative – 16    (See Roll Call No. 1527)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 677** was placed on Third Reading.

**Senate Bill 677 – Senator Edwards**

AN ACT concerning

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

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 134    Negative – 1    (See Roll Call No. 1528)

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 911 – Senator Smith**

AN ACT concerning

**Unlawful Employment Practice – Statute of Limitations and Remedies**

**SB0911/123623/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 911

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**and Remedies**”; and strike beginning with “increasing” in line 3 down through “case;” in line 5.

AMENDMENT NO. 2

On page 2, in line 23, strike “**(1)**”; in line 27, strike “**\$65,000**” and substitute “**\$50,000**”; and in line 30, strike “**\$130,000**” and substitute “**\$100,000**”; in lines 27 and 30, strike “**1.**” and “**2.**”, respectively, and substitute “**(i)**” and “**(ii)**”, respectively.

On page 3, in lines 1 and 4, strike “**3.**” and “**4.**”, respectively, and substitute “**(iii)**” and “**(iv)**”, respectively; in line 1, strike “**\$260,000**” and substitute “**\$200,000**”; in line 4, strike “**\$385,000**” and substitute “**\$300,000**”; and strike in their entirety lines 7 through 12, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate D.E. Davis moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

**SPECIAL ORDERS****Senate Bill 927 – Senator Pinsky**

AN ACT concerning

**Institutions of Higher Education – Prohibition Against Incentive Payments – Foreign Student Exemption**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 100    Negative – 34    (See Roll Call No. 1529)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR NO. 33  
HOUSE BILLS AMENDED IN THE SENATE****AMENDED IN THE SENATE****House Bill 130 – Delegate Qi**

AN ACT concerning

**Commission on LGBTQ Affairs – Established**

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB0130/614532/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 130  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “and”; in line 5, after “removal” insert “, and resignation”.

AMENDMENT NO. 2

On page 3, after line 27, insert:

**“(F) A MEMBER WHO FAILS TO ATTEND AT LEAST 50% OF THE REGULARLY SCHEDULED MEETINGS DURING A 12-MONTH PERIOD SHALL BE CONSIDERED TO HAVE RESIGNED FROM THE COMMISSION.”**

On page 5, strike lines 8 and 9 and substitute:

**“(4) INFORM THE EXECUTIVE AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT OF ISSUES CONCERNING WOMEN AND LGBTQ PERSONS;**

**(5) OFFER TESTIMONY ON ISSUES CONCERNING WOMEN AND LGBTQ PERSONS BEFORE LEGISLATIVE AND ADMINISTRATIVE BODIES;**

**(6) ACT AS A CLEARINGHOUSE FOR ACTIVITIES TO AVOID DUPLICATION OF EFFORTS;**

**(7) CREATE SURVEYS AND APPOINT ADVISORY COMMITTEES IN THE FIELDS OF:**

**(I) EDUCATION;**

**(II) SOCIAL SCIENCES;**

**(III) LABOR AND EMPLOYMENT LAWS AND POLICIES;**

**(IV) LAW ENFORCEMENT;**

**(V) HEALTH AND SAFETY;**

**(VI) NEW AND EXPANDED SERVICES;**

**(VII) LEGAL RIGHTS;**

**(VIII) FAMILY RELATIONS;**

**(IX) HUMAN RELATIONS; AND**

**(X) VOLUNTEER SERVICES; AND”**.

On page 5, in line 10, strike “(5)” and substitute “(8)”.

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 – 107    Negative – 28    (See Roll Call No. 1530)

### AMENDED IN THE SENATE

#### House Bill 299 – Delegate Carr

AN ACT concerning

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

Delegate Pendergrass moved that the House concur in the Senate amendments.

#### HB0299/454033/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENT TO HOUSE BILL 299

(Third Reading File Bill)

On page 2, in line 2, strike “or” and substitute “and”.

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 – 127    Negative – 10    (See Roll Call No. 1531)

### AMENDED IN THE SENATE

#### House Bill 660 – Delegate Chisholm

AN ACT concerning

#### Maryland Veterans Service Animal Program – Definitions

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB0660/284438/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 660

(Third Reading File Bill)

On page 3, in line 4, after the second “DOG” insert “THAT IS INDIVIDUALLY TRAINED AND”.

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 – 136    Negative – 0    (See Roll Call No. 1532)

**AMENDED IN THE SENATE**

**House Bill 758 – Delegate Bagnall**

AN ACT concerning

**Maryland Licensure of Certified Midwives Act**

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB0758/434530/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 758

(Third Reading File Bill)

On page 16, in line 24, strike “SUBTITLE” and substitute “TITLE”.

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 – 129    Negative – 7    (See Roll Call No. 1533)

**AMENDED IN THE SENATE**

**House Bill 1039 – Delegate Kelly**

AN ACT concerning

**Health Occupations – State Board of Massage Therapy Examiners – Revisions**

Delegate Pendergrass moved that the House concur in the Senate amendments.

**HB1039/434639/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1039

(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 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. 1534)



**YEAS AND NAYS NO. 17  
HOUSE BILLS PASSED IN THE SENATE**

| NUMBER         | SPONSOR                                    | CONTENT                                                                                                          |
|----------------|--------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| HB 73          | Del. Krimm                                 | State and Local Government and Public Institutions of Higher Education – Teleworking                             |
| HB 234         | Del. Williams                              | Criminal Law – Harm to Service Animals                                                                           |
| HB 582         | Cecil County Delegation                    | Cecil County – Sales and Use Tax Exemption – Federal Facilities Redevelopment Areas                              |
| HB 607         | Health and Government Operations Committee | Judges’ Retirement System – Retiree Health Benefits – Mandatory Retirement                                       |
| HB 776         | Del. Ebersole                              | State Department of Education – Infant and Early Childhood Mental Health Consultation Project – Study and Report |
| HB 891         | Del. D.M. Davis                            | Higher Education – Hunger-Free Campus Grant Program – Established                                                |
| HB 983 (Emerg) | Del. Lehman                                | Nursing Homes – COVID-19 and Other Catastrophic Health Emergencies – Visitation (The Gloria Daytz Lewis Act)     |
| HB 1003        | Del. Lierman                               | States of Emergency – Emergency Procurement and Budget Amendments – Notice and Authorization                     |
| HB 1017        | Del. Beitzel                               | Income Tax Credit for Venison Donation – Reporting Requirement and Testing for Chronic Wasting Disease           |
| HB 1259        | Cecil County Delegation                    | Horse Racing – Fair Hill Natural Resources Management Area                                                       |

Read and ordered journalized.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 785 – Senators Ferguson and Pinsky**

EMERGENCY BILL

AN ACT concerning

**State Board of Education Membership and Terms – Capability and Capacity  
Study of Education Agencies**

**SB0785/775260/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 785

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “day;” insert “requiring that the State Board hold a certain number of meetings each year; providing for the determination of State Board meeting agendas; repealing a provision of law making the State Superintendent the secretary of the State Board; requiring the State Board to select a secretary from among its members at a certain meeting; establishing an Executive Director position within the State Board; providing that the State Board has sole authority to set certain terms of employment for the Executive Director;”; in line 19, after “Board;” insert “making a conforming change; making stylistic changes; making a certain provision of this Act apply prospectively when a certain condition is met;”; and in line 24, after “2–202” insert “, 2–204, and 2–205(f)”.

On page 2, after line 2, insert:

“BY adding to

Article – Education

Section 2–204.1

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 20, strike “Except” and substitute “**(I) SUBJECT TO**  
**SUBPARAGRAPH (II) OF THIS PARAGRAPH AND EXCEPT**”.

On pages 2 and 3, strike beginning with “appointed” in line 21 on page 2 down through “EDUCATION” in line 17 on page 3 and substitute “MEMBERS OF THE PUBLIC WITH A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE IN:”

1. TEACHING IN OR ADMINISTERING A PUBLIC SCHOOL, A LOCAL SCHOOL SYSTEM, OR AN INSTITUTION OF HIGHER EDUCATION;

2. THE SUCCESSFUL ADMINISTRATION OF A LARGE BUSINESS, NONPROFIT, OR GOVERNMENTAL ENTITY;

3. INSTRUCTIONAL PROGRAMS AND SERVICES FOR STUDENTS WITH DISABILITIES;

4. INSTRUCTION IN ENGLISH LANGUAGE LEARNER COURSES OR MULTILINGUAL EDUCATION;

5. EARLY CHILDHOOD DEVELOPMENT AND EDUCATION;

6. CHILD PSYCHOLOGY OR CHILD PSYCHIATRY;

7. EDUCATION POLICY OR LEADING SUCCESSFUL EDUCATIONAL REFORM EFFORTS; AND

8. CIVIL RIGHTS LAW, CIVIL RIGHTS ADVOCACY, OR THE USE OF ANTIRACISM AND EQUITY PRINCIPLES, PRACTICES, AND FRAMEWORKS IN AN EDUCATIONAL SETTING.

(II) NO MORE THAN TWO BOARD MEMBERS MAY BE QUALIFIED THROUGH A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE IN ANY ONE OF THE FIELDS LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH”.

On page 5, after line 13, insert:

“2-204.

(a) (1) Each year, the State Board shall hold:

- (i) A meeting in July; and
- (ii) At least [three] 11 other regular meetings.

(2) The Board may hold special meetings as necessary.

**(3) (I) THE STATE BOARD PRESIDENT SHALL DETERMINE THE AGENDA TO BE DISCUSSED AT EACH OF THE STATE BOARD MEETINGS.**

**(II) THE STATE BOARD PRESIDENT MAY CONSULT WITH THE STATE SUPERINTENDENT WHEN DETERMINING THE AGENDA.**

(b) (1) At the annual Board meeting in July, the State Board shall select a president, [and] a vice president, AND A SECRETARY from among its members.

(2) A member may not serve for more than 4 years as president.

(c) (1) The State Superintendent is the Chief Executive[, Secretary,] and Treasurer of the State Board.

(2) [He] THE STATE SUPERINTENDENT shall attend each meeting of the Board and of its committees, except when [his own] THE tenure, salary, or the administration of [his] THE STATE SUPERINTENDENT'S office are under consideration.

(3) [He] THE STATE SUPERINTENDENT may advise the Board on any question under consideration, but may not vote.

(d) A member of the State Board serves without compensation but is entitled to reimbursement for expenses in accordance with the Standard State Travel Regulations.

(e) The affirmative vote of a majority of the members then serving on the State Board is required for any action by the Board.

#### **2-204.1.**

**(A) THERE IS AN EXECUTIVE DIRECTOR POSITION WITHIN THE STATE BOARD.**

**(B) NOTWITHSTANDING § 2-104 OF THIS TITLE, THE STATE BOARD HAS SOLE AUTHORITY TO SET THE TERMS OF EMPLOYMENT FOR THE EXECUTIVE DIRECTOR, INCLUDING HIRING, FIRING, AND ESTABLISHING QUALIFICATIONS, DUTIES, AND COMPENSATION.**

#### **2-205.**

(f) [As Secretary to the State Board, the State Superintendent] THE SECRETARY OF THE STATE BOARD may administer oaths to witnesses WHO OFFER TESTIMONY in any matter before the STATE Board.”.

On page 6, after line 11, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the requirements of § 2–204.1 of the Education Article, as enacted by Section 1 of this Act, are prospective and shall take effect beginning with the next vacancy in the State Board of Education Executive Director position after the effective date of this Act.”;

and in line 12, strike “4.” and substitute “5.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Washington moved to make the Bill a Special Order for the end of today’s business.

The motion was rejected.

Read the second time and ordered prepared for Third Reading.

### QUORUM CALL

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

(See Roll Call No. 1535)

### ADJOURNMENT

At 11:24 P.M. on motion of Delegate Luedtke the House adjourned until 11:29 P.M. on Legislative Day March 30, 2021, Calendar Day, Monday, April 12, 2021.

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**Annapolis, Maryland**  
**Legislative Day: March 30, 2021**  
**Calendar Day: Monday, April 12, 2021**  
**11:29 P.M. Session**

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The House met at 11:31 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. 1536)

**EXCUSED:**

Delegate Anderson – illness

Delegate R. Watson – medical

The Journal of March 29, 2021 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 121 Members present.

(See Roll Call No. 1537)

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

**Senate Bill 610 – Senator Cassilly**

AN ACT concerning

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

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

Affirmative – 128    Negative – 0    (See Roll Call No. 1538)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING SENATE BILLS NO. 77

Senate Bill 167 – Senator West

AN ACT concerning

State Board of Social Work Examiners – Temporary License to Practice Social Work

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

Affirmative – 132 Negative – 2 (See Roll Call No. 1539)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR NO. 41  
HOUSE BILLS AMENDED IN THE SENATE

AMENDED IN THE SENATE

House Bill 83 – Delegate Queen

AN ACT concerning

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

Delegate Kaiser moved that the House concur in the Senate amendments.

HB0083/794730/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 83

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Review and Report” and substitute “Operation Requirements”; strike beginning with “requiring” in line 11 down through “actions;” in line 16 and substitute “prohibiting public and nonpublic school employees from operating an electric retractable room partition in a school except under certain circumstances; requiring any annual safety review, evaluation, or exercise for school employees in a certain school building to include certain information and demonstrations; requiring the State”

Department of Education to develop and disseminate model safety guidelines on the safe operation of electric retractable room partitions; requiring the Department to publish model safety guidelines on its public website; defining certain terms;”; and after line 17, insert:

“BY adding to

Article – Education

Section 7–447

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 17, inclusive, and substitute:

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

Article – Education

7–447.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ELECTRIC RETRACTABLE ROOM PARTITION” MEANS A ROOM PARTITION, DIVIDER, CURTAIN, OR ANY OTHER SIMILAR DEVICE THAT IS OPENED AND RETRACTED BY OPERATION OF AN ELECTRIC MOTOR.

(3) “SCHOOL EMPLOYEE” MEANS AN EMPLOYEE OF A PUBLIC SCHOOL OR NONPUBLIC SCHOOL.

(B) A SCHOOL EMPLOYEE MAY NOT OPERATE AN ELECTRIC RETRACTABLE ROOM PARTITION IN A SCHOOL BUILDING UNLESS:

(1) THE PARTITION INCLUDES A SAFETY SENSOR THAT AUTOMATICALLY STOPS THE MOVEMENT OF THE PARTITION WHEN A BODY PASSES BETWEEN THE LEADING EDGE AND A WALL, AN OPPOSING PARTITION, OR THE STACKING AREA OF THE PARTITION;

(2) NO STUDENTS ARE PRESENT IN THE SCHOOL BUILDING; OR

(3) THE ROOM OR AREA WHERE THE PARTITION IS LOCATED IS LOCKED OR OTHERWISE FREE OF OR INACCESSIBLE TO STUDENTS.



(C) ANY ANNUAL SAFETY REVIEW, EVALUATION, OR EXERCISE FOR SCHOOL EMPLOYEES IN A SCHOOL BUILDING WITH AN ELECTRIC RETRACTABLE ROOM PARTITION SHALL INCLUDE INFORMATION AND DEMONSTRATIONS, AS APPROPRIATE, REGARDING THE SAFE OPERATION OF THE ELECTRIC RETRACTABLE ROOM PARTITION IN ACCORDANCE WITH SUBSECTIONS (B) AND (D) OF THIS SECTION.

(D) THE DEPARTMENT SHALL:

(1) DEVELOP AND DISSEMINATE TO EACH COUNTY BOARD AND EACH NONPUBLIC SCHOOL MODEL SAFETY GUIDELINES REGARDING THE OPERATION OF ELECTRIC RETRACTABLE ROOM PARTITIONS; AND

(2) PUBLISH THE MODEL SAFETY GUIDELINES ON ITS PUBLIC WEBSITE.”.

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. 1540)

**AMENDED IN THE SENATE**

**House Bill 610 – Delegate Hill**

AN ACT concerning

**Homeowners’ Property Tax Credit – ~~Transfer of Dwelling to~~ Eligibility of Surviving Family Member**

Delegate Kaiser moved that the House concur in the Senate amendments.

**HB0610/623129/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 610

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Homeowners**” insert “**and Homestead**”; in the same line, strike “**Credit**” and substitute “**Credits**”; in lines 2 and 3, strike “**of Surviving Family Member**” and substitute “**and Access**”; in line 4, after “of” insert “**requiring a contract for the sale of residential property to include certain information concerning the homestead property tax credit;**”; in line 7, after “circumstances;” insert “**altering the individuals to whom the State Department of Assessments and Taxation is required to mail a certain notice concerning the homestead property tax credit; requiring the Department to design a certain document concerning the homestead property tax credit that must be presented to the buyer of residential property at the settlement for the property by the person conducting the settlement; requiring the document to include certain information; requiring the Department to make the document available on its website in a certain manner; requiring the Department to contract with a usability consultant on or before a certain date to review all the public informational materials and forms produced by the Department concerning the homestead and homeowners’ tax credits; requiring the consultant to make certain recommendations to the Department on or before a certain date regarding ways the Department’s public informational materials and forms concerning the homestead and homeowners’ property tax credits could be made more usable; requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the Department and the Comptroller to collaborate with the Committee on Ways and Means and the Budget and Taxation Committee during a certain time period on a study of certain matters concerning the homeowners’ property tax credit;**”; in line 9, after “homeowners” insert “**and homestead**”; in the same line, strike “credit” and substitute “**credits**”; after line 9, insert:

“**BY adding to**

**Article – Real Property**

**Section 14–117(n)**

**Annotated Code of Maryland**

**(2015 Replacement Volume and 2020 Supplement)**”;

and in line 17, after “(13)” insert “**and 9–105(f)**”.

## **AMENDMENT NO. 2**

On page 2, after line 4, insert:

**“Article – Real Property**

**14–117.**

**(N) A CONTRACT FOR THE SALE OF RESIDENTIAL PROPERTY SHALL INCLUDE:**

**(1) THE STATEMENT “IF YOU PLAN TO LIVE IN THIS HOME AS YOUR PRINCIPAL RESIDENCE, YOU MAY QUALIFY FOR THE HOMESTEAD PROPERTY TAX CREDIT. THE HOMESTEAD PROPERTY TAX CREDIT MAY SIGNIFICANTLY REDUCE THE AMOUNT OF PROPERTY TAXES YOU OWE.”; AND**

**(2) THE WEBSITE ADDRESS OF THE DOCUMENT REQUIRED UNDER § 9-105(F)(5) OF THE TAX – PROPERTY ARTICLE.”.**

On page 5, after line 2, insert:

“9-105.

(f) (1) The Department shall give notice of the possible property tax credit under this section.

(2) In addition to any other notice the Department provides under this subsection, the Department shall:

(i) identify homeowners who may be eligible but have failed to apply for the property tax credit under this section; and

(ii) include a separate insert with each assessment notice sent under § 8-401 of this article to each homeowner identified under item (i) of this paragraph that informs the homeowner that the homeowner may be eligible for the property tax credit under this section and how to apply for the credit.

(3) In addition to any other notice the Department provides under this subsection, the Department shall mail a notice to each individual who acquires residential real property AND HAS NOT APPLIED FOR THE CREDIT UNDER THIS SECTION within a reasonable period of time after the individual:

(i) acquires the property by recorded deed; and

(ii) indicates that the property will be the individual’s principal residence on the corresponding land instrument intake sheet described under § 3-104 of the Real Property Article.

(4) The notice required under paragraph (3) of this subsection shall:

(i) inform the individual that the individual may be eligible for the property tax credit under this section;

(ii) contain information on how to apply for the credit; and

(iii) inform the individual that the individual may apply to the Department to have the date of the deed accepted as the date of transfer of the property for purposes of the credit as provided in subsection (d)(5) of this section.

**(5) (I) THE DEPARTMENT SHALL DESIGN A DOCUMENT CONCERNING THE CREDIT UNDER THIS SECTION THAT SHALL BE PRESENTED TO THE BUYER OF RESIDENTIAL PROPERTY AT THE SETTLEMENT FOR THE PROPERTY BY THE PERSON CONDUCTING THE SETTLEMENT.**

**(II) THE DOCUMENT UNDER THIS PARAGRAPH SHALL INCLUDE:**

**1. THE FOLLOWING STATEMENT IN CONSPICUOUS TYPE: “IF YOU PLAN TO LIVE IN THIS HOME AS YOUR PRINCIPAL RESIDENCE, YOU MAY QUALIFY FOR THE HOMESTEAD PROPERTY TAX CREDIT. THE HOMESTEAD PROPERTY TAX CREDIT MAY SIGNIFICANTLY REDUCE THE AMOUNT OF PROPERTY TAXES YOU OWE.”;**

**2. INSTRUCTIONS ON HOW TO APPLY FOR THE CREDIT ONLINE; AND**

**3. A COMPLETE APPLICATION FOR THE CREDIT AND INSTRUCTIONS ON HOW TO SUBMIT THE PAPER APPLICATION TO THE DEPARTMENT.**

**(III) THE DEPARTMENT SHALL MAKE THE DOCUMENT UNDER THIS PARAGRAPH AVAILABLE ON ITS WEBSITE WHERE IT MAY BE EASILY ACCESSED BY PERSONS CONDUCTING SETTLEMENTS FOR RESIDENTIAL PROPERTY.**

**[(5)] (6) The Department shall ensure that the information it provides under this subsection is accurate and up-to-date.**

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

**(a) On or before August 1, 2021, the State Department of Assessments and Taxation shall contract with a usability consultant to review all the public informational materials and forms produced by the Department concerning the homestead and homeowners’ tax credits.**

**(b) (1) On or before December 1, 2021, the consultant shall make recommendations to the Department regarding ways the Department’s public informational materials and forms concerning the homestead and homeowners’ property tax credits could be made more usable, especially for socioeconomically diverse communities.**

**(2) The consultant shall make specific recommendations concerning:**

(i) how the Department’s website and other written materials could more clearly and effectively communicate information concerning the tax credits, including why it is important and beneficial for homeowners to apply;

(ii) how to simplify and clarify the applications for the credits and minimize errors by individuals completing the applications; and

(iii) the design of the document required under § 9–105(f)(5) of the Tax – Property Article as enacted by Section 1 of this Act.

(c) On or before February 1, 2022, the Department shall submit a report, 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 that includes:

(1) the recommendations submitted by the consultant under subsection (b) of this section; and

(2) the actions the Department has taken or plans to take to implement the recommendations.

SECTION 3. AND BE IT FURTHER ENACTED, That, during the 2021 legislative interim, the State Department of Assessments and Taxation and the Comptroller shall collaborate with the Committee on Ways and Means and the Budget and Taxation Committee on a study of:

(1) how to simplify the definition of “gross income” for purposes of the homeowners’ property tax credit, such as by using Maryland adjusted gross income as calculated under the Tax – General Article, without increasing State expenditures by changing how the amount of the credit is calculated under § 9–104(g) of the Tax – Property Article; and

(2) ways that the homeowners’ property tax credit could be made automatically renewable for recipients of the credit.”;

and in line 3, strike “2.” 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 – 137    Negative – 0    (See Roll Call No. 1541)

**MESSAGE FROM THE SENATE  
INTRODUCTORY SENATE BILLS NO. 44**

**Senate Bill 582 – Senator Hettleman****EMERGENCY BILL**

AN ACT concerning

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

FOR the purpose of providing that a certain personal liability clause in a commercial lease or associated document is unenforceable under certain circumstances; prohibiting a commercial landlord from attempting to enforce a personal liability clause that the commercial landlord knows or reasonably should know is unenforceable under this Act; authorizing a court to enter a certain judgment; providing that certain lawful action by a commercial landlord may not be construed as a violation of certain provisions of this Act; providing that the period of the declared state of emergency and catastrophic health emergency may not be used for the purposes of calculating the time limitation on filing a certain action; defining certain terms; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the enforcement of certain provisions in commercial leases and associated documents.

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

**Senate Bill 955 – Senator Eckardt**

AN ACT concerning

**Local Government Tort Claims Act – Cambridge Waterfront Development, Inc.**

FOR the purpose of altering the definition of a “local government” under the Local Government Tort Claims Act to include a certain nonprofit corporation in Dorchester County; providing that a certain notice requirement does not apply to certain actions against a certain nonprofit corporation in Dorchester County or its employees; providing for the application of this Act; and generally relating to the inclusion of certain nonprofit entities in Dorchester County under the Local Government Tort Claims Act.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 5–301(a)

Annotated Code of Maryland  
(2020 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–301(d)(28) and (29) and 5–304

Annotated Code of Maryland

(2020 Replacement Volume)

BY adding to

Article – Courts and Judicial Proceedings

Section 5–301(d)(30)

Annotated Code of Maryland

(2020 Replacement Volume)

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

### QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1542)

### CALENDAR OF THIRD READING HOUSE BILLS NO. 111

**House Bill 592 – Delegate Fraser–Hidalgo**

AN ACT concerning

**State Vehicle Fleet – Conversion to Zero–Emission ~~Electric~~ Electric Passenger Cars and Other Light–Duty Vehicles**

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

Affirmative – 96    Negative – 40    (See Roll Call No. 1543)

The Bill was then sent to the Senate.

### SPECIAL ORDERS

**House Bill 1069 – Delegate Stewart**

AN ACT concerning

**Water Supply – Private Well Safety Program**

STATUS OF BILL: ON 3rd READING AND FINAL PASSAGE. (HSE CONCURRED).

Delegate Barve moved the previous question.

The motion was adopted by a roll call vote as follows:

Affirmative – 90    Negative – 45    (See Roll Call No. 1544)

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

Affirmative – 89    Negative – 46    (See Roll Call No. 1545)

The Bill was then sent to the Senate.

**YEAS AND NAYS NO. 18  
HOUSE BILLS PASSED IN THE SENATE**

| NUMBER | SPONSOR             | CONTENT                                                                                                                          |
|--------|---------------------|----------------------------------------------------------------------------------------------------------------------------------|
| HB 19  | Del. Holmes         | Residential Real Estate Transactions – Escrow Agents and Trust Money                                                             |
| HB 180 | Del. Clippinger     | Juveniles – Sexting                                                                                                              |
| HB 309 | Del.<br>Pena–Melnyk | Public Health – Data – Race and Ethnicity Information                                                                            |
| HB 477 | Del. Pippy          | Court Order to Use a Cell Site Simulator or Obtain Location Information From an Electronic Device – Procedures                   |
| HB 548 | Del. R. Lewis       | Human Services – Trauma–Informed Care – Commission and Training (Healing Maryland’s Trauma Act)                                  |
| HB 600 | Del. Belcastro      | St Brd of Exmnrns for Audlgsts, Hrg Aid Dspnsrs, and Speech–Lang Pthlgsts – Duties, Appt of Members, and Rqrmnts for Licensees   |
| HB 647 | Del. Wilson         | Corporations and Assns – Fees for Processing Articles of Dissolution, Certificates of Cancellation, and Other Documents – Repeal |
| HB 681 | Del. Buckel         | Task Force to Study the Maryland Orphans’ Courts                                                                                 |
| HB 784 | Del. Terrasa        | Residential Construction – Electric Vehicle Charging                                                                             |



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| NUMBER            | SPONSOR               | CONTENT                                                                                               |
|-------------------|-----------------------|-------------------------------------------------------------------------------------------------------|
| HB 829            | Del. Lierman          | Economic Development – Small Business Financing – Loan Loss Reserve (Maryland Capital Access Program) |
| HB 836<br>(Emerg) | Del.<br>Pena–Melnik   | COVID–19 Testing, Contact Tracing, and Vaccination Act of 2021                                        |
| HB 987            | Del. Qi               | Economic Development – Comprehensive Technical Assistance Program – Establishment                     |
| HB 1016           | Del. M. Fisher        | Calvert County – Alcoholic Beverages Licenses – Annual Fees                                           |
| HB 1180           | Del. Hill             | Property Tax Credit – Airport Noise Zones – Eligibility                                               |
| HB 1349           | Del.<br>Sample–Hughes | Public Health – Maryland Prenatal and Infant Care Grant Program Fund                                  |

Read and ordered journalized.

**YEAS AND NAYS NO. 19  
HOUSE BILLS PASSED IN THE SENATE**

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| NUMBER | SPONSOR                            | CONTENT                                                                     |
|--------|------------------------------------|-----------------------------------------------------------------------------|
| HB 769 | Montgomery<br>County<br>Delegation | Montgomery County – Housing Opportunities Commission – Public Body MC 07–21 |

Read and ordered journalized.

**YEAS AND NAYS NO. 20  
HOUSE BILLS PASSED IN THE SENATE**

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| NUMBER  | SPONSOR                                                            | CONTENT                                                                                                                          |
|---------|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| HB 394  | Del. Smith                                                         | Public Schools – Fees for Summer School Courses – Prohibition                                                                    |
| HB 501  | Montgomery County Delegation and Prince George’s County Delegation | Washington Suburban Sanitary Commission – Board of Ethics – Financial Disclosure Statements – Late Fees MC/PG 102–21             |
| HB 684  | Del. Valderrama                                                    | Professional Land Surveyors – Surveying Practice – Definition and Licensing Exception                                            |
| HB 789  | Montgomery County Delegation and Prince George’s County Delegation | Washington Suburban Sanitary Commission – Video and Audio Streaming and Archiving Meetings and Financial Assistance MC/PG 100–21 |
| HB 873  | Del. Charles                                                       | State Board for Certification of Residential Child Care Program Professionals – Certification – Revisions                        |
| HB 1097 | St. Mary’s County Delegation                                       | St. Mary’s County – Local Officials – Salaries                                                                                   |

Read and ordered journalized.

### MESSAGE TO THE SENATE

April 12, 2021

By the Majority Leader:

Ladies and Gentlemen of the Senate:

We propose with your concurrence, that when the General Assembly adjourns April 12, 2021 at twelve o'clock midnight, it stands adjourned Sine Die.

We further propose the appointment of a Joint Committee, two on the part of the Senate and two on the part of the House, to wait upon His Excellency, the Governor of Maryland, to inform him that the General Assembly will adjourn April 12, 2021 at twelve o'clock Sine Die, in accordance with the provisions of the Constitution and to inquire if he has any further communications to make to the General Assembly.

We have appointed on the part of the House, Delegates Luedtke and Kipke.

By Order,

Sylvia Siegert  
Chief Clerk

Journalized.

### MESSAGE FROM THE SENATE

April 12, 2021

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

We have received your message proposing that when the General Assembly adjourns, April 12, 2021, it stands adjourned Sine Die.

The Senate concurs therein.

We agree to the Joint Committee to wait upon his Excellency, the Honorable Lawrence J. Hogan, Jr., Governor of Maryland. The Senate appoints Senators King and Simonaire.

By Order,

Nicole M. Xander  
Secretary

Journalized.

### JOINT CHAIRMEN'S REPORT

Report on the Fiscal 2021 State Operating Budget (House Bill 588) and the State Capital Budget (House Bill 590) and Related Recommendations by the Chairmen of the Senate Budget and Taxation Committee and the House Appropriations Committee.

(See Exhibit T of Appendix II)

**Chief Clerk's Office Receipts for Bills delivered to the Governor**

(See Exhibit U of Appendix II)

**QUORUM CALL**

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

(See Roll Call No. 1546)

**ADJOURNMENT**

At 12:01 A.M. on motion of Delegate Luedtke the House adjourned Sine Die.