

Journal *of* Proceedings

of the

Senate

of

Maryland

2021 Regular Session

Volume IV

Compiled and edited by:

Donald G. Hopkins
Journal Clerk

...

Nicole M. Xander
Secretary of the Senate

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Annapolis, Maryland
Legislative Day: March 4, 2021
Calendar Day: Wednesday, March 24, 2021
10:30 A.M. Session

The Senate met at 10:36 A.M.

Prayer by Reverend Brent Alderman, Maryland Capitol Commission, guest of Senator Eckardt.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 692)

The Journal of March 22, 2021 was read and approved.

FIRST CITIZEN'S AWARD

Remarks by State Archivist, Timothy D. Baker

President Ferguson, members of the Senate, distinguished guests, ladies and gentlemen:
For the record, my name is Timothy D. Baker and I am your state archivist. Since 1992, it has been the privilege of the Maryland State Archives to present, on your behalf, the First Citizen Awards of the Maryland Senate. The First Citizen Award recognizes individuals who have committed themselves to public service and civic engagement through debate, legislation, and governance. The name "First Citizen" is derived from a series of articles published in the Maryland Gazette in 1773 which were comprised of letters between Charles Carroll of Carrollton and Daniel Dulany, Jr. signed anonymously by each—Carroll calling himself "First Citizen" and Dulany, "Antilon."

At the time, Charles Carroll was a private citizen who was prevented from holding office because he was Catholic. Daniel Dulany was a successful attorney and former mayor of Annapolis. The letters between the two debate the role of government in people's lives. The letters question the rights and freedoms of citizens vs. the authority of their leaders—a

debate that was, at least partially, resolved by the Revolutionary War just a few years later.

In selecting the recipients of this year's awards, the Senate has chosen individuals for whom public service has defined their careers from their beginnings. Whether that be as a public school teacher, or as a nurse, or as a law student who would himself become the teacher of lawyers—each of this year's recipients brought their experience and expertise to the Maryland Senate to advocate for the people of Maryland.

It was the late Senate President Emeritus Mike Miller who conceived of the First Citizen award, working with State Archivist Ed Papefuse to establish an annual commemoration in the Senate to honor individuals who espouse the highest ideals of our government's founders. For Mike Miller, this award represented two of his great passions—history and the Senate. Therefore it is most fitting that President Ferguson posthumously awarded him the First Citizen in January of this year, presenting Mike's family with the first struck silver medallion, featuring the image of Charles Carroll of Carrollton, inaugurating a new tradition for future recipients.

Thank you President Ferguson for this opportunity to participate in today's ceremony, and my sincere congratulations to this year's First Citizens.

FIRST CITIZEN'S AWARD PRESENTED TO THE HONORABLE JAMIE RASKIN

Remarks by the President of the Senate, William C. Ferguson IV.

There are likely few people in the nation who are not familiar with the name of Jamey Raskin. As the lead manager for the second impeachment of President Donald Trump earlier this year, Congressman Raskin, who has represented Maryland's 8th district since 2017, represented all Americans who watched in abhorrence at the events that took place at the U.S. Capitol on January 6th. A constitutional law professor for over twenty-five years, Congressman Raskin demonstrated a mastery of facts and oratory, leading a team of colleagues with obvious skill and compassion—and all while personally enduring a tragedy of unimaginable proportion.

It was not the first time that Jamey Raskin persevered through personal pain to accomplish his work on behalf of the public. As a senator representing Montgomery County when a member of this body, he worked through the legislative session of 2011 while undergoing treatments for cancer. He not only 'got through' that session, he led the floor debates on bills to permit same-sex couples to marry in Maryland and prohibit discrimination against transgender individuals in employment, housing and credit. Those bills failed then—and Senator Raskin acknowledged that his personal battle gave him a better perspective in

doing his work. “It has made me a much less partisan person...It helped me to proceed with no rancor.” The marriage equality bill passed the next year, as did a ban on the sale of semiautomatic rifles led by Raskin in partnership with then Senator Frosh. Among other issues, while in the Senate he championed criminal justice reform, and the repeal of the death penalty.

He then took his progressive agenda to Congress where he serves as the Senior Whip of the House Democratic Caucus and has established the Congressional Freethought Caucus with goals toward “pushing public policy formed on the basis of reason, science, and moral values,” promoting the “separation of church and state to oppose discrimination against “atheists, agnostics, humanists, seekers, religious and nonreligious persons.”

Responding to once being labeled a liberal by a Republican colleague in Congress, Raskin responded saying:

“The heart of the word liberal is liberty. If we’re not for liberty, what are we fighting for? But I’m also a progressive, because the heart of that word is progress. If we’re not making progress, what are we doing in politics?”

It is my honor to present the Honorable Jamey Raskin with the First Citizen Award.

Additional Remarks by Senator William Smith

Additional Remarks by Senator Bryan Simonaire

FIRST CITIZEN’S AWARD PRESENTED TO THE HONORABLE SHIRLEY NATHAN–PULLIAM

Remarks by President of the Senate, William C. Ferguson IV.

Born in the Parish of Trelawny, Jamaica, Shirley Nathan–Pulliam fulfilled her childhood dream of becoming a nurse by attending school in Yorkshire, England. From there, she moved to Baltimore where she worked as a licensed practical nurse in Baltimore hospitals, all the while attending school, earning first a GED; then an associates degree; a bachelor of science degree from the University of Maryland and ultimately a master’s degree in administrative science from Johns Hopkins University.

Elected to the Maryland House of Delegates in 1994, she represented Baltimore’s tenth district for twenty years, becoming the first Caribbean–born, and first African American registered nurse elected to the Maryland General Assembly. Utilizing her expertise and years of nursing experience, Senator Nathan–Pulliam sponsored and championed healthcare legislation, securing 2.6 million dollars for breast cancer diagnosis and treatment for low–income women in her first year in office. She also was a leading sponsor in the creation of the Healthcare Disparities Prevention Act in 2003 and the establishment of the Office of Minority Health and Healthcare Disparities in 2004. She continued to advocate for healthcare access and equality in the Senate, where she represented District

44 from January 2015 until her retirement in 2019. Concurrent with her legislative service, she has been the owner of two health care companies providing personal care services to clients in their homes and adult medical daycare services for the elderly and the disabled.

The resume of Task Forces she has chaired, or served on, throughout her legislative career is a testament to her dedication to giving voice to underrepresented segments of our society. Among these are the Maryland Advisory Council for New Americans, the Task Force on Quality of Care in Nursing Facilities; the Task Force to Study Health Care Needs of Inmates in Transition from Correctional Institutions; the Oversight Committee on Quality of Care in Nursing Homes; and the Task Force on the Needs of Persons with Co-occurring Mental Health and Substance Use Disorders.

Likewise, the list of awards for her service is too numerous to cite in full, but among them are the Caribbean American Heritage Marcus Garvey Lifetime Achievement Award; the naming of the Shirley Nathan–Pulliam Health Equity Lecture Series by the University of Maryland School of Public Health; and the Legislative Champion award, conferred by the Woman Legislators of Maryland. She has been named one of *Maryland's Top 100 Women*, three times by *The Daily Record* joining their Circle of Excellence.

In 2004 Senator Nathan–Pulliam was inducted into the Library of Congress's "History Makers," the largest compilation of African American oral histories in the nation. In that interview, she remembered that her grandfather always emphasized to her the importance of "being at the table," and that she realized what he meant when she joined the legislature, saying,

"...I know for a fact that if I wasn't at that table sitting in the Health and Government Operations and the Environmental Matters Committee...if I wasn't there, many of the issues that I'm talking to you about would never be discussed—from HIV, AIDS to hepatitis C to substance abuse. You name the issues that I've brought before, and anytime that I thought that racism played a part and we were not getting our point out, I made sure I spoke loud enough and clear enough that I was understood."

It is my honor to present the Honorable Shirley Nathan–Pulliam with the First Citizen Award.

Additional Remarks by Senator Charles E. Sydnor

Additional Remarks by Senator Cheryl C. Kagan

Additional Remarks by Senator Katherine Klausmeier

Additional Remarks by Senator Delores G. Kelley

Additional Remarks by Senator Adelaide C. Eckardt

Additional Remarks by Senator Joanne C. Benson

Additional Remarks by Senator Arthur Ellis

Additional Remarks by Senator Obie Patterson

Additional Remarks by Senator Melony Griffith

FIRST CITIZEN'S AWARD PRESENTED TO THE HONORABLE DAVID R. CRAIG

Remarks by President of the Senate, William C. Ferguson IV

A native of Havre de Grace, David Craig received a bachelor's degree in History from Towson State College, and a master's degree from Morgan State University. He established his political career by serving on the Havre de Grace City Council, before being elected as Mayor. Concurrently, Craig was establishing a career as an educator—a teacher, and then assistant principal in the Harford County Public Schools for over thirty years.

He continued his teaching career while also serving in the House of Delegates, where he was elected to represent Harford County's District 34, serving from 1991 to 1994. He then joined the Senate in 1995 before returning to Havre de Grace to serve again as Mayor, and then Harford County Executive from 2005 until 2014. Senator Craig's post-legislative service has been shaped by his life-long interest in history, inspired in part by his ancestors' military service in the Civil War, as well as the Revolutionary War—including a Private James Craig who was among the famed "Maryland 400" at the Battle of Brooklyn in 1776. As the Secretary of Planning in 2015, he oversaw the Maryland Historical Trust, and most recently, his dedication to the study of Maryland and American history has been demonstrated as the Executive Director of the Maryland World War I Centennial Commission.

Senator Craig may be lesser known as a "deltiologist" (a collector of postcards), a hobby that he has turned into another opportunity to educate the public, through the publication of three volumes of books illustrating the history of Gettysburg and Havre de Grace as interpreted in historic postcard images.

It is my honor to present the Honorable David Craig with the First Citizen Award.

Additional Remarks by Senator Jason C. Gallion

Additional Remarks by Senator Mary Beth Carozza

Additional Remarks by Senator Robert Cassilly

Additional Remarks by Senator Cheryl C. Kagan

Additional Remarks by Senator J. B. Jennings

RULES COMMITTEE REPORT NO. 5**Senate Bill 928 – Senator Ready**

AN ACT concerning

Mental Health Law – Reform of Laws and Delivery of Service

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

Senate Bill 942 – Senator Peters

AN ACT concerning

**Corporations and Associations – Fees for Processing Articles of Dissolution,
Certificates of Cancellation, and Other Documents – Repeal**

The Bill was re-referred to the Committee on Judicial Proceedings.

Senate Bill 949 – Senator Hershey

AN ACT concerning

Public Utilities – Bills for Electricity Service – Meter Reading

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

Senate Bill 962 – Senator Jackson

AN ACT concerning

**Real Property – Satisfaction of a Mortgage – Required Homeowner’s Insurance
(Cassidy’s Law)**

The Bill was re-referred to the Committee on Judicial Proceedings.

MOTION

Senator Young moved that the Senate receive in Open Session the following Report for the Committee on Executive Nominations.

The motion was adopted.

Senator Young, Chair, of the Senate Executive Nominations Committee, reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 7
March 25, 2021

Alcohol and Tobacco Commission

1. Elizabeth J. Buck District 30
P.O. Box 4568
Annapolis, MD 21403

Member of the Alcohol and Tobacco Commission; appointed to serve a term to expire June 30, 2021
2. Jeffrey A. Kelly District 31
1491 Long Point Road
Pasadena, MD 21122

Member of the Alcohol and Tobacco Commission; appointed to serve at the pleasure of the Governor
3. Eric J. Morrissette District 21
4608 Drexel Road
College Park, MD 20740

Member of the Alcohol and Tobacco Commission; appointed to serve a term to expire June 30, 2022
4. Robert H. Poole District 33
1608 Homewood Landing Road
Annapolis, MD 21409

Member of the Alcohol and Tobacco Commission; appointed to serve a term to expire June 30, 2024
5. Barbara A. Wahl District 43
434 Rosebank Avenue
Baltimore, MD 21212

Member of the Alcohol and Tobacco Commission; appointed to serve a term to expire June 30, 2024

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

6. Timothy J. Adams District 23
14302 Dunwood Valley Drive
Bowie, MD 20721

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of 4 years from July 1, 2018

Education, State Board of

7. Chuen–Chin Bianca Chang District 9
3689 Cragsmoor Road
Ellicott City, MD 21042

Member of the State Board of Education; appointed to serve a term of 4 years from July 1, 2021

8. Warner Ivan Sumpter District 38
30466 Prince William Street
Princess Anne, MD 21853

Member of the State Board of Education; reappointed to serve a term of 4 years from July 1, 2021

9. Holly C. Wilcox, Ph.D. District 41
4831 Keswick Road
Baltimore, MD 21210

Member of the State Board of Education; appointed to serve a term of 4 years from July 1, 2020

10. Jason T. Wu District 15
18302 Bubbling Spring Terrace
Boys, MD 20841

Member of the State Board of Education; appointed to serve a term of 1 year from July 1, 2020

Ethics Commission, State

11. Geneau M. Thames District 34
708 Edgehill Drive
Bel Air, MD 21014

Member of the State Ethics Commission; reappointed to serve a term of 5 years from July 1, 2021

Health Care Commission, Maryland

12. Mark T. Jensen, Esq. District 46
612 Ponte Villas North
Baltimore, MD 21230

Member of the Maryland Health Care Commission; appointed to serve a term of 4 years from October 1, 2021

Higher Education Commission, Maryland

13. Vera R. Jackson, D.S.W. District 24
2104 Woodvale Lane
Bowie, MD 20721

Member of the Maryland Higher Education Commission; reappointed to serve a term of 5 years from July 1, 2021

14. Donna M. Mitchell District 16
900 Persei Place Apt. 444
Bethesda, MD 20852

Member of the Maryland Higher Education Commission; reappointed to serve a term of 5 years from July 1, 2021

15. Craig Williams, Ph.D. District 21
865 Iron Corner Court
Odenton, MD 21113

Member of the Maryland Higher Education Commission; appointed to serve a term of 5 years from July 1, 2021

University System of Maryland Board of Regents

16. Robert L. Wallace District 40
113 W. Monument Street
Baltimore, MD 21201

Member of the University System of Maryland Board of Regents; appointed to serve remainder of a term of 5 years from July 1, 2018

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Health Care Commission, Maryland

S–1. Arun Bhandari, M.D. District 30
705 Fantail Court
Annapolis, MD 21401

Member of the Maryland Health Care Commission; reappointed to serve a term of 4 years from October 1, 2021

S–2. Martha Gast Rymer District 27
2300 Carpenters Beach Road
Huntingtown, MD 20639

Member of the Maryland Health Care Commission; reappointed to serve a term of 4 years from October 1, 2021

Heritage Areas Authority, Maryland

S–3. Mary A. Harms District 27
1100 Helen Creek Drive
Lusby, MD 20657

Member of the Maryland Heritage Areas Authority; appointed to serve a term of 4 years from October 1, 2020

S–4. Nicholas A. Redding District 4
28 Fulton Avenue
Walkersville, MD 21793

Member of the Maryland Heritage Areas Authority; appointed to serve a term of 4 years from October 1, 2020

Metrorail Safety Commission, Washington

S–5. Suhair Al Khatib District 11
750 Chapel Ridge Road
Lutherville–Timonium, MD 21093

Member of the Washington Metrorail Safety Commission; appointed to serve remainder of a term to expire August 31, 2023

Procurement Improvement Council

- S-6. Mary Jo Childs, Esq. District 27
1156 Regency Drive
Saint Leonard, MD 20685

Member of the Procurement Improvement Council; reappointed to serve a term of 2 years from May 6, 2019, and a term of 2 years from May 6, 2021

- S-7. Miriam S. Fuchs, Esq. District 46
414 Water Street #2801
Baltimore, MD 21202

Member of the Procurement Improvement Council; appointed to serve a term of 2 years from May 6, 2019, and a term of 2 years from May 6, 2021

- S-8. Patrick F. Vizzard District 8
4001 Baker Lane
Baltimore, MD 21236

Member of the Procurement Improvement Council; reappointed to serve a term of 2 years from May 6, 2021

Professional Engineers, State Board for

- S-9. Edward A. Hubner District 7
508 Stratford Road
Fallston, MD 21047

Member of the State Board for Professional Engineers; appointed to serve a term of 5 years from July 1, 2021

Professional Standards and Teacher Education Board

- S-10. Amy M. Wilson District 46
1613 E. Fairmount Avenue
Baltimore, MD 21230

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of 3 years from July 1, 2018, and a term of 3 years from July 1, 2021

Public Information Act Compliance Board, State

S–11. Michele L. Cohen, Esq. District 12
6228 Martin Road
Columbia, MD 21044

Member of the State Public Information Act Compliance Board; appointed to serve a term of 3 years from July 1, 2021

Rural Legacy Board, Advisory Committee to the

S–12. Mary E. Burke, Ph.D. District 27
5938 Sunderleigh Drive
Sunderland, MD 20689

Member of the Advisory Committee to the Rural Legacy Board; appointed to serve a term of 3 years from July 1, 2020

S–13. Mary E. Goodall District 42
321 Main Street
Reisterstown, MD 21136

Member of the Advisory Committee to the Rural Legacy Board; reappointed to serve a term of 3 years from July 1, 2021

Social Work Examiners, State Board of

S–14. Susan P. Coppage District 36
1367 Spaniard Neck Road
Centreville, MD 21617

Member of the State Board of Social Work Examiners; reappointed to serve a term of 4 years from July 1, 2021

S–15. Jamie Wilson District 8
3027 California Avenue
Parkville, MD 21234

Member of the State Board of Social Work Examiners; appointed to serve a term of 4 years from July 1, 2021

Women, Maryland Commission for

S-16. Andrea G. Bottner District 18
3303 Rolling Road
Chevy Chase, MD 20815

Member of the Maryland Commission for Women; appointed to serve a term of 4 years from July 1, 2021

S-17. Judith A. Emmel District 33
112 St. Ives Drive
Severna Park, MD 21146

Member of the Maryland Commission for Women; appointed to serve a term of 4 years from July 1, 2021

S-18. Lauren Lambert District 23
14775 London Lane
Bowie, MD 20715

Member of the Maryland Commission for Women; reappointed to serve a term of 4 years from July 1, 2021

S-19. Brenda J. McChriston District 12
6017 Cloudland Court
Columbia, MD 21044

Member of the Maryland Commission for Women; reappointed to serve a term of 4 years from July 1, 2021

S-20. Roberta Pardo District 33
513 Scrimshaw Way
Severna Park, MD 21146

Member of the Maryland Commission for Women; reappointed to serve a term of 4 years from July 1, 2021

S-21. Evelyne S. Steward District 17
14004 Marian Drive
Rockville, MD 20850

Member of the Maryland Commission for Women; reappointed to serve a term of 4 years from July 1, 2021

Youth Camp Safety Advisory Council

S–22. Neil S. Berlin District 10
9 Circuit Court
Owings Mills, MD 21117

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of 3 years from July 1, 2021

S–23. Andrea C. Drenner–Hanley District 5
308 Earl Drive
Eldersburg, MD 21784

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of 3 years from July 1, 2021

S–24. Janet Rose District 36
5929 Quaker Neck Landing Road
Chestertown, MD 21620

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of 3 years from July 1, 2021

S–25. Meena Suri District 14
18 Avonshire Court
Silver Spring, MD 20904

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of 3 years from July 1, 2021

Senator Young moved to make the report a Special Order for March 26, 2021.

The motion was adopted.

SPECIAL ORDER CALENDAR NO. 34

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

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

**Budget Bill
(Fiscal Year 2022)**

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2021 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 588 – THE BUDGET BILL

(See Exhibit H of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 588 – THE BUDGET BILL

(See Exhibit I of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
SUMMARY REPORT ON HOUSE BILL 588 – THE BUDGET BILL AND
HOUSE BILL 589 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit J of Appendix III)

Committee amendments 1 through 14 were read and adopted.

Committee amendments 15 through 23 were read and adopted.

Committee amendments 24 through 34 were read and adopted.

Committee amendments 35 through 40 were read and adopted.

Committee amendments 41 through 48 were read only.

Committee amendments 41 through 45 were read and adopted.

Committee amendments 47 through 48 were read and adopted.

Committee amendment 46 was read and adopted.

Committee amendments 49 through 56 were read and adopted.

Committee amendments 57 through 62 were read and adopted.

Committee amendments 63 through 73 were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 589 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2021

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (11) AND THE FAVORABLE REPORT.

HB0589/243724/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 589

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering the source of funding for certain required appropriations;”; strike beginning with “requiring” in line 14 down through “program” in line 16; in line 18, strike “each” and substitute “for a certain”; in line 19, strike “each” and substitute “for a certain”; in the same line, after “year” insert “and a certain amount for each following fiscal year”; and in line 22, after “program;” insert “expanding the purpose of a certain fund;”.

On page 2, in line 16, after “fund;” insert “altering the amount of a required appropriation from the Transportation Trust Fund for the operation of the Maryland Transit Administration for a certain fiscal year;”; in line 20, after “funds;” insert “authorizing certain State agencies to temporarily charge certain expenditures to a certain account; providing a process to reimburse a certain account for certain charged expenditures;”; in line 29, after “limitation;” insert “requiring certain employees in positions in certain Department of Public Safety and Correctional Services facilities to be transferred to certain vacancies in certain other facilities;”;

and after line 38, insert:

“BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 14-4104(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)”.

On pages 3 and 4, strike in their entirety the lines beginning with line 34 on page 3 through line 4 on page 4, inclusive.

On page 4, in line 22, after “(e),” insert “31-107(b) and (f).”; and after line 24, insert:

“BY repealing and reenacting, without amendments,
Article – Insurance
Section 31–107(a) and (e)
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)”.

On page 5, after line 16, insert:

“BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–205
Annotated Code of Maryland
(2020 Replacement Volume)”.

On page 42, in lines 6, 16, and 21, strike “6.”, “7.”, and “8.”, respectively, and substitute “7.”, “8.”, and “9.”, respectively.

On page 43, in lines 12, 16, 24, 28, 33, and 38, strike “10.”, “11.”, “13.”, “14.”, “15.”, and “16.”, respectively, and substitute “11.”, “12.”, “13.”, “14.”, “15.”, and “16.”, respectively.

AMENDMENT NO. 2

On page 6, after line 5, insert:

“Article – Commercial Law

14–4104.

(a) (1) For fiscal year [2020] **2022** and each fiscal year thereafter, the Governor shall include an appropriation of at least [\$700,000] **\$350,000 IN GENERAL FUNDS AND \$350,000** in [general] **SPECIAL** funds in the State budget for the Office for the purposes of enforcement of:

- (i) Consumer protection laws under this title;
- (ii) Consumer protection laws under Title 13 of this article; and
- (iii) Financial consumer protection laws.

(2) The Office shall use the funds under paragraph (1) of this subsection for:

- (i) Staffing costs associated with hiring new employees; and
- (ii) Investigations of alleged violations of consumer protection laws in the State.”

AMENDMENT NO. 3

On page 18, strike in their entirety lines 5 through 22, inclusive.

AMENDMENT NO. 4

On page 20, in lines 1 and 2, strike “AND EACH FISCAL YEAR THEREAFTER”; and in line 6, strike “EACH” and substitute “THAT”.

On page 21, after line 25, insert:

“(2) AT THE BEGINNING OF EACH OF FISCAL YEARS 2023 AND 2024, THE GOVERNOR SHALL TRANSFER THE FIRST \$8,000,000 OF THE FUNDS COLLECTED FROM THE ASSESSMENT REQUIRED UNDER THIS SECTION TO THE COMMUNITY HEALTH RESOURCES COMMISSION.”;

in line 26, strike “(2)” and substitute “(3)”; and in line 28, strike “PARAGRAPH (1)” and substitute “PARAGRAPHS (1) AND (2)”.

On page 22, in line 22, strike the brackets; strike beginning with “SUBJECT” in line 22 down through “THE” in line 23; in line 27, strike “2021” and substitute “2022”; and strike in their entirety lines 28 through 30, inclusive.

On page 23, in line 12, strike “BE LESS THAN” and substitute “EXCEED”; in the same line, strike “\$11,500,000;” and substitute “\$14,000,000; AND”; strike in their entirety lines 13 and 14; in line 15, strike “(5)” and substitute “(4)”; in the same line, after “year” insert “AFTER FISCAL YEAR 2022”; and after line 16, insert:

“31–107.

(a) There is a Maryland Health Benefit Exchange Fund.

(b) (1) The purpose of the Fund is to:

(i) provide funding for the operation and administration of the Exchange in carrying out the purposes of the Exchange under this subtitle; [and]

(ii) provide funding for the establishment and operation of the State Reinsurance Program authorized under this subtitle; AND

(III) PROVIDE FUNDING FOR THE MEDICAL ASSISTANCE PROGRAM AND THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM.

(2) The operation and administration of the Exchange and the State Reinsurance Program may include functions delegated by the Exchange to a third party under law or by contract.

(e) The Fund consists of:

- (1) any user fees or other assessments collected by the Exchange;
- (2) all revenue deposited into the Fund that is received from the distribution of the premium tax under § 6–103.2 of this article;
- (3) income from investments made on behalf of the Fund;
- (4) interest on deposits or investments of money in the Fund;
- (5) money collected by the Board as a result of legal or other actions taken by the Board on behalf of the Exchange or the Fund;
- (6) money donated to the Fund;
- (7) money awarded to the Fund through grants;
- (8) any pass-through funds received from the federal government under a waiver approved under § 1332 of the Affordable Care Act;
- (9) any funds designated by the federal government to provide reinsurance to carriers that offer individual health benefit plans in the State;
- (10) any funds designated by the State to provide reinsurance to carriers that offer individual health benefit plans in the State;
- (11) any federal funds received in accordance with § 31–121 of this subtitle for the administration of small business tax credits; and
- (12) any other money from any other source accepted for the benefit of the Fund.

(f) The Fund may be used only:

- (1) for the operation and administration of the Exchange in carrying out the purposes authorized under this subtitle; [and]
- (2) for the establishment and operation of the State Reinsurance Program;

(3) IN FISCAL YEARS 2021 AND 2022, FOR THE MEDICAL ASSISTANCE PROGRAM WITHIN THE MEDICAL CARE PROGRAMS ADMINISTRATION OF THE MARYLAND DEPARTMENT OF HEALTH; AND

(4) IN FISCAL YEAR 2022, FOR THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER TITLE 15, SUBTITLE 10 OF THE HEALTH – GENERAL ARTICLE.”.

AMENDMENT NO. 5

On page 40, after line 8, insert:

“Article – Transportation

7–205.

(a) For fiscal year 2020, the Governor shall include in the State budget an appropriation from the Transportation Trust Fund for the operation of the Administration that is equal to the appropriation for the operation of the Administration in the fiscal year 2019 State budget as introduced, increased by at least 4.4%.

(b) For [each of fiscal years] FISCAL YEAR 2021 [and 2022], the Governor shall include in the State budget an appropriation from the Transportation Trust Fund for the operation of the Administration that is equal to the appropriation for the operation of the Administration in the State budget for the immediately preceding fiscal year, increased by at least 4.4%.

(C) FOR FISCAL YEAR 2022, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FROM THE TRANSPORTATION TRUST FUND FOR THE OPERATION OF THE ADMINISTRATION THAT MAY NOT BE LESS THAN THE FISCAL YEAR 2021 APPROPRIATION FOR THE OPERATION OF THE ADMINISTRATION.

[(c)] (D) (1) For each of fiscal years 2020 through 2022, the Governor shall include in the State budget an appropriation for the capital needs of the Administration of at least \$29,100,000 from the revenues available for the State capital program in the Transportation Trust Fund.

(2) The appropriation required under paragraph (1) of this subsection may not supplant any other capital funding otherwise available for the Administration.”.

AMENDMENT NO. 6

On page 41, in line 16, strike “\$2,000,000” and substitute “**\$1,500,000**”.

AMENDMENT NO. 7

On page 41, in line 21, strike “**\$3,000,000**” and substitute “**\$2,000,000**”.

AMENDMENT NO. 8

On page 42, after line 5, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law under § 2–606 of the Tax – General Article:

(a) The Maryland Department of Health and other appropriate State agencies are authorized to temporarily charge expenditures related to the Coronavirus Disease 2019 (COVID–19) response that are eligible for reimbursement from the Federal Emergency Management Agency’s Public Assistance process to the Local Reserve Account established to comply with § 2–606 of the Tax – General Article.

(b) Once reimbursement is received from the Federal Emergency Management Agency’s Public Assistance process, the revenue shall be used to offset the eligible expenditures authorized under subsection (a) of this section to reimburse the Local Reserve Account.

(c) Any charges against the Local Reserve Account that are not fully reimbursed under subsection (b) of this section shall be reimbursed by the General Fund at the Maryland General Assembly session following a determination by the Federal Emergency Management Agency to ensure the Local Reserve Account is fully reimbursed for the temporary charges made under subsection (a) of this section.

(d) This provision shall be in effect until June 30, 2022, or until the Federal Emergency Management Agency has made a final determination on all expenditures that are temporarily charged under subsection (a) of this section. On the effective date of this Act, the Department of Budget and Management may appropriate these funds through the budget amendment process, as needed.”.

AMENDMENT NO. 9

On page 43, after line 6, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, employees in positions at Department of Public Safety and Correctional Services facilities that are closed effective June 30, 2021, shall be transferred to existing vacancies in comparable job classifications within other Department of Public Safety and Correctional Services facilities. These transfers shall be effective not later than July 1, 2021, and shall be made without any loss of status, compensation, or benefits.”.

AMENDMENT NO. 10

On page 43, strike in their entirety lines 7 through 11, inclusive.

AMENDMENT NO. 11

On page 43, strike in their entirety lines 20 through 23, inclusive.

The preceding 11 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 25

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 138 – Senator Hettleman

AN ACT concerning

Education – Baltimore County Public Library – Collective Bargaining

SB0138/607870/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 138

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “bargaining;” insert “providing that a certain employee may be deemed supervisory under certain circumstances for certain purposes; establishing that the exercise of a certain function may not necessarily require a certain conclusion; prohibiting a class title alone from being the basis for and requiring the nature of certain work be considered in a certain determination;”; in line 10, after “manner;” insert “authorizing a certain employee organization to file a certain petition; establishing certain requirements for a certain petition; establishing the petition process; establishing a certain election process; prohibiting a certain election from being conducted within a certain period of time; establishing a certain decertification procedure;”; strike beginning with “library,” in line 20 down through the second “the” in line 21; in line 22, 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 23 down through “term;” in line 26; and in lines 29 and 30, strike “entire collective bargaining agreement” and substitute “request”.

On page 2, in line 3, after “timeline;” insert “providing that an employer and a certified exclusive representative have certain mutual obligations;”; in line 4, after “bargaining;” insert “authorizing a certain employee to discuss certain matters with the employer; providing that a certain provision of this Act does not waive a certain right of the employee organization; establishing certain rights of the employer; 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;”; and in line 11, strike “23–709” and substitute “23–712”.

AMENDMENT NO. 2

On page 2, after line 26, insert:

“(D) “CONFIDENTIAL EMPLOYEE” MEANS AN EMPLOYEE WHO:

(1) HAS ACCESS TO CONFIDENTIAL INFORMATION, INCLUDING BUDGETARY AND FISCAL DATA, SUBJECT TO USE BY THE EMPLOYER IN COLLECTIVE BARGAINING OR IN THE ADJUDICATION OF GRIEVANCES; OR

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

and in lines 27, 28, 29, and 31, strike “(D)”, “(E)”, “(F)”, and “(G)”, respectively, and substitute “(E)”, “(F)”, “(G)”, and “(H)”, respectively.

AMENDMENT NO. 3

On page 3, strike beginning with “AN” in line 1 down through “GRIEVANCES” in line 13 and substitute “A CONFIDENTIAL EMPLOYEE, MANAGEMENT EMPLOYEE, OR SUPERVISORY EMPLOYEE”; in lines 14 and 17, strike “(H)” and “(I)”, respectively, and substitute “(I)” and “(J)”, respectively; in line 17, after “LIBRARY” insert “AND THE BOARD”; after line 17, insert:

“(K) “MANAGEMENT EMPLOYEE” MEANS AN EMPLOYEE WHO GENERALLY HAS AUTHORITY AND WHO:

(1) FORMULATES POLICY THAT IS APPLICABLE THROUGHOUT A BARGAINING UNIT;

(2) HAS A SIGNIFICANT ROLE IN PERSONNEL ADMINISTRATION, EMPLOYEE RELATIONS, OR THE PREPARATION AND ADMINISTRATION OF BUDGETS FOR THE EMPLOYER; OR

(3) MAY REASONABLY BE REQUIRED TO:

(I) ASSIST DIRECTLY IN THE PREPARATION FOR AND CONDUCT OF COLLECTIVE BARGAINING NEGOTIATIONS ON BEHALF OF THE EMPLOYER; OR

(II) HAVE A MAJOR ROLE IN THE ADMINISTRATION OF RESULTING COLLECTIVE BARGAINING AGREEMENTS.

(L) “SUPERVISORY EMPLOYEE” MEANS AN EMPLOYEE WHO IS AUTHORIZED TO:

(1) HIRE, TRANSFER, SUSPEND, LAY OFF, RECALL, PROMOTE, DISCHARGE, ASSIGN, REWARD, OR DISCIPLINE EMPLOYEES;

(2) RESPONSIBLY DIRECT EMPLOYEES FOR MORE THAN 50% OF THE EMPLOYEE’S WORKING HOURS; OR

(3) ADDRESS AND RESOLVE THE GRIEVANCES OF EMPLOYEES.

23-702.

(A) AN EMPLOYEE WHO MAY EFFECTIVELY RECOMMEND AN ACTION LISTED IN § 23-701(L) OF THIS SUBTITLE MAY BE DEEMED A SUPERVISORY EMPLOYEE IF THE EMPLOYEE’S EXERCISE OF THE AUTHORITY REQUIRES THE EXERCISE OF INDEPENDENT JUDGMENT AND IS NOT MERELY OF A ROUTINE OR CLERICAL NATURE.

(B) THE EXERCISE OF ANY SINGLE FUNCTION LISTED IN § 23-701(L) OF THIS SUBTITLE MAY NOT NECESSARILY REQUIRE THE CONCLUSION THAT THE INDIVIDUAL EXERCISING THAT FUNCTION IS IN FACT A SUPERVISORY EMPLOYEE WITHIN THE MEANING OF THE DEFINITION.

(C) IN DIFFERENTIATING A SUPERVISORY EMPLOYEE FROM A NONSUPERVISORY EMPLOYEE:

(1) A CLASS TITLE ALONE MAY NOT BE THE BASIS FOR DETERMINATION; 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.;

in line 18, strike "23-702." and substitute "23-703."; and in line 27, strike "23-703." and substitute "23-704.".

AMENDMENT NO. 4

On page 4, in line 11, strike "23-704." and substitute "23-705."; in line 14, strike "SETTLEMENT OF GRIEVANCES" and substitute "GRIEVANCE PROCESS"; after line 19, insert:

"23-706.

(A) (1) AN EMPLOYEE ORGANIZATION SEEKING CERTIFICATION AS THE EXCLUSIVE REPRESENTATIVE FOR THE BARGAINING UNIT OF EMPLOYEES MAY FILE A PETITION WITH THE DIRECTOR INDICATING THIS INTENT.

(2) THE PETITION MAY ONLY BE FILED IN THE MONTH OF SEPTEMBER.

(3) THE PETITION SHALL CONTAIN:

(I) A REQUEST THAT THE BOARD RECOGNIZE THE EMPLOYEE ORGANIZATION AS THE EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES IN THE BARGAINING UNIT;

(II) A STATEMENT THAT THE EMPLOYEE ORGANIZATION IS ONE IN WHICH EMPLOYEES PARTICIPATE AND THAT HAS ONE OF ITS PURPOSES THE

REPRESENTATION OF PUBLIC EMPLOYEES IN MATTERS OF WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT;

(III) A STATEMENT THAT THE EMPLOYEE ORGANIZATION HAS NO TERMS OR CONDITIONS OF MEMBERSHIP THAT DISCRIMINATE WITH REGARD TO RACE, COLOR, CREED, GENDER, AGE, POLITICAL AFFILIATION, NATIONAL ORIGIN, RELIGION, MARITAL STATUS, OR DISABILITY; AND

(IV) A STATEMENT THAT THE EMPLOYEE ORGANIZATION HAS IN ITS POSSESSION WRITTEN PROOF DATED NOT MORE THAN 9 MONTHS BEFORE THE DAY ON WHICH THE PETITION IS FILED ESTABLISHING THAT AT LEAST 30% OF THE EMPLOYEES IN THE BARGAINING UNIT HAVE DESIGNATED THE EMPLOYEE ORGANIZATION TO REPRESENT THEM IN THEIR EMPLOYMENT RELATIONS WITH THE EMPLOYER.

(4) BEFORE A PETITION MAY BE PROCESSED, THE PROOF OF INTEREST SUBMITTED SHALL BE VERIFIED AS PROVIDED IN THIS SECTION.

(5) THE EMPLOYEE ORGANIZATION AND THE EMPLOYER SHALL EQUALLY BEAR ANY COSTS ASSOCIATED WITH THE VERIFICATION.

(B) (1) WHEN AN EMPLOYEE ORGANIZATION OR EMPLOYEES IN A BARGAINING UNIT FILE A PETITION WITH THE DIRECTOR, THE EMPLOYEE ORGANIZATION OR EMPLOYEES SHALL SUBMIT TO A NEUTRAL DECISION MAKER FROM THE FEDERAL MEDIATION AND CONCILIATION SERVICE THE AUTHORIZATION CARDS SIGNED AND DATED BY AT LEAST 30% OF THE EMPLOYEES IN THE BARGAINING UNIT NOT MORE THAN 9 MONTHS BEFORE THE DAY THE PETITION WAS FILED INDICATING, AS APPROPRIATE, THAT THE EMPLOYEES HAVE DESIGNATED THE EMPLOYEE ORGANIZATION TO REPRESENT THEM IN THEIR EMPLOYMENT RELATIONS WITH THE LIBRARY SYSTEM ADMINISTRATION.

(2) THE EMPLOYEE ORGANIZATION SHALL COPY THE DIRECTOR ON THE REQUEST FOR A NEUTRAL DECISION MAKER IN ORDER FOR THE LIBRARY SYSTEM TO RECEIVE NOTICE OF THE SELECTION OF THE NEUTRAL DECISION MAKER FOR THE CERTIFICATION PROCESS.

(C) (1) NOT MORE THAN 7 CALENDAR DAYS AFTER THE DAY ON WHICH THE DIRECTOR RECEIVES NOTICE OF THE ASSIGNMENT OF A NEUTRAL DECISION MAKER BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE, THE DIRECTOR SHALL SUBMIT TO THE NEUTRAL DECISION MAKER A LIST OF EMPLOYEES IN THE BARGAINING UNIT.

(2) IF THE DIRECTOR FAILS TO SUBMIT THE LIST OF EMPLOYEES TO THE NEUTRAL DECISION MAKER WITHIN THE REQUIRED TIME, IT SHALL BE CONCLUSIVELY DEEMED THAT AT LEAST 30% OF THE EMPLOYEES IN THE BARGAINING UNIT HAVE INDICATED A DESIRE TO BE REPRESENTED BY THE EMPLOYEE ORGANIZATION.

(D) (1) THE NEUTRAL DECISION MAKER SHALL CHECK THE WRITTEN AUTHORIZATION CARDS SUBMITTED BY THE EMPLOYEE ORGANIZATION OR THE EMPLOYEES AGAINST THE LIST OF EMPLOYEES SUBMITTED BY THE DIRECTOR.

(2) IF THE NEUTRAL DECISION MAKER DETERMINES THAT AT LEAST 30% OF THE EMPLOYEES ON THE LIST HAVE INDICATED A DESIRE TO BE REPRESENTED BY THE EMPLOYEE ORGANIZATION OR TO DECERTIFY AN EXCLUSIVE REPRESENTATIVE, THE NEUTRAL DECISION MAKER SHALL NOTIFY THE DIRECTOR OF THE DETERMINATION.

(E) (1) IF THE DIRECTOR DISAGREES WITH THE PETITIONING EMPLOYEE ORGANIZATION OR THE PETITIONING EMPLOYEES AS TO THE INCLUSION OR EXCLUSION OF SPECIFIC EMPLOYEES IN THE BARGAINING UNIT, THE PARTIES SHALL REFER THE ISSUE IMMEDIATELY TO A NEUTRAL DECISION MAKER FROM THE FEDERAL MEDIATION AND CONCILIATION SERVICE TO RESOLVE THE ISSUE.

(2) THE NEUTRAL DECISION MAKER SHALL HOLD A HEARING ON THE ISSUE REFERRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITH THE INTERESTED PARTIES PRESENTING EVIDENCE WITH RESPECT TO THEIR POSITIONS ON THE ISSUE OF THE INCLUSION OR EXCLUSION OF THE EMPLOYEES IN QUESTION.

(3) THE NEUTRAL DECISION MAKER'S FINDINGS SHALL BE FINAL AND BINDING ON BOTH PARTIES.

(F) AN ELECTION MAY NOT BE CONDUCTED IN A BARGAINING UNIT UNLESS AT LEAST 1 YEAR HAS PASSED SINCE THE LAST ELECTION HELD IN THE BARGAINING UNIT.

(G) (1) AFTER A DECISION ON DISPUTED EMPLOYEE INCLUSION OR EXCLUSION, IF REQUIRED, THE DIRECTOR SHALL NOTIFY ALL EMPLOYEES WITHIN THE BARGAINING UNIT THAT AN ELECTION WILL BE HELD AND REQUEST A NEUTRAL DECISION MAKER FROM THE FEDERAL MEDIATION AND CONCILIATION SERVICE TO OVERSEE AND CONDUCT AN ELECTION BY SECRET BALLOT.

(2) THE BALLOT FOR AN ELECTION SHALL INCLUDE THE FOLLOWING CHOICES:

(I) IN ACCORDANCE WITH THE ISSUES PRESENTED BY THE PETITION OR PETITIONS, EXCLUSIVE REPRESENTATION BY ANY EMPLOYEE ORGANIZATION SEEKING TO OBTAIN OR CONTINUE REPRESENTATION RIGHTS; AND

(II) NO EXCLUSIVE REPRESENTATION.

(H) AN EMPLOYEE ORGANIZATION MAY INTERVENE IN THE ELECTION AND HAVE ITS NAME PLACED ON THE BALLOT IF:

(1) THE EMPLOYEE ORGANIZATION FILES A PETITION NOT MORE THAN 15 CALENDAR DAYS AFTER THE DATE ON WHICH THE ORIGINAL PETITION IS FILED;

(2) THE EMPLOYEE ORGANIZATION CERTIFIES THAT AT LEAST 30% OF THE EMPLOYEES OF THE UNIT HAVE DESIGNATED THE EMPLOYEE ORGANIZATION TO REPRESENT THEM IN THEIR EMPLOYMENT RELATIONS WITH THE LIBRARY SYSTEM ADMINISTRATION; AND

(3) THE SHOWING OF INTEREST IS VERIFIED AS PROVIDED IN THIS SECTION.

(I) (1) THE ELECTION SHALL BE CONDUCTED ACCORDING TO THE PROCEDURES ESTABLISHED BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE NEUTRAL DECISION MAKER CONDUCTING THE ELECTION.

(2) AN EMPLOYEE ORGANIZATION SHALL BE CERTIFIED AS EXCLUSIVE REPRESENTATIVE FOLLOWING AN ELECTION IF THE EMPLOYEE ORGANIZATION HAS RECEIVED THE VOTE OF A MAJORITY OF THE VALID VOTES CAST IN THE BARGAINING UNIT IN WHICH THE ELECTION IS HELD.

(3) (I) IF AN ELECTION INCLUDES THREE OR MORE CHOICES AND NO CHOICE RECEIVES A MAJORITY OF THE VALID VOTES CAST, THE NEUTRAL DECISION MAKER SHALL CONDUCT A RUNOFF ELECTION BETWEEN THE TWO CHOICES THAT RECEIVED THE LARGEST NUMBER OF VALID VOTES CAST.

(II) THE CHOICE RECEIVING THE MAJORITY OF THE VALID VOTES CAST IN THE RUNOFF ELECTION SHALL BE CERTIFIED.

(4) THE NEUTRAL DECISION MAKER CONDUCTING THE ELECTION SHALL ISSUE TO ALL THE PARTICIPANTS IN AN ELECTION A CERTIFICATION OF REPRESENTATION, IF AN EMPLOYEE ORGANIZATION IS CERTIFIED, OR THE RESULTS OF THE ELECTION, IF NO REPRESENTATIVE IS CHOSEN.

(J) (1) IF EMPLOYEES ARE REPRESENTED BY AN EMPLOYEE ORGANIZATION, EMPLOYEES MAY FILE A PETITION WITH THE DIRECTOR THAT CONTAINS THE FOLLOWING:

(I) AN ASSERTION THAT THE MAJORITY OF THE EMPLOYEES NO LONGER WISH TO BE REPRESENTED BY THE EMPLOYEE ORGANIZATION;

(II) A STATEMENT THAT THE EMPLOYEES HAVE IN THEIR POSSESSION SUBSTANTIVE DOCUMENTARY PROOF, DATED NOT MORE THAN 6 MONTHS BEFORE THE DAY ON WHICH THE PETITION IS FILED, THAT AT LEAST 30% OF THE EMPLOYEES WITHIN THE BARGAINING UNIT APPROVE OF THE DECERTIFICATION OF THE EMPLOYEE ORGANIZATION; AND

(III) A STATEMENT EXPLAINING THAT THE EMPLOYEES ARE SEEKING DECERTIFICATION OF THE EMPLOYEE ORGANIZATION AS THE EXCLUSIVE REPRESENTATIVE FOR THE BARGAINING UNIT.

(2) (I) THE PETITION SHALL BE PROCESSED AS DESCRIBED IN THIS SECTION, INCLUDING VERIFICATION OF PROOF OF INTEREST AND AN ELECTION.

(II) AN EMPLOYEE ORGANIZATION SHALL BE DECERTIFIED AS EXCLUSIVE REPRESENTATIVE FOLLOWING AN ELECTION IF THE MAJORITY OF THE VALID VOTES CAST IN THE UNIT IN WHICH THE ELECTION IS HELD ARE FOR NO REPRESENTATION.”;

in line 20, strike “**23-705.**” and substitute “**23-707.**”; and strike beginning with “**IF**” in line 21 down through “**REPRESENTATIVE**” in line 23 and substitute “**IF AN EMPLOYEE ORGANIZATION IS CERTIFIED AS DESCRIBED IN THIS SUBTITLE, THE EMPLOYER AND THE EMPLOYEE ORGANIZATION**”.

AMENDMENT NO. 5

On page 5, in line 17, strike “**OR**”; in line 19, after “**REPRESENTATIVE**” insert “**; OR**”

(IV) THE EMPLOYEE RESIGNS FROM MEMBERSHIP IN THE EMPLOYEE ORGANIZATION”;

and in line 32, strike “**23-706.**” and substitute “**23-708.**”.

On page 6, in line 19, strike “**24**” and substitute “**48**”; strike beginning with “**FEDERAL**” in line 23 down through “**REACHED**” in line 24 and substitute “**MEDIATOR SELECTED BY THE PARTIES IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION**”; strike beginning with “**THE**” in line 25 down through “**SECTION,**” in line 27; in line 27, after “**A**” insert “**MEDIATOR IS SELECTED BY THE PARTIES, THE**”; strike beginning with “**APPOINTED**” in line 27 down through “**SERVICE**” in line 28; in line 32, after “**DISPUTE**” insert “**IN ACCORDANCE WITH THIS SUBSECTION**”; and after line 32, 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.

On page 7, in line 1, strike “(2)” and substitute “(10)”; in line 3, after “REPRESENTATIVE” insert “ON OR BEFORE THE IMMEDIATELY FOLLOWING APRIL 2”; in line 4, strike “(3)” and substitute “(11)”; and after line 6, 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.

AMENDMENT NO. 6

On page 7, strike beginning with “AND” in line 7 down through “DISPUTE” in line 10 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”; strike beginning with “IF” in line 11 down through “APPROVAL” in line 15 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”; in line 16, strike “23-707.” and substitute “23-709.”; in line 17, strike “EMPLOYER SHALL SUBMIT TO THE”; in the same line after “BOARD” insert “SHALL SUBMIT”; in line 18, after “AGREEMENT” insert “OR MEMORANDUM OF UNDERSTANDING”; in the same line, strike “§ 23-705” and substitute “§§ 23-707 AND 23-708”; in line 19, 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 19 down through "REQUIRES" in line 20 and substitute "REQUIRES"; in line 20, after "OF" insert "ADDITIONAL"; and in the same line, strike "; OR" and substitute a period.

On pages 7 and 8, strike in their entirety the lines beginning with line 21 on page 7 through line 21 on page 8, inclusive.

On page 8, in line 22, strike "(II)" and substitute "(B) (1)"; in line 23, after "FUNDING" insert "UNDER SUBSECTION (A) OF THIS SECTION"; in line 24, strike "(III)" and substitute "(2)"; in line 25, strike "SUBPARAGRAPH (II) OF THIS PARAGRAPH" and substitute "PARAGRAPH (1) OF THIS SUBSECTION"; in line 26, after "REQUEST" insert "FOR ADDITIONAL FUNDS"; in line 27, strike "(2)" and substitute "(C)"; in line 29, strike "(3) (I)" and substitute "(D) (1)"; and in line 31, strike "ENTIRE COLLECTIVE BARGAINING AGREEMENT" and substitute "REQUEST FOR ADDITIONAL FUNDS".

On page 9, in line 3, strike "(II)" and substitute "(2)"; in line 5, strike "(III) 1." and substitute "(3) (I)"; in lines 9 and 11, strike "2." and "3.", respectively, and substitute "(II)" and "(III)", respectively; in line 10, strike "SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH" and substitute "SUBPARAGRAPH (I) OF THIS PARAGRAPH"; in line 12, after "BINDING" insert "ON ALL PARTIES"; and after line 12, 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.”.

AMENDMENT NO. 7

On page 9, in line 13, strike “**23-708.**” and substitute “**23-710.**”; in line 30, strike “**OR**”; and after line 30, insert:

“(3) DISCIPLINE OR FINE A MEMBER OF THE EMPLOYEE ORGANIZATION AS PUNISHMENT OR REPRISAL;

(4) DISCIPLINE OR FINE A MEMBER OF THE EMPLOYEE ORGANIZATION FOR THE PURPOSE OF IMPEDING THE MEMBER’S WORK PERFORMANCE; OR”.

AMENDMENT NO. 8

On page 10, in line 1, strike “**(3)**” and substitute “**(5)**”; after line 2, insert:

“(C) (1) AN EMPLOYEE WHO IS A MEMBER OF A BARGAINING UNIT WITH A CERTIFIED EXCLUSIVE REPRESENTATIVE MAY, WITHOUT THE INTERVENTION OF AN EMPLOYEE ORGANIZATION, DISCUSS ANY MATTER WITH THE EMPLOYER.

(2) THIS SUBSECTION DOES NOT WAIVE THE RIGHT OF THE EMPLOYEE ORGANIZATION TO BE THE EXCLUSIVE BARGAINING REPRESENTATIVE FOR ISSUES RELATED TO WAGES, HOURS, AND WORKING CONDITIONS AND IS NOT INTENDED TO CREATE AN ALTERNATE PATH TO ALTER TERMS AND CONDITIONS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PARTIES.”;

in line 3, strike “**23-709.**” and substitute “**23-711.**”; after line 3, insert:

“(A) NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW, IT IS THE EXCLUSIVE RIGHT OF THE EMPLOYER TO:

(1) DETERMINE THE PURPOSES AND OBJECTIVES OF EACH OF ITS CONSTITUENT OFFICES AND DEPARTMENTS;

(2) SET STANDARDS OF SERVICES TO BE OFFERED TO THE PUBLIC;

(3) EXERCISE CONTROL AND DISCRETION OVER ITS ORGANIZATION AND OPERATIONS; AND

(4) DETERMINE THE METHODS, MEANS, PERSONNEL, AND OTHER RESOURCES BY WHICH THE EMPLOYER’S OPERATIONS ARE TO BE CONDUCTED, INCLUDING:

(I) THE USE OF VOLUNTEERS; AND

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

(B) SUBJECT TO APPLICABLE PROVISIONS OF A COLLECTIVE BARGAINING AGREEMENT AND IN ACCORDANCE WITH THE BALTIMORE COUNTY CHARTER AND OTHER APPLICABLE LAWS, THE EMPLOYER MAY:

(1) DIRECT ITS EMPLOYEES;

(2) HIRE, PROMOTE, TRANSFER, ASSIGN, OR RETAIN EMPLOYEES;

(3) ESTABLISH REASONABLE WORK RULES; AND

(4) DEMOTE, SUSPEND, DISCHARGE, OR TAKE ANY OTHER DISCIPLINARY ACTION AGAINST ITS EMPLOYEES FOR JUST CAUSE.

(C) 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)”;

after line 7, insert:

“23-712.

(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:

(1) 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.;

and in line 9, strike “October” and substitute “July”.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 514 – Senators Feldman, Augustine, Carter, Hettleman, Kelley, Lee, and Pinsky

AN ACT concerning

Health Facilities – Hospitals – Medical Debt Protection

SB0514/447876/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 514

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Pinsky” and substitute “Pinsky, Benson, Hayes, Hershey, and Jennings”; in line 4, after “policy;” insert “requiring that the description of a hospital’s financial assistance policy that is included on a certain information sheet include a certain section;”; in line 6, after “the” insert “Health Services Cost Review”; strike beginning with “requiring” in line 8 down through “bills;” in line 11 and substitute “prohibiting a hospital from charging interest or fees on certain debts incurred by certain patients;”; strike beginning with “prohibiting” in line 15 down through “period;” in line 19 and substitute “requiring the Health Services Cost Review Commission to develop certain guidelines, with input from stakeholders, for an income-based payment plan; prohibiting a hospital from seeking legal action against a patient on a debt owed until the hospital has implemented a certain payment plan;”; in line 20, after “circumstances;” insert “requiring a patient to contact the health care facility and identify a certain plan under certain circumstances; authorizing a health care facility to waive certain payments required in a payment plan under certain circumstances; providing that a health care”

facility may not be required to waive certain payments;”; in line 21, after “requirements” insert “and guidelines”; and in line 22, after “actions;” insert “providing that certain provisions of this Act do not prohibit a hospital from using a certain vendor for a certain purpose;”.

On page 2, strike beginning with “prohibiting” in line 2 down through “amount;” in line 5; in line 6, after “patient” insert “under certain circumstances; authorizing a hospital to offer the family of a certain patient the ability to apply for financial assistance”; strike beginning with “against” in line 6 down through “or” in line 7; strike beginning with “prohibiting” in line 7 down through “debt;” in line 8; in line 16, after “the” insert “Health Services Cost Review”; in line 17, after “Commission” insert “, on or before a certain date,”; in the same line, after “to” insert “compile certain information and”; in the same line, strike “annual”; in line 20, after “changes;” insert “requiring the Health Services Cost Review Commission, on or before a certain date and with input from certain stakeholders, to develop certain guidelines; requiring the Health Services Cost Review Commission, on or before a certain date, to report to certain committees of the General Assembly on certain guidelines; requiring the Health Services Cost Review Commission to conduct a certain study on uncompensated care; requiring the Maryland Health Care Commission to examine the feasibility of using the State–designated Health Information Exchange for a certain purpose and to make a certain report to certain committees of the General Assembly on or before a certain date; providing for a delayed effective date;”; and in line 29, after “(ii)” insert “and (f)(1)(i)”.

AMENDMENT NO. 2

On page 3, after line 11, insert:

“(f) (1) Each hospital shall develop an information sheet that:

(i) Describes the hospital’s financial assistance policy AND INCLUDES A SECTION THAT ALLOWS FOR A PATIENT TO INITIAL THAT THE PATIENT HAS BEEN MADE AWARE OF THE FINANCIAL ASSISTANCE POLICY;”;

in line 24, strike “COSTS OF” and substitute “CHARGES FOR”; and in line 26, after “INSURANCE” insert “, INCLUDING THE OUT-OF-POCKET COSTS FOR PATIENTS COVERED BY INSURANCE,”.

AMENDMENT NO. 3

On page 4, in line 14, strike the brackets; in line 15, strike “**OR REDUCED-COST**”; strike beginning with “**MORE**” in line 15 down through “**POSTDISCHARGE**” in line 16 and

substitute “WITHIN 240 DAYS AFTER THE INITIAL”; in line 18, strike the brackets; in line 19, strike “OR REDUCED–COST”; and strike beginning with “MORE” in line 19 down through “POSTDISCHARGE” in line 20 and substitute “WITHIN 240 DAYS AFTER THE INITIAL”.

On page 5, in line 1, strike “COST OF THE HOSPITAL SERVICE” and substitute “APPROVED CHARGE FOR THE HOSPITAL SERVICE AS ESTABLISHED BY THE COMMISSION”; in line 6, strike “OR REDUCED–COST”; strike beginning with “OR” in line 10 down through “REDUCED–COST” in line 11; strike beginning with “IF” in line 17 down through “CHARGE” in line 21 and substitute “A HOSPITAL MAY NOT CHARGE”; and strike beginning with the semicolon in line 23 down through “DISCHARGE” in line 27.

On page 6, strike in their entirety lines 7 through 23, inclusive, and substitute:

“(3) (1) THE COMMISSION SHALL DEVELOP GUIDELINES, WITH INPUT FROM STAKEHOLDERS, FOR AN INCOME–BASED PAYMENT PLAN OFFERED UNDER THIS SUBSECTION THAT INCLUDES:

1. THE AMOUNT OF MEDICAL DEBT OWED TO THE HOSPITAL;

2. THE DURATION OF THE PAYMENT PLAN BASED ON A PATIENT’S ANNUAL GROSS INCOME;

3. GUIDELINES FOR REQUIRING APPROPRIATE DOCUMENTATION OF INCOME LEVEL;

4. GUIDELINES FOR THE PAYMENT AMOUNT THAT:

A. MAY NOT EXCEED 5% OF THE INDIVIDUAL PATIENT’S FEDERAL OR STATE ADJUSTED GROSS MONTHLY INCOME; AND

B. SHALL CONSIDER FINANCIAL HARDSHIP, AS DEFINED IN § 19–214.1(A) OF THIS SUBTITLE;

5. GUIDELINES FOR:

A. THE DETERMINATION OF POSSIBLE INTEREST PAYMENTS FOR PATIENTS WHO DO NOT QUALIFY FOR FREE OR REDUCED-COST CARE, WHICH MAY NOT BEGIN BEFORE 180 DAYS AFTER THE DUE DATE OF THE FIRST PAYMENT; AND

B. A PROHIBITION ON INTEREST PAYMENTS FOR PATIENTS WHO QUALIFY FOR FREE OR REDUCED-COST CARE;

6. GUIDELINES FOR MODIFICATION OF A PAYMENT PLAN THAT DOES NOT CREATE A GREATER FINANCIAL BURDEN ON THE PATIENT; AND

7. A PROHIBITION ON PENALTIES OR FEES FOR PREPAYMENT OR EARLY PAYMENT.

(II) A HOSPITAL MAY NOT SEEK LEGAL ACTION AGAINST A PATIENT ON A DEBT OWED UNTIL THE HOSPITAL HAS ESTABLISHED AND IMPLEMENTED A PAYMENT PLAN POLICY THAT COMPLIES WITH THE GUIDELINES DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;

in lines 24 and 27, strike “(5)” and “(6)”, respectively, and substitute “(4) (1)” and “(5) (1)”, respectively; after line 26, insert:

“(II) IF A PATIENT MISSES A SCHEDULED MONTHLY PAYMENT, THE PATIENT SHALL CONTACT THE HEALTH CARE FACILITY AND IDENTIFY A PLAN TO MAKE UP THE MISSED PAYMENT WITHIN 1 YEAR AFTER THE DATE OF THE MISSED PAYMENT.

(III) THE HEALTH CARE FACILITY MAY, BUT MAY NOT BE REQUIRED TO, WAIVE ANY ADDITIONAL MISSED PAYMENTS THAT OCCUR WITHIN A 12-MONTH PERIOD AND ALLOW THE PATIENT TO CONTINUE TO PARTICIPATE IN THE INCOME-BASED PAYMENT PLAN AND NOT REFER THE OUTSTANDING BALANCE OWED TO A COLLECTION AGENCY OR FOR LEGAL ACTION.”;

in line 28, after “SUBSECTION” insert “AND THE GUIDELINES DEVELOPED BY THE COMMISSION UNDER PARAGRAPH (3) OF THIS SUBSECTION”; and in line 29, strike “(I)” and substitute “1.”.

On page 7, in line 2, strike “(II)” and substitute “2.”; after line 3, insert:

“(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT PROHIBIT A HOSPITAL FROM USING AN ELIGIBILITY VENDOR TO PROVIDE OUTREACH TO A PATIENT FOR PURPOSES OF ASSISTING THE PATIENT IN QUALIFYING FOR FINANCIAL ASSISTANCE.”;

in line 4, strike the third set of brackets; in line 5, strike “THE FIRST POSTDISCHARGE BILL WAS PROVIDED”; in line 21, strike “INFORMED” and substitute “NOTIFIED IN ACCORDANCE WITH FEDERAL LAW”; in line 23, strike “, AND UNTIL 60 DAYS AFTER THE APPEAL IS COMPLETE” and substitute “WITHIN THE IMMEDIATELY PRECEDING 60 DAYS”; in line 24, strike “UNTIL 60 DAYS AFTER” and substitute “IF”; and in line 25, after “CARE” insert “THAT WAS APPROPRIATELY COMPLETED BY THE PATIENT WITHIN THE IMMEDIATELY PRECEDING 60 DAYS”.

On page 8, strike beginning with “FIRST” in line 9 down through “POSTDISCHARGE” in line 10 and substitute “INITIAL”; strike in their entirety lines 21 and 22; in line 23, strike “(6)” and substitute “(5) (I)”; in line 24, after “BILL” insert “IF THE DECEASED PATIENT WAS KNOWN BY THE HOSPITAL TO BE ELIGIBLE FOR FREE CARE UNDER § 19-214.1 OF THIS SUBTITLE OR IF THE VALUE OF THE ESTATE AFTER TAX OBLIGATIONS ARE FULFILLED IS LESS THAN HALF OF THE DEBT OWED.”

(II) A HOSPITAL MAY OFFER THE FAMILY OF THE DECEASED PATIENT THE ABILITY TO APPLY FOR FINANCIAL ASSISTANCE”;

in line 25, strike “(7)” and substitute “(6)”; and strike beginning with the colon in line 26 down through “UNTIL” in line 29 and substitute “UNTIL”.

On page 9, strike in their entirety the lines 1 through 3, inclusive; strike beginning with “AS” in line 24 down through “COMMISSION” in line 25.

On page 10, in line 8, strike “NONPROFIT AND GOVERNMENT RESOURCES, INCLUDING”; in line 12, after “POLICY;” insert “AND”; strike in their entirety lines 13 through 19, inclusive; and in line 20, strike “8.” and substitute “6.”.

On page 11, in line 22, strike “ORAL NOTICE” and substitute “NOTICE”; and in line 23, after “POLICY” insert “AS DOCUMENTED UNDER § 19-214.1(F) OF THIS SUBTITLE”.

On page 12, in line 12, after “BILL;” insert “AND”; and strike in their entirety lines 13 through 18, inclusive, and substitute:

“(VI) A COPY OF THE PATIENT’S SIGNED CERTIFIED MAIL ACKNOWLEDGMENT OF RECEIPT OF THE WRITTEN NOTICE OF INTENT TO FILE AN ACTION, IF RECEIVED BY THE HOSPITAL.”

AMENDMENT NO. 4

On page 13, in line 10, strike “THE” and substitute “ON OR BEFORE FEBRUARY 1 EACH YEAR, BEGINNING IN 2023, THE”; strike beginning with “PREPARE” in line 10 down through “DEBT” in line 12 and substitute “COMPILE THE INFORMATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AND PREPARE A MEDICAL DEBT COLLECTION REPORT BASED ON THE COMPILED INFORMATION”; after line 18, insert:

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

(a) On or before January 1, 2022, the Commission shall develop guidelines, with input from stakeholders, for an income-based payment plan offered under this subsection that includes:

- (1) the amount of medical debt owed to the hospital;
- (2) the duration of the payment plan based on a patient’s annual gross income;
- (3) guidelines for requiring appropriate documentation of income level;
- (4) guidelines for the payment amount, that:
 - (i) may not exceed 5% of the individual patient’s federal or State adjusted gross monthly income; and

(ii) shall consider financial hardship, as defined in § 19–214.1(a) of the Health – General Article;

(5) guidelines for:

(i) the determination of possible interest payments for patients who do not qualify for free or reduced–cost care, which may not begin before 180 days after the due date of the first payment; and

(ii) a prohibition on interest payments for patients who qualify for free or reduced–cost care;

(6) guidelines for modification of a repayment plan that does not create a greater financial burden on the patient; and

(7) a prohibition on penalties or fees for prepayment or early payment.

(b) In developing the payment plan guidelines required under subsection (a) of this section, the Health Services Cost Review Commission shall seek input from stakeholders, including the Maryland Hospital Association, Maryland Insurance Administration, Office of the Attorney General, labor unions that represent the health care sector, a statewide nonprofit consumer rights group; patients’ rights organizations, legal service providers who work with patients who have experienced medical debt; and patients who have experienced medical debt.

(c) On or before January 1, 2022, the Commission shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, on the guidelines required under subsection (a) of this section.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Health Services Cost Review Commission shall study the impact on uncompensated care of:

(1) providing for a refund of amounts collected from patients or guarantors of patients who were later found by the hospital to be eligible for reduced–cost care; and

(2) requiring a hospital to forgive a judgment or strike adverse information if a hospital obtains a judgment against, or reports adverse information to a consumer reporting agency about patients who were later found by the hospital to be eligible for reduced-cost care.

(b) (1) In conducting the study required under subsection (a) of this section, if the Health Services Cost Review Commission determines that additional hospital data is required, the Commission shall notify the hospital of the data that is required.

(2) Not later than 30 days after receiving notification from the Commission under paragraph (1) of this subsection, a hospital shall submit the required data to the Commission.

(c) On or before January 1, 2022, the Health Services Cost Review Commission shall report the findings of the study required under subsection (a) of this section to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article.

SECTION 4. AND BE IT FURTHER ENACTED, That the Maryland Health Care Commission shall:

(1) examine the feasibility of using the State-designated Health Information Exchange to support the determination of financial status for purposes of determining eligibility for free or reduced-cost care or for an income-based payment plan; and

(2) on or before December 1, 2021, report the findings from the examination required under item (1) of this section to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article.”;

in line 19, strike “2.” and substitute “5.”; and strike beginning with “this” in line 19 down through “2021” in line 20 and substitute “Sections 2, 3, and 4 of this Act shall take effect June 1, 2021.

SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in Section 5 of this Act, this Act shall take effect January 1, 2022”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 693)

SENATE THIRD READING CALENDAR NO. 51 (GENERAL SENATE BILLS)

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 – 31 Negative – 16 (See Roll Call No. 694)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 695)

ADJOURNMENT

At 12:02 P.M. on motion of Senator King the Senate adjourned until 10:30 A.M. on Legislative Day March 5, 2021, Calendar Day, Thursday, March 25, 2021.

Annapolis, Maryland
Legislative Day: March 5, 2021
Calendar Day: Thursday, March 25, 2021
10:30 A.M. Session

The Senate met at 10:52 A.M.

Prayer by Father Gerry Francik, St. Charles Borromeo Parish, guest of Senator Hettleman.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 696)

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

MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 27

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

AN ACT concerning

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

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~One Billion, One Hundred Seven Million, Four Hundred Twenty Seven Thousand Dollars (\$1,107,427,000)~~ One Billion, Six Million, Three Hundred Seventy Thousand, Six Hundred Twenty Dollars (\$1,006,370,620), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to certain requirements that certain matching funds be provided and expended by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; imposing a certain tax on all assessable property in the State; requiring that certain grantees convey certain easements under certain circumstances to the Maryland

Historical Trust; providing that the proceeds of certain loans must be expended or encumbered by a certain date; authorizing the Board of Public Works, under certain circumstances, to approve certain appropriations, notwithstanding certain technical differences; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; reducing prior authorizations of State Debt; requiring that certain projects be constructed at certain locations; adding, altering, and repealing certain requirements for certain appropriations; specifying the use of certain project funds; altering and expanding the authorized purpose of certain grants; providing that certain grants may not terminate before certain dates; authorizing premiums from the sale of State bonds in certain fiscal years to be used for certain purposes under certain circumstances; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization acts; specifying the use of certain project funds; authorizing the creation of State Debt in certain years to be used for certain purposes; providing for the intent of the General Assembly; making certain technical corrections; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 463 of the Acts of the General Assembly of 2014, Chapter 495 of the Acts of the General Assembly of 2015, Chapter 27 of the Acts of the General Assembly of 2016, Chapter 22 of the Acts of the General Assembly of 2017, Chapter 9 of the Acts of the General Assembly of 2018, and Chapter 14 of the Acts of the General Assembly of 2019

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 14 of the Acts of the General Assembly of 2019

Section 1(3) Item RC00(A)

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, Chapter 495 of the Acts of the General Assembly of 2015, Chapter 27 of the Acts of the General Assembly of 2016, Chapter 22 of the Acts of the General Assembly of 2017, Chapter 9 of the Acts of the General Assembly of 2018, Chapter 14 of the Acts of the General Assembly of 2019, and Chapter 537 of the Acts of the General Assembly of 2020

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter 22 of the Acts of the General Assembly of 2017 and Chapter 537 of the Acts of the

General Assembly of 2020
Section 1(3) Item DE02.01(A)

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item RM00(A)

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014, as amended by Chapter 495 of the Acts of the General Assembly of 2015, Chapter 27 of the Acts of the General Assembly of 2016, Chapter 22 of the Acts of the General Assembly of 2017, Chapter 9 of the Acts of the General Assembly of 2018, Chapter 14 of the Acts of the General Assembly of 2019, and Chapter 537 of the Acts of the General Assembly of 2020
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014, as amended by Chapter 9 of the Acts of the General Assembly of 2018 and Chapter 14 of the Acts of the General Assembly of 2019
Section 1(3) Item RD00(A)

BY repealing and reenacting, with amendments,
Chapter 495 of the Acts of the General Assembly of 2015
Section 1(3) Item UA01(A) and WA01(A)

BY repealing and reenacting, with amendments,
Chapter 495 of the Acts of the General Assembly of 2015, as amended by Chapter 27 of the Acts of the General Assembly of 2016, Chapter 22 of the Acts of the General Assembly of 2017, Chapter 9 of the Acts of the General Assembly of 2018, and Chapter 14 of the Acts of the General Assembly of 2019
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 27 of the Acts of the General Assembly of 2016
Section 1(3) Item RE01(A)

BY repealing and reenacting, with amendments,
Chapter 27 of the Acts of the General Assembly of 2016, as amended by Chapter 22 of the Acts of the General Assembly of 2017, Chapter 9 of the Acts of the General Assembly of 2018, Chapter 14 of the Acts of the General Assembly of 2019, and Chapter 537 of the Acts of the General Assembly of 2020
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 22 of the Acts of the General Assembly of 2017
Section 1(3) Item ZA02(E) and (K) and ZA03(U) and (AQ)

BY repealing and reenacting, with amendments,
Chapter 22 of the Acts of the General Assembly of 2017, as amended by Chapter 537
of the Acts of the General Assembly of 2020
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 9 of the Acts of the General Assembly of 2018
Section 1(1), 1(3) Item ML10(A) and ZA02(AN), and 14(1) Item DE02.02(A)

BY repealing and reenacting, with amendments,
Chapter 14 of the Acts of the General Assembly of 2019
Section 1(3) Item ML10(A)

BY repealing and reenacting, with amendments,
Chapter 537 of the Acts of the General Assembly of 2020
Section 1(3) Item ZA01(C) and 16(1) Item RB36(A) and RB25(A)

BY repealing
Chapter 537 of the Acts of the General Assembly of 2020
Section 13, 14, and 15

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

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

AN ACT concerning

University System of Maryland – Academic Facilities Bonding Authority

FOR the purpose of approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; approving the issuance of bonds by the University System of Maryland in a certain total principal amount for financing the projects; providing that the bonds issued under the authority of this Act are not a debt or obligation of the State or any of its subdivisions; and generally relating to academic facilities bonding authority of the University System of Maryland and certain projects.

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

House Bill 1374 – Delegate B. Barnes

AN ACT concerning

Prior Authorizations of State Debt – Alterations

FOR the purpose of amending certain prior authorizations of State Debt to alter the requirement that certain grantees provide certain matching funds; extending the termination date of certain grants; changing the locations of certain capital projects; altering the purposes of certain grants; changing the names of certain grantees; altering the authorized uses of certain grants; altering certain matching fund and expenditure requirements; repealing certain provisions of prior authorizations of State Debt that require the recipients of certain grants to provide and expend a certain matching fund; making technical corrections; and generally relating to amending prior authorizations of State Debt.

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 27
of the Acts of the General Assembly of 2016 and Chapter 9 of the Acts of the
General Assembly of 2018
Section 1(3) Item ZA03(AS)

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA02(Y) and ZA03(M)

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA00(G), ZA01(H), ZA02(C) and (AI), ZA03(C), (AF), and (BR)

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014, as amended by Chapter
495 of the Acts of the General Assembly of 2015
Section 1(3) Item ZA00(AV)

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014, as amended by Chapter 27
of the Acts of the General Assembly of 2016, Chapter 22 of the Acts of the
General Assembly of 2017, and Chapter 595 of the Acts of the General
Assembly of 2020
Section 1(3) Item ZA03(AR)

BY repealing and reenacting, with amendments,
Chapter 495 of the Acts of the General Assembly of 2015
Section 1(3) Item ZA00(AC)

BY repealing and reenacting, with amendments,
Chapter 495 of the Acts of the General Assembly of 2015, as amended by Chapter
595 of the Acts of the General Assembly of 2020
Section 1(3) Item ZA02(AR)

BY repealing and reenacting, with amendments,
Chapter 27 of the Acts of the General Assembly of 2016, as amended by Chapter 22

of the Acts of the General Assembly of 2017
Section 1(3) Item ZA00(S) and ZA02(AU)

BY repealing and reenacting, with amendments,
Chapter 27 of the Acts of the General Assembly of 2016, as amended by Chapter 9 of
the Acts of the General Assembly of 2018
Section 1(3) Item ZA02(Q)

BY repealing and reenacting, with amendments,
Chapter 27 of the Acts of the General Assembly of 2016, as amended by Chapter 737
of the Acts of the General Assembly of 2019
Section 1(3) Item ZA03(BR)

BY repealing and reenacting, with amendments,
Chapter 27 of the Acts of the General Assembly of 2016, as amended by Chapter 22
of the Acts of the General Assembly of 2017, Chapter 9 of the Acts of the
General Assembly of 2018, and Chapter 595 of the Acts of the General
Assembly of 2020
Section 1(3) Item ZA02(AP) and ZA03(AN)

BY repealing and reenacting, with amendments,
Chapter 22 of the Acts of the General Assembly of 2017
Section 1(3) Item ZA02(X)

BY repealing and reenacting, with amendments,
Chapter 14 of the Acts of the General Assembly of 2019
Section 1(3) Item ZA00(AJ), (EZ), and (FE)

BY repealing
Chapter 14 of the Acts of the General Assembly of 2019
Section 1(5)

BY adding to
Chapter 14 of the Acts of the General Assembly of 2019
Section 1(5)

BY repealing and reenacting, with amendments,
Chapter 537 of the Acts of the General Assembly of 2020
Section 1(3) Item ZA00(DI), (DQ), and (DV), ZA02(AE), and ZA03(P)

BY adding to
Chapter 537 of the Acts of the General Assembly of 2020
Section 1(3) Item ZA00(DQ–1) and (5)

BY repealing
Chapter 537 of the Acts of the General Assembly of 2020
Section 1(5)

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

MESSAGE FROM THE CHIEF EXECUTIVE

March 24, 2021

The Honorable Bill Ferguson
President of the Senate
H-107 State House
Annapolis, Maryland 21401

Dear President Ferguson:

In accordance with Article II, §13 of the Constitution of Maryland, I am pleased to submit the following appointment nomination for confirmation by the Maryland State Senate.

Washington County Commissioner
Charles A. Burkett, Jr.
12906 Pinehill Drive
Hagerstown, Maryland 21740
Washington County, Legislative District 2A
New Appointment
To serve until the General Election of November, 2022

This individual brings exceptional knowledge and ability to the office for which he has been nominated. I am confident he will provide the strength of experience and leadership to instill confidence among our citizens and ensure we succeed in our goals for Marylanders.

I look forward to your favorable approval of this nominee. Thank you for your assistance and support.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

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

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

AN ACT concerning

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

Senator Peters moved to suspend the rules to allow **House Bill 590** to be re-referred to the Committee on Budget and Taxation.

The motion was adopted.

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

AN ACT concerning

University System of Maryland – Academic Facilities Bonding Authority

Senator Peters moved to suspend the rules to allow **House Bill 1341** to be re-referred to the Committee on Budget and Taxation.

The motion was adopted.

House Bill 1374 – Delegate B. Barnes

AN ACT concerning

Prior Authorizations of State Debt – Alterations

Senator Peters moved to suspend the rules to allow **House Bill 1374** to be re-referred to the Committee on Budget and Taxation.

The motion was adopted.

FINANCE COMMITTEE REPORT NO. 26

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 469 – Senator Washington

AN ACT concerning

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

SB0469/757475/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 469

(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, in line 13, after “(C)” insert “**(1)**”; in the same line, strike “**THE**” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**”; after line 17, insert:

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

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

and in line 19, 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.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1372 – The Speaker

EMERGENCY BILL

AN ACT concerning

Blueprint for Maryland's Future – Revisions

HB1372/413726/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1372 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “local” and substitute “county”; in line 8, after “devices;” insert “specifying that certain funds are intended to be supplemental to certain existing funding; requiring each county board to submit to the State Department of Education certain reports on information technology and requiring the State Department of Education to submit to the General Assembly a certain report on information technology on or before certain dates each year; requiring the State Department of Education to establish certain reporting requirements on or before a certain date;”; in line 10, after “grant;” insert “authorizing certain eligible schools to use excess funds from a certain personnel grant for certain purposes under certain circumstances;”; and in line 18, after “purpose;” insert “providing that a certain requirement may be satisfied by conducting a certain screening;”.

On page 2, in line 3, after “circumstances;” insert “providing that a certain provision of law is no longer applicable if a certain individual who is required to appoint certain members to the Nominating Committee fails to make certain appointments within a certain period of time;”; in line 9, after “training;” insert “requiring each county to ensure a certain percentage of certain prekindergarten slots in the county rather than certain providers;”; in line 15, after “needs;” insert “requiring the State Department of Education to consult with the Accountability and Implementation Board to contract with a certain entity to conduct a certain study;”; in line 17, after “through” insert “a certain course or”; in line 18, after “sponsor;” insert “requiring a virtual school to follow certain standards; requiring the Governor to include in the annual budget bill a certain appropriation to the State”.

Department of Education for the Director of Community Schools to provide certain training, assistance, and additional staff; requiring the CTE Committee or the State Board of Education, as appropriate, to include in a certain State plan certain goals and programs, to the extent authorized by federal law;; in line 19, after “date;” insert “requiring the Workgroup on English Language Learners in Public Schools to measure and make recommendations regarding certain learning loss for English language learners;”; in line 39, after “purpose;” insert “requiring each local school system, on or before a certain date, to complete a certain assessment and report on the findings to the Accountability and Implementation Board, the State Department of Education, and the State Board of Education; requiring the State Department of Education, on or before a certain date, to conduct a certain evaluation and report on the evaluation to the General Assembly; authorizing county governing bodies to use certain funds to meet certain maintenance of effort requirements, to the extent authorized by federal law; defining a certain term;”; and in line 46, after “(c)(1)(i)1.” insert “and (4)”.

On page 3, in line 3, strike “(2)(i)” and substitute “(2)”; in the same line, after “5-403(b)(2)” insert “and (d)”; in line 9, after “7-210(a),” insert “7-1401, 7-1403,”; in the same line, after “9.5-1002(d),” insert “9.9-103(c),”; in line 17, strike “5-404(b)(3)” and substitute “5-404(a)(3)”; in the same line, strike the second “and”; and in line 18, after “7-205.1(c)(3)” insert “, and 21-202(d)(3)”.

AMENDMENT NO. 2

On page 6, in line 4, after “(C)” insert “(1)”; in the same line, strike “LOCAL” and substitute “COUNTY”; and after line 6, insert:

“(2) ADDITIONAL FUNDS PROVIDED IN THE TARGET PER PUPIL FOUNDATION AMOUNT FOR EDUCATIONAL TECHNOLOGY ARE INTENDED TO SUPPLEMENT AND NOT SUPPLANT EXISTING FUNDING PROVIDED FOR EDUCATIONAL TECHNOLOGY.

(3) (1) ON OR BEFORE NOVEMBER 15 EACH YEAR, EACH COUNTY BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT DETAILING, FOR THE PREVIOUS FISCAL YEAR:

1. THE AMOUNT SPENT BY THE LOCAL SCHOOL SYSTEM ON TECHNOLOGY DISAGGREGATED BY DIGITAL DEVICES, CONNECTIVITY, AND INFORMATION TECHNOLOGY STAFF; AND

2. THE PERCENTAGE OF STUDENTS, TEACHERS, AND STAFF WITH DIGITAL DEVICES AND ADEQUATE CONNECTIVITY IN THEIR HOMES IN ACCORDANCE WITH THE FEDERAL COMMUNICATIONS COMMISSION STANDARDS FOR BROADBAND.

(II) ON OR BEFORE DECEMBER 15 EACH YEAR, THE DEPARTMENT SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, A COMPILATION OF THE REPORTS SUBMITTED TO THE DEPARTMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) ON OR BEFORE SEPTEMBER 1, 2021, THE DEPARTMENT SHALL ESTABLISH UNIFORM REPORTING REQUIREMENTS, INCLUDING DEFINITIONS TO ENSURE THAT CONSISTENT AND COMPARABLE REPORTS ARE SUBMITTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”.

On page 9, after line 23, insert:

“(4) If the personnel grant provided to an eligible school exceeds the cost to employ the positions and provide the coverage required under paragraph (2) of this subsection, the eligible school may only use the excess funds to[

(i) Provide wraparound services to the students enrolled in the eligible school;

(ii) Complete the needs assessment; and

(iii) In fiscal years 2021 and 2022, provide the requirements under COMAR 13A.04.16.01] PROVIDE HEALTH CARE SERVICES VIA A SCHOOL HEALTH SERVICES PROGRAM, A COUNTY HEALTH DEPARTMENT, OR A SCHOOL-BASED HEALTH CENTER.”.

On page 13, in line 2, after “(5)” insert “(I)”; and after line 5, insert:

“(II) THE REQUIREMENT THAT A STUDENT RECEIVE A PRE-STANDARDIZED ASSESSMENT FOR LITERACY IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE SATISFIED BY CONDUCTING THE READING SCREENING ESTABLISHED IN § 4-136 OF THIS ARTICLE.”.

On page 15, in line 25, strike “AND (III)” and substitute “, (III), AND (IV)”; after line 28, insert:

“(ii) Except as provided in subsection (c)(2) of this section, in fiscal years 2022 and 2023, if a county’s education effort, as defined in subsection (j) of this section, is below 100% of the statewide 5–year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:

1. The county’s increase in the local wealth per pupil USING THE SEPTEMBER 2019 FULL–TIME EQUIVALENT ENROLLMENT;
2. The statewide average increase in local wealth per pupil USING THE SEPTEMBER 2019 FULL–TIME EQUIVALENT ENROLLMENT; or
3. 2.5%.”;

and in line 29, strike “FOR” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, FOR”.

On page 16, after line 7, insert:

“(IV) IF A COUNTY IS REQUIRED TO MAKE AN ADJUSTMENT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IN FISCAL YEAR 2022, FOR FISCAL YEAR 2023, THE COUNTY GOVERNING BODY SHALL APPROPRIATE LOCAL FUNDS TO THE SCHOOL OPERATING BUDGET IN AN AMOUNT NOT LESS THAN:

1. THE FISCAL YEAR 2022 LOCAL APPROPRIATION DIVIDED BY THE GREATER OF:
 - A. THE FULL–TIME EQUIVALENT ENROLLMENT IN SEPTEMBER 2019; OR
 - B. THE 3–YEAR AVERAGE OF THE FULL–TIME EQUIVALENT ENROLLMENT FOR SEPTEMBER 2017, 2018, AND 2019; MULTIPLIED BY
2. THE GREATER OF:
 - A. THE FULL–TIME EQUIVALENT ENROLLMENT IN SEPTEMBER 2021; OR

B. THE 3-YEAR AVERAGE OF THE FULL-TIME EQUIVALENT ENROLLMENT FOR SEPTEMBER 2018, 2019, AND 2021; MULTIPLIED BY

3. THE PER PUPIL INCREASE REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IN FISCAL YEAR 2023.

On page 17, after line 24, insert:

“(III) IF THE THIRD INDIVIDUAL REQUIRED TO APPOINT MEMBERS TO THE NOMINATING COMMITTEE DOES NOT APPOINT THE REMAINING TWO MEMBERS TO THE NOMINATING COMMITTEE WITHIN THE TIME PERIOD REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, SUBSECTION (D) OF THIS SECTION NO LONGER APPLIES.

(d) [Nominations] **EXCEPT AS PROVIDED IN SUBSECTION (B)(2)(III) OF THIS SECTION, NOMINATIONS** for the Board made by the Nominating Committee shall be decided by a majority vote, provided that at least one vote cast in the majority is a vote cast by each of a member appointed by the Governor, the President of the Senate, and the Speaker of the House.”;

in line 26, after “(3)” insert **“THE COMPREHENSIVE IMPLEMENTATION PLAN SHALL INCLUDE THE INTENDED OUTCOMES THAT THE BLUEPRINT FOR MARYLAND’S FUTURE WILL ACHIEVE.**

(4)”;

and strike beginning with **“THE”** in line 28 down through **“(4)”** in line 31.

On page 20, in line 16, strike “2021,” and substitute **“2022,”**.

On page 23, in line 25, after “year,” insert **“PREKINDERGARTEN SLOTS PROVIDED BY”**; in line 26, after “of” insert **“THE TOTAL PREKINDERGARTEN SLOTS PROVIDED BY”**; and in lines 28, 30, 33, and 34, in each instance, strike “providers” and substitute **“PROVIDER PREKINDERGARTEN SLOTS”**.

On page 26, in line 14, after “Department” insert **“, IN CONSULTATION WITH THE ACCOUNTABILITY AND IMPLEMENTATION BOARD,”**.

On page 27, in line 7, after “institution” insert “, THROUGH AN ADVANCED PLACEMENT COURSE AT A SECONDARY INSTITUTION,”; and after line 21, insert:

7-1401.

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

(b) “QUALITY ONLINE EDUCATION STANDARDS” MEANS THE NATIONAL STANDARDS FOR QUALITY ONLINE PROGRAMS: SECOND EDITION (2019).

(c) “Sponsor” means the Department or a county school board, having a fiduciary responsibility for the operation of the virtual school.

[(c)] (d) “Virtual school” means a public school established by the Department or by a county board under § 4-109 of this article in which the school uses technology to deliver a significant portion of instruction to its students via the Internet in a virtual or remote setting.

7-1403.

(a) A virtual school shall provide each enrolled student:

(1) Access to a sequential curriculum approved by the State Board that meets or exceeds the standards adopted by the county board in the county of the virtual school’s principal place of business;

(2) The same length of time for learning opportunities per academic year that is required for public school students, unless the virtual school can show that a student has demonstrated mastery or completion of the subject area; and

(3) Regular assessment in the core areas of instruction as required by regulations adopted by the State Board under § 7-1408 of this subtitle.

(b) A curriculum adopted under subsection (a) of this section shall have an interactive program with significant online components.

(C) BEGINNING IN THE 2021–2022 SCHOOL YEAR, A VIRTUAL SCHOOL SHALL FOLLOW THE QUALITY ONLINE EDUCATION STANDARDS.”.

On page 28, after line 6, insert:

“9.9–103.

(c) (1) There shall be a Director of Community Schools in the Department.

(2) The Director of Community Schools in the Department shall coordinate professional development for community school coordinators at each community school.

(3) IN ADDITION TO THE FUNDING PROVIDED FOR THE DIRECTOR OF COMMUNITY SCHOOLS POSITION IN THE DEPARTMENT, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$100,000 TO THE DEPARTMENT FOR THE DIRECTOR OF COMMUNITY SCHOOLS TO PROVIDE TRAINING AND TECHNICAL ASSISTANCE TO COMMUNITY SCHOOLS AND FOR ADDITIONAL STAFF.”;

and after line 20, insert:

“(3) THE CTE COMMITTEE OR THE STATE BOARD OF EDUCATION, AS APPROPRIATE, SHALL INCLUDE IN THE STATE PLAN REQUIRED UNDER THE CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT GOALS AND PROGRAMS THAT ARE CONSISTENT WITH THE BLUEPRINT FOR MARYLAND’S FUTURE, AS DEFINED IN § 5–401 OF THIS ARTICLE, TO THE EXTENT CONSISTENT WITH FEDERAL LAW.”.

On page 32, in line 16, strike “and”; and in line 19, after “provided” insert “;AND”

(4) MEASURE AND MAKE RECOMMENDATIONS TO ADDRESS LEARNING LOSS AS A RESULT OF THE COVID–19 PANDEMIC FOR ENGLISH LANGUAGE LEARNERS”.

On page 34, in line 2, strike the second “and”; after line 2, insert:

“(2) provide education technology, including digital devices, broadband connectivity, and information technology staff; and”;

in line 3, strike “(2)” and substitute “(3)”; in line 26, after “students” insert “, including students who will be in kindergarten in the upcoming school year and were eligible to”

attend a publicly funded prekindergarten program.”; in line 34, strike “may” and substitute “in 2021, shall”; and in lines 34 and 35, strike “and reduced price”.

On page 34 in line 28, and on page 35 in line 26, in each instance, after “county board’s” insert “or public school’s”.

On page 35, in line 1, strike “may provide” and substitute “shall offer”; and in the same line, after “services” insert “to students who need transportation to participate in the program”.

On page 36, in line 1, after “for” insert “middle school and”.

On page 37, in line 8, after “students” insert “, including pupil-to-tutor ratio or group size, the frequency of sessions, the amount of time per session, and the number of sessions”; in line 15, strike “due to the effects of” and substitute “exacerbated by”; in line 25, strike “due to the effects of” and substitute “exacerbated by”; in the same line, strike the second “and”; and in line 27, after “students” insert “; and”

(iv) develop key metrics and procedures, consistent with State and federal guidance, to evaluate the effectiveness and impact of behavioral health services provided to students under this section”.

On page 38, in line 6, strike “due to the effects of” and substitute “exacerbated by”; in the same line, strike the second “and”; in line 8, after “students” insert “; and”

(iv) measured the effectiveness and impact of behavioral health services provided to students using key metrics and procedures developed under this section”;

after line 22, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2021, each local school system shall:

(1) complete a virtual learning self-assessment using a research-based framework recommended by the State Board of Education; and

(2) report on the findings of the assessment under item (1) of this

subsection to the Accountability and Implementation Board established under § 5–402 of the Education Article, the State Department of Education, and the State Board of Education.

(b) On or before December 1, 2023, the State Department of Education shall:

(1) conduct an evaluation of each virtual school; and

(2) report, in accordance with § 2–1257 of the State Government Article, to the General Assembly on the findings of the evaluation under item (1) of this subsection.

SECTION 8. AND BE IT FURTHER ENACTED, That county governing bodies may, to the extent authorized under federal law, use federal funds to meet the maintenance of effort requirement under § 5–235 of the Education Article.”;

and in line 23, strike “7.” and substitute “9.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 24

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 187 – Senator Sydnor

AN ACT concerning

Criminal Procedure – Forensic Genetic Genealogical DNA Analysis, Searching, Regulation, and Oversight

SB0187/228378/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 187

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “authorization;” insert “requiring a court to authorize the initiation of a certain forensic genetic genealogical DNA analysis and search if certain information is certified before the court;”; in line 14, after “training” insert “within a certain period of time”; in line 20, after “investigation” insert “, certain criminal sentencing;”; in the same line, after “order;” insert “requiring a certain genetic genealogist to turn over certain records to the investigator in a certain case; prohibiting a certain genetic genealogist from maintaining certain records; requiring the prosecutor in a certain case to maintain and disclose certain records and materials under certain circumstances;”; and in line 25, after “action;” insert “authorizing a prosecutor in a certain case to file a certain appeal under certain circumstances;”.

On page 2, in line 4, strike “criteria to satisfy certain requirements;” and substitute “licensing programs; requiring the Office of Health Care Quality to develop a certain training program and identify and approve one or more genetic counselors to administer certain training; requiring the Maryland Forensic Laboratory Advisory Committee to establish certain best practices and recommend certain regulations; prohibiting any restrictions from being placed on a certain laboratory or genetic genealogist prior to the establishment of a certain licensing program; requiring that certain laboratories and genetic genealogists apply for a certain license within a certain time;”; in lines 4 and 5, strike “Department of Public Safety and Correctional Services” and substitute “Governor’s Office of Crime Prevention, Youth, and Victim Services”; and in line 6, after “report” insert “and make policy recommendations”.

AMENDMENT NO. 2

On page 2, in line 25, strike “CONSUMERS” and substitute “MEMBERS OF THE PUBLIC AND LAW ENFORCEMENT AGENCIES”; in line 29, strike the second “A” and substitute “AN”; in line 31, after “MEANS” insert “:”

(1)”;

strike beginning with “OF” in line 31 down through “SAMPLE” in line 32; in line 33, strike the first “A” and substitute “AN”; in the same line, strike the comma and substitute “:”

(2)”;

and in line 35, strike the comma.

On page 3, in line 2, strike the first “AND” and substitute “; AND”

(3);

strike beginning with “THE” in line 3 down through “UNDER” in line 4; in line 7, strike the comma and substitute “OR”; in line 9, strike “THE” and substitute “BIOLOGICAL MATERIAL FROM”; in line 10, strike “OF A SUSPECTED HOMICIDE VICTIM”; in line 19, after “INVESTIGATORS” insert “TO HAVE COMMITTED THE CRIME UNDER INVESTIGATION AND”; in line 20, strike “DURING, OR INCIDENT TO,” and substitute “DURING OR INCIDENT TO”; in line 28, after “(K)” insert “(1)”; in line 30, strike “IS ALTERED AND” and substitute “VARIABLES.”; and in the same line, strike “THESE VARIATIONS” and substitute:

“(2) “SINGLE-NUCLEOTIDE POLYMORPHISMS” INCLUDES VARIATIONS THAT.

On page 4, in line 4, after “(A)” insert “(1)”; in line 6, strike “PROVIDED FOR UNDER” and substitute “SET FORTH IN”; after line 6, insert:

“(2) IF AN FGGS IS CERTIFIED BEFORE A COURT IN ACCORDANCE WITH THIS SECTION, THE COURT SHALL AUTHORIZE THE INITIATION OF THE FGGS.”;

in line 9, strike “THE FOLLOWING” and substitute “THAT”; strike beginning with “A” in line 10 down through “PRESENT” in line 13 and substitute “THE COMMISSION OF, OR THE ATTEMPT TO COMMIT, MURDER, RAPE, A FELONY SEXUAL OFFENSE, OR A CRIMINAL ACT INVOLVING CIRCUMSTANCES PRESENTING”; in line 18, after “FROM” insert “;”

(I);

in the same line, strike the first comma and substitute “;”

(II);

in the same line, after “ITEM,” insert “OR”; in line 19, strike “, OR” and substitute a “; OR”

(III)”;

in line 25, after “**(4)**” insert “**UNLESS THE CRIME BEING INVESTIGATED PRESENTS AN ONGOING THREAT TO PUBLIC SAFETY OR NATIONAL SECURITY CONCERNS,**”; in the same line, strike “**TRIED**” and substitute “**PURSUED**”; in line 26, after “**FAILED**” insert “**TO IDENTIFY THE PERPETRATOR**”; in line 27, strike “**EITHER**” and substitute “**WHETHER**”; and in line 32, after “**THAT**” insert “**:**”

(1)”.

On page 5, in line 1, strike “**UNIDENTIFIED**”; in the same line, after “**REMAINS**” insert “**;** **AND**

(2) SEEKS ACKNOWLEDGEMENT AND CONSENT FROM ITS SERVICE USERS REGARDING THE SUBSTANCE OF THE NOTICE DESCRIBED IN ITEM (1) OF THIS SUBSECTION”;

in line 3, strike the second “**THE**”; in line 6, strike “**INFORMED**” and substitute

“(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, INFORMED”; after line 9, insert:

“(II) IF THE USE OF INFORMED CONSENT WILL COMPROMISE THE INVESTIGATION AS DEMONSTRATED UNDER SUBSECTION (G)(1)(II) OF THIS SECTION AND THE THIRD PARTY HAS NOT ALREADY REFUSED TO CONSENT, INVESTIGATORS MAY SEEK AUTHORIZATION TO COVERTLY COLLECT A DNA SAMPLE IN ACCORDANCE WITH SUBSECTION (G) OF THIS SECTION.”;

in line 11, strike “**BIOETHICIST**” and substitute “**GENETIC COUNSELOR**”; in line 12, after “**QUALITY**” insert “**UNDER § 17-104 OF THIS SUBTITLE WITHIN 1 YEAR AFTER THE OFFICE OF HEALTH CARE QUALITY HAS IDENTIFIED AND APPROVED A GENETIC COUNSELOR OR WITHIN 1 YEAR AFTER THE PERSON JOINS THE INVESTIGATIVE UNIT CONDUCTING THE INVESTIGATION, WHICHEVER IS LATER**”; in line 18, after “**INVESTIGATION**” insert “**AND HAS THE RIGHT TO REFUSE TO CONSENT TO THE COLLECTION OF A DNA SAMPLE**”; after line 18, insert:

“(III) THE LAW PROHIBITS THE COVERT COLLECTION OF A DNA SAMPLE IF THE THIRD PARTY REFUSES TO CONSENT TO THE COLLECTION OF A DNA SAMPLE;”;

and in lines 19, 24, and 27, strike “(III)”, “(IV)”, and “(V)”, respectively, and substitute “(IV)”, “(V)”, and “(VI)”, respectively.

On page 6, in line 5, strike “A” and substitute “AN”; in line 7, after “(G)” insert “(1)”; in the same line, strike “MAY BE” and substitute “ARE”; strike beginning with “PERSON” in line 9 down through “SATISFIED” in line 10 and substitute “PUTATIVE PERPETRATOR OR A THIRD PARTY”; in lines 11, 13, 15, 19, 22, and 27, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively; in line 12, after “PERPETRATOR’S” insert “OR THE THIRD PARTY’S”; strike beginning with “A” in line 13 down through “NECESSARY” in line 14 and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR A COVERT COLLECTION OF A DNA SAMPLE OF A THIRD PARTY, INVESTIGATIVE AUTHORITIES SHALL PROVIDE AN AFFIDAVIT TO THE COURT DEMONSTRATING THAT SEEKING INFORMED CONSENT FROM A THIRD PARTY CREATES SUBSTANTIAL RISK THAT A PUTATIVE PERPETRATOR WILL FLEE, THAT ESSENTIAL EVIDENCE WILL BE DESTROYED, OR THAT OTHER IMMINENT OR IRREVERSIBLE HARM TO THE INVESTIGATION WILL OCCUR”; in line 19, before “ANY” insert “FOR A COVERT COLLECTION OF A DNA SAMPLE OF A PUTATIVE PERPETRATOR,”; in line 20, strike “A” and substitute “AN”; in line 22, after “SAMPLE” insert “, INCLUDING SNPs AND OTHER GENETIC PROFILES OR RELATED INFORMATION,”; in lines 27 and 32, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; in lines 28 and 33, in each instance, strike “FROM A PUTATIVE PERPETRATOR”; in line 31, strike “PARAGRAPH (3) OF THIS SUBSECTION” and substitute “ITEM (III) OF THIS PARAGRAPH”; and after line 34, insert:

“(2) THE FEAR THAT A THIRD PARTY WILL REFUSE INFORMED CONSENT MAY NOT CONSTITUTE A BASIS FOR SEEKING COVERT COLLECTION OF A DNA SAMPLE FROM THE THIRD PARTY.”

On page 7, in line 1, strike “ON THE COMPLETION OF THE FGGS INVESTIGATION” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON COMPLETION OF AN FGGS INVESTIGATION THAT DOES NOT RESULT IN A PROSECUTION OR RESULTS IN AN ACQUITTAL, OR ON COMPLETION”

OF A SENTENCE AND POSTCONVICTION LITIGATION ASSOCIATED WITH A CONVICTION OBTAINED THROUGH THE USE OF FGGS.”; in line 5, strike “ENSURE THAT”; in the same line, after “ALL” insert “PERSONS IN POSSESSION OF”; in line 7, strike “ARE DESTROYED” and substitute “TO DESTROY THE SAMPLES AND INFORMATION”; after line 7, insert:

“(II) 1. ON THE COMPLETION OF AN FGGS INVESTIGATION, THE GENETIC GENEALOGIST PARTICIPATING IN THE FGGS SHALL TURN OVER TO THE INVESTIGATOR ALL RECORDS AND MATERIALS COLLECTED IN THE COURSE OF THE FGGS, INCLUDING MATERIAL SOURCED FROM PUBLIC RECORDS, FAMILY TREES CONSTRUCTED, AND ANY OTHER GENETIC OR NONGENETIC DATA COLLECTED IN THE FGGS.

2. THE GENETIC GENEALOGIST MAY NOT KEEP ANY RECORDS OR MATERIALS IN ANY FORM, INCLUDING DIGITAL OR HARD COPY RECORDS.

3. THE GENETIC GENEALOGIST SHALL ENSURE THAT ALL RECORDS DESCRIBED UNDER THIS SUBPARAGRAPH HAVE BEEN DELETED OR REMOVED FROM ANY FGGS WEBSITE.

4. THE PROSECUTOR SHALL RETAIN AND DISCLOSE ANY RECORDS OR MATERIALS AS REQUIRED UNDER THE MARYLAND CONSTITUTION OR THE UNITED STATES CONSTITUTION AND THE RULES OF DISCOVERY AS PROVIDED IN MARYLAND RULES 4-262 AND 4-263, BUT MAY NOT OTHERWISE USE OR SHARE THE RECORDS OR MATERIALS.”;

in lines 19 and 20, in each instance, strike “A” and substitute “AN”; strike beginning with the third comma in line 23 down through “ARTICLE” in line 24; in line 26, after “SAMPLES” insert “THAT ARE REQUIRED TO BE DESTROYED IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION”; strike beginning with the second comma in line 29 down through “ARTICLE” in line 30; and after line 35, insert:

“(L) A PROSECUTOR IN A CRIMINAL CASE THAT INVOLVES AN FGGS INVESTIGATION MAY FILE WITH THE COURT OF SPECIAL APPEALS AN APPEAL FROM

AN INTERLOCUTORY ORDER BY A COURT THAT EXCLUDES OR SUPPRESSES EVIDENCE IN THE FORM OF AN STR DNA PROFILE OBTAINED FROM THE FGGS.

On page 8, in line 6, strike “A” and substitute “AN”; strike beginning with “THE” in line 7 down through “CRITERIA” in line 8; in line 11, after “FROM” insert “:

(I);

in the same line, strike the first comma and substitute “:

(II);

in line 12, strike the second “, OR” and substitute “:**OR**

(III);

in line 14, strike “A” and substitute “AN”; in line 19, strike “EITHER” and substitute “WHETHER”; in the same line, strike “MAY” and substitute “WILL NOT”; in line 22, strike “A” and substitute “AN”; in line 24, after “THAT” insert “:

(I);

in the same line, strike “THEIR” and substitute “ITS”; in line 25, strike “THEIR” and substitute “ITS”; in line 26, strike “UNIDENTIFIED”; in the same line, after “REMAINS;” insert “AND

(II) SEEKS ACKNOWLEDGEMENT AND CONSENT FROM ITS SERVICE USERS REGARDING THE SUBSTANCE OF THE NOTICE DESCRIBED IN ITEM (I) OF THIS PARAGRAPH;;

in line 29, strike “HAS BEEN” and substitute “ARE”; in line 31, strike “IS” and substitute “SHALL BE”; in line 32, strike “A” and substitute “AN”; and in line 33, strike “§ 17–102(F)” and substitute “§ 17–102(F)(1) THROUGH (3)”.

On page 9, in line 2, strike “A” and substitute “AN”; in line 3, strike “OR” and substitute “NOR”; in line 5, after “(B)” insert “(1)”; in line 6, strike “MAY BE” and substitute “ARE”; in line 8, strike “PERSON” and substitute “PUTATIVE PERPETRATOR OR A THIRD

PARTY"; in lines 9, 11, 13, 17, 20, and 25, strike "(1)", "(2)", "(3)", "(4)", "(5)", and "(6)", respectively, and substitute "(I)", "(II)", "(III)", "(IV)", "(V)", and "(VI) 1.", respectively; in line 10, after "PERPETRATOR'S" insert "OR THE THIRD PARTY'S"; strike beginning with "A" in line 11 down through "NECESSARY" in line 12 and substitute "SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR A COVERT COLLECTION OF A DNA SAMPLE OF A THIRD PARTY, INVESTIGATIVE AUTHORITIES SHALL PROVIDE AN AFFIDAVIT TO THE COURT DEMONSTRATING THAT SEEKING INFORMED CONSENT FROM A THIRD PARTY CREATES SUBSTANTIAL RISK THAT A PUTATIVE PERPETRATOR WILL FLEE, THAT ESSENTIAL EVIDENCE WILL BE DESTROYED, OR THAT OTHER IMMINENT OR IRREVERSIBLE HARM TO THE INVESTIGATION WILL OCCUR"; in line 17, before "ANY" insert "FOR A COVERT COLLECTION OF A DNA SAMPLE OF A PUTATIVE PERPETRATOR,"; in line 20, after "SAMPLE" insert ", INCLUDING SNPS AND OTHER GENETIC PROFILES OR RELATED INFORMATION,"; in line 24, after "STATUTE;" insert "AND"; in line 30, strike "(7)" and substitute "2."; in lines 26 and 31, in each instance, strike "FROM A PUTATIVE PERPETRATOR"; in line 29, strike "§ 17-102(G)(3) OF THIS TITLE" and substitute "ITEM (III) OF THIS PARAGRAPH"; after line 32, insert:

"(2) THE FEAR THAT A THIRD PARTY WILL REFUSE INFORMED CONSENT MAY NOT CONSTITUTE A BASIS FOR SEEKING COVERT COLLECTION OF A DNA SAMPLE FROM THE THIRD PARTY.

"(3) ANY INDIVIDUAL ACTING UNDER COURT SUPERVISION IN ACCORDANCE WITH THIS SUBSECTION SHALL BE TREATED AS AN AGENT OF THE STATE FOR PURPOSES OF ENFORCING STATE AND FEDERAL CONSTITUTIONAL PROTECTIONS."

and in line 34, strike "A" and substitute "AN".

On page 10, in line 14, strike the first "A" and substitute "AN"; in line 19, strike "(K)" and substitute "(E)"; strike beginning with "THE" in line 26 down through "TO" in line 30.

On page 10 in line 31, and on page 11 in line 1, in each instance, strike "LICENSE" and substitute "A LICENSING PROGRAM FOR"; and in the same lines, in each instance, strike "MUST BEGIN".

On page 11, after line 2, insert:

“(B) THE OFFICE OF HEALTH CARE QUALITY SHALL:

(1) DEVELOP A TRAINING PROGRAM ON OBTAINING INFORMED CONSENT UNDER §§ 17–102 AND 17–103 OF THIS SUBTITLE; AND

(2) IDENTIFY AND APPROVE ONE OR MORE GENETIC COUNSELORS TO ADMINISTER THE TRAINING.”;

strike beginning with “IF” in line 9 down through “LICENSE” in line 11 and substitute:

“(1) PROHIBITIONS MAY NOT BE PLACED ON ANY LABORATORY CONDUCTING SNP OR OTHER SEQUENCING–BASED TESTING OR ON GENETIC GENEALOGISTS PARTICIPATING IN AN FGGS BEFORE THE RELEVANT LICENSING PROGRAM IS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION.

(2) WITHIN 1 YEAR AFTER THE OFFICE OF HEALTH CARE QUALITY ESTABLISHES THE RELEVANT LICENSING PROGRAM UNDER SUBSECTION (A) OF THIS SECTION, LABORATORIES CONDUCTING SNP OR OTHER SEQUENCING–BASED TESTING AND GENETIC GENEALOGISTS PARTICIPATING IN AN FGGS SHALL APPLY FOR THE LICENSE REQUIRED”;

strike beginning with “IN” in line 16 down through “SERVICES” in line 17 and substitute **“ON OR BEFORE JUNE 1 ANNUALLY, THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES”**; in line 18, strike “ANNUAL”; in lines 21, 23, and 26, in each instance, strike “FGG” and substitute **“FGGS”**; strike beginning with “AND” in line 21 down through “DOCUMENTATION” in line 22 and substitute **“MADE, BROKEN DOWN BY NUMBER OF REQUESTS MADE BY PROSECUTORS, PRE–TRIAL DEFENDANTS, AND POSTCONVICTION DEFENDANTS”**.

On page 12, strike beginning with “WHETHER” in line 11 down through “SEARCH” in line 13 and substitute **“THE OUTCOME OF EACH AUTHORIZED SEARCH, INCLUDING WHETHER THE SEARCH RESULTED IN AN ARREST OR A CONVICTION FOR THE TARGET OFFENSE”**; in line 14, after “ATTORNEYS,” insert **“PUBLIC DEFENDERS,”** and in line 19, after “YEAR” insert **“AND MAKE POLICY RECOMMENDATIONS”**.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 331 – Senator Lee

AN ACT concerning

Adoption – Access to Birth and Adoption Records and Search, Contact, and Reunion Services

Senator Smith moved to make the Bill and Report a Special Order for March 29, 2021.

The motion was adopted.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 569 – The President (By Request – Administration)

AN ACT concerning

Driver’s Licenses, Learner’s Instructional Permits, and Identification Cards – Applications and Renewals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 666 – Senator Peters

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Courts of Appeals and Special Appeals – Renaming

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 681 – Senator Ready

AN ACT concerning

Motor Vehicles – Inspection Certificates – Exception

SB0681/828571/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 681

(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

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

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 691 – Senator Hettleman

AN ACT concerning

Real Property – Landlord and Tenant – Reusable Tenant Screening Reports

SB0691/148270/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 691

(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

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

(I);

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

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

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

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

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

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

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

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

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

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

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 700 – Senator West

AN ACT concerning

Estates and Trusts – Wills – Custodianship

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 21

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 199 – Senators McCray and Zucker

AN ACT concerning

**Maryland Transit Administration – Funding
(Transit Safety and Investment Act)**

SB0199/819334/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 199

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Maryland**” insert “**Transportation –**”; in the same line, strike “**– Funding**” and substitute “**Funding and MARC Rail Extension Study**”; in line 4, after “of” insert “establishing the Purple Line Construction Zone Grant Program; establishing the purpose of the Grant Program; requiring the Department of Commerce to implement and administer the Grant Program; requiring the Department of Commerce, in consultation with the Department of Transportation, to adopt certain regulations; requiring the Department of Commerce and the Maryland Transit Administration to consult qualified small businesses for a certain purpose; requiring the Department of Commerce to make a certain application available as soon as practicable; establishing a maximum amount for a certain grant awarded; authorizing the Department of Commerce to award grants until a certain time; prohibiting the Department of Commerce from”

awarding more than one grant to the same business in a certain period of time; requiring that certain funds revert to the Maryland Economic Development Assistance Fund; requiring the Administration to report certain information in the Consolidated Transportation Program;; in line 5, strike “Maryland Transit”; after line 15, insert “requiring the Department of Transportation to conduct a study on extending Maryland Area Regional Commuter (MARC) rail service to western Maryland; requiring the Department of Transportation to study and make recommendations regarding certain matters; requiring the Administration to incorporate certain recommendations into the Statewide Transit Plan; requiring the Department of Transportation to complete the study notwithstanding any alteration or postponement of the Statewide Transit Plan; requiring the Department of Transportation to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; in line 16, strike “a”; in the same line, strike “term” and substitute “terms”; in line 17, after “Administration” insert “, the Statewide Transit Plan, and a study on extending MARC rail service to western Maryland”; and after line 17, insert:

“BY adding to

Article – Economic Development

Section 16–101 to be under the new title “Title 16. Purple Line Construction Zone Grant Program”

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

in line 20, after “Section” insert “2–103.1(c)(4)(vi) and (vii)”; in the same line, after “7–205” insert a comma; and after line 22, insert:

“BY adding to

Article – Transportation

Section 2–103.1(c)(4)(vii)

Annotated Code of Maryland

(2020 Replacement Volume)”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“Article – Economic Development

TITLE 16. PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

16-101.

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

(2) "GRANT PROGRAM" MEANS THE PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

(3) "QUALIFIED SMALL BUSINESS" MEANS A SOLE PROPRIETORSHIP, A PARTNERSHIP, A LIMITED PARTNERSHIP, A LIMITED LIABILITY PARTNERSHIP, A LIMITED LIABILITY COMPANY, OR A CORPORATION THAT:

(I) EMPLOYS 20 OR FEWER EMPLOYEES;

(II) IS INDEPENDENTLY OWNED AND OPERATED;

(III) IS NOT A SUBSIDIARY OF ANOTHER BUSINESS;

(IV) IS NOT DOMINANT IN ITS FIELD OF OPERATION; AND

(V) IS IMPACTED BY THE CONSTRUCTION OF THE PURPLE LINE LIGHT RAIL PROJECT IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY.

(B) (1) THERE IS A PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

(2) THE PURPOSE OF THE GRANT PROGRAM IS TO PROVIDE FUNDS TO QUALIFIED SMALL BUSINESSES TO ASSIST IN OFFSETTING BUSINESS REVENUE LOST AS A RESULT OF THE CONSTRUCTION OF THE PURPLE LINE LIGHT RAIL PROJECT IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY.

(3) IN EACH OF FISCAL YEARS 2023 AND 2024, THE DEPARTMENT OF COMMERCE SHALL PROVIDE \$1,000,000 IN GENERAL FUNDS TO THE GRANT PROGRAM TO ASSIST QUALIFIED SMALL BUSINESSES.

(C) THE DEPARTMENT OF COMMERCE SHALL IMPLEMENT AND ADMINISTER THE GRANT PROGRAM.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT OF COMMERCE, IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION, INCLUDING REGULATIONS TO ESTABLISH:

(I) ELIGIBILITY AND GRANT APPLICATION REQUIREMENTS;
AND

(II) A PROCESS FOR REVIEWING GRANT APPLICATIONS AND AWARDING GRANTS TO ELIGIBLE QUALIFIED SMALL BUSINESSES.

(2) IN DEVELOPING THE REGULATIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF COMMERCE AND THE MARYLAND TRANSIT ADMINISTRATION SHALL CONSULT QUALIFIED SMALL BUSINESSES TO ENSURE THAT THE ELIGIBILITY AND APPLICATION REQUIREMENTS FOR THE GRANT PROGRAM ARE NOT OVERLY BURDENSOME TO QUALIFIED SMALL BUSINESSES.

(3) THE DEPARTMENT OF COMMERCE SHALL MAKE THE APPLICATION DEVELOPED FOR PURPOSES OF THE GRANT PROGRAM AVAILABLE TO QUALIFIED SMALL BUSINESSES AS SOON AS PRACTICABLE.

(E) (1) (I) SUBJECT TO THE LIMITATIONS OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE SHALL ESTABLISH, BY REGULATION, GUIDELINES TO CALCULATE THE AMOUNT OF A GRANT AWARDED UNDER THIS SECTION.

(II) IN ESTABLISHING GUIDELINES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE MAY USE A 12-MONTH PROJECTION OF THE DIFFERENCE BETWEEN THE BUSINESS REVENUE OF A QUALIFIED SMALL BUSINESS DURING THE 3-MONTH PERIOD IMMEDIATELY PRECEDING THE START OF THE PURPLE LINE CONSTRUCTION COMPARED TO THE 3-MONTH PERIOD IMMEDIATELY FOLLOWING THE START OF THE PURPLE LINE CONSTRUCTION.

(III) A GRANT AWARDED UNDER THE GRANT PROGRAM MAY NOT EXCEED \$50,000.

(2) SUBJECT TO THE ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION, IF A QUALIFIED SMALL BUSINESS IS REQUIRED TO BE REGISTERED WITH THE STATE AND IS REGISTERED, THE QUALIFIED SMALL BUSINESS MAY APPLY FOR A GRANT UNDER THE GRANT PROGRAM REGARDLESS OF OWNERSHIP OR LOCATION.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE MAY AWARD GRANTS UNTIL ALL THE MONEY ALLOTTED FOR THE GRANT PROGRAM HAS BEEN AWARDED OR UNTIL DECEMBER 31, 2024, WHICHEVER OCCURS FIRST.

(II) THE DEPARTMENT OF COMMERCE MAY NOT AWARD MORE THAN ONE GRANT TO THE SAME QUALIFIED SMALL BUSINESS IN A 12-MONTH PERIOD.

(4) ANY MONEY THAT HAS NOT BEEN AWARDED ON OR BEFORE DECEMBER 31, 2024, SHALL REVERT TO THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND.”;

after line 9, insert:

“2-103.1.

(c) (4) Annually, the Consolidated Transportation Program shall include a report that:

(vi) Provides a purpose and need summary statement that includes:

1. A general description and summary that describes why the project is necessary and satisfies State transportation goals, including Climate Action Plan goals required by the Greenhouse Gas Emissions Reduction Act of 2009 under § 2-1205(b) of the Environment Article;

2. The location of the project, including a map of the project limits, project area, or transportation corridor; and

3. A summary of how the project meets the selection criteria for inclusion in the capital program; [and]

(VII) PROVIDES THE MARYLAND TRANSIT ADMINISTRATION STATE OF GOOD REPAIR BUDGET FOR THE CURRENT FISCAL YEAR AND PROJECTIONS FOR THE SUBSEQUENT FISCAL YEAR; AND

[(vii)] (VIII) Includes any other information that the Secretary believes would be useful to the members of the General Assembly, the general public, or other recipients of the Consolidated Transportation Program.”;

and in line 23, strike “2028” and substitute “2029”.

On page 4, in line 1, strike “\$361,880,000” and substitute “\$402,037,183”; in line 2, strike “\$414,893,000” and substitute “\$502,081,501”; in line 3, strike “\$453,839,000” and substitute “\$450,000,000”; in line 4, strike “\$566,573,000” and substitute “\$450,000,000”; in line 5, strike “\$566,573,000” and substitute “\$450,000,000”; in the same line, strike “AND”; and in line 6, strike “\$531,573,000.” and substitute “\$450,000,000; AND

(VII) FOR FISCAL YEAR 2029, AT LEAST \$318,558,000.”.

AMENDMENT NO. 3

On pages 4 and 5, strike beginning with “SERVING” in line 30 on page 4 down through “ADMINISTRATION” in line 1 on page 5.

AMENDMENT NO. 4

On page 6, after line 13, insert:

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

(a) (1) In this section the following words have the meanings indicated.

(2) “Department” means the Department of Transportation.

(3) “Statewide Transit Plan” means a framework developed by the Maryland Transit Administration that provides a 50–year vision of coordinated local, regional, and intercity transit across the State, including defined public transportation goals and strategies for rural, suburban, and urban regions.

(b) The Department shall conduct a study on the feasibility, including the cost, of extending MARC rail service to western Maryland.

(c) In conducting the study, the Department shall:

(1) Examine existing commuter rail facilities in the State and current transportation options in western Maryland;

(2) Explore up to three potential routes for expanding rail service to western Maryland;

(3) Identify the possibilities and challenges related to establishing and operating MARC rail service in western Maryland;

(4) Study the public transportation needs of Allegany County and Washington County in the vicinity of interstates 70 and 81;

(5) Confer with the following stakeholders:

(i) The Washington County Board of County Commissioners;

(ii) The City of Hagerstown;

(iii) Washington County residents;

(iv) Public transit advocates;

(v) Representatives of the local business community;

(vi) The Allegany County Board of County Commissioners;

(vii) The City of Cumberland;

(viii) Allegany County residents; and

(ix) The Town of Hancock;

(6) Identify infrastructure needs;

(7) Perform a cost analysis of the capital and operating costs of extending MARC rail service to western Maryland;

(8) Identify all potential stops and estimate the potential ridership for each stop;

(9) Study and compare the potential ridership for rush-hour-only service and all-day service;

(10) Develop recommendations on the potential start and end points of a MARC extension; and

(11) Explore the potential effect that extending MARC rail service to western Maryland would have on CSX.

(d) The Department shall develop recommendations on the feasibility of planning, financing, constructing, and operating a MARC line that extends commuter rail service to western Maryland.

(e) On or before July 1, 2023, the Department shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(f) (1) The Maryland Transit Administration shall incorporate the recommendations of the study into the Statewide Transit Plan.

(2) Notwithstanding any alteration or postponement of the Statewide Transit Plan, the Department shall conduct the study in accordance with this section.”;

and in line 14, strike “3.” and substitute “4.”.

The preceding 4 amendments were read only.

Senator Jennings moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

BUDGET AND TAXATION COMMITTEE REPORT NO. 22

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 172 – Senators Hayes, Beidle, Benson, Ellis, Feldman, Kramer, Lee, Sydnor, Waldstreicher, Washington, and Young

AN ACT concerning

Maryland Health Equity Resource Act

SB0172/379935/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 172

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in the sponsor line, strike “and Young” and substitute “Young, Augustine, Corderman, Eckardt, Edwards, Elfreth, Griffith, Guzzone, Hershey, Jennings, Kelley, King, Klausmeier, McCray, Peters, Rosapepe, Salling, and Zucker”; in line 3, after the first “of” insert “establishing a Pathways to Health Equity Program in the Community Health Resources Commission; providing for the purpose of the Program; requiring the Program to provide grant funding for a certain purpose; requiring the Commission to issue a certain request for proposals and establish certain criteria; providing for the duration of certain grants; requiring the Commission to give certain consideration to certain proposals; requiring certain staff support for the Commission; requiring the Commission to report to the Governor and the General Assembly on or before certain dates; establishing a Pathways to Health Equity Fund in the Commission as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Commission to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; altering the purposes of the Maryland Health Benefit Exchange Fund; altering the purposes for which the Maryland Health Benefit Exchange Fund may be used; requiring the Governor to transfer and appropriate a certain amount to the Health Equity Resource Community Reserve Fund in certain fiscal years”; in the same line, strike “Secretary of Health” and substitute “Community Health Resources Commission”; in line 5, after “authorizing” insert “, beginning on a certain date,”; in lines 5, 9, 16, 21, and 23, strike “Secretary” and substitute “Commission”; in line 6, strike “Secretary to consult with the”; in line 7, after “Disparities” insert “to provide certain technical assistance in implementing certain provisions of this Act; requiring any other unit in the Maryland Department of Health to provide certain assistance at the request of the Commission”; strike beginning with “requiring” in line 8 down through “Act;” in line 9; in line 10, after the first “Committee” insert “on or before a certain date”; in line 11, strike “cochairs” and substitute “chair”; in line 14, after “expenses;” insert “authorizing the Commission to convene certain working and advisory groups;”; in the same line, after the

second “authorizing” insert “federally qualified health centers,”; in line 19, strike “authorizing” and substitute “requiring”; in line 20, after “employee;” insert “authorizing nonprofit community-based organizations, nonprofit hospitals, institutions of higher education, federally qualified health centers, and local government agencies to contract with a historically black college or university in the State to provide certain services under certain circumstances;”; in line 25, strike “Secretary’s” and substitute “Commission’s”; in line 27, strike “tax credits”; and in the same line, strike the commas.

On page 2, in lines 2, 11, and 12, in each instance, strike “Secretary” and substitute “Commission”; strike beginning with “requiring” in line 3 down through “programs;” in line 5; in line 10, after “education,” insert “federally qualified health centers,”; strike beginning with “authorizing” in line 14 down through “Fund;” in line 26; strike beginning with “providing” in line 27 down through “Act;” in line 28 and substitute “making this Act an emergency measure; providing for the termination of certain provisions of this Act”; in line 32, after “Section” insert “19–2112; and”; and after line 35, insert:

“BY repealing and reenacting, without amendments,

Article – Insurance

Section 31–107(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 31–107(b) and (f)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”.

On page 3, strike in their entirety lines 7 through 16, inclusive.

AMENDMENT NO. 2

On page 3, after line 31, insert:

“19–2112.

(A) (1) THE COMMISSION SHALL ESTABLISH A PATHWAYS TO HEALTH EQUITY PROGRAM.

(2) (I) THE PURPOSE OF THE PROGRAM IS TO PROVIDE THE FOUNDATION AND GUIDANCE FOR A PERMANENT HEALTH EQUITY RESOURCE COMMUNITY PROGRAM UNDER TITLE 20, SUBTITLE.

(II) CRISP SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION BY MAINTAINING A DATA SET AND SUPPORTING PROGRAM EVALUATION FOR THE PROGRAM.

(3) (I) THE PROGRAM SHALL PROVIDE GRANT FUNDING TO REDUCE HEALTH DISPARITIES, IMPROVE HEALTH OUTCOMES, IMPROVE ACCESS TO PRIMARY CARE, PROMOTE PRIMARY AND SECONDARY PREVENTION SERVICES, AND REDUCE HEALTH CARE COSTS AND HOSPITAL ADMISSIONS AND READMISSIONS.

(II) THE COMMISSION SHALL ISSUE A REQUEST FOR PROPOSALS FOR APPLICANTS WITH PROPOSALS FOR PROGRAMS THAT:

1. ADDRESS THE CRITERIA LISTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

2. DEMONSTRATE HOW THE PROPOSED PROGRAM COULD BE SELF-SUSTAINABLE AS A HEALTH EQUITY RESOURCE COMMUNITY UNDER TITLE 20, SUBTITLE 14 OF THIS ARTICLE.

(III) THE COMMISSION SHALL ESTABLISH THE CRITERIA TO QUALIFY FOR GRANT FUNDING UNDER THIS SUBSECTION.

(IV) GRANTS AWARDED THROUGH THE PROGRAM SHALL BE FOR 2 YEARS.

(V) THE COMMISSION SHALL GIVE SPECIAL CONSIDERATION TO PROPOSALS FROM AREAS PREVIOUSLY DESIGNATED AS A HEALTH ENTERPRISE ZONE.

(4) ONE ADDITIONAL STAFF SHALL BE ADDED TO THE COMMISSION TO PROVIDE STAFF SUPPORT FOR THE PROGRAM.

(5) (I) ON OR BEFORE DECEMBER 1, 2021, THE COMMISSION SHALL ISSUE AN INTERIM REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE GRANTS AWARDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, INCLUDING:

1. A LIST AND SUMMARY OF THE GRANTS AWARDED;
2. AN OVERVIEW OF KEY INTERVENTIONS IN THE GRANTS AWARDED;
3. SPECIFIC HEALTH DISPARITIES THAT WILL BE ADDRESSED BY THE GRANTS; AND
4. KEY MEASURES TO EVALUATE THE IMPACT OF EACH GRANT.

(II) ON OR BEFORE JANUARY 1, 2023, THE COMMISSION SHALL ISSUE A FINAL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

1. THE GRANTS AWARDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, INCLUDING A DESCRIPTION OF THE GRANTEE'S PROGRAM AND ANY DATA RELATED TO COST SAVINGS ACHIEVED UNDER THE PROGRAM;
2. OPTIONS TO DEVELOP, SUSTAIN, AND ESTABLISH A PERMANENT HEALTH EQUITY RESOURCE COMMUNITY PROGRAM IN THE DEPARTMENT;
3. COST-EFFECTIVE WAYS TO MEASURE THE IMPACT OF A HEALTH EQUITY RESOURCE COMMUNITY;
4. WORKFORCE AND RECRUITMENT STRATEGIES TO BE USED BY A HEALTH EQUITY RESOURCE COMMUNITY; AND

5. ANY RECOMMENDATIONS, INCLUDING LEGISLATIVE RECOMMENDATIONS, RELATED TO HEALTH EQUITY RESOURCES COMMUNITIES ESTABLISHED UNDER TITLE 20, SUBTITLE 14 OF THE HEALTH – GENERAL ARTICLE.

(B) (1) THERE IS A PATHWAYS TO HEALTH EQUITY FUND IN THE COMMISSION.

(2) THE PURPOSE OF THE FUND IS TO IMPLEMENT THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION THROUGH GRANT FUNDING AND STAFF SUPPORT.

(3) THE COMMISSION SHALL ADMINISTER THE FUND.

(4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(II) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(5) THE FUND CONSISTS OF:

(I) THE \$14,000,000 AUTHORIZED FOR THE COMMISSION UNDER CHAPTER 39 OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021; AND

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

(6) THE FUND SHALL BE SUBJECT TO AN AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED FOR IN § 2–1220 OF THE STATE GOVERNMENT ARTICLE.

(7) THE FUND MAY BE USED ONLY TO IMPLEMENT THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION AND TO EVALUATE THE IMPACT OF GRANTS AWARDED UNDER THE PROGRAM.

(8) (I) MONEY EXPENDED FROM THE FUND TO IMPLEMENT THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION AND TO EVALUATE THE IMPACT OF GRANTS AWARDED UNDER THE PROGRAM IS NOT INTENDED TO SUPPLANT FUNDING THAT IS APPROPRIATED TO THE COMMISSION IN ACCORDANCE WITH § 14-106(D)(2)(II) OF THE INSURANCE ARTICLE AND DEPOSITED IN THE COMMUNITY HEALTH RESOURCES COMMISSION FUND FOR THE PURPOSES SET FORTH UNDER § 19-2201 OF THIS TITLE.

(II) THE FUND MAY NOT BE COMMINGLED OR COMBINED WITH THE COMMUNITY HEALTH RESOURCES COMMISSION FUND.

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

Article – Insurance

31-107.

(a) There is a Maryland Health Benefit Exchange Fund.

(b) (1) The purpose of the Fund is to:

(i) provide funding for the operation and administration of the Exchange in carrying out the purposes of the Exchange under this subtitle; [and]

(ii) provide funding for the establishment and operation of the State Reinsurance Program authorized under this subtitle; AND

(III) PROVIDE FUNDING FOR THE ESTABLISHMENT AND OPERATION OF HEALTH EQUITY RESOURCE COMMUNITIES UNDER TITLE 20, SUBTITLE 14 OF THE HEALTH – GENERAL ARTICLE.

(2) The operation and administration of the Exchange and the State Reinsurance Program may include functions delegated by the Exchange to a third party under law or by contract.

(f) (1) The Fund may be used only:

[(1)] (I) for the operation and administration of the Exchange in carrying out the purposes authorized under this subtitle; [and]

[(2)] (II) for the establishment and operation of the State Reinsurance Program; AND

(III) FOR APPROPRIATIONS TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND UNDER § 20-1407 OF THE HEALTH – GENERAL ARTICLE.

(2) IN EACH OF FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL:

(I) TRANSFER \$15,000,000 TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND; AND

(II) INCLUDE THE FUNDS TRANSFERRED IN ACCORDANCE WITH ITEM (I) OF THIS PARAGRAPH IN THE ANNUAL BUDGET BILL AS AN APPROPRIATION TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND UNDER § 20-1407 OF THE HEALTH – GENERAL ARTICLE.

Article – Health – General".

AMENDMENT NO. 3

On page 4, after line 3, insert "(C) "COMMISSION" MEANS THE COMMUNITY HEALTH RESOURCES COMMISSION."; in lines 4, 6, 8, 10, and 15, strike "(C)", "(D)", "(E)", "(F)" and "(G)", respectively, and substitute "(D)", "(E)", "(F)", "(G)" and "(H)", respectively.

On page 5, in lines 5, 16, and 17, strike "(H)", "(I)", and "(J)", respectively, and substitute "(I)", "(J)", and "(K)", respectively; and in line 13, strike "SECRETARY" and substitute "COMMISSION".

On page 6, in lines 3, 13, and 22, in each instance, strike "SECRETARY" and substitute "COMMISSION"; in line 7, after "(2)" insert "(I)"; in the same line, strike "SECRETARY SHALL CONSULT WITH THE"; in line 8, after "DISPARITIES" insert "SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION"; after line 9, insert:

“(II) AT THE REQUEST OF THE COMMISSION, ANY OTHER UNIT IN THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION IN IMPLEMENTING THE PROVISIONS OF THIS SUBTITLE.”;

strike beginning with “THE” in line 10 down through “NECESSARY” in line 11 and substitute **“TWO ADDITIONAL STAFF SHALL BE ADDED TO THE COMMISSION”**; in line 13, strike “DECEMBER” and substitute **“JULY”**; strike beginning with “ELIGIBILITY” in line 17 down through “PROCESSES” in line 18 and substitute **“PROGRAM EVALUATION AND DATA COLLECTION METRICS”**; in line 20, strike “COORDINATING WITH THE SECRETARY AS TO” and substitute **“ASSISTING THE COMMISSION IN PREPARING”**; in line 21, after “SUBTITLE” insert **“AND § 19–2112 OF THIS ARTICLE”**; in the same line, strike “AND”; in line 22, before “PROVIDING”, insert **“PROPOSING STRATEGIES FOR TAX INCENTIVES AND LOAN REPAYMENTS TO ASSIST HEALTH EQUITY RESOURCE COMMUNITIES IN ACHIEVING THEIR MISSION; AND”**

(IV);

in the same line, after “GUIDANCE” insert **“, AS DETERMINED BY THE COMMISSION,”**; after line 24, insert:

“(1) THE CHAIR OF THE COMMUNITY HEALTH RESOURCES COMMISSION, OR THE CHAIR’S DESIGNEE;

(2) THE DIRECTOR OF THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES, OR THE DIRECTOR’S DESIGNEE;”;

in line 25, strike “(1)” and substitute **“(3) THREE MEMBERS APPOINTED BY THE GOVERNOR, INCLUDING:**

(I) ONE INDIVIDUAL REPRESENTING THE MARYLAND DEPARTMENT OF HEALTH; AND

(II) ONE INDIVIDUAL WITH EXPERTISE IN HEALTH CARE FINANCING;

(4) THREE MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE, INCLUDING:

(I) ONE INDIVIDUAL WITH EXPERTISE IN THE SOCIAL DETERMINANTS OF HEALTH; AND

(II) ONE INDIVIDUAL WHO IS A MEMBER OF THE GENERAL PUBLIC RESIDING IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED A HEALTH EQUITY RESOURCE COMMUNITY; AND

(5) THREE MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE, INCLUDING:

(I) ONE INDIVIDUAL WITH EXPERTISE IN HEALTH EQUITY; AND

(II) ONE INDIVIDUAL WHO IS A MEMBER OF THE GENERAL PUBLIC RESIDING IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED A HEALTH EQUITY RESOURCE COMMUNITY.”.

On pages 6 through 8, strike beginning with “**THE FOLLOWING**” in line 25 on page 6 down through “**COMMUNITY.**” in line 18 on page 8.

On page 9, in line 1, strike “**AND**”; in line 2, after “**PERSPECTIVES**” insert “**;AND**”

(VII) INNOVATIVE WAYS TO ADDRESS SOCIAL DETERMINANTS OF HEALTH THROUGH THE USE OF COMMUNITY HEALTH WORKERS”;

in line 5, after “**ETHNIC,**” insert “**GEOGRAPHIC,**”; strike in their entirety lines 6 and 7 and substitute:

“(3) THE CHAIR OF THE MARYLAND COMMUNITY HEALTH RESOURCES COMMISSION SHALL CHAIR THE ADVISORY COMMITTEE.”;

and in lines 10 and 17, in each instance, strike “**SECRETARY**” and substitute “**COMMISSION**”.

On page 10, strike lines 1 through 3, inclusive, and substitute:

“(G) THE COMMISSION MAY CONVENE WORKING OR ADVISORY GROUPS TO FACILITATE THE IMPLEMENTATION OF THIS SUBTITLE THAT SHALL INCLUDE INDIVIDUALS WHO RESIDE IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED AS A HEALTH EQUITY RESOURCE COMMUNITY.”;

in line 7, after “**EDUCATION,**” insert “**A FEDERALLY QUALIFIED HEALTH CENTER,**”; in line 8, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 8, strike “**APPLY**” and substitute “**;**”

(1) APPLY”;

in line 9, after “**DESIGNATION**” insert “**;** **AND**

(2) INCLUDE FEDERALLY QUALIFIED HEALTH CENTERS OR OTHER COMMUNITY-BASED ORGANIZATIONS TO PROVIDE HEALTH OR WRAPAROUND SUPPORT SERVICES WITHIN THE HEALTH EQUITY RESOURCE COMMUNITY”;

in line 12, strike “**SECRETARY**” and substitute “**COMMISSION**”; after line 16, insert:

“(I) A DESCRIPTION OF HOW THE PLAN WILL EXPAND FEDERALLY QUALIFIED HEALTH CENTERS’ OR OTHER COMMUNITY-BASED ORGANIZATIONS’ CAPACITY TO PROVIDE HEALTH CARE SERVICES OR WRAPAROUND SERVICES TO ADDRESS SOCIAL DETERMINANTS OF HEALTH; AND”;

and in line 17, strike “**(I)**” and substitute “**(II)**”.

On page 11, strike beginning with “**;**” in line 5 down through “**AREA**” in line 8; strike beginning with “**A**” in line 10 down through “**AREA**” in line 13 and substitute “**A PROPOSAL TO USE FUNDING AVAILABLE UNDER THIS SUBTITLE TO PROVIDE FOR LOAN REPAYMENT INCENTIVES TO INDUCE HEALTH CARE PRACTITIONERS TO PRACTICE IN THE AREA**”; in line 29, strike “**THE SECRETARY SHALL**” and substitute “**ON OR BEFORE OCTOBER 1, 2022, THE COMMISSION SHALL ISSUE A REQUEST FOR PROPOSALS TO**”; and in line 31, strike “**SECRETARY**” and substitute “**COMMISSION**”.

On page 12, in lines 7, 12, and 25, in each instance, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 17, strike “**SUSTAINABILITY**” and substitute

“SELF-SUSTAINABILITY”; in line 24, strike “AND”; in line 27, after “OUTCOMES” insert “; AND

(7) A PREVIOUS DESIGNATION AS A HEALTH ENTERPRISE ZONE OR INCLUSION OF AREAS PREVIOUSLY INCLUDED IN A HEALTH ENTERPRISE ZONE;

in line 30, after “EDUCATION,” insert **“A FEDERALLY QUALIFIED HEALTH CENTER,”**.

On page 13, strike beginning with “SECRETARY” in line 6 down through “COMMITTEE” in line 7 and substitute **“COMMISSION”**; in line 11, strike “SECRETARY AND THE HEALTH EQUITY RESOURCE ADVISORY COMMITTEE” and substitute **“COMMISSION”**; in lines 14, 16, 18, 26, and 28, in each instance, strike “SECRETARY” and substitute **“COMMISSION”**; in line 14, after “(D)” insert **“NOTWITHSTANDING THE REQUIREMENT TO HIRE A FULL-TIME EMPLOYEE TO SERVE AS AN EVALUATOR UNDER SUBSECTION (C) OF THIS SECTION, A NONPROFIT COMMUNITY-BASED ORGANIZATION, A NONPROFIT HOSPITAL, AN INSTITUTION OF HIGHER EDUCATION, A FEDERALLY QUALIFIED HEALTH CENTER, OR A LOCAL GOVERNMENT AGENCY MAY CONTRACT WITH A HISTORICALLY BLACK COLLEGE OR UNIVERSITY IN THE STATE TO PROVIDE EVALUATOR SERVICES.**

(E);

in line 16, strike “(E)” and substitute **(F)**; strike beginning with the colon in line 21 down through “LOAN” in line 24 and substitute **“LOAN”**.

On page 14, in line 12, after “EDUCATION,” insert **“A FEDERALLY QUALIFIED HEALTH CENTER,”**; in lines 16, 23, and 27, in each instance, strike “SECRETARY” and substitute **“COMMISSION”**; in line 20, after “EDUCATION,” insert **“A FEDERALLY QUALIFIED HEALTH CENTER,”**; in line 28, strike “OR TAX CREDITS”; and in line 30, after “EDUCATION,” insert **“FEDERALLY QUALIFIED HEALTH CENTERS,”**.

On page 15, in line 2, strike “TO THE DEPARTMENT”; in lines 6 and 29, in each instance, strike “SECRETARY” and substitute **“COMMISSION”**; strike beginning with “10%” in line 15 down through “(2)” in line 17; in line 17, after “FUND” insert **“IN ACCORDANCE WITH § 31-107 OF THE INSURANCE ARTICLE”**; in lines 18 and 19, strike “(3)” and “(4)”, respectively, and substitute **(2)** and **(3)**, respectively; and strike beginning with “THE” in line 21 down through “THE” in line 28 and substitute **“THE”**.

On page 16, in line 2, strike “OR TAX CREDITS”; in lines 9, 13, and 15, strike “(H)”, “(I)”, and “(J)”, respectively, and substitute “(G)”, “(H)”, and “(I)”, respectively; in lines 16, 25, and 30, in each instance, strike “SECRETARY” and substitute “COMMISSION”; in line 20, strike “ON OR BEFORE SEPTEMBER 15 EACH YEAR, EACH” and substitute “EACH”; in line 22, after “EDUCATION,” insert “FEDERALLY QUALIFIED HEALTH CENTER,”; in line 27, strike “AND”; in line 29, after “YEAR” insert “; AND

(III) ANY OTHER INFORMATION AS REQUESTED BY THE COMMISSION.

(2) THE REPORTING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SUBMITTED PERIODICALLY IN ACCORDANCE WITH A SCHEDULE DETERMINED BY THE COMMISSION”;

in line 30, strike “(2)” and substitute “(3)”; and in line 32, after “EDUCATION,” insert “FEDERALLY QUALIFIED HEALTH CENTER,”.

On page 17, in lines 1 and 3, in each instance, strike “SECRETARY” and substitute “COMMISSION”; and in line 9, strike “TAX AND”.

On pages 18 through 23, strike in their entirety the lines beginning with line 13 on page 18 through line 16 on page 23, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a 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. Section 1 of this Act shall remain effective through June 30, 2023, and, at the end of June 30, 2023, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read only.

Senator Cassilly moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 261 – Senator Simonaire

AN ACT concerning

**Anne Arundel County – Property Tax Credit for Business Entities – State of
Emergency**

Favorable report adopted.

FLOOR AMENDMENT

SB0261/943421/1

BY: Senator Simonaire

AMENDMENTS TO SENATE BILL 261

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “real” insert “or personal”.

AMENDMENT NO. 2

On page 1, in line 23, after “**REAL**” insert “OR PERSONAL”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 697)

SENATE THIRD READING CALENDAR NO. 52 (GENERAL SENATE BILLS)

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 – 40 Negative – 7 (See Roll Call No. 698)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

Health Facilities – Hospitals – Medical Debt Protection

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

Affirmative – 47 Negative – 0 (See Roll Call No. 699)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 2 (GENERAL HOUSE BILLS)

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

Budget Bill

(Fiscal Year 2022)

FLOOR COMMITTEE AMENDMENT

HB0588/653427/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 588

(Third Reading File Bill – Committee Reprint)

On page 327, under

Heading: State Department of Education

Program: R00A08.01

Entitled: Office of the Inspector General

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

The preceding amendment was read and adopted.

FLOOR COMMITTEE AMENDMENT

HB0588/523120/1

BY: Budget and Taxation Committee

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

On page 343, under:

Heading: Higher Education

Program: R75T00.01

Entitled: Support for State Operated Institutions of Higher Education

In line 14, after “Appropriation” insert “, provided that \$100,000 of this appropriation may not be expended until the University System of Maryland Office submits a report on the impact funding will have on health profession and public health programs at each institution receiving funds. The report shall be submitted by September 15, 2021, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees”.

The preceding amendment was read and adopted.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 700)

The Bill was then returned to the House of Delegates.

House Bill 589 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2021

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

Affirmative – 47 Negative – 0 (See Roll Call No. 701)

The Bill was then returned to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 702)

ADJOURNMENT

At 12:02 P.M. on motion of Senator King the Senate adjourned until 12:00 P.M. on Legislative Day March 6, 2021, Calendar Day, Friday, March 26, 2021.

Annapolis, Maryland
Legislative Day: March 6, 2021
Calendar Day: Friday, March 26, 2021
12:00 P.M. Session

The Senate met at 12:10 P.M.

Prayer by Reverend David Norse Thomas, Maryland Presbyterian Church, guest of Senator West.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 703)

On motion of Senator King it was ordered that Senators Lam and Jennings be excused from today's session.

The Journal of March 25, 2021 was read and approved.

MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 28

House Bill 636 – Delegate Solomon

AN ACT concerning

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

FOR the purpose of altering the definition of “elevated level of lead” for purposes of certain provisions of law requiring certain testing for the presence of lead in certain drinking water outlets in certain occupied public and nonpublic school buildings; requiring a school to take certain measures to remediate a certain drinking water outlet on or before a certain date; making conforming changes; providing for the construction of this Act; and generally relating to the presence of lead in drinking water outlets in occupied public and nonpublic school buildings.

BY repealing and reenacting, without amendments,

Article – Environment
Section 6–1501(a) and (b)
Annotated Code of Maryland
(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–1501(c), 6–1502, and 6–1503(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2020 Supplement)

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

House Bill 831 – Delegate Charkoudian

EMERGENCY BILL

AN ACT concerning

Maryland Food System Resiliency Council

FOR the purpose of establishing the Maryland Food System Resiliency Council; providing for the composition, co–chairs, co–vice chairs, and staffing of the Council; providing that a member of the Council may not receive compensation but may be reimbursed for certain expenses; authorizing the Council to establish certain subcommittees; specifying the duties of the Council; requiring the Council to submit certain reports to the General Assembly on or before certain dates; making this Act an emergency measure; defining certain terms; and generally relating to the Maryland Food System Resiliency Council.

BY adding to
Article – Public Safety
Section 14–1101 through 14–1103 to be under the new subtitle “Subtitle 11.
Maryland Food System Resiliency Council”
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

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

House Bill 964 – Delegate Parrott

AN ACT concerning

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

FOR the purpose of requiring the driver of a vehicle traveling slower than the general speed of traffic on certain interstate highways to drive the vehicle in the right-hand lanes under certain circumstances; requiring the Motor Vehicle Administration to include certain information in the State's driver education curriculum; requiring the State Highway Administration to inform drivers of certain requirements by posting certain signage and providing certain notice in a certain manner; requiring the Motor Vehicle Administration and the State Highway Administration to provide a certain report to certain committees of the General Assembly; prohibiting the issuance of a citation for a violation of this Act; providing for the construction of this Act; defining certain terms; and generally relating to requirements to drive in the right-hand lanes of a roadway.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 8–101(a) and (j) and 8–507(a)(1) and (3)
Annotated Code of Maryland
(2020 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–301(b)
Annotated Code of Maryland
(2020 Replacement Volume)

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

House Bill 1098 – Delegate M. Fisher

AN ACT concerning

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

FOR the purpose of establishing that a State employee who uses a certain State-owned electric vehicle charging station to charge a personal electric vehicle may not be subject to reimbursement; requiring certain State and local elected officials members of the General Assembly who use a State-owned electric vehicle charging station under certain circumstances to reimburse the State for certain expenses; declaring the intent of the General Assembly; providing for the termination of certain provisions of this Act; providing for the effective dates of this Act; and generally relating to State-owned electric vehicle charging stations.

BY adding to
Article – State Government
Section 2–1805 and 17–110
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

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

FINANCE COMMITTEE REPORT NO. 27

Senator Kelley, Chair, for the Committee on Finance reported favorably:

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

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 80 – Delegate Charkoudian

AN ACT concerning

**~~Department of Transportation and Department of the Environment – Purple
Line Tree Replacement Plan – Urban Tree Program – Establishment~~**

HB0080/557472/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 80

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “Act;” insert “providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 3, in line 11, after “**RESOURCES**” insert “**FOREST SERVICE**”.

On page 4, after line 7, insert:

“(E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO ABROGATE OR LIMIT THE APPLICABILITY OF ANY REQUIREMENTS OR OTHER PROVISIONS IN THE NATURAL RESOURCES ARTICLE THAT APPLY TO THE REPLACEMENT OF TREES THAT ARE REMOVED DURING THE CONSTRUCTION OF A TRANSPORTATION FACILITY PROJECT.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 107 – Delegate R. Lewis

AN ACT concerning

Prohibition on Vending Machine Sales of Drugs and Medicines – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 174 – Delegate Brooks

AN ACT concerning

Public Utilities – Investor–Owned Utilities – Prevailing Wage

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 261 – Delegate T. Branch

AN ACT concerning

Business Regulation – Battery–Charged Fence Security Systems – Regulation

HB0261/697479/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 261

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “defining” insert “a”; and in the same line, strike “terms” and substitute “term”.

AMENDMENT NO. 2

On page 2, strike beginning with “THE” in line 2 down through “BATTERY-CHARGED” in line 4 and substitute “, BATTERY-CHARGED”; in line 10, before “(II)” insert “(2)”; in the same line, strike “(II)”; strike beginning with the colon in line 11 down through “3.” in line 14; and strike in their entirety lines 16 through 17, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 298 – Delegate Charkoudian

AN ACT concerning

Utility Regulation – Consideration of Climate and Labor

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 368 – Delegate Bagnall

AN ACT concerning

Task Force on Oral Health in Maryland

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 28

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 569 – Delegate Clippinger

AN ACT concerning

Electricity – Net Energy Metering – Limit

HB0569/487872/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 569

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “customer–generators;” insert “making a conforming change;”; and in line 8, after “(d)” insert “and 7–306.2(g)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“7–306.2.

(g) The cumulative installed nameplate capacity under the pilot program shall count toward the overall limitation [of 1,500 megawatts] for all net metering projects [in] ESTABLISHED UNDER § 7–306(d) of this subtitle.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 598 – Delegate Kelly

AN ACT concerning

Maryland Medical Assistance Program – Applied Behavior Analysis Services – Reimbursement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 599 – Delegate Kelly

AN ACT concerning

Public Health – Long-Term Care Planning

HB0599/677372/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 599

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “languages;” insert “requiring the Department to ensure that certain materials are understandable to individuals with limited literacy skills;”.

AMENDMENT NO. 2

On page 2, in line 17, strike “MAKE” and substitute “:

(1) MAKE”;

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

(2) ENSURE THAT THE MATERIALS PUBLISHED UNDER THIS SECTION ARE UNDERSTANDABLE TO INDIVIDUALS WITH LIMITED LITERACY SKILLS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 658 – Delegate Qi

AN ACT concerning

**Transforming Manufacturing in a Digital Economy Workgroup
(Making It in Maryland)**

HB0658/477271/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 658

(Third Reading File Bill)

On page 3, in line 15, strike “and”; and in line 18, after “RMI” insert “;

(17) one representative from a small, minority-owned manufacturing business currently in good standing with the Maryland Department of Assessments and Taxation, designated by the Board of Directors of RMI;

(18) one representative of the Printing & Graphics Association MidAtlantic (PGAMA), designated by the Chairman of PGAMA; and

(19) one representative of the Maryland Small Business Development Center”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 894 – Delegate Haynes

AN ACT concerning

Education – Community Colleges – Collective Bargaining

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 919 – Delegate Bagnall

EMERGENCY BILL

AN ACT concerning

**Maryland Insurance Commissioner – Specialty Mental Health Services and
Payment of Claims – Enforcement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 1293 – Delegate Amprey

AN ACT concerning

Baltimore City – West North Avenue Development Authority

HB1293/177978/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1293

(Third Reading File Bill)

On page 3, in line 10, strike “AND”; and in line 12, after “DESIGNEE” insert “;AND”

**(14) TWO MEMBERS WHO ARE RESIDENTS OF COMMUNITIES IMPACTED
BY THE TARGET AREA OR BUFFER ZONE, SELECTED BY THE MAJORITY VOTE OF THE
LEADERSHIP OF THE FOLLOWING ORGANIZATIONS:**

(I) ALLIANCE OF ROSEMONT COMMUNITY ASSOCIATIONS;

- (II) BOLTON HILL COMMUNITY ASSOCIATION;
- (III) COPPIN HEIGHTS COMMUNITY DEVELOPMENT CORPORATION;
- (IV) DRUID HEIGHTS COMMUNITY DEVELOPMENT CORPORATION;
- (V) GREATER MONDAWMIN COORDINATING COUNCIL;
- (VI) PENN NORTH COMMUNITY ASSOCIATION; AND
- (VII) COLLECTIVELY, THE LEADERSHIP OF THE RESERVOIR HILL IMPROVEMENT COUNCIL, THE RESERVOIR HILL ASSOCIATION, AND THE UPPER EUTAW MADISON NEIGHBORHOOD ASSOCIATION”.

On page 4, in line 20, strike “**JULY 1, 2026**” and substitute “**OCTOBER 1, 2023**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 29 CONSENT NO. 3

Senator Kelley, Chair, for the Committee on Finance reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 5	FAV	Del. Krebs	Cemeteries – Perpetual Care – Distribution From Perpetual Care Trust Fund
HB 56	FAV	Del. Boyce	Labor and Employment – Leave With Pay – Bereavement Leave

BILL NO.	REPORT	SPONSOR	CONTENT
HB 85	FAV	Del. Bhandari	Baltimore County – Workers’ Compensation – Permanent Partial Disability – Detention and Correctional Officers
HB 101	FAV	Del. Charkoudian	Hmn Services – Supplemental Nutrition Assistance Program – Heat and Eat Program and Stdy on Md Energy Assistance Program Eligibility
HB 345	FAV	Del. Charkoudian	Public Utilities – Gas Service Regulator Safety (Flower Branch Act)
HB 376	FAV	Del. Mautz	Renewable Energy Portfolio Standard – Municipal Electric Utilities
HB 393	FAV	Del. Barron	Maryland Office of the Inspector General for Health

Favorable report adopted on all of the preceding bills.

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

FINANCE COMMITTEE REPORT NO. 30 CONSENT NO. 4

Senator Kelley, Chair, for the Committee on Finance reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 471	FAV	Del. C. Watson	Financial Institutions – Security Questions and Measures
HB 473	FAV	Del. Dumais	Electricity – Change of Address – Maintenance of Subscriptions and Contracts

BILL NO.	REPORT	SPONSOR	CONTENT
HB 484	FAV	Del. Cullison	Health Care Facilities – Dialysis Treatment Services – Training (David Selby Dialysis Parity Act)
HB 504	FAV	Del. Dumais	Insurance – Impaired Entities – Delinquency Proceedings
HB 547	FAV	Del. R. Lewis	Maryland Medical Assistance Program – Dental Prophylaxis Care and Oral Health Exams
HB 549	FAV	Del. Pena–Melnyk	Maryland Department of Health – Birth Registration – Gestational Carriers
HB 605	FAV	Del. Kipke	Veterans – Behavioral Health Services – Mental Health First Aid
HB 611	FAV	Del. Hill	Public Health – Prohibition on Testing Cosmetics on Animals

Favorable report adopted on all of the preceding bills.

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

FINANCE COMMITTEE REPORT NO. 31 CONSENT NO. 5

Senator Kelley, Chair, for the Committee on Finance reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 639	FAV	Del. D.M. Davis	Tri–County Council for Southern Maryland – Property Management – Southern Maryland Regional Agricultural Center
HB 648	FAV	Del. Wilson	Electric Cooperatives – Meetings – Alterations

BILL NO.	REPORT	SPONSOR	CONTENT
HB 673 (Emerg)	FAV	Del. Valentino–Smith	State Health Care Facilities – Employees – Alternative Workweeks
HB 689	FAV	Del. McComas	Mental Health – Assent to and Certificates for Admission – Licensed Certified Social Worker–Clinical and Licensed Clinical Prfsnl Cnslr
HB 780	FAV	Del. Kerr	Maryland Health Benefit Exchange – State–Based Young Adult Health Insurance Subsidies Pilot Program
HB 812	FAV	Del. Cullison	2–1–1 Maryland – Mental Health Services Phone Call Program (The Thomas Bloom Raskin Act)
HB 842	FAV	Del. Howard	Electric Companies – Billing Information

Favorable report adopted on all of the preceding bills.

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

FINANCE COMMITTEE REPORT NO. 32 CONSENT NO. 6

Senator Kelley, Chair, for the Committee on Finance reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 907 (Emerg)	FAV	Del. Carey	Unemployment Insurance – Study on System Reforms
HB 945	FAV	Del. Carey	Human Services – Critical Medical Needs Program – Application for Assistance

BILL NO.	REPORT	SPONSOR	CONTENT
HB 969	FAV	Del. Carey	Home Energy Assistance – Critical Medical Needs Program – Power to the People Pilot Program
HB 1022	FAV	Del. Pendergrass	Public Health – State Designated Exchange – Clinical Information
HB 1139 (Emerg)	FAV	Del. Carey	Unemployment Insurance – Weekly Benefit Amount – Income Disregard
HB 1143 (Emerg)	FAV	Del. Carey	Unemployment Insurance – Work Sharing (Work Share Expansion Act of 2021)
HB 1243	FAV	Del. Sample–Hughes	Behavioral Health Services and Voluntary Placement Agreements – Children and Young Adults – Report Modifications

Favorable report adopted on all of the preceding bills.

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

FINANCE COMMITTEE REPORT NO. 33

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 740 – Senator Rosapepe

EMERGENCY BILL

AN ACT concerning

Economic Development – COVID–19 Small Business Grant Program (COVID–19 Crisis Small Business Survival Program Act of 2021)

SB0740/557671/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 740

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “declaring” in line 13 down through “Assembly;” in line 14.

AMENDMENT NO. 2

On page 3, in line 25, strike “(1)”; and strike beginning with the colon in line 25 down through “AVAILABLE,” in line 26.

On pages 3 and 4, strike beginning with “; AND” in line 27 on page 3 down through “PROGRAM” in line 2 on page 4 and substitute “UNDER THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT AND ANY OTHER FEDERAL LEGISLATION ENACTED IN CALENDAR YEARS 2020 THROUGH 2022”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 34

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

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)

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 only.

Senator Hough moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 37 – Delegate Valderrama

AN ACT concerning

Procurement – Prevailing Wage – Applicability

HB0037/567079/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 37

(Third Reading File Bill)

On page 4, in line 12, strike “**INCLUDE,**” and substitute “**INCLUDE:**

(I)”;

in lines 15 and 16, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively; and in line 16, after “money” insert “**;OR**

(II) A CAPITAL PROJECT THAT RECEIVES STATE FUNDS IN THE ANNUAL STATE CAPITAL BUDGET AS:

- 1. A LOCAL HOUSE OF DELEGATES INITIATIVE; OR**
- 2. A LOCAL SENATE INITIATIVE”.**

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 853 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

EMERGENCY BILL

AN ACT concerning

Small, Minority, and Women-Owned Businesses Account – Alterations

HB0853/217677/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 853

(Third Reading File Bill)

On page 3, in line 10, strike “**\$2,500,000**” and substitute “**\$10,000,000**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 908 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Employer Contributions – ~~Payment Plans~~

HB0908/567271/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 908

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Contributions**” insert “**and Reimbursement Payments**”.

On page 1, in line 15, after “circumstances;” insert “altering the nonprofit organizations and governmental entities that may elect to defer payments of reimbursement bills for a certain calendar year;”.

On page 2, after line 5, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–620(a)(1) and (2)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

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

and in line 8, strike “8–626” and substitute “8–620(a)(3), 8–626.”.

AMENDMENT NO. 2

On page 4, after line 22, insert:

“8–620.

(a) (1) Reimbursement payments shall be made in accordance with this section.

(2) Except as provided in paragraphs (3) and (4) of this subsection, unless there is an application for review and redetermination of a bill under § 8–621 of this subtitle, a nonprofit organization or governmental entity shall pay the bill under this section within 30 days after the Secretary mailed the bill to the last known address of the nonprofit organization or governmental entity or otherwise delivered the bill to it.

(3) (i) For calendar year 2021, a nonprofit organization or governmental entity that employs fewer than 50 individuals may elect to defer payment of the bills under this section for the calendar quarters ending on March 31, June 30, and September 30.

(ii) **FOR CALENDAR YEAR 2021, IF THE FEDERAL GOVERNMENT IS NOT PROVIDING EMERGENCY UNEMPLOYMENT RELIEF FOR NONPROFIT ORGANIZATIONS AND GOVERNMENTAL ENTITIES FOR THE ENTIRETY OF THE CALENDAR QUARTER ENDING SEPTEMBER 30, A NONPROFIT ORGANIZATION OR GOVERNMENTAL ENTITY THAT EMPLOYS 50 OR MORE INDIVIDUALS MAY ELECT TO DEFER PAYMENT OF THE BILLS UNDER THIS SECTION FOR THE CALENDAR QUARTER ENDING SEPTEMBER 30.**

(III) A nonprofit organization or governmental entity that elects to defer the payment of a bill as authorized under subparagraph (i) OR (II) of this paragraph:

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

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

3. notwithstanding § 8–622 of this subtitle, may not be considered delinquent in making the payment during the period for which the payment is deferred; and

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

On page 6, in line 6, after “contributions” insert “and reimbursement”.

The preceding 2 amendments were read and adopted.

Senator Kagan moved to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 1002 – Delegate Charkoudian

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Insurance Revisions and Required Study and Special Enrollment Period for Health Benefits

HB1002/133223/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1002

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 15 and 16, strike “before a certain system begins to operate”; in line 17, strike “in a certain manner”; in the same line, after “form” insert “in a certain manner and”; strike beginning with “certain” in line 18 down through “funding” in line 19 and substitute “the Maryland Health Benefit Exchange and the Maryland Department of Health for a certain purpose”; and in line 24, after “year;” insert “requiring the Maryland Department of Labor to provide certain information regarding certain unemployment insurance recipients to a chief elected official of a county on request and for certain purposes; authorizing a chief elected official of a county to share certain information with the governing body of the county and to request certain information on behalf of a certain political subdivision and provide the information to the political subdivision; authorizing the Maryland Department of Labor to adopt certain regulations;”.

On page 2, in line 27, after “8–109” insert “and 8–110”.

AMENDMENT NO. 2

On page 5, in line 5, strike the first comma and substitute “EACH YEAR, BEGINNING IN”; in the same line, strike “AND EACH JULY 1 THEREAFTER,”; in line 14, strike “OR”

and substitute “AND”; and in line 24, strike “APPLICANT” and substitute “INDIVIDUAL FILING A CLAIM FOR BENEFITS”.

On page 6, in line 19, after “PUBLISH” insert “ON A”; in the same line, after “QUARTERLY” insert “BASIS”; strike beginning with the colon in line 20 down through “1.” in line 21; in line 21, strike “FILED” and substitute “FILE”; in line 22, strike the semicolon; in line 23, strike “2.”; and in line 25, strike “A CLAIMANT” and substitute “AN INDIVIDUAL WHO HAS FILED A CLAIM FOR BENEFITS”.

On page 7, in line 3, after “APPLICABLE” insert “STATE AND”; in the same line, strike “AND STATE”; in line 30, after “OF” insert “THE REQUIREMENTS OF”; and after line 30, insert:

“8-110.

(A) ON REQUEST AND FOR PURPOSES CONSISTENT WITH CHAPTERS AND (S.B. 893 AND S.B. 894) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021, THE DEPARTMENT SHALL PROVIDE TO THE CHIEF ELECTED OFFICIAL OF A COUNTY DEMOGRAPHIC DATA AND THE ADDRESSES, OCCUPATIONS, AND LAST KNOWN EMPLOYERS OF UNEMPLOYMENT INSURANCE RECIPIENTS WHO LIVE IN THE COUNTY OF THE CHIEF ELECTED OFFICIAL.

(B) A CHIEF ELECTED OFFICIAL OF A COUNTY MAY:

(1) SHARE THE INFORMATION PROVIDED TO THE CHIEF ELECTED OFFICIAL UNDER SUBSECTION (A) OF THIS SECTION WITH THE GOVERNING BODY OF THE COUNTY; AND

(2) REQUEST INFORMATION UNDER SUBSECTION (A) OF THIS SECTION ON BEHALF OF A POLITICAL SUBDIVISION WITHIN THE COUNTY AND PROVIDE THE INFORMATION TO THE POLITICAL SUBDIVISION.

(C) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE NAMES OF UNEMPLOYMENT INSURANCE RECIPIENTS MAY BE INCLUDED IN THE INFORMATION PROVIDED UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) ARE NECESSARY TO PROTECT THE PERSONALLY IDENTIFIABLE INFORMATION OF UNEMPLOYMENT INSURANCE RECIPIENTS.

On page 11, in line 19, strike “**(VII)**” and substitute “**(VI)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 1138 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Maryland Department of Labor – Accountability and Oversight

HB1138/227574/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1138

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike “to initiate a certain plan and”; in line 12, strike “**plan**” and substitute “**reporting requirements**”; in line 15, after “**guidelines**” insert “**for a certain period of time**”; and in line 16, strike “**plan is**” and substitute “**reporting requirements are**”.

AMENDMENT NO. 2

On page 4, strike beginning with “**IF,**” in line 10 down through “**6%**” in line 13 and substitute “ **IF THE DEPARTMENT, FOR 4 CONSECUTIVE WEEKS, FAILS TO PAY AT**

LEAST 82% OF FIRST PAYMENTS WITHIN 21 DAYS AFTER THE WEEK ENDING DATE OF THE FIRST COMPENSABLE WEEK IN THE BENEFIT YEAR”; strike beginning with the colon in line 18 down through “(II)” in line 20; in line 22 strike “PLAN” and substitute “REPORTING REQUIREMENTS”; in line 23, after “DEPARTMENT” insert “, FOR 4 CONSECUTIVE WEEKS,”; and in line 27 strike “PLAN IS” and substitute “REPORTING REQUIREMENTS ARE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1148 – Delegate Cullison

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE SENATE

BILL: **HB0588**
SPONSOR: Speaker
SUBJECT: Budget Bill (Fiscal Year 2022)

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate McIntosh, Chair
Delegate Chang
Delegate Beitzel

Delegate Haynes
Delegate Reznik

In addition, the House has appointed in advisory capacity: Delegates Korman and B. Barnes.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0588**
SPONSOR: Speaker
SUBJECT: Budget Bill (Fiscal Year 2022)

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate McIntosh, Chairman
Delegate Chang
Delegate Beitzel
Delegate Haynes
Delegate Reznik.

In addition, the House has appointed in advisory capacity: Delegates Korman and B. Barnes.

The Senate appoints:

Senator Guzzone, Chair
Senator Edwards
Senator Rosapepe
Senator Zucker
Senator Griffith

In addition, the Senate has appointed in advisory capacity: Senators King, Eckardt and McCray.

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: **HB0589**
SPONSOR: Speaker
SUBJECT: Budget Reconciliation and Financing Act of 2021

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate McIntosh, Chair
Delegate Chang
Delegate Beitzel
Delegate Haynes
Delegate Reznik

In addition, the House has appointed in advisory capacity: Delegates Korman and B. Barnes.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0589**
SPONSOR: Speaker
SUBJECT: Budget Reconciliation and Financing Act of 2021

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate McIntosh, Chairman
Delegate Chang
Delegate Beitzel
Delegate Haynes
Delegate Reznik.

In addition, the House has appointed in advisory capacity: Delegates Korman and B. Barnes.

The Senate appoints:

Senator Guzzone, Chair
Senator Edwards
Senator McCray
Senator Zucker
Senator Griffith

In addition, the Senate has appointed in advisory capacity: Senators Rosapepe, Young and Elfreth.

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 704)

SENATE THIRD READING CALENDAR NO. 53 (GENERAL SENATE BILLS)

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 – 45 Negative – 0 (See Roll Call No. 705)

The Bill was then sent to the House of Delegates.

Senate Bill 261 – Senator Simonaire

AN ACT concerning

**Anne Arundel County – Property Tax Credit for Business Entities – State of
Emergency**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 706)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 707)

The Bill was then sent to the House of Delegates.

Senate Bill 569 – The President (By Request – Administration)

AN ACT concerning

Driver's Licenses, Learner's Instructional Permits, and Identification Cards – Applications and Renewals

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

Affirmative – 45 Negative – 0 (See Roll Call No. 708)

The Bill was then sent to the House of Delegates.

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 – 38 Negative – 7 (See Roll Call No. 709)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 710)

The Bill was then sent to the House of Delegates.

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 – 33 Negative – 12 (See Roll Call No. 711)

The Bill was then sent to the House of Delegates.

Senate Bill 700 – Senator West

AN ACT concerning

Estates and Trusts – Wills – Custodianship

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

Affirmative – 45 Negative – 0 (See Roll Call No. 712)

The Bill was then sent to the House of Delegates.

**SPECIAL ORDER CALENDAR NO. 35
SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 7**

Senator Young, Chair for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 7
March 25, 2021

Alcohol and Tobacco Commission

1. Elizabeth J. Buck District 30
P.O. Box 4568
Annapolis, MD 21403

Member of the Alcohol and Tobacco Commission; appointed to serve a term to expire June 30, 2021

2. Jeffrey A. Kelly District 31
1491 Long Point Road
Pasadena, MD 21122

Member of the Alcohol and Tobacco Commission; appointed to serve at the pleasure of the Governor

3. Eric J. Morrissette District 21
4608 Drexel Road
College Park, MD 20740

Member of the Alcohol and Tobacco Commission; appointed to serve a term to expire June 30, 2022

4. Robert H. Poole District 33
1608 Homewood Landing Road
Annapolis, MD 21409

Member of the Alcohol and Tobacco Commission; appointed to serve a term to expire June 30, 2024

5. Barbara A. Wahl District 43
434 Rosebank Avenue
Baltimore, MD 21212

Member of the Alcohol and Tobacco Commission; appointed to serve a term to expire June 30, 2024

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

6. Timothy J. Adams District 23
14302 Dunwood Valley Drive
Bowie, MD 20721

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of 4 years from July 1, 2018

Education, State Board of

7. Chuen–Chin Bianca Chang District 9
3689 Cragsmoor Road
Ellicott City, MD 21042

Member of the State Board of Education; appointed to serve a term of 4 years from July 1, 2021

8. Warner Ivan Sumpter District 38
30466 Prince William Street
Princess Anne, MD 21853

Member of the State Board of Education; reappointed to serve a term of 4 years from July 1, 2021

9. Holly C. Wilcox, Ph.D. District 41
4831 Keswick Road
Baltimore, MD 21210

Member of the State Board of Education; appointed to serve a term of 4 years from July 1, 2020

10. Jason T. Wu District 15
18302 Bubbling Spring Terrace
Boys, MD 20841

Member of the State Board of Education; appointed to serve a term of 1 year from July 1, 2020

Ethics Commission, State

11. Geneau M. Thames District 34
708 Edgehill Drive
Bel Air, MD 21014

Member of the State Ethics Commission; reappointed to serve a term of 5 years from July 1, 2021

Health Care Commission, Maryland

12. Mark T. Jensen, Esq. District 46
612 Ponte Villas North
Baltimore, MD 21230

Member of the Maryland Health Care Commission; appointed to serve a term of 4 years from October 1, 2021

Higher Education Commission, Maryland

13. Vera R. Jackson, D.S.W. District 24
2104 Woodvale Lane
Bowie, MD 20721

Member of the Maryland Higher Education Commission; reappointed to serve a term of 5 years from July 1, 2021

14. Donna M. Mitchell District 16
900 Persei Place Apt. 444
Bethesda, MD 20852

Member of the Maryland Higher Education Commission; reappointed to serve a term of 5 years from July 1, 2021

15. Craig Williams, Ph.D. District 21
865 Iron Corner Court
Odenton, MD 21113

Member of the Maryland Higher Education Commission; appointed to serve a term of 5 years from July 1, 2021

University System of Maryland Board of Regents

16. Robert L. Wallace District 40
113 W. Monument Street
Baltimore, MD 21201

Member of the University System of Maryland Board of Regents; appointed to serve remainder of a term of 5 years from July 1, 2018

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Health Care Commission, Maryland

- S-1. Arun Bhandari, M.D. District 30
705 Fantail Court
Annapolis, MD 21401

Member of the Maryland Health Care Commission; reappointed to serve a term of 4 years from October 1, 2021

- S-2. Martha Gast Rymer District 27
2300 Carpenters Beach Road
Huntingtown, MD 20639

Member of the Maryland Health Care Commission; reappointed to serve a term of 4 years from October 1, 2021

Heritage Areas Authority, Maryland

- S–3. Mary A. Harms District 27
1100 Helen Creek Drive
Lusby, MD 20657

Member of the Maryland Heritage Areas Authority; appointed to serve a term of 4 years from October 1, 2020

- S–4. Nicholas A. Redding District 4
28 Fulton Avenue
Walkersville, MD 21793

Member of the Maryland Heritage Areas Authority; appointed to serve a term of 4 years from October 1, 2020

Metrorail Safety Commission, Washington

- S–5. Suhair Al Khatib District 11
750 Chapel Ridge Road
Lutherville–Timonium, MD 21093

Member of the Washington Metrorail Safety Commission; appointed to serve remainder of a term to expire August 31, 2023

Procurement Improvement Council

- S–6. Mary Jo Childs, Esq. District 27
1156 Regency Drive
Saint Leonard, MD 20685

Member of the Procurement Improvement Council; reappointed to serve a term of 2 years from May 6, 2019, and a term of 2 years from May 6, 2021

- S–7. Miriam S. Fuchs, Esq. District 46
414 Water Street #2801
Baltimore, MD 21202

Member of the Procurement Improvement Council; appointed to serve a term of 2 years from May 6, 2019, and a term of 2 years from May 6, 2021

S-8. Patrick F. Vizzard District 8
4001 Baker Lane
Baltimore, MD 21236

Member of the Procurement Improvement Council; reappointed to serve a term of 2 years from May 6, 2021

Professional Engineers, State Board for

S-9. Edward A. Hubner District 7
508 Stratford Road
Fallston, MD 21047

Member of the State Board for Professional Engineers; appointed to serve a term of 5 years from July 1, 2021

Professional Standards and Teacher Education Board

S-10. Amy M. Wilson District 46
1613 E. Fairmount Avenue
Baltimore, MD 21230

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of 3 years from July 1, 2018, and a term of 3 years from July 1, 2021

Public Information Act Compliance Board, State

S-11. Michele L. Cohen, Esq. District 12
6228 Martin Road
Columbia, MD 21044

Member of the State Public Information Act Compliance Board; appointed to serve a term of 3 years from July 1, 2021

Rural Legacy Board, Advisory Committee to the

S-12. Mary E. Burke, Ph.D. District 27
5938 Sunderleigh Drive
Sunderland, MD 20689

Member of the Advisory Committee to the Rural Legacy Board; appointed to serve a term of 3 years from July 1, 2020

S–13. Mary E. Goodall District 42
321 Main Street
Reisterstown, MD 21136

Member of the Advisory Committee to the Rural Legacy Board; reappointed to serve a term of 3 years from July 1, 2021

Social Work Examiners, State Board of

S–14. Susan P. Coppage District 36
1367 Spaniard Neck Road
Centreville, MD 21617

Member of the State Board of Social Work Examiners; reappointed to serve a term of 4 years from July 1, 2021

S–15. Jamie Wilson District 8
3027 California Avenue
Parkville, MD 21234

Member of the State Board of Social Work Examiners; appointed to serve a term of 4 years from July 1, 2021

Women, Maryland Commission for

S–16. Andrea G. Bottner District 18
3303 Rolling Road
Chevy Chase, MD 20815

Member of the Maryland Commission for Women; appointed to serve a term of 4 years from July 1, 2021

S–17. Judith A. Emmel District 33
112 St. Ives Drive
Severna Park, MD 21146

Member of the Maryland Commission for Women; appointed to serve a term of 4 years from July 1, 2021

S–18. Lauren Lambert District 23
14775 London Lane
Bowie, MD 20715

Member of the Maryland Commission for Women; reappointed to serve a term of 4 years from July 1, 2021

S-19. Brenda J. McChriston District 12
6017 Cloudland Court
Columbia, MD 21044

Member of the Maryland Commission for Women; reappointed to serve a term of 4 years from July 1, 2021

S-20. Roberta Pardo District 33
513 Scrimshaw Way
Severna Park, MD 21146

Member of the Maryland Commission for Women; reappointed to serve a term of 4 years from July 1, 2021

S-21. Evelyne S. Steward District 17
14004 Marian Drive
Rockville, MD 20850

Member of the Maryland Commission for Women; reappointed to serve a term of 4 years from July 1, 2021

Youth Camp Safety Advisory Council

S-22. Neil S. Berlin District 10
9 Circuit Court
Owings Mills, MD 21117

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of 3 years from July 1, 2021

S-23. Andrea C. Drenner-Hanley District 5
308 Earl Drive
Eldersburg, MD 21784

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of 3 years from July 1, 2021

S-24. Janet Rose District 36
5929 Quaker Neck Landing Road
Chestertown, MD 21620

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of 3 years from July 1, 2021

S–25. Meena Suri
18 Avonshire Court
Silver Spring, MD 20904

District 14

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of 3 years from July 1, 2021

The President of the Senate put the following question: “With the exception of nominee no. 3, and nominee no. 5 will the Senate advise and consent to the above nominations of the Executive?”

The above nominations of the Executive, with the exception of nominee no. 3, and nominee no. 5, were all confirmed by roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 713)

Nominee No.3

Senator Kramer moved to make Nominee No. 3 a Special Order for March 29, 2021.

The motion was adopted.

Nominee No.5

Senator Kramer moved to make Nominee No. 5 a Special Order for March 29, 2021.

The motion was adopted.

LAID OVER CALENDAR NO. 18

Senate Bill 199 – Senators McCray and Zucker

AN ACT concerning

Maryland Transit Administration – Funding (Transit Safety and Investment Act)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0199/819334/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 199

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Maryland**” insert “**Transportation –**”; in the same line, strike “**– Funding**” and substitute “**Funding and MARC Rail Extension Study**”; in line 4, after “of” insert “establishing the Purple Line Construction Zone Grant Program; establishing the purpose of the Grant Program; requiring the Department of Commerce to implement and administer the Grant Program; requiring the Department of Commerce, in consultation with the Department of Transportation, to adopt certain regulations; requiring the Department of Commerce and the Maryland Transit Administration to consult qualified small businesses for a certain purpose; requiring the Department of Commerce to make a certain application available as soon as practicable; establishing a maximum amount for a certain grant awarded; authorizing the Department of Commerce to award grants until a certain time; prohibiting the Department of Commerce from awarding more than one grant to the same business in a certain period of time; requiring that certain funds revert to the Maryland Economic Development Assistance Fund; requiring the Administration to report certain information in the Consolidated Transportation Program;”; in line 5, strike “Maryland Transit”; after line 15, insert “requiring the Department of Transportation to conduct a study on extending Maryland Area Regional Commuter (MARC) rail service to western Maryland; requiring the Department of Transportation to study and make recommendations regarding certain matters; requiring the Administration to incorporate certain recommendations into the Statewide Transit Plan; requiring the Department of Transportation to complete the study notwithstanding any alteration or postponement of the Statewide Transit Plan; requiring the Department of Transportation to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; in line 16, strike “a”; in the same line, strike “term” and substitute “terms”; in line 17, after “Administration” insert “, the Statewide Transit Plan, and a study on extending MARC rail service to western Maryland”; and after line 17, insert:

“BY adding toArticle – Economic DevelopmentSection 16–101 to be under the new title “Title 16. Purple Line Construction Zone Grant Program”Annotated Code of Maryland(2018 Replacement Volume and 2020 Supplement)”;

in line 20, after “Section” insert “2–103.1(c)(4)(vi) and (vii)”; in the same line, after “7–205” insert a comma; and after line 22, insert:

“BY adding to

Article – Transportation

Section 2–103.1(c)(4)(vii)

Annotated Code of Maryland

(2020 Replacement Volume)”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“Article – Economic Development

TITLE 16. PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

16–101.

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

(2) “GRANT PROGRAM” MEANS THE PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

(3) “QUALIFIED SMALL BUSINESS” MEANS A SOLE PROPRIETORSHIP, A PARTNERSHIP, A LIMITED PARTNERSHIP, A LIMITED LIABILITY PARTNERSHIP, A LIMITED LIABILITY COMPANY, OR A CORPORATION THAT:

(I) EMPLOYS 20 OR FEWER EMPLOYEES;

(II) IS INDEPENDENTLY OWNED AND OPERATED;

(III) IS NOT A SUBSIDIARY OF ANOTHER BUSINESS;

(IV) IS NOT DOMINANT IN ITS FIELD OF OPERATION; AND

(V) IS IMPACTED BY THE CONSTRUCTION OF THE PURPLE LINE LIGHT RAIL PROJECT IN MONTGOMERY COUNTY AND PRINCE GEORGE’S COUNTY.

(B) (1) THERE IS A PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

(2) THE PURPOSE OF THE GRANT PROGRAM IS TO PROVIDE FUNDS TO QUALIFIED SMALL BUSINESSES TO ASSIST IN OFFSETTING BUSINESS REVENUE LOST AS A RESULT OF THE CONSTRUCTION OF THE PURPLE LINE LIGHT RAIL PROJECT IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY.

(3) IN EACH OF FISCAL YEARS 2023 AND 2024, THE DEPARTMENT OF COMMERCE SHALL PROVIDE \$1,000,000 IN GENERAL FUNDS TO THE GRANT PROGRAM TO ASSIST QUALIFIED SMALL BUSINESSES.

(C) THE DEPARTMENT OF COMMERCE SHALL IMPLEMENT AND ADMINISTER THE GRANT PROGRAM.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT OF COMMERCE, IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION, INCLUDING REGULATIONS TO ESTABLISH:

(I) ELIGIBILITY AND GRANT APPLICATION REQUIREMENTS;
AND

(II) A PROCESS FOR REVIEWING GRANT APPLICATIONS AND AWARDING GRANTS TO ELIGIBLE QUALIFIED SMALL BUSINESSES.

(2) IN DEVELOPING THE REGULATIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF COMMERCE AND THE MARYLAND TRANSIT ADMINISTRATION SHALL CONSULT QUALIFIED SMALL BUSINESSES TO ENSURE THAT THE ELIGIBILITY AND APPLICATION REQUIREMENTS FOR THE GRANT PROGRAM ARE NOT OVERLY BURDENSOME TO QUALIFIED SMALL BUSINESSES.

(3) THE DEPARTMENT OF COMMERCE SHALL MAKE THE APPLICATION DEVELOPED FOR PURPOSES OF THE GRANT PROGRAM AVAILABLE TO QUALIFIED SMALL BUSINESSES AS SOON AS PRACTICABLE.

(E) (1) (I) SUBJECT TO THE LIMITATIONS OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE SHALL ESTABLISH, BY REGULATION, GUIDELINES TO CALCULATE THE AMOUNT OF A GRANT AWARDED UNDER THIS SECTION.

(II) IN ESTABLISHING GUIDELINES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE MAY USE A 12-MONTH PROJECTION OF THE DIFFERENCE BETWEEN THE BUSINESS REVENUE OF A QUALIFIED SMALL BUSINESS DURING THE 3-MONTH PERIOD IMMEDIATELY PRECEDING THE START OF THE PURPLE LINE CONSTRUCTION COMPARED TO THE 3-MONTH PERIOD IMMEDIATELY FOLLOWING THE START OF THE PURPLE LINE CONSTRUCTION.

(III) A GRANT AWARDED UNDER THE GRANT PROGRAM MAY NOT EXCEED \$50,000.

(2) SUBJECT TO THE ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION, IF A QUALIFIED SMALL BUSINESS IS REQUIRED TO BE REGISTERED WITH THE STATE AND IS REGISTERED, THE QUALIFIED SMALL BUSINESS MAY APPLY FOR A GRANT UNDER THE GRANT PROGRAM REGARDLESS OF OWNERSHIP OR LOCATION.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE MAY AWARD GRANTS UNTIL ALL THE MONEY ALLOTTED FOR THE GRANT PROGRAM HAS BEEN AWARDED OR UNTIL DECEMBER 31, 2024, WHICHEVER OCCURS FIRST.

(II) THE DEPARTMENT OF COMMERCE MAY NOT AWARD MORE THAN ONE GRANT TO THE SAME QUALIFIED SMALL BUSINESS IN A 12-MONTH PERIOD.

(4) ANY MONEY THAT HAS NOT BEEN AWARDED ON OR BEFORE DECEMBER 31, 2024, SHALL REVERT TO THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND.”;

after line 9, insert:

“2-103.1.

(c) (4) Annually, the Consolidated Transportation Program shall include a report that:

(vi) Provides a purpose and need summary statement that includes:

1. A general description and summary that describes why the project is necessary and satisfies State transportation goals, including Climate Action Plan goals required by the Greenhouse Gas Emissions Reduction Act of 2009 under § 2–1205(b) of the Environment Article;

2. The location of the project, including a map of the project limits, project area, or transportation corridor; and

3. A summary of how the project meets the selection criteria for inclusion in the capital program; [and]

(VII) PROVIDES THE MARYLAND TRANSIT ADMINISTRATION STATE OF GOOD REPAIR BUDGET FOR THE CURRENT FISCAL YEAR AND PROJECTIONS FOR THE SUBSEQUENT FISCAL YEAR; AND

[(vii)] (VIII) Includes any other information that the Secretary believes would be useful to the members of the General Assembly, the general public, or other recipients of the Consolidated Transportation Program.”;

and in line 23, strike “2028” and substitute “2029”.

On page 4, in line 1, strike “\$361,880,000” and substitute “\$402,037,183”; in line 2, strike “\$414,893,000” and substitute “\$502,081,501”; in line 3, strike “\$453,839,000” and substitute “\$450,000,000”; in line 4, strike “\$566,573,000” and substitute “\$450,000,000”; in line 5, strike “\$566,573,000” and substitute “\$450,000,000”; in the same line, strike “AND”; and in line 6, strike “\$531,573,000.” and substitute “\$450,000,000; AND”

(VII) FOR FISCAL YEAR 2029, AT LEAST \$318,558,000.”.

On pages 4 and 5, strike beginning with “SERVING” in line 30 on page 4 down through “ADMINISTRATION” in line 1 on page 5.

AMENDMENT NO. 4

On page 6, after line 13, insert:

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

(a) (1) In this section the following words have the meanings indicated.

(2) “Department” means the Department of Transportation.

(3) “Statewide Transit Plan” means a framework developed by the Maryland Transit Administration that provides a 50–year vision of coordinated local, regional, and intercity transit across the State, including defined public transportation goals and strategies for rural, suburban, and urban regions.

(b) The Department shall conduct a study on the feasibility, including the cost, of extending MARC rail service to western Maryland.

(c) In conducting the study, the Department shall:

(1) Examine existing commuter rail facilities in the State and current transportation options in western Maryland;

(2) Explore up to three potential routes for expanding rail service to western Maryland;

(3) Identify the possibilities and challenges related to establishing and operating MARC rail service in western Maryland;

(4) Study the public transportation needs of Allegany County and Washington County in the vicinity of interstates 70 and 81;

(5) Confer with the following stakeholders:

(i) The Washington County Board of County Commissioners;

(ii) The City of Hagerstown;

(iii) Washington County residents;

(iv) Public transit advocates;

(v) Representatives of the local business community;

(vi) The Allegany County Board of County Commissioners;

(vii) The City of Cumberland;

(viii) Allegany County residents; and

(ix) The Town of Hancock;

(6) Identify infrastructure needs;

(7) Perform a cost analysis of the capital and operating costs of extending MARC rail service to western Maryland;

(8) Identify all potential stops and estimate the potential ridership for each stop;

(9) Study and compare the potential ridership for rush-hour-only service and all-day service;

(10) Develop recommendations on the potential start and end points of a MARC extension; and

(11) Explore the potential effect that extending MARC rail service to western Maryland would have on CSX.

(d) The Department shall develop recommendations on the feasibility of planning, financing, constructing, and operating a MARC line that extends commuter rail service to western Maryland.

(e) On or before July 1, 2023, the Department shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(f) (1) The Maryland Transit Administration shall incorporate the recommendations of the study into the Statewide Transit Plan.

(2) Notwithstanding any alteration or postponement of the Statewide Transit Plan, the Department shall conduct the study in accordance with this section.”;

and in line 14, strike “3.” and substitute “4.”.

The preceding 4 amendments were read only.

Senator Reilly moved to make the Bill and Amendments a Special Order for March 30, 2021.

The motion was rejected.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0199/233525/1

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 199, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 12, after “purpose;” insert “requiring the Department rather than the Administration to undertake and submit to the General Assembly certain required assessments;”.

AMENDMENT NO. 2

On page 3 of the bill, in line 12, strike “**ADMINISTRATION**” and substitute “**DEPARTMENT**”; in line 23, strike “**EACH OF**”; in the same line, strike “**YEARS**” and substitute “**YEAR**”; in the same line, strike “**THROUGH**”; in line 35, strike “**AMOUNTS**” and substitute “**AMOUNT**” and in line 36, strike the colon.

On page 7 of the Budget and Taxation Committee Amendments (SB0199/819334/1), in line 4 of Amendment No. 2, strike “**2029**”; in line 6, strike “**\$502,081,501**”; in lines 7, 8, and 9, in each instance, strike “**\$450,000,000**”; and strike beginning with “**\$450,000,000**” in line 10 down through “**\$318,558,000**” in line 11.

On page 4 of the bill, in line 1, strike “**(I)**”; in the same line, strike “**FOR**” and substitute “**FOR**”; and strike beginning with the semicolon in line 1 down through “**LEAST**” in line 6.

On page 4 of the Budget and Taxation Committee Amendments, in line 16 of Amendment No. 2, strike “**MARYLAND TRANSIT ADMINISTRATION**” and substitute “**DEPARTMENT**”.

On page 5 of the bill, in lines 3, 4, 6, 9, and 14, in each instance, strike “Administration” and substitute “DEPARTMENT”; in line 19, strike “ADMINISTRATION” and substitute “DEPARTMENT”; in line 29, strike “11” and substitute “5”; and in the same line, strike “2029” and substitute “2023”.

On page 6 of the bill, in line 1, strike “11” and substitute “5”; in the same line, strike “2029” and substitute “2023”; and after line 13, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the appropriation under § 7–205(e)(2) of the Transportation Article as enacted by Section 1 of this Act be analyzed during the 2023 session after the Department of Transportation publishes a revised 10–Year Capital Needs Inventory and Prioritization.”.

On page 7 of the Budget and Taxation Committee Amendments, in line 2 of Amendment No. 4, strike “3.” and substitute “4.”.

On page 9 of the Budget and Taxation Committee Amendments, in line 22 of Amendment No. 4, strike “4.” and substitute “5.”.

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

Affirmative – 14 Negative – 32 (See Roll Call No. 714)

Read the second time and ordered prepared for Third Reading.

Senate Bill 172 – Senators Hayes, Beidle, Benson, Ellis, Feldman, Kramer, Lee, Sydnor, Waldstreicher, Washington, and Young

AN ACT concerning

Maryland Health Equity Resource Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0172/379935/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 172

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in the sponsor line, strike “and Young” and substitute “Young, Augustine, Corderman, Eckardt, Edwards, Elfreth, Griffith, Guzzone, Hershey, Jennings, Kelley, King, Klausmeier, McCray, Peters, Rosapepe, Salling, and Zucker”; in line 3, after the first “of” insert “establishing a Pathways to Health Equity Program in the Community Health Resources Commission; providing for the purpose of the Program; requiring the Program to provide grant funding for a certain purpose; requiring the Commission to issue a certain request for proposals and establish certain criteria; providing for the duration of certain grants; requiring the Commission to give certain consideration to certain proposals; requiring certain staff support for the Commission; requiring the Commission to report to the Governor and the General Assembly on or before certain dates; establishing a Pathways to Health Equity Fund in the Commission as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Commission to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; altering the purposes of the Maryland Health Benefit Exchange Fund; altering the purposes for which the Maryland Health Benefit Exchange Fund may be used; requiring the Governor to transfer and appropriate a certain amount to the Health Equity Resource Community Reserve Fund in certain fiscal years”; in the same line, strike “Secretary of Health” and substitute “Community Health Resources Commission”; in line 5, after “authorizing” insert “, beginning on a certain date,”; in lines 5, 9, 16, 21, and 23, strike “Secretary” and substitute “Commission”; in line 6, strike “Secretary to consult with the”; in line 7, after “Disparities” insert “to provide certain technical assistance in implementing certain provisions of this Act; requiring any other unit in the Maryland Department of Health to provide certain assistance at the request of the Commission”; strike beginning with “requiring” in line 8 down through “Act;” in line 9; in line 10, after the first “Committee” insert “on or before a certain date”; in line 11, strike “cochairs” and substitute “chair”; in line 14, after “expenses;” insert “authorizing the Commission to convene certain working and advisory groups;”; in the same line, after the second “authorizing” insert “federally qualified health centers,”; in line 19, strike “authorizing” and substitute “requiring”; in line 20, after “employee;” insert “authorizing nonprofit community-based organizations, nonprofit hospitals, institutions of higher education, federally qualified health centers, and local government agencies to contract”

with a historically black college or university in the State to provide certain services under certain circumstances;"; in line 25, strike "Secretary's" and substitute "Commission's"; in line 27, strike "tax credits"; and in the same line, strike the commas.

On page 2, in lines 2, 11, and 12, in each instance, strike "Secretary" and substitute "Commission"; strike beginning with "requiring" in line 3 down through "programs;" in line 5; in line 10, after "education," insert "federally qualified health centers."; strike beginning with "authorizing" in line 14 down through "Fund;" in line 26; strike beginning with "providing" in line 27 down through "Act;" in line 28 and substitute "making this Act an emergency measure; providing for the termination of certain provisions of this Act"; in line 32, after "Section" insert "19-2112; and"; and after line 35, insert:

"BY repealing and reenacting, without amendments,

Article – Insurance

Section 31-107(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 31-107(b) and (f)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)".

On page 3, strike in their entirety lines 7 through 16, inclusive.

AMENDMENT NO. 2

On page 3, after line 31, insert:

"19-2112.

(A) (1) THE COMMISSION SHALL ESTABLISH A PATHWAYS TO HEALTH EQUITY PROGRAM.

(2) (I) THE PURPOSE OF THE PROGRAM IS TO PROVIDE THE FOUNDATION AND GUIDANCE FOR A PERMANENT HEALTH EQUITY RESOURCE COMMUNITY PROGRAM UNDER TITLE 20, SUBTITLE.

(II) CRISP SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION BY MAINTAINING A DATA SET AND SUPPORTING PROGRAM EVALUATION FOR THE PROGRAM.

(3) (I) THE PROGRAM SHALL PROVIDE GRANT FUNDING TO REDUCE HEALTH DISPARITIES, IMPROVE HEALTH OUTCOMES, IMPROVE ACCESS TO PRIMARY CARE, PROMOTE PRIMARY AND SECONDARY PREVENTION SERVICES, AND REDUCE HEALTH CARE COSTS AND HOSPITAL ADMISSIONS AND READMISSIONS.

(II) THE COMMISSION SHALL ISSUE A REQUEST FOR PROPOSALS FOR APPLICANTS WITH PROPOSALS FOR PROGRAMS THAT:

1. ADDRESS THE CRITERIA LISTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

2. DEMONSTRATE HOW THE PROPOSED PROGRAM COULD BE SELF-SUSTAINABLE AS A HEALTH EQUITY RESOURCE COMMUNITY UNDER TITLE 20, SUBTITLE 14 OF THIS ARTICLE.

(III) THE COMMISSION SHALL ESTABLISH THE CRITERIA TO QUALIFY FOR GRANT FUNDING UNDER THIS SUBSECTION.

(IV) GRANTS AWARDED THROUGH THE PROGRAM SHALL BE FOR 2 YEARS.

(V) THE COMMISSION SHALL GIVE SPECIAL CONSIDERATION TO PROPOSALS FROM AREAS PREVIOUSLY DESIGNATED AS A HEALTH ENTERPRISE ZONE.

(4) ONE ADDITIONAL STAFF SHALL BE ADDED TO THE COMMISSION TO PROVIDE STAFF SUPPORT FOR THE PROGRAM.

(5) (I) ON OR BEFORE DECEMBER 1, 2021, THE COMMISSION SHALL ISSUE AN INTERIM REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE GRANTS AWARDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, INCLUDING:

1. A LIST AND SUMMARY OF THE GRANTS AWARDED;
2. AN OVERVIEW OF KEY INTERVENTIONS IN THE GRANTS AWARDED;
3. SPECIFIC HEALTH DISPARITIES THAT WILL BE ADDRESSED BY THE GRANTS; AND
4. KEY MEASURES TO EVALUATE THE IMPACT OF EACH GRANT.

(II) ON OR BEFORE JANUARY 1, 2023, THE COMMISSION SHALL ISSUE A FINAL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

1. THE GRANTS AWARDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, INCLUDING A DESCRIPTION OF THE GRANTEE'S PROGRAM AND ANY DATA RELATED TO COST SAVINGS ACHIEVED UNDER THE PROGRAM;
2. OPTIONS TO DEVELOP, SUSTAIN, AND ESTABLISH A PERMANENT HEALTH EQUITY RESOURCE COMMUNITY PROGRAM IN THE DEPARTMENT;
3. COST-EFFECTIVE WAYS TO MEASURE THE IMPACT OF A HEALTH EQUITY RESOURCE COMMUNITY;
4. WORKFORCE AND RECRUITMENT STRATEGIES TO BE USED BY A HEALTH EQUITY RESOURCE COMMUNITY; AND

5. ANY RECOMMENDATIONS, INCLUDING LEGISLATIVE RECOMMENDATIONS, RELATED TO HEALTH EQUITY RESOURCES COMMUNITIES ESTABLISHED UNDER TITLE 20, SUBTITLE 14 OF THE HEALTH – GENERAL ARTICLE.

(B) (1) THERE IS A PATHWAYS TO HEALTH EQUITY FUND IN THE COMMISSION.

(2) THE PURPOSE OF THE FUND IS TO IMPLEMENT THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION THROUGH GRANT FUNDING AND STAFF SUPPORT.

(3) THE COMMISSION SHALL ADMINISTER THE FUND.

(4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(II) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(5) THE FUND CONSISTS OF:

(I) THE \$14,000,000 AUTHORIZED FOR THE COMMISSION UNDER CHAPTER 39 OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021; AND

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

(6) THE FUND SHALL BE SUBJECT TO AN AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED FOR IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

(7) THE FUND MAY BE USED ONLY TO IMPLEMENT THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION AND TO EVALUATE THE IMPACT OF GRANTS AWARDED UNDER THE PROGRAM.

(8) (I) MONEY EXPENDED FROM THE FUND TO IMPLEMENT THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION AND TO EVALUATE THE IMPACT OF GRANTS AWARDED UNDER THE PROGRAM IS NOT INTENDED TO SUPPLANT FUNDING THAT IS APPROPRIATED TO THE COMMISSION IN ACCORDANCE WITH § 14-106(D)(2)(II) OF THE INSURANCE ARTICLE AND DEPOSITED IN THE COMMUNITY HEALTH RESOURCES COMMISSION FUND FOR THE PURPOSES SET FORTH UNDER § 19-2201 OF THIS TITLE.

(II) THE FUND MAY NOT BE COMMINGLED OR COMBINED WITH THE COMMUNITY HEALTH RESOURCES COMMISSION FUND.

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

Article - Insurance

31-107.

(a) There is a Maryland Health Benefit Exchange Fund.

(b) (1) The purpose of the Fund is to:

(i) provide funding for the operation and administration of the Exchange in carrying out the purposes of the Exchange under this subtitle; [and]

(ii) provide funding for the establishment and operation of the State Reinsurance Program authorized under this subtitle; AND

(III) PROVIDE FUNDING FOR THE ESTABLISHMENT AND OPERATION OF HEALTH EQUITY RESOURCE COMMUNITIES UNDER TITLE 20, SUBTITLE 14 OF THE HEALTH - GENERAL ARTICLE.

(2) The operation and administration of the Exchange and the State Reinsurance Program may include functions delegated by the Exchange to a third party under law or by contract.

(f) (1) The Fund may be used only:

[(1)] (I) for the operation and administration of the Exchange in carrying out the purposes authorized under this subtitle; [and]

[(2)] (II) for the establishment and operation of the State Reinsurance Program; AND

(III) FOR APPROPRIATIONS TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND UNDER § 20-1407 OF THE HEALTH – GENERAL ARTICLE.

(2) IN EACH OF FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL:

(I) TRANSFER \$15,000,000 TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND; AND

(II) INCLUDE THE FUNDS TRANSFERRED IN ACCORDANCE WITH ITEM (I) OF THIS PARAGRAPH IN THE ANNUAL BUDGET BILL AS AN APPROPRIATION TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND UNDER § 20-1407 OF THE HEALTH – GENERAL ARTICLE.

Article – Health – General".

AMENDMENT NO. 3

On page 4, after line 3, insert "(C) "COMMISSION" MEANS THE COMMUNITY HEALTH RESOURCES COMMISSION."; in lines 4, 6, 8, 10, and 15, strike "(C)", "(D)", "(E)", "(F)" and "(G)", respectively, and substitute "(D)", "(E)", "(F)", "(G)" and "(H)", respectively.

On page 5, in lines 5, 16, and 17, strike "(H)", "(I)", and "(J)", respectively, and substitute "(I)", "(J)", and "(K)", respectively; and in line 13, strike "SECRETARY" and substitute "COMMISSION".

On page 6, in lines 3, 13, and 22, in each instance, strike "SECRETARY" and substitute "COMMISSION"; in line 7, after "(2)" insert "(I)"; in the same line, strike "SECRETARY SHALL CONSULT WITH THE"; in line 8, after "DISPARITIES" insert "SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION"; after line 9, insert:

“(II) AT THE REQUEST OF THE COMMISSION, ANY OTHER UNIT IN THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION IN IMPLEMENTING THE PROVISIONS OF THIS SUBTITLE.”;

strike beginning with “**THE**” in line 10 down through “**NECESSARY**” in line 11 and substitute “**TWO ADDITIONAL STAFF SHALL BE ADDED TO THE COMMISSION**”; in line 13, strike “**DECEMBER**” and substitute “**JULY**”; strike beginning with “**ELIGIBILITY**” in line 17 down through “**PROCESSES**” in line 18 and substitute “**PROGRAM EVALUATION AND DATA COLLECTION METRICS**”; in line 20, strike “**COORDINATING WITH THE SECRETARY AS TO**” and substitute “**ASSISTING THE COMMISSION IN PREPARING**”; in line 21, after “**SUBTITLE**” insert “**AND § 19–2112 OF THIS ARTICLE**”; in the same line, strike “**AND**”; in line 22, before “**PROVIDING**”, insert “**PROPOSING STRATEGIES FOR TAX INCENTIVES AND LOAN REPAYMENTS TO ASSIST HEALTH EQUITY RESOURCE COMMUNITIES IN ACHIEVING THEIR MISSION; AND**

(IV);

in the same line, after “**GUIDANCE**” insert “**, AS DETERMINED BY THE COMMISSION,**”; after line 24, insert:

(1) THE CHAIR OF THE COMMUNITY HEALTH RESOURCES COMMISSION, OR THE CHAIR’S DESIGNEE;

(2) THE DIRECTOR OF THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES, OR THE DIRECTOR’S DESIGNEE;;

in line 25, strike “**(1)**” and substitute “**(3) THREE MEMBERS APPOINTED BY THE GOVERNOR, INCLUDING:**

(I) ONE INDIVIDUAL REPRESENTING THE MARYLAND DEPARTMENT OF HEALTH; AND

(II) ONE INDIVIDUAL WITH EXPERTISE IN HEALTH CARE FINANCING;

(4) THREE MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE, INCLUDING:

(I) ONE INDIVIDUAL WITH EXPERTISE IN THE SOCIAL DETERMINANTS OF HEALTH; AND

(II) ONE INDIVIDUAL WHO IS A MEMBER OF THE GENERAL PUBLIC RESIDING IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED A HEALTH EQUITY RESOURCE COMMUNITY; AND

(5) THREE MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE, INCLUDING:

(I) ONE INDIVIDUAL WITH EXPERTISE IN HEALTH EQUITY; AND

(II) ONE INDIVIDUAL WHO IS A MEMBER OF THE GENERAL PUBLIC RESIDING IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED A HEALTH EQUITY RESOURCE COMMUNITY.”.

On pages 6 through 8, strike beginning with “**THE FOLLOWING**” in line 25 on page 6 down through “**COMMUNITY.**” in line 18 on page 8.

On page 9, in line 1, strike “**AND**”; in line 2, after “**PERSPECTIVES**” insert “**;AND**”

(VII) INNOVATIVE WAYS TO ADDRESS SOCIAL DETERMINANTS OF HEALTH THROUGH THE USE OF COMMUNITY HEALTH WORKERS”;

in line 5, after “**ETHNIC,**” insert “**GEOGRAPHIC,**”; strike in their entirety lines 6 and 7 and substitute:

“(3) THE CHAIR OF THE MARYLAND COMMUNITY HEALTH RESOURCES COMMISSION SHALL CHAIR THE ADVISORY COMMITTEE.”;

and in lines 10 and 17, in each instance, strike “**SECRETARY**” and substitute “**COMMISSION**”.

On page 10, strike lines 1 through 3, inclusive, and substitute:

“(G) THE COMMISSION MAY CONVENE WORKING OR ADVISORY GROUPS TO FACILITATE THE IMPLEMENTATION OF THIS SUBTITLE THAT SHALL INCLUDE INDIVIDUALS WHO RESIDE IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED AS A HEALTH EQUITY RESOURCE COMMUNITY.”;

in line 7, after “**EDUCATION,**” insert “**A FEDERALLY QUALIFIED HEALTH CENTER,**”; in line 8, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 8, strike “**APPLY**” and substitute “**;**”

(1) APPLY;

in line 9, after “**DESIGNATION**” insert “**;** **AND**

(2) INCLUDE FEDERALLY QUALIFIED HEALTH CENTERS OR OTHER COMMUNITY-BASED ORGANIZATIONS TO PROVIDE HEALTH OR WRAPAROUND SUPPORT SERVICES WITHIN THE HEALTH EQUITY RESOURCE COMMUNITY;

in line 12, strike “**SECRETARY**” and substitute “**COMMISSION**”; after line 16, insert:

“(I) A DESCRIPTION OF HOW THE PLAN WILL EXPAND FEDERALLY QUALIFIED HEALTH CENTERS’ OR OTHER COMMUNITY-BASED ORGANIZATIONS’ CAPACITY TO PROVIDE HEALTH CARE SERVICES OR WRAPAROUND SERVICES TO ADDRESS SOCIAL DETERMINANTS OF HEALTH; AND”;

and in line 17, strike “**(I)**” and substitute “**(II)**”.

On page 11, strike beginning with “**;**” in line 5 down through “**AREA**” in line 8; strike beginning with “**A**” in line 10 down through “**AREA**” in line 13 and substitute “**A PROPOSAL TO USE FUNDING AVAILABLE UNDER THIS SUBTITLE TO PROVIDE FOR LOAN REPAYMENT INCENTIVES TO INDUCE HEALTH CARE PRACTITIONERS TO PRACTICE IN THE AREA**”; in line 29, strike “**THE SECRETARY SHALL**” and substitute “**ON OR BEFORE OCTOBER 1, 2022, THE COMMISSION SHALL ISSUE A REQUEST FOR PROPOSALS TO**”; and in line 31, strike “**SECRETARY**” and substitute “**COMMISSION**”.

On page 12, in lines 7, 12, and 25, in each instance, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 17, strike “**SUSTAINABILITY**” and substitute

“SELF-SUSTAINABILITY”; in line 24, strike “AND”; in line 27, after “OUTCOMES” insert “; AND

(7) A PREVIOUS DESIGNATION AS A HEALTH ENTERPRISE ZONE OR INCLUSION OF AREAS PREVIOUSLY INCLUDED IN A HEALTH ENTERPRISE ZONE;

in line 30, after “EDUCATION,” insert **“A FEDERALLY QUALIFIED HEALTH CENTER,”**.

On page 13, strike beginning with “SECRETARY” in line 6 down through “COMMITTEE” in line 7 and substitute **“COMMISSION”**; in line 11, strike “SECRETARY AND THE HEALTH EQUITY RESOURCE ADVISORY COMMITTEE” and substitute **“COMMISSION”**; in lines 14, 16, 18, 26, and 28, in each instance, strike “SECRETARY” and substitute **“COMMISSION”**; in line 14, after “(D)” insert **“NOTWITHSTANDING THE REQUIREMENT TO HIRE A FULL-TIME EMPLOYEE TO SERVE AS AN EVALUATOR UNDER SUBSECTION (C) OF THIS SECTION, A NONPROFIT COMMUNITY-BASED ORGANIZATION, A NONPROFIT HOSPITAL, AN INSTITUTION OF HIGHER EDUCATION, A FEDERALLY QUALIFIED HEALTH CENTER, OR A LOCAL GOVERNMENT AGENCY MAY CONTRACT WITH A HISTORICALLY BLACK COLLEGE OR UNIVERSITY IN THE STATE TO PROVIDE EVALUATOR SERVICES.**

(E);

in line 16, strike “(E)” and substitute **(F)**; strike beginning with the colon in line 21 down through “LOAN” in line 24 and substitute **“LOAN”**.

On page 14, in line 12, after “EDUCATION,” insert **“A FEDERALLY QUALIFIED HEALTH CENTER,”**; in lines 16, 23, and 27, in each instance, strike “SECRETARY” and substitute **“COMMISSION”**; in line 20, after “EDUCATION,” insert **“A FEDERALLY QUALIFIED HEALTH CENTER,”**; in line 28, strike “OR TAX CREDITS”; and in line 30, after “EDUCATION,” insert **“FEDERALLY QUALIFIED HEALTH CENTERS,”**.

On page 15, in line 2, strike “TO THE DEPARTMENT”; in lines 6 and 29, in each instance, strike “SECRETARY” and substitute **“COMMISSION”**; strike beginning with “10%” in line 15 down through “(2)” in line 17; in line 17, after “FUND” insert **“IN ACCORDANCE WITH § 31-107 OF THE INSURANCE ARTICLE”**; in lines 18 and 19, strike “(3)” and “(4)”, respectively, and substitute **(2)** and **(3)**, respectively; and strike beginning with “THE” in line 21 down through “THE” in line 28 and substitute **“THE”**.

On page 16, in line 2, strike “OR TAX CREDITS”; in lines 9, 13, and 15, strike “(H)”, “(I)”, and “(J)”, respectively, and substitute “(G)”, “(H)”, and “(I)”, respectively; in lines 16, 25, and 30, in each instance, strike “SECRETARY” and substitute “COMMISSION”; in line 20, strike “ON OR BEFORE SEPTEMBER 15 EACH YEAR, EACH” and substitute “EACH”; in line 22, after “EDUCATION,” insert “FEDERALLY QUALIFIED HEALTH CENTER,”; in line 27, strike “AND”; in line 29, after “YEAR” insert “; AND

(III) ANY OTHER INFORMATION AS REQUESTED BY THE COMMISSION.

(2) THE REPORTING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SUBMITTED PERIODICALLY IN ACCORDANCE WITH A SCHEDULE DETERMINED BY THE COMMISSION”;

in line 30, strike “(2)” and substitute “(3)”; and in line 32, after “EDUCATION,” insert “FEDERALLY QUALIFIED HEALTH CENTER,”.

On page 17, in lines 1 and 3, in each instance, strike “SECRETARY” and substitute “COMMISSION”; and in line 9, strike “TAX AND”.

On pages 18 through 23, strike in their entirety the lines beginning with line 13 on page 18 through line 16 on page 23, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a 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. Section 1 of this Act shall remain effective through June 30, 2023, and, at the end of June 30, 2023, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER**House Bill 908 – Delegate Carey****EMERGENCY BILL**

AN ACT concerning

Unemployment Insurance – Employer Contributions – ~~Payment Plans~~

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT AS AMENDED.

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 46 Members present.

(See Roll Call No. 715)

ADJOURNMENT

At 1:59 P.M. on motion of Senator King the Senate adjourned until 7:00 P.M. on Legislative Day March 7, 2021, Calendar Day, Monday, March 29, 2021.

Annapolis, Maryland
Legislative Day: March 7, 2021
Calendar Day: Monday, March 29, 2021
7:00 P.M. Session

The Senate met at 7:09 P.M.

Prayer by Father Joseph Pierce, St. John Vianney Catholic Church, guest of Senator Jackson.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 716)

The Journal of March 26, 2021 was read and approved.

MESSAGE FROM THE HOUSE OF DELEGATES NO. 2
SENATE BILLS PASSED BY YEAS AND NAYS

BILL NO.	SPONSOR	CONTENT
SB 8	Sen. Kagan	General Provisions – State Song – Repeal
SB 12	Sen. Hettleman	Maryland Office of the Inspector General for Health
SB 34	Sen. Lam	State Board of Physicians – Genetic Counselors – Licensing
SB 141	Chair, Education, Health, and Environmental Affairs Committee	State Board of Public Accountancy – Education Requirements – Obsolete References

BILL NO.	SPONSOR	CONTENT
SB 164	Sen. Simonaire	Veterans – Behavioral Health Services – Mental Health First Aid
SB 180	Sen. Simonaire	Funeral Establishments and Crematories – Unclaimed Cremains of Veterans – Notification, Disposition, and Reporting
SB 215	Sen. Kelley	Maryland Department of Health – Birth Registration – Gestational Carriers
SB 236	Sen. Hettleman	Maryland Commission on Civil Rights – Employment Discrimination – Reporting
SB 262	Sen. Eckardt	Department of Information Technology – Study of a Common Information Technology Platform for Health Occupations Boards
SB 275	Sen. Hester	Maryland Department of Health – Residential Service Agencies – Training Requirements
SB 282	Sen. Lam	Public Health – Prohibition on Testing Cosmetics on Animals
SB 313	Sen. Washington	Maryland Department of Health – Public Health Outreach Programs – Cognitive Impairment, Alzheimer’s Disease, and Other Types of Dementia
SB 466	Sen. West	Mental Health – Assent to and Certificates for Admission – Licensed Certified Social Worker–Clinical and Licensed Clinical Prfsnl Cnslr
SB 476	Sen. Eckardt	Health Occupations – Nurses – Delegation of Tasks
SB 485	Sen. Augustine	Maryland Medical Assistance Program – Dental Prophylaxis Care and Oral Health Exams
SB 499	Sen. Lam	Prohibition on Vending Machine Sales of Drugs and Medicines – Repeal

BILL NO.	SPONSOR	CONTENT
SB 520	Sen. Klausmeier	Behavioral Health Services and Voluntary Placement Agreements – Children and Young Adults – Report Modifications
SB 571 (Emerg)	The President	Interstate Licensed Professional Counselors Compact
SB 597	Sen. Washington	State Board of Social Work Examiners – Revisions
SB 598	Sen. Smith	Prermnt – Ofc of Sml, Mnrty, & Wmn Bsns Affairs – Sml Bsns Reserve Prgrm & Vet–Ownd Sml Bsns Entrprs Prgrm
SB 646	Sen. Carozza	Alcohol and Drug Counseling – Alcohol and Drug Trainees – Practice Through Telehealth
SB 704	Sen. Beidle	Nursing Homes – Transfer of Ownership – Surveys
SB 719	Sen. Zucker	2–1–1 Maryland – Mental Health Services Phone Call Program (The Thomas Bloom Raskin Act)
SB 729	Sen. Feldman	Maryland Health Benefit Exchange – State–Based Young Adult Health Insurance Subsidies Pilot Program
SB 748	Sen. Beidle	Public Health – State Designated Exchange – Clinical Information
SB 771 (Emerg)	Sen. Hester	Unemployment Insurance – Work Sharing (Work Share Expansion Act of 2021)
SB 804	Sen. Edwards	Garrett County – Memorial Hospital – Board Membership and Meetings
SB 818 (Emerg)	Sen. Klausmeier	Unemployment Insurance – Maryland Department of Labor – Accountability and Oversight

By Order,
Nicole M. Xander, Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 29**

House Bill 625 – Prince George’s County Delegation

AN ACT concerning

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

PG 307–21

FOR the purpose of ~~authorizing the issuance of a Class A beer and wine license for a grocery store in an alcohol density zone in Prince George’s County under certain circumstances; prohibiting the issuance of a Class A beer, wine, and liquor license for a grocery store in the county;~~ authorizing the Board of License Commissioners for Prince George’s County to approve the transfer of a Class A beer, wine, and liquor license into a part of certain alcoholic beverages districts in the county if the original licensed premises is in an alcohol density zone; defining “alcohol density zone”; ~~making a conforming change;~~ and generally relating to alcoholic beverages in Prince George’s County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section ~~4–205~~ and 26–102
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section ~~26–101, 26–801, 26–804, 26–901, 26–101~~ and 26–1603(a)
Annotated Code of Maryland
(2016 Volume and 2020 Supplement)

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

House Bill 1375 – Delegate Kelly

AN ACT concerning

Health Information Exchanges – Electronic Health Information – Sharing and Disclosure

FOR the purpose of altering the laws with which certain regulations adopted by the Maryland Health Care Commission must comply; requiring that certain regulations adopted by the ~~Maryland Health Care~~ Commission require the State-designated health information exchange to develop and maintain a certain consent management application, subject to certain laws, and provide for certain penalties; ~~providing requiring that, subject to certain laws, certain regulations may not prohibit certain sharing and disclosing of certain information or certain uses of~~ allow certain entities to use electronic health information for certain purposes; excluding, rather than including, certain payors from the application of certain provisions of law governing health information exchanges; requiring, ~~to the extent authorized under certain laws,~~ certain health information exchanges ~~and payors~~ to transmit to the State-designated health information exchange certain clinical information in a certain manner under certain circumstances; requiring, rather than authorizing, the Commission to adopt certain regulations; altering the purposes for which certain regulations adopted by the Commission are required to limit the scope of certain clinical information; providing that the General Assembly recognizes certain information; requiring the Commission, in consultation with its Health Information Exchange Policy Board and other relevant stakeholders, to make a certain recommendation; requiring the Commission to report to certain committees of the General Assembly on or before a certain date; defining certain terms; altering certain definitions; making conforming changes; and generally relating to health information exchanges.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–301, 4–302.2(b), 4–302.3, 19–142, and 19–143(a)(2) and (f)(1)(ii)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–302.2(a)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 717)

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 – 47 Negative – 0 (See Roll Call No. 718)

The Bill was then sent to the House of Delegates.

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 – 38 Negative – 9 (See Roll Call No. 719)

The Bill was then sent to the House of Delegates.

Senate Bill 740 – Senator Rosapepe

EMERGENCY BILL

AN ACT concerning

**Economic Development – COVID–19 Small Business Grant Program
(COVID–19 Crisis Small Business Survival Program Act of 2021)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 720)

The Bill was then sent to the House of Delegates.

SPECIAL ORDER CALENDAR NO. 37
SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 7

Senator Young, Chair for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 7
March 25, 2021

Alcohol and Tobacco Commission

3. Eric J. Morrissette District 21
4608 Drexel Road
College Park, MD 20740

Member of the Alcohol and Tobacco Commission; appointed to serve a term to expire June 30, 2022

The President of the Senate put the following question: "Will the Senate advise and consent to the above nomination of the Executive, Nominee No. 3?"

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 721)

Alcohol and Tobacco Commission

5. Barbara A. Wahl District 43
434 Rosebank Avenue
Baltimore, MD 21212

Member of the Alcohol and Tobacco Commission; appointed to serve a term to expire June 30, 2024

The President of the Senate put the following question: "Will the Senate advise and consent to the above nomination of the Executive, Nominee No. 5?"

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 722)

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 32**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 449 – Senator Kagan

AN ACT concerning

**Public Information Act – Revisions
(Equitable Access to Records Act)**

SB0449/824435/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 449
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “information;” in line 10; and in line 28, after “request;” insert “providing that a custodian may not be required to produce a certain record for Board review under certain circumstances; authorizing the Board to request certain information from the custodian;”.

On page 2, strike beginning with “requiring” in line 15 down through “information;” in line 17; in line 21, after “terminology;” insert “providing for the application of this Act;”; in line 23, after “date;” insert “providing for a delayed effective date;”; and in line 37, strike “and 4–105”.

AMENDMENT NO. 2

On page 3, in line 26, after “THE” insert “PUBLIC ACCESS OMBUDSMAN OR THE”.

On pages 4 and 5, strike in their entirety the lines beginning with line 13 on page 4 through line 15 on page 5, inclusive.

On page 7, in line 12, strike “FOUR” and substitute “TWO”; in line 23, strike “\$200;” and substitute “\$350; OR”; and strike beginning with “UNREASONABLY” in line 24 down through “(IV)” in line 26.

On page 8, in line 6, after the semicolon insert “OR”; and strike beginning with “**IF**” in line 7 down through “**(IV)**” in line 10.

On page 10, in line 7, strike “**45**” and substitute “**30 CALENDAR**”; in line 17, after “**30**” insert “CALENDAR”; and in line 30, after “**RECORD;**” insert “OR”.

On page 11, strike beginning with “**; OR**” in line 3 down through “**REQUEST**” in line 6; after line 6, insert:

“(3) (I) IF THE COMPLAINT ALLEGES THAT THE CUSTODIAN DENIED INSPECTION OF A PUBLIC RECORD UNDER § 4-301(A)(2)(II) OF THIS TITLE, THE CUSTODIAN MAY NOT BE REQUIRED TO PRODUCE THE PUBLIC RECORD FOR BOARD REVIEW.

(II) THE BOARD MAY REQUEST INFORMATION ABOUT THE PUBLIC RECORD FROM THE CUSTODIAN.”;

in lines 7, 10, 13, and 16, strike “**(3)**”, “**(4)**”, “**(5)**”, and “**(6)**”, respectively, and substitute “**(4)**”, “**(5)**”, “**(6)**”, and “**(7)**”, respectively; in line 13, after “**LIABLE**” insert “UNDER MARYLAND LAW”; in line 20, after “**30**” insert “CALENDAR”; and in line 26, after “**30**” insert “CALENDAR”.

On page 12, in line 9, after “**30**” insert “CALENDAR”.

On page 14, in line 1, after “**90**” insert “CALENDAR”.

On pages 14 and 15, strike in their entirety the lines beginning with line 29 on page 14 through line 9 on page 15, inclusive.

AMENDMENT NO. 3

On page 16, after line 8, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be applied or interpreted to have any effect on or application to any exceptions to disclosure requirements in Title 4 of the General Provisions Article.”;

in line 9, strike “**3.**” and substitute “4.”; and in line 10, strike “**October 1, 2021**” and substitute “July 1, 2022”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 723 – Senator Hester

EMERGENCY BILL

AN ACT concerning

Maryland Food System Resiliency Council

SB0723/844331/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 723

(First Reading File Bill)

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

On page 3, in line 2, strike “(11)” and substitute “(10)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 851 – Senator Hough

AN ACT concerning

Frederick County Board of Education – Vacancies

SB0851/374035/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 851

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “appointed” and substitute “elected”.

AMENDMENT NO. 2

On page 2, strike beginning with “EXCEPT” in line 8 down through “COUNCIL” in line 9 and substitute “IF THERE IS A VACANCY BY AN ELECTED MEMBER OF THE COUNTY BOARD OCCURRING 30 DAYS OR LESS BEFORE THE CANDIDATE REGISTRATION DEADLINE FOR THE NEXT PRIMARY ELECTION”; in line 10, after “APPOINT” insert “, SUBJECT TO CONFIRMATION OF THE COUNTY COUNCIL,”; in the same line, strike “ANY” and substitute “THE”; in line 12, strike “APPOINTED” and substitute “ELECTED IN ACCORDANCE WITH PARAGRAPH (4)(I) OF THIS SUBSECTION”; in line 13, after “IF” insert “THERE IS”; in the same line, strike “FOR” and substitute “BY”; in the same line, strike “OCCURS” and substitute “OF THE COUNTY BOARD OCCURRING”; strike beginning with the comma in line 15 down through “ELECTION” in line 17 and substitute “:”

(I) THE COUNTY EXECUTIVE SHALL APPOINT, SUBJECT TO CONFIRMATION OF THE COUNTY COUNCIL, A QUALIFIED INDIVIDUAL TO TEMPORARILY FILL THE VACANCY ON THE COUNTY BOARD WHO SHALL SERVE UNTIL A QUALIFIED INDIVIDUAL IS ELECTED IN ACCORDANCE WITH PARAGRAPH (4)(II) OF THIS SUBSECTION; AND

(II) THE INDIVIDUAL ELECTED UNDER ITEM (I) OF THIS PARAGRAPH SHALL SERVE FOR THE REMAINDER OF THAT TERM UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES”;

in line 25, strike “(2)” and substitute “(3)”; and strike in their entirety lines 29 through 32, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 948 – Senator Klausmeier (By Request – Departmental – Veterans Affairs)

AN ACT concerning

Veterans Affairs – Office of Communications and Public Affairs – Veterans Advocacy and Education Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 25

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 515 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

SB0515/928379/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 515

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “terms;” insert “making certain conforming changes;”.

AMENDMENT NO. 2

On page 2, in line 32, strike “**BY EITHER:**”.

On page 3, strike beginning with “**(I)**” in line 1 down through “**ADOLESCENTS**” in line 4 and substitute “**IN ANY OF THE FOLLOWING LOCATIONS:**”

(I) A LOCATION OTHER THAN REAL PROPERTY THAT IS USED FOR PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY EDUCATION, INCLUDING BY:

1. PARTICIPATING IN THE HOME AND HOSPITAL TEACHING PROGRAM FOR STUDENTS; OR

2. PARTICIPATING IN OR ATTENDING A PROGRAM APPROVED BY A COUNTY BOARD UNDER PARAGRAPH (2) OF THIS SUBSECTION; OR

(II) A REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS”;

and in line 11, after “violates” insert “**SUBSECTION (C) OR (D) OF**”.

The preceding 2 amendments were read only.

Senator Smith moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 888 – Senator Beidle

AN ACT concerning

**Anne Arundel County – Speed Monitoring Systems – Maryland Route 175
(Jessup Road)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 26

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 852 – Senators Hough, Bailey, Carozza, Cassilly, Corderman, Eckardt, Edwards, Gallion, Hershey, Jennings, Ready, Salling, Simonaire, and West

EMERGENCY BILL

AN ACT concerning

**Crimes – Penalties and Procedures
(Violent Firearms Offender Act of 2021)**

SB0852/648272/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 852

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 10 down through “circumstances;” in line 12; and strike in their entirety lines 22 through 27, inclusive.

On page 2, in line 28, strike “7–104(g);” and strike in their entirety lines 31 through 40, inclusive.

On page 3, strike in their entirety lines 1 through 11, inclusive; strike beginning with “That” in line 28 down through “ENACTED,” in line 31; and in line 34, strike “3.” and substitute “2.”.

AMENDMENT NO. 2

On pages 8 and 9, strike in their entirety the lines beginning with line 1 on page 8 through line 28 on page 9, inclusive.

On pages 11 through 13, strike in their entirety the lines beginning with line 13 on page 11 through line 27 on page 13, inclusive.

On page 17, in line 18, strike “4.” and substitute “3.”.

The preceding 2 amendments were read only.

Senator Smith moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 33**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 183 – Delegate Lierman

AN ACT concerning

**Public Information Act – Revisions
(Equitable Access to Records Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 23

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

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

AN ACT concerning

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

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

(See Exhibit L of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO HOUSE BILL 590 – THE CAPITAL BUDGET

(See Exhibit M of Appendix III)

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

AN ACT concerning

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

The preceding 128 amendments were read only.

Senator Peters moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

LAID OVER CALENDAR NO. 19

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)**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

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 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 47 Members present.

(See Roll Call No. 723)

SENATE THIRD READING CALENDAR NO. 3 (GENERAL HOUSE BILLS) CONSENT NO. 3

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 5	Del. Krebs	Cemeteries – Perpetual Care – Distribution From Perpetual Care Trust Fund	FIN
HB 56	Del. Boyce	Labor and Employment – Leave With Pay – Bereavement Leave	FIN
HB 85	Del. Bhandari	Baltimore County – Workers’ Compensation – Permanent Partial Disability – Detention and Correctional Officers	FIN

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 101	Del. Charkoudian	Hmn Services – Supplemental Nutrition Assistance Program – Heat and Eat Program and Stdy on Md Energy Assistance Program Eligibility	FIN
HB 345	Del. Charkoudian	Public Utilities – Gas Service Regulator Safety (Flower Branch Act)	FIN
HB 376	Del. Mautz	Renewable Energy Portfolio Standard – Municipal Electric Utilities	FIN
HB 393	Del. Barron	Maryland Office of the Inspector General for Health	FIN

By Order,
Nicole M. Xander, Secretary

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 724)

The Bills were then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 4 (GENERAL HOUSE BILLS)
CONSENT NO. 4**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 471	Del. C. Watson	Financial Institutions – Security Questions and Measures	FIN
HB 473	Del. Dumais	Electricity – Change of Address – Maintenance of Subscriptions and Contracts	FIN

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 484	Del. Cullison	Health Care Facilities – Dialysis Treatment Services – Training (David Selby Dialysis Parity Act)	FIN
HB 504	Del. Dumais	Insurance – Impaired Entities – Delinquency Proceedings	FIN
HB 547	Del. R. Lewis	Maryland Medical Assistance Program – Dental Prophylaxis Care and Oral Health Exams	FIN
HB 549	Del. Pena–Melnyk	Maryland Department of Health – Birth Registration – Gestational Carriers	FIN
HB 605	Del. Kipke	Veterans – Behavioral Health Services – Mental Health First Aid	FIN
HB 611	Del. Hill	Public Health – Prohibition on Testing Cosmetics on Animals	FIN

By Order,
Nicole M. Xander, Secretary

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 725)

The Bills were then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 5 (GENERAL HOUSE BILLS)
CONSENT NO. 5**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 639	Del. D.M. Davis	Tri-County Council for Southern Maryland – Property Management – Southern Maryland Regional Agricultural Center	FIN
HB 648	Del. Wilson	Electric Cooperatives – Meetings – Alterations	FIN
HB 673 (Emerg)	Del. Valentino-Smith	State Health Care Facilities – Employees – Alternative Workweeks	FIN
HB 689	Del. McComas	Mental Health – Assent to and Certificates for Admission – Licensed Certified Social Worker – Clinical and Licensed Clinical Prfsnl Cnslr	FIN
HB 780	Del. Kerr	Maryland Health Benefit Exchange – State-Based Young Adult Health Insurance Subsidies Pilot Program	FIN
HB 812	Del. Cullison	2-1-1 Maryland – Mental Health Services Phone Call Program (The Thomas Bloom Raskin Act)	FIN
HB 842	Del. Howard	Electric Companies – Billing Information	FIN

By Order,
Nicole M. Xander, Secretary

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 726)

The Bills were then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 6 (GENERAL HOUSE BILLS)
CONSENT NO. 6**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 907 (Emerg)	Del. Carey	Unemployment Insurance – Study on System Reforms	FIN
HB 945	Del. Carey	Human Services – Critical Medical Needs Program – Application for Assistance	FIN
HB 969	Del. Carey	Home Energy Assistance – Critical Medical Needs Program – Power to the People Pilot Program	FIN
HB 1022	Del. Pendergrass	Public Health – State Designated Exchange – Clinical Information	FIN
HB 1139 (Emerg)	Del. Carey	Unemployment Insurance – Weekly Benefit Amount – Income Disregard	FIN
HB 1143	Del. Carey	Unemployment Insurance – Work Sharing (Work Share Expansion Act of 2021)	FIN
HB 1243	Del. Sample–Hughes	Behavioral Health Services and Voluntary Placement Agreements – Children and Young Adults – Report Modifications	FIN

By Order,
Nicole M. Xander, Secretary

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 727)

The Bills were then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 7 (GENERAL HOUSE BILLS)**House Bill 37 – Delegate Valderrama**

AN ACT concerning

Procurement – Prevailing Wage – Applicability

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

Affirmative – 32 Negative – 15 (See Roll Call No. 728)

The Bill was then returned to the House of Delegates.

House Bill 853 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)**EMERGENCY BILL**

AN ACT concerning

Small, Minority, and Women-Owned Businesses Account – Alterations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 729)

The Bill was then returned to the House of Delegates.

House Bill 908 – Delegate Carey**EMERGENCY BILL**

AN ACT concerning

Unemployment Insurance – Employer Contributions – ~~Payment Plans~~

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

Affirmative – 47 Negative – 0 (See Roll Call No. 730)

The Bill was then returned to the House of Delegates.

House Bill 1002 – Delegate Charkoudian**EMERGENCY BILL**

AN ACT concerning

Unemployment Insurance – Insurance Revisions and Required Study and Special Enrollment Period for Health Benefits

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

Affirmative – 47 Negative – 0 (See Roll Call No. 731)

The Bill was then returned to the House of Delegates.

House Bill 1138 – Delegate Carey

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Maryland Department of Labor – Accountability and Oversight

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

Affirmative – 47 Negative – 0 (See Roll Call No. 732)

The Bill was then returned to the House of Delegates.

House Bill 1148 – Delegate Cullison

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 733)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 8 (GENERAL HOUSE BILLS)

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

AN ACT concerning

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

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

Affirmative – 33 Negative – 12 (See Roll Call No. 734)

The Bill was then returned to the House of Delegates.

House Bill 80 – Delegate Charkoudian

AN ACT concerning

**~~Department of Transportation and Department of the Environment – Purple
Line Tree Replacement Plan – Urban Tree Program – Establishment~~**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 735)

The Bill was then returned to the House of Delegates.

House Bill 107 – Delegate R. Lewis

AN ACT concerning

Prohibition on Vending Machine Sales of Drugs and Medicines – Repeal

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

Affirmative – 41 Negative – 6 (See Roll Call No. 736)

The Bill was then returned to the House of Delegates.

House Bill 174 – Delegate Brooks

AN ACT concerning

Public Utilities – Investor–Owned Utilities – Prevailing Wage

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

Affirmative – 32 Negative – 15 (See Roll Call No. 737)

The Bill was then returned to the House of Delegates.

House Bill 261 – Delegate T. Branch

AN ACT concerning

Business Regulation – Battery–Charged Fence Security Systems – Regulation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 738)

The Bill was then returned to the House of Delegates.

House Bill 298 – Delegate Charkoudian

AN ACT concerning

Utility Regulation – Consideration of Climate and Labor

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

Affirmative – 33 Negative – 14 (See Roll Call No. 739)

The Bill was then returned to the House of Delegates.

House Bill 368 – Delegate Bagnall

AN ACT concerning

Task Force on Oral Health in Maryland

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

Affirmative – 47 Negative – 0 (See Roll Call No. 740)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 9 (GENERAL HOUSE BILLS)

House Bill 569 – Delegate Clippinger

AN ACT concerning

Electricity – Net Energy Metering – Limit

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

Affirmative – 47 Negative – 0 (See Roll Call No. 741)

The Bill was then returned to the House of Delegates.

House Bill 598 – Delegate Kelly

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 742)

The Bill was then returned to the House of Delegates.

House Bill 599 – Delegate Kelly

AN ACT concerning

Public Health – Long-Term Care Planning

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

Affirmative – 47 Negative – 0 (See Roll Call No. 743)

The Bill was then returned to the House of Delegates.

House Bill 658 – Delegate Qi

AN ACT concerning

**Transforming Manufacturing in a Digital Economy Workgroup
(Making It in Maryland)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 744)

The Bill was then returned to the House of Delegates.

House Bill 894 – Delegate Haynes

AN ACT concerning

Education – Community Colleges – Collective Bargaining

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

Affirmative – 32 Negative – 15 (See Roll Call No. 745)

The Bill was then returned to the House of Delegates.

House Bill 919 – Delegate Bagnall

EMERGENCY BILL

AN ACT concerning

**Maryland Insurance Commissioner – Specialty Mental Health Services and
Payment of Claims – Enforcement**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 746)

The Bill was then returned to the House of Delegates.

House Bill 1293 – Delegate Amprey

AN ACT concerning

Baltimore City – West North Avenue Development Authority

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

Affirmative – 47 Negative – 0 (See Roll Call No. 747)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 10 (GENERAL HOUSE BILLS)

House Bill 1372 – The Speaker

EMERGENCY BILL

AN ACT concerning

Blueprint for Maryland’s Future – Revisions

FLOOR AMENDMENT

HB1372/203126/1

BY: Senator Pinsky

AMENDMENTS TO HOUSE BILL 1372, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB1372/413726/1), in Amendment No. 1, strike beginning with “authorizing” in line 8 down through “circumstances;” in line 10; and in line 21, strike “requiring” and substitute “authorizing”.

On page 2 of the bill, in line 27, after “years;” insert “providing for the intent of the General Assembly regarding the provision of summer school programs.”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 1, strike beginning with “requiring” in line 3 down through “Assembly;” in line 8; and in line 10, strike “and (4)”.

AMENDMENT NO. 2

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “(4)” in line 18 down through “CENTER.” in line 27.

On page 7 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, in line 21, strike “2021 – 2022” and substitute “2022 – 2023”.

On page 8 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, in line 9, strike “SHALL” and substitute “MAY”.

On page 35 of the bill, after line 21, insert:

“(3) It is the intent of the General Assembly that summer school programs be provided in-person to the extent feasible if the public health metrics and guidance allow for in-person instruction.”.

On page 10 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “That:” in line 4 down through

“subsection.” in line 16 and substitute “That, for the calculation of the required local appropriation under § 5-235(a)(2)(i) of the Education Article for fiscal year 2022, “enrollment count” means the greater of:

(1) the full-time equivalent enrollment in September 2019; or

(2) the 3-year moving average enrollment defined under § 5-201(t)(2) of the Education Article as enacted by Section 1 of this Act.”;

and in line 18, after “funds” insert “that the counties received for COVID-19 relief”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB1372/983220/1

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 1372, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2 of the bill, in line 4, after “outcomes;” insert “requiring the State Department of Education, on or before a certain date each year, to submit a report to the Accountability and Implementation Board, the Senate Education, Health, and Environmental Affairs Committee, and the House Committee on Ways and Means on the progress of achieving certain outcomes and principles;”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB1372/413726/1), in line 14 of Amendment No. 1, strike “5-404(a)(3)” and substitute “5-404(a)(3) and (i)”.

AMENDMENT NO. 2

On page 18 of the bill, after line 7, insert:

“(I) ON OR BEFORE DECEMBER 31, 2022, AND EACH DECEMBER 31 THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE ACCOUNTABILITY AND IMPLEMENTATION BOARD, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, AND THE HOUSE COMMITTEE ON WAYS AND MEANS ON THE PROGRESS OF ACHIEVING:

(1) THE EXPECTED OUTCOMES INCLUDED IN THE COMPREHENSIVE IMPLEMENTATION PLAN; AND

(2) THE PRINCIPLES OF THE BLUEPRINT FOR MARYLAND’S FUTURE UNDER § 1–302 OF THIS ARTICLE.”

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

Affirmative – 18 Negative – 29 (See Roll Call No. 748)

FLOOR AMENDMENT

HB1372/473120/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 1372, AS AMENDED

(Third Reading File Bill)

On page 17 of the bill, in line 11, strike “**INTENDED**” and substitute “**EXPECTED**”.

On page 6 of the Education, Health, and Environmental Affairs Committee Amendments (HB1372/413726/1), in line 7 of Amendment No. 2, strike “**INTENDED**” and substitute “**EXPECTED**”.

The preceding amendment was withdrawn.

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

Affirmative – 37 Negative – 10 (See Roll Call No. 749)

The Bill was then returned to the House of Delegates.

SPECIAL ORDER CALENDAR NO. 36

Senate Bill 331 – Senator Lee

AN ACT concerning

Adoption – Access to Birth and Adoption Records and Search, Contact, and Reunion Services

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report rejected by roll call vote as follows:

Affirmative – 16 Negative – 31 (See Roll Call No. 750)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 751)

ADJOURNMENT

At 8:54 P.M. on motion of Senator King the Senate adjourned until 11:00 A.M. on Legislative Day March 8, 2021, Calendar Day, Tuesday, March 30, 2021.

Annapolis, Maryland
Legislative Day: March 8, 2021
Calendar Day: Tuesday, March 30, 2021
11:00 A.M. Session

The Senate met at 11:10 A.M.

Prayer by Pastor Dantwan Broady, The Temple church and Ministries, guest of Senator McCray.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 753)

The Journal of March 29, 2021 was read and approved.

RULES COMMITTEE REPORT NO. 6

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 960 – Senator Lee

AN ACT concerning

Highways – Public–Private Partnerships – Cultural Preservation

The Bill was re-referred to the Committee on Judicial Proceedings.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 754)

SENATE THIRD READING CALENDAR NO. 55 (GENERAL SENATE BILLS)

Senate Bill 449 – Senator Kagan

AN ACT concerning

**Public Information Act – Revisions
(Equitable Access to Records Act)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 755)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 756)

The Bill was then sent to the House of Delegates.

Senate Bill 851 – Senator Hough

AN ACT concerning

Frederick County Board of Education – Vacancies

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

Affirmative – 47 Negative – 0 (See Roll Call No. 757)

The Bill was then sent to the House of Delegates.

Senate Bill 888 – Senator Beidle

AN ACT concerning

**Anne Arundel County – Speed Monitoring Systems – Maryland Route 175
(Jessup Road)**

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

Affirmative – 35 Negative – 12 (See Roll Call No. 758)

The Bill was then sent to the House of Delegates.

Senate Bill 948 – Senator Klausmeier (By Request – Departmental – Veterans Affairs)

AN ACT concerning

Veterans Affairs – Office of Communications and Public Affairs – Veterans Advocacy and Education Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 759)

The Bill was then sent to the House of Delegates.

LAID OVER CALENDAR NO. 20

Senate Bill 515 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0515/928379/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 515

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “terms;” insert “making certain conforming changes;”.

AMENDMENT NO. 2

On page 2, in line 32, strike “BY EITHER:”.

On page 3, strike beginning with “(I)” in line 1 down through “ADOLESCENTS” in line 4 and substitute “IN ANY OF THE FOLLOWING LOCATIONS:”

(I) A LOCATION OTHER THAN REAL PROPERTY THAT IS USED FOR PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY EDUCATION, INCLUDING BY:

1. PARTICIPATING IN THE HOME AND HOSPITAL TEACHING PROGRAM FOR STUDENTS; OR

2. PARTICIPATING IN OR ATTENDING A PROGRAM APPROVED BY A COUNTY BOARD UNDER PARAGRAPH (2) OF THIS SUBSECTION; OR

(II) A REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS”;

and in line 11, after “violates” insert “SUBSECTION (C) OR (D) OF”.

The preceding 2 amendments were read only.

Senator Smith moved to make the Bill and Amendments a Special Order for March 31, 2021.

The motion was adopted.

Senate Bill 852 – Senators Hough, Bailey, Carozza, Cassilly, Corderman, Eckardt, Edwards, Gallion, Hershey, Jennings, Ready, Salling, Simonaire, and West

EMERGENCY BILL

AN ACT concerning

**Crimes – Penalties and Procedures
(Violent Firearms Offender Act of 2021)**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0852/648272/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 852

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 10 down through “circumstances;” in line 12; and strike in their entirety lines 22 through 27, inclusive.

On page 2, in line 28, strike “7–104(g);” and strike in their entirety lines 31 through 40, inclusive.

On page 3, strike in their entirety lines 1 through 11, inclusive; strike beginning with “That” in line 28 down through “ENACTED,” in line 31; and in line 34, strike “3.” and substitute “2.”.

AMENDMENT NO. 2

On pages 8 and 9, strike in their entirety the lines beginning with line 1 on page 8 through line 28 on page 9, inclusive.

On pages 11 through 13, strike in their entirety the lines beginning with line 13 on page 11 through line 27 on page 13, inclusive.

On page 17, in line 18, strike “4.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 34**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 14 – Delegate Kerr

EMERGENCY BILL

AN ACT concerning

Pharmacists – Prescription Drug and Device Labels – Expiration Dates

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 135 – Delegate K. Young

EMERGENCY BILL

AN ACT concerning

**Pharmacists – Administration of Self-Administered Medications and
Maintenance Injectable Medications
(Christopher King Access to Treatment Act)**

HB0135/744436/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 135

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “circumstances;” insert “prohibiting a pharmacist from administering a maintenance injectable medication unless the pharmacist provides the patient with a certain notice; requiring a pharmacist who charges a certain fee to provide a certain notice to a patient separate from any other forms or notices; prohibiting a pharmacist who charges a certain fee from collecting or attempting to collect the fee except under certain circumstances; requiring a pharmacist, to the extent practicable, to provide a certain form in a certain language or format to certain patients under certain circumstances;”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 13 through 15, inclusive.

AMENDMENT NO. 3

On page 3, in line 15, after “(II)” insert “1.”; in the same line, after “DISORDER” insert “; OR”

2. TREATS A SEXUALLY TRANSMITTED INFECTION AND IS NOT A VACCINE”;

and in line 29, strike “SUBSECTION (B)” and substitute “SUBSECTIONS (B) AND (C)”.

On page 4, after line 9, insert:

“(C) (1) A PHARMACIST MAY NOT ADMINISTER A MAINTENANCE INJECTABLE MEDICATION UNDER SUBSECTION (A)(2) OF THIS SECTION UNLESS THE PHARMACIST PROVIDES THE PATIENT WITH THE FOLLOWING WRITTEN NOTICE:

“IMPORTANT FINANCIAL INFORMATION

NOTICE OF PHARMACIST’S MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE AND MEDICAL BILLING DISCLOSURE

A. MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE.

THE PHARMACIST MAY CHARGE A SEPARATE FEE FOR ADMINISTERING A MAINTENANCE INJECTABLE MEDICATION THAT IS IN ADDITION TO THE COST OF YOUR MAINTENANCE INJECTABLE MEDICATION. THE PHARMACIST WILL INITIAL THE STATEMENT BELOW THAT APPLIES TO YOU.

_____ THE PHARMACIST DOES NOT CHARGE A SEPARATE FEE FOR ADMINISTERING A MAINTENANCE INJECTABLE MEDICATION.

_____ THE PHARMACIST CHARGES A SEPARATE FEE FOR ADMINISTERING A MAINTENANCE INJECTABLE MEDICATION IN THE AMOUNT OF \$ _____.

IF YOUR HEALTH BENEFIT PLAN DOES NOT COVER ALL OR PART OF THE PHARMACIST’S MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE, YOU MAY BE RESPONSIBLE FOR PAYING THE BALANCE. THE PHARMACIST WILL INITIAL THE SECTION BELOW THAT IS APPLICABLE TO YOUR INSURANCE COVERAGE.

PLEASE READ THE INITIALED SECTION AND ASK THE PHARMACIST ANY QUESTIONS YOU MAY HAVE.

SECTION 1. THIS SECTION APPLIES TO YOU. YOU HAVE A PLAN THAT LIKELY DOES NOT COVER THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE. YOU MUST PAY THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE IN FULL IF YOU CHOOSE TO HAVE THE MAINTENANCE INJECTABLE MEDICATION ADMINISTERED HERE. THE PHARMACIST WILL SUBMIT A CLAIM ON YOUR BEHALF. IF YOUR PLAN PAYS THE PHARMACIST ALL OR PART OF THE FEE, THE PHARMACIST WILL ISSUE YOU A REFUND WITHIN 30 DAYS AFTER RECEIPT OF PAYMENT FROM YOUR PLAN.

SECTION 2. THIS SECTION APPLIES TO YOU. YOUR PLAN FULLY COVERS THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE. YOU OWE \$0 FOR THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE. YOU WILL NOT BE BILLED TODAY OR IN THE FUTURE FOR TODAY'S MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE.

SECTION 3. THIS SECTION APPLIES TO YOU. YOU HAVE A PLAN THAT COVERS ALL OR PART OF THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE BUT THE PHARMACIST DOES NOT HAVE A CONTRACT WITH YOUR PLAN SO YOU MAY BE RESPONSIBLE FOR ALL OR PART OF THE FEE. YOU MUST PAY \$ ___ TODAY TO HAVE THE MAINTENANCE INJECTABLE MEDICATION ADMINISTERED. IF YOU HAVE OVERPAID, THE PHARMACIST WILL ISSUE YOU A REFUND WITHIN 30 DAYS AFTER RECEIPT OF PAYMENT FROM YOUR PLAN.

YOU COULD SAVE MONEY BY HAVING YOUR MAINTENANCE INJECTABLE MEDICATION ADMINISTERED BY A HEALTH CARE PROVIDER WHO HAS A CONTRACT WITH YOUR PLAN. BEFORE HAVING THE MAINTENANCE INJECTABLE MEDICATION ADMINISTERED AT THIS TIME, YOU SHOULD CONTACT YOUR PLAN TO DETERMINE YOUR COST FOR THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE IF DELIVERED BY A HEALTH CARE PROVIDER WHO HAS A CONTRACT WITH YOUR PLAN. YOU SHOULD ASK WHAT YOU WOULD PAY OUT-OF-POCKET FOR A COPAYMENT, COINSURANCE, OR A DEDUCTIBLE.

SECTION 4. THIS SECTION APPLIES TO YOU. THE PHARMACIST DOES HAVE A CONTRACT WITH YOUR PLAN AND THERE IS COVERAGE FOR THE PHARMACIST’S MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE. THE PHARMACIST HAS CONTACTED YOUR PLAN AND WAS INFORMED THAT YOUR OUT-OF-POCKET EXPENSES FOR THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE WILL BE:

 COPAYMENT

 COINSURANCE

 DEDUCTIBLE

 TOTAL

B. PAYMENT REQUIRED.

I AGREE TO PAY THE TOTAL PAYMENT FOR WHICH I AM RESPONSIBLE TODAY IN THE AMOUNT OF \$ _____. THE PHARMACIST WILL SUBMIT A CLAIM ON MY BEHALF AND I WILL BE REFUNDED ANY OVERPAYMENT WITHIN 30 DAYS AFTER THE PHARMACIST’S RECEIPT OF PAYMENT FROM MY PLAN.

C. INFORMED CONSENT REQUIRED.

THE PHARMACIST MAY NOT COLLECT OR ATTEMPT TO COLLECT PAYMENT FOR A MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE FROM YOU UNLESS THIS FORM IS PROPERLY COMPLETED BY THE PHARMACIST AND SIGNED BY YOU. THE PHARMACIST IS REQUIRED TO PROVIDE A COPY OF THIS COMPLETED FORM TO YOU.

BY SIGNING THIS FORM, I ACKNOWLEDGE THAT I WAS PROVIDED THIS COMPLETED FORM BEFORE BEING ADMINISTERED A MAINTENANCE INJECTABLE MEDICATION TODAY.

SIGNATUREDATED. COMPLAINTS AND ADDITIONAL INFORMATION.

IF YOU HAVE A COMPLAINT RELATING TO THE MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE OR SERVICE, PLEASE FIRST CONTACT THE PHARMACIST.

IF THE COMPLAINT IS UNRESOLVED, YOU MAY THEN FILE THE COMPLAINT WITH THE STATE BOARD OF PHARMACY.

IF YOU NEED ADDITIONAL INFORMATION REGARDING YOUR MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE CHARGES OR IF YOU NEED ASSISTANCE MEDIATING A MAINTENANCE INJECTABLE MEDICATION ADMINISTRATION FEE COMPLAINT AGAINST A PHARMACIST, CONTACT THE HEALTH EDUCATION AND ADVOCACY UNIT OF THE OFFICE OF THE ATTORNEY GENERAL.

TO REQUEST THIS NOTICE IN AN ALTERNATIVE FORMAT, PLEASE CONTACT THE STATE BOARD OF PHARMACY.”.

(2) IF A PHARMACIST CHARGES ALL OR PART OF A FEE FOR ADMINISTERING A MAINTENANCE INJECTABLE MEDICATION UNDER SUBSECTION (A)(2) OF THIS SECTION, THE PHARMACIST:

(i) SHALL PROVIDE THE PATIENT WITH THE WRITTEN NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SEPARATE FROM ANY OTHER FORMS OR NOTICES; AND

(ii) MAY NOT COLLECT OR ATTEMPT TO COLLECT PAYMENT FROM A PATIENT UNLESS THE PHARMACIST PROVIDES THE PATIENT, BEFORE ADMINISTERING THE MAINTENANCE INJECTABLE MEDICATION, WITH:

1. A PROPERLY COMPLETED NOTICE AS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

2. A COPY OF THE COMPLETED AND SIGNED NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) IF A PATIENT DOES NOT SPEAK ENGLISH OR REQUESTS THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN AN ALTERNATIVE FORMAT, THE PHARMACIST SHALL, TO THE EXTENT PRACTICABLE, PROVIDE THE NOTICE IN A LANGUAGE OR FORMAT THAT IS UNDERSTANDABLE TO THE PATIENT.”;

in line 10, strike “(C)” and substitute “(D)”; and in lines 16, 19, and 23, strike “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 204 – Delegate Lierman

AN ACT concerning

Environment and Natural Resources – Complaints, Inspections, and Enforcement – Information Maintenance and Reporting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 264 – Delegate Charkoudian

AN ACT concerning

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

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 264

(Third Reading File Bill)

AMENDMENT NO.1

On page 1, in line 10, after “procedures;” insert “requiring the Department of the Environment to issue a warning under certain circumstances;”.

AMENDMENT NO. 2

On page 5, in line 29, strike “A” and substitute “THE DEPARTMENT SHALL ISSUE A WARNING TO A”; and in line 30, after “SECTION” insert “.

(2) AFTER RECEIVING A WARNING ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PERSON WHO SUBSEQUENTLY VIOLATES THIS SECTION, OR ANY RULE OR REGULATION ADOPTED UNDER THIS SECTION,”.

On page 6, in line 1, strike “FIRST” and substitute “SECOND”; in line 2, strike “SECOND” and substitute “THIRD”; in line 3, strike “THIRD” and substitute “FOURTH”; and in lines 4 and 6, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 293 – Delegate Stein

AN ACT concerning

Natural Resources – Organized Killing Contests – Restriction

HB0293/624330/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 293
(Third Reading File Bill)

On page 2, in line 7, strike “\$25” and substitute “\$100”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 517 – Delegate C. Watson

AN ACT concerning

Clean Energy Loan Program – Remediation and Resiliency

HB0517/614136/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 517
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “and”; and in the same line, after the third “projects” insert “, and grid resiliency projects”.

AMENDMENT NO. 2

On page 2, after line 22, insert:

“(F) “GRID RESILIENCY PROJECT” MEANS AN ENERGY CAPITAL IMPROVEMENT INVESTMENT THAT:

(1) INCLUDES NOT LESS THAN ONE OF THE FOLLOWING FUNCTIONS:

(I) ENERGY STORAGE;

(II) DEMAND MANAGEMENT; OR

(III) OTHER FUNCTIONS THAT IMPROVE RELIABILITY OF SERVICE OR PROVIDE SERVICE DURING AN ELECTRICAL SERVICE DISRUPTION; AND

(2) IS INSTALLED IN A MANNER CONSISTENT WITH APPLICABLE PUBLIC SERVICE COMMISSION AND ELECTRIC COMPANY REQUIREMENTS, INCLUDING:

(I) INTERCONNECTION REQUIREMENTS; AND

(II) FRANCHISE REQUIREMENTS.”;

in lines 23 and 25, strike “(F)” and “(G)”, respectively, and substitute “(G)” and “(H)”, respectively.

On page 3, in line 20, strike “AND”; and in line 21, after “PROJECTS” insert “; AND”

(5) IF INSTALLED WITH ENERGY EFFICIENCY PROJECTS OR RENEWABLE ENERGY PROJECTS, GRID RESILIENCY PROJECTS”.

On page 4, in line 5, strike “AND”; and in line 6, after “PROJECTS” insert “, AND GRID RESILIENCY PROJECTS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 540 – Delegate Morgan

AN ACT concerning

Interstate Occupational Therapy Licensure Compact

HB0540/494534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 540

(Third Reading File Bill)

On page 11, in line 26, after “~~SINGLE-STATE~~” insert “LICENSE.”.

On page 13, in line 20, strike “~~THERAPISTS~~” and substitute “THERAPIST’S”; and in line 25, strike “~~THERAPISTS~~” and substitute “THERAPIST’S”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 970 – Delegate Johnson

EMERGENCY BILL

AN ACT concerning

Psychology Interjurisdictional Compact

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 35**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 72 – Delegate Anderton

AN ACT concerning

County Boards of Education – Student Transportation – Vehicles and Report

HB0072/174837/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 72
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 10 down through “Act;” in line 12.

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 2 on page 2, inclusive.

On page 2, in line 5, strike “6–113.2(a)(3) and”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 15 through 22, inclusive.

On page 5, in line 18, strike “2025” and substitute “2023”; in line 22, strike “7–year” and substitute “5–year”; and in the same line, strike “2024–2025” and substitute “2022–2023”.

On page 6, in line 1, strike “2025” and substitute “2023”; in line 8, strike “5” and substitute “3”; and in line 9, strike “2026” and substitute “2024”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 205 – Delegate Reznik

AN ACT concerning

Public Schools – Provision of Menstrual Hygiene Products – Requirement

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 363 – Delegate Lierman

AN ACT concerning

Maryland Public Ethics Law – Retaliation for Reporting or Participating in Investigation – Prohibition

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 518 – Delegate Dumais

AN ACT concerning

Public Libraries – Electronic ~~Book~~ Literary Product Licenses – Access

HB0518/994539/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 518

(Third Reading File Bill)

On page 1, in line 13, after “terms;” insert “providing for a delayed effective date;”.

On page 3, in lines 17 and 18, strike “July 1, 2021” and substitute “January 1, 2022”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 745 – Delegate Luedtke

AN ACT concerning

Election Law – Early Voting Centers – ~~Number Required~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 871 – Delegate Charles

AN ACT concerning

Consolidation of the Procurement Improvement Council and the Council for the Procurement of Health, Educational, and Social Services**HB0871/744739/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 871

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “Services;” insert “requiring the Procurement Improvement Council to report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 7, after line 23, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2022, the Procurement Improvement Council shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, that provides:

(1) guidelines on how to identify entities that are required to publish notices of procurement and awards of procurement on eMaryland Marketplace under § 17–502(a) of the State Finance and Procurement Article;

(2) guidelines on how to identify entities that do not comply with the requirement to publish notices of procurement and awards of procurement on eMaryland Marketplace and the reasons why the entities do not publish the required notices and awards; and

(3) recommendations on strategies and enforcement mechanisms to improve compliance by entities required to publish notices of procurement and awards of

procurement on eMaryland Marketplace, including any necessary legislation to authorize or implement the strategies and enforcement mechanisms.”;

and in lines 24 and 29, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 36**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 12 – Delegates C. Watson, C. Jackson, and Kerr

AN ACT concerning

Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption

HB0012/464133/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 12

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “authorizing” insert “a county to adopt a local law or ordinance to allow”; and in line 10, after “transaction;” insert “requiring the Maryland Department of Health to conduct a certain study and submit a certain report to the General Assembly;”.

AMENDMENT NO. 2

On page 2, in line 10, after “WITH” insert “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; after line 17, insert:

“(A) (1) A COUNTY MAY ADOPT A LOCAL LAW OR AN ORDINANCE THAT ALLOWS RESTAURANTS, BARS, OR TAVERNS TO SELL ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION ONLY IN ACCORDANCE WITH THIS SECTION.

(2) IN CONSIDERING WHETHER TO ADOPT A LOCAL LAW OR AN ORDINANCE UNDER THIS SECTION, A COUNTY SHALL WEIGH THE NEED TO PROMOTE THE ECONOMIC RECOVERY OF DIFFERENT CATEGORIES OF SMALL BUSINESSES IN THE WAKE OF THE COVID-19 PANDEMIC AND THE NEED TO PROTECT PUBLIC HEALTH AND WELFARE.”;

in line 18, strike “(A)” and substitute “(B)”; in line 21, after “A” insert “LOCAL LAW OR AN ORDINANCE ADOPTED UNDER THIS SECTION SHALL AUTHORIZE A”; and in the same line, strike “MAY” and substitute “TO”.

On page 3, in line 28, strike “(B)” and substitute “(C)”; in line 31, after “A” insert “LOCAL LAW OR AN ORDINANCE ADOPTED UNDER THIS SECTION SHALL AUTHORIZE A”; and in the same line, strike “MAY” and substitute “TO”.

On page 5, after line 2, insert:

“(D) A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER THIS SECTION MAY NOT IMPOSE ADDITIONAL RESTRICTIONS OR LIMITATIONS ON THE SALE OF ALCOHOLIC BEVERAGES UNDER SUBSECTION (B) OR (C) OF THIS SECTION.”;

in line 3, strike “(C)” and substitute “(E) (1)”; strike beginning with the colon in line 3 down through “(1)” in line 4; in line 5, after “WITH” insert “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; in line 6, strike “; AND” and substitute a period; in line 7, before “MAY” insert “A LOCAL LICENSING BOARD”; in line 8, after “UNDER” insert “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Department of Health shall:

(1) conduct a study on the impact of the expansion of alcohol access under the Governor’s proclamation of March 5, 2020 “Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19” and § 4-1107 of the Alcoholic

Beverages Article, as enacted by Section 1 of this Act, for the years 2020, 2021, and 2022, including the impact on public health; and

(2) on or before December 31, 2022, report to the General Assembly, in accordance with § 2-1257 of the State Government Article on the findings of the study.”;

in line 10, strike “2.” and substitute “3.”; and in line 12, after “Act” insert “and any local law or ordinance adopted under this Act”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 679 – Delegate Rogers

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Class MT License

HB0679/814832/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 679

(Third Reading File Bill)

On page 2, in line 27, strike “SCREENING AREA” and substitute “PUBLIC VIEWING THEATER”; and strike beginning with “AND” in line 27 down through “THEATERS” in line 28.

On page 3, in line 12, after “theater” insert “in Anne Arundel County”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 680 – Delegate Rogers

AN ACT concerning

Anne Arundel County – Board of License Commissioners – Chief Inspector

HB0680/154638/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 680

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the second “inspector;” insert “making a conforming change;”; and in line 13, after “11–204” insert “and 11–206(a)”.

AMENDMENT NO. 2

On page 2, in line 17, after “A” insert “FULL–TIME”; in the same line, strike “AT AN” and substitute “WHOSE”; in line 19, strike “OF \$30,000” and substitute “SHALL BE FIXED BY THE BOARD AS IN A GENERAL COUNTY CLASSIFIED SALARY SCHEDULE, WITHIN NON–REPRESENTED PAY SCHEDULE NR–05”; and after line 27, insert:

“11–206.

(a) (1) The Board may employ:

(i) [one part–time chief inspector at an annual salary of \$11,000;

(ii)] one part–time deputy chief inspector at an annual salary of \$9,000; and

[(iii)] (II) 18 part–time inspectors at an annual salary of \$7,000 each.

(2) Each inspector shall receive a monthly expense allowance of \$300, subject to the approval of the Comptroller.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1232 – Delegate Brooks

EMERGENCY BILL

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER CALENDAR NO. 21

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (128) AND THE FAVORABLE REPORT.

Senator Peters moved to suspend Rule 52 (c) (1) to allow the reprint to be considered as the official bill on second reading.

AN ACT concerning

CREATION OF A STATE DEBT – MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2021, AND THE MARYLAND CONSOLIDATED CAPITAL BOND LOANS OF 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019 AND 2020

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

(See Exhibit L of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO HOUSE BILL 590 – THE CAPITAL BUDGET

(See Exhibit M of Appendix III)

Committee amendment 1 was read and adopted.

Committee amendments 2 through 6 were read and adopted.

Committee amendment 7 was read and adopted.

Committee amendments 8 through 9 were read and adopted.

Committee amendments 10 through 12 were read and adopted.

Committee amendments 13 through 16 were read and adopted.

Committee amendments 17 through 50 were read and adopted.

Committee amendment 51 was read and adopted.

Committee amendments 52 through 54 were read and adopted.

Committee amendment 55 was read and adopted.

Committee amendments 56 through 100 were read and adopted.

Committee amendment 101 was read and adopted.

Committee amendments 102 through 104 were read and adopted.

Committee amendment 105 was read and adopted.

Committee amendments 106 through 126 were read and adopted.

Committee amendment 127 was read and adopted.

Committee amendment 128 was read and adopted.

Favorable report, as amended, adopted.

FLOOR COMMITTEE AMENDMENT

HB0590/883823/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 590
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 5, in line 13, strike “36,650,000” and substitute “33,650,000”.

AMENDMENT NO. 2

On page 28, in line 9, strike “20,754,000” and substitute “23,754,000”; in line 32, strike “2,000,000” and substitute “5,000,000”; and in line 36, strike “Beaver” and substitute “Beaverdam”.

AMENDMENT NO. 3

On page 120, in line 4, strike “3,350,000” and substitute “6,350,000”.

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 760)

SENATE THIRD READING CALENDAR NO. 11 (GENERAL HOUSE BILLS)

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)**

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

Affirmative – 33 Negative – 14 (See Roll Call No. 761)

The Bill was then returned to the House of Delegates.

House Bill 183 – Delegate Lierman

AN ACT concerning

**Public Information Act – Revisions
(Equitable Access to Records Act)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 762)

The Bill was then returned to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 763)

ADJOURNMENT

At 12:04 P.M. on motion of Senator King the Senate adjourned until 10:30 A.M. on Legislative Day March 9, 2021, Calendar Day, Wednesday, March 31, 2021.

Annapolis, Maryland
Legislative Day: March 9, 2021
Calendar Day: Wednesday, March 31, 2021
10:30 A.M. Session

The Senate met at 10:46 A.M.

Prayer by Rabbi Adam Raskin, Congregation Har Shalom guest of Senator Kagan.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 764)

The Journal of March 30, 2021 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 197 – General Assembly Resolution No. 197:

Be it hereby known to all that
The Maryland General Assembly
offers its sincerest congratulations to

R. Dean Kenderdine

in recognition of

his retirement after more than 40 years of dedicated and exemplary service to the State of Maryland, serving as Executive Director to the State Retirement Agency for the past 14 years. Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 31st day of March 2021.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 765)

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 30**

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

EMERGENCY BILL

AN ACT concerning

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

FOR the purpose of establishing the Office of ~~Digital Inclusion~~ Statewide Broadband in the Department of Housing and Community Development; establishing the purpose of the Office; requiring the Governor to appoint the Director of the Office; providing that the Director serves at the pleasure of the Governor and reports to certain individuals; requiring the Director to work closely with certain officials for certain purposes; establishing the duties of the Office; requiring the Office to offer funding and technical assistance through certain partnerships to help local governments and certain entities qualify for federal funding opportunities; requiring the Office to work with a certain unit to initiate a broadband funding structure under a certain provision of law; requiring the Office to prepare and submit a certain plan to the Governor and the General Assembly, on or before a certain date; requiring the Office to solicit input from certain stakeholders in preparing the plan; requiring the Office to collaborate with certain units of State and local government in carrying out certain provisions of this Act; requiring the Office to make a certain annual report on or before a certain date; ~~repealing provisions of law concerning the Rural Broadband Assistance Fund and the Rural Broadband Coordination Board;~~ establishing the Digital Inclusion Fund and the Digital Connectivity Fund as special, nonlapsing funds; establishing the purposes of the funds; requiring the Office to administer the funds; requiring the State Treasurer to hold the funds and the Comptroller to account for the funds; specifying the contents of the funds; specifying the purposes for which the funds may be used; providing for the investment of money in and expenditures from the funds; requiring interest earnings of the Rural Broadband Assistance Fund, the Digital Inclusion Fund, and the Digital Connectivity Fund to be credited to the funds; exempting the Digital Inclusion Fund, the Digital Connectivity Fund, and the Rural Broadband Assistance Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; transferring the Rural Broadband Assistance Fund to the Department; requiring the Rural Broadband Assistance Fund to be administered by the Office; establishing the intent of the General Assembly that a certain individual serve as the first Director of the Office; establishing that the Office of ~~Digital Inclusion~~ Statewide Broadband is the successor of the Office of Rural Broadband within the Department; providing for the meaning of the names and titles of certain agencies and officials in certain laws, executives orders, rules, regulations, policies,

and documents; providing that nothing in this Act affects the terms of office of certain members of certain units; providing that a certain individual shall remain for the balance of a certain term except under certain circumstances; providing for the validity, termination, completion, consummation, and enforcement of certain transactions, employment statuses, rights, duties, and interests; requiring that a certain successor unit be considered in all respects as having the powers and obligations granted the former unit, under certain circumstances; requiring the continuity of certain units to be retained; requiring certain properties, appropriations, credits, assets, liabilities, and obligations to be continued in a certain manner; for certain fiscal years, requiring the Governor to include a certain appropriation in the annual budget bill for a certain purpose; defining certain terms; making conforming changes; providing for the construction of this Act; making this Act an emergency measure; and generally relating to broadband Internet service and the creation of the Office of ~~Digital Inclusion~~ Statewide Broadband.

BY repealing

~~Article – Economic Development~~

~~Section 5-1101 and 5-1102 and the subtitle “Subtitle 11. Rural Broadband Assistance Fund”; and Section 13-501 through 13-506 and the subtitle “Subtitle 5. Rural Broadband Coordination Board”~~

~~Annotated Code of Maryland~~

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

BY repealing and reenacting, with amendments, and transferring

Article – Economic Development

Section 5-1102

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

to be

Article – Housing and Community Development

Section 6.5-107

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 13-504

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Housing and Community Development

Section 6.5-101 through ~~6.5-104~~ 6.5-107 to be under the new title “Title 6.5. Office of ~~Digital Inclusion~~ Statewide Broadband”

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)128. and 129.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

(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., 131., and 132.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

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

House Bill 409 – Delegate J. Lewis

AN ACT concerning

Juveniles Convicted as Adults – Sentencing – Limitations and Reduction (Juvenile Restoration Act)

FOR the purpose of authorizing a court, when sentencing a minor convicted as an adult, to impose a sentence less than the minimum term required by law; prohibiting a court from imposing a sentence of life without the possibility of parole or release for a minor; authorizing a certain individual to file a motion to reduce the duration of the individual's sentence; requiring the court to conduct a hearing on a motion to reduce the duration of a sentence; requiring that an individual be present at a hearing on a motion to reduce the duration of a sentence unless the individual waives the right to be present; specifying that the requirement that an individual be present at a certain hearing is satisfied if the hearing is conducted by video conference; authorizing a certain individual to introduce evidence in support of a certain motion at a certain hearing; authorizing the State to introduce evidence in support of or in opposition to a certain motion at a certain hearing; requiring that notice of a certain hearing be given to a certain victim or victim's representative in a certain manner; authorizing a court to reduce the duration of a sentence for a certain individual under certain circumstances; requiring a court to consider certain factors when determining whether to reduce the duration of a sentence for a certain individual; requiring a court to issue a decision to grant or deny a motion to reduce the duration of a sentence in writing; requiring a certain decision to address certain factors; providing that a

subsequent motion to reduce the duration of a sentence may be filed only after a certain period of time; limiting the number of times that an individual may file a motion to reduce the duration of a sentence; providing for the application of a certain provision of this Act; and generally relating to the sentencing of minors and the reduction of the duration of certain sentences.

BY adding to

Article – Criminal Procedure
Section 6–235 and 8–110
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

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

House Bill 1364 – Delegate Crosby

AN ACT concerning

Historic St. Mary’s City Fort to 400 Commission

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

BY adding to

Article – State Government
Section 9–3301 through 9–3307 to be under the new subtitle “Subtitle 33. Historic St. Mary’s City Fort to 400 Commission”
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

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

MESSAGE FROM THE CHIEF EXECUTIVE

SUPPLEMENTAL BUDGET NO. 5 – FISCAL YEAR 2020

(See Exhibit N of Appendix III)

Read and Referred to the Committee on Budget and Taxation.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 37**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 318 – Senators Bailey and Simonaire

AN ACT concerning

Natural Resources – Fishing and Hunting Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 546 – Senator McCray

AN ACT concerning

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

SB0546/904833/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 546
(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 5, after line 23, insert:

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

and in line 24, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 716 – Senators Carozza, Hershey, and Lam

AN ACT concerning

Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere

SB0716/214730/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 716
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 6, insert:

“(4) “RADIO TRACKING DEVICE” MEANS AN INSTRUMENT THAT EMANATES A SIGNAL THAT ALLOWS AN OPERATOR TO DETERMINE THE POSITION OF A RELEASED BALLOON.”;

in line 16, after “(2)” insert “A BALLOON THAT IS:

(I) ATTACHED TO A RADIO TRACKING DEVICE; AND

(II) RELEASED BY A PERSON WHO HOLDS AN AMATEUR OPERATOR LICENSE ISSUED BY THE FEDERAL COMMUNICATIONS COMMISSION;

(3)”;

and in line 17, strike “**(3)**” and substitute “**(4)**”.

AMENDMENT NO. 2

On page 2, in line 22, strike “**\$250**” and substitute “**\$100**”.

The preceding 2 amendments were read only.

Senator Carter moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 736 – Senator Augustine

EMERGENCY BILL

AN ACT concerning

Health Occupations – Pharmacists – Administration of Vaccinations

SB0736/994531/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 736

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in line 2, strike “**Vaccinations**” and substitute “**Children’s Vaccines – Study and Temporary Authority**”; in line 3, after “authorizing” insert “, for a certain period of time,”; in line 4, after “group” insert “if certain requirements are met”; strike beginning with “altering” in line 4 down through “measure;” in line 11 and substitute “requiring the Prevention and Health Promotion Administration within the Maryland Department of Health, in consultation with the State Board of Pharmacy, to report to certain committees of the”

General Assembly on or before certain dates; establishing certain requirements for the reports; authorizing the Administration to use certain funding to contract with a certain institution to complete a certain report; requiring the Administration to consult certain stakeholders when completing a certain report; providing for the termination of a certain provision of this Act, subject to a certain contingency;”; and in line 12, strike “vaccinations” and substitute “children’s vaccines”.

AMENDMENT NO. 2

On page 1, in line 22, strike “[A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”.

On page 2, in line 1, strike the first bracket; in the same line, strike “(I)”;

in the same line, strike “SUBPARAGRAPH (II) OF THIS PARAGRAPH” and substitute “SUBSECTION (C) OF THIS SECTION”; in lines 2, 4, 7, 11, 14, 20, 22, and 25, in each instance, strike the bracket; strike beginning with “TO” in line 2 down through “VACCINE” in line 3; strike beginning with “OR” in line 7 down through “; AND.” in line 10 and substitute a period; in lines 11 and 25, strike “(2)” and “(3)”, respectively; strike beginning with “; OR” in line 16 down through “ADMINISTRATION.” in line 18 and substitute a period; and in line 22, strike “MEETS”.

AMENDMENT NO. 3

On page 2, in line 31, strike the bracket.

On page 3, in line 1, strike the bracket; strike beginning with “EXCEPT” in line 1 down through “SUBSECTION” in line 2; after line 16, insert:

“(C) FROM JULY 1, 2021, TO JUNE 30, 2023, INCLUSIVE, A PHARMACIST MAY ADMINISTER A VACCINE TO AN INDIVIDUAL WHO IS AT LEAST 3 YEARS OLD BUT UNDER THE AGE OF 18 YEARS IF:

(1) THE VACCINE IS APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION;

(2) THE VACCINATION IS ORDERED AND ADMINISTERED IN ACCORDANCE WITH THE CENTERS FOR DISEASE CONTROL AND PREVENTION’S ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES IMMUNIZATION SCHEDULES;

(3) THE PHARMACIST HAS COMPLETED A PRACTICAL TRAINING PROGRAM OF AT LEAST 20 HOURS THAT IS APPROVED BY THE ACCREDITATION COUNCIL FOR PHARMACY EDUCATION AND INCLUDES:

(I) HANDS-ON INJECTION TECHNIQUES;

(II) CLINICAL EVALUATION OF INDICATIONS AND CONTRAINDICATIONS OF VACCINES; AND

(III) THE RECOGNITION AND TREATMENT OF EMERGENCY REACTIONS TO VACCINES;

(4) THE PHARMACIST HAS A CURRENT CERTIFICATE IN BASIC CARDIOPULMONARY RESUSCITATION;

(5) THE PHARMACIST HAS COMPLETED A MINIMUM OF 2 HOURS OF CONTINUING PHARMACEUTICAL EDUCATION RELATED TO IMMUNIZATIONS THAT IS APPROVED BY THE ACCREDITATION COUNCIL FOR PHARMACY EDUCATION AS PART OF THE LICENSE RENEWAL REQUIREMENTS UNDER § 12-309 OF THIS TITLE;

(6) THE PHARMACIST COMPLIES WITH THE RECORD-KEEPING AND REPORTING REQUIREMENTS IN SUBSECTION (A)(4) OF THIS SECTION AND THE CORRESPONDING REGULATIONS; AND

(7) THE PHARMACIST INFORMS EACH CHILD VACCINATION PATIENT AND ADULT CAREGIVER WHO IS ACCOMPANYING THE CHILD OF THE IMPORTANCE OF WELL-CHILD VISITS WITH A PEDIATRIC PRIMARY CARE PROVIDER AND REFERS THE PATIENT TO A PEDIATRIC PRIMARY CARE PROVIDER WHEN APPROPRIATE.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before December 1, 2021, the Prevention and Health Promotion Administration within the Maryland Department of Health, in consultation with the State Board of Pharmacy, shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article, information the Administration

determines is important for setting policies for authorizing pharmacists to administer vaccines to children, including:

(1) the number of vaccines administered to children by pharmacists in accordance with the requirements of Section 1 of this Act;

(2) the effectiveness and efficiency of ImmuNet; and

(3) whether the option for children to be administered vaccines by pharmacists has led to changes in well-child visits with pediatric primary care providers.

(b) (1) On or before December 1, 2022, the Prevention and Health Promotion Administration within the Maryland Department of Health, in consultation with the State Board of Pharmacy, shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article:

(i) the capacity of the health care system to administer vaccines to children;

(ii) vaccination rates for children; and

(iii) community access to the administration of vaccines for children.

(2) In completing the report required under paragraph (1) of this subsection, the Administration shall:

(i) evaluate data from Maryland and other states that authorize pharmacists to administer vaccines to children on school-required vaccines and other vaccines administered to children; and

(ii) study the effectiveness and efficiency of ImmuNet, including by obtaining input from all health care providers that administer vaccines to children.

(3) In completing the report required under paragraph (1) of this subsection, the Administration shall consider public health models in which pharmacists, in both chain and independent pharmacies, can support and facilitate families in obtaining well-child visits from pediatric primary care providers, including partnerships with:

- (i) local health departments;
 - (ii) pediatric primary care providers, including private practices and community health centers; and
 - (iii) school systems, including school–based health centers.
- (4) The report shall address implementation recommendations, including:
- (i) tracking multidose vaccines;
 - (ii) optimal physical space configurations to protect the privacy and safety of patients;
 - (iii) staffing requirements; and
 - (iv) processes for responding to adverse reactions.
- (5) The Administration shall make recommendations regarding:
- (i) whether the temporary authority established under Section 1 of this Act should be made permanent; and
 - (ii) ways to further integrate the use of ImmuNet in electronic health records to facilitate communication between pharmacists and pediatric primary care providers.
- (c) In completing the report required under subsection (b) of this section, the Administration:
- (1) may use available funding to contract with a public health research institution to complete the report; and
 - (2) shall consult with interested stakeholders, including:
 - (i) pediatric primary care providers;
 - (ii) pharmacists;

- (iii) managed care organizations;
- (iv) local health departments; and
- (v) consumers.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) If the Third Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID–19 issued by the Office of the Secretary of the Department of Health and Human Services is repealed or otherwise expires before January 1, 2022, on April 30, 2022, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.

(b) The Prevention and Health Promotion Administration within the Maryland Department of Health shall notify the Department of Legislative Services within 5 days after receiving notice of the repeal or expiration of the amendment described in subsection (a) of this section.”;

and strike in their entirety lines 17 through 21, inclusive, and substitute:

“SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 35

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 894 – Senator Rosapepe

EMERGENCY BILL

AN ACT concerning

Post-Crisis Jobs Act of 2021

SB0894/157373/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 894

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 5 down through “training;” in line 6 and substitute “requiring the Maryland Department of Labor to provide certain information regarding certain unemployment insurance recipients to a chief elected official of a county on request and for certain purposes; authorizing a chief elected official of a county to share certain information with the governing body of the county and to request certain information on behalf of a certain political subdivision and provide the information to the political subdivision; authorizing the Department to adopt certain regulations;”; in line 9, strike “Maryland”; in the same line, strike “of Labor”; strike beginning with “providing” in line 12 down through “funds;” in line 14 and substitute “requiring that certain funding consist only of certain federal funding;”; and in line 16, after “intervals;” insert “providing that any funding appropriated for the implementation of this Act may consist only of certain federal funding;”.

On page 2, in line 3, strike “and 16–305(g)”; and in line 13, after “Section” insert “8–109; and”.

AMENDMENT NO. 2

On pages 3 through 4, strike in their entirety the lines beginning with line 29 on page 3 through line 8 on page 4, inclusive.

On page 4, after line 12, insert:

“(B) THIS SECTION DOES NOT APPLY TO AN APPLICANT FOR:

(1) A LICENSE, A CERTIFICATION, OR ANY OTHER AUTHORIZATION ISSUED UNDER THIS ARTICLE ISSUED BY:

(i) THE STATE BOARD OF DENTAL EXAMINERS; OR

(ii) THE STATE BOARD OF PHARMACY; OR

(2) A LICENSE OR REGISTRATION TO PRACTICE MASSAGE THERAPY.”;

in lines 13 and 19, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; and after line 25, insert:

“8-109.

(A) ON REQUEST AND FOR PURPOSES CONSISTENT WITH CHAPTERS _____ AND _____ (S.B. 893 AND S.B. 894) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021, THE DEPARTMENT SHALL PROVIDE TO THE CHIEF ELECTED OFFICIAL OF A COUNTY DEMOGRAPHIC DATA AND THE ADDRESSES, OCCUPATIONS, AND LAST KNOWN EMPLOYERS OF UNEMPLOYMENT INSURANCE RECIPIENTS WHO LIVE IN THE COUNTY OF THE CHIEF ELECTED OFFICIAL.

(B) A CHIEF ELECTED OFFICIAL OF A COUNTY MAY:

(1) SHARE THE INFORMATION PROVIDED TO THE CHIEF ELECTED OFFICIAL UNDER SUBSECTION (A) OF THIS SECTION WITH THE GOVERNING BODY OF THE COUNTY; AND

(2) REQUEST INFORMATION UNDER SUBSECTION (A) OF THIS SECTION ON BEHALF OF A POLITICAL SUBDIVISION WITHIN THE COUNTY AND PROVIDE THE INFORMATION TO THE POLITICAL SUBDIVISION.

(C) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE NAMES OF UNEMPLOYMENT INSURANCE RECIPIENTS MAY BE INCLUDED IN THE INFORMATION PROVIDED UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) ARE NECESSARY TO PROTECT THE PERSONALLY IDENTIFIABLE INFORMATION OF UNEMPLOYMENT INSURANCE RECIPIENTS.”.

On page 5, in line 28, strike “FUNDS” and substitute “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”; in line 29, strike “1.”; and in the same line, strike “FOR” and substitute “SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, FOR”.

On page 6, in line 1, strike “\$40,000,000” and substitute “\$20,000,000”; and strike beginning with “2.” in line 2 down through “PARAGRAPH” in line 4 and substitute:

“(III) ANY FUNDING PROVIDED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH 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”.

On page 7, in line 14, strike “FUNDS” and substitute “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”; in the same line, after “PROGRAM” insert “, INCLUDING FOR REASONABLE ADMINISTRATIVE COSTS OF ADMINISTERING THE GRANTS”; in line 15, strike “FOR” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR”; and after line 17, insert:

“(3) ANY FUNDING PROVIDED UNDER PARAGRAPH (2) 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.”.

On page 9, in line 13, after the first “TO” insert “:

(I) COVER ADMINISTRATIVE COSTS;

(II);

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

“(III)”;

in lines 15, 16, 17, 18, and 19, strike “(I)”, “(II)”, “(III)”, “(IV)”, and “(V)”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, and “5.”, respectively; in line 25, strike “FUNDS” and substitute “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”; in line 26, after “(II)” insert “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,”; and in line 27, strike “\$50,000,000” and substitute “\$60,000,000”.

On page 10, strike beginning with “FUNDING” in line 1 down through “AREA” in line 5 and substitute “ANY FUNDING PROVIDED UNDER PARAGRAPH (1)(II) 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”; strike beginning with “, INCLUDING” in line 14 down through “EMPLOYERS” in line 17; and after line 17, insert:

“SECTION 2. 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.”;

and in line 18, strike “2.” and substitute “3.”.

The preceding 2 amendments were read only.

Senator Simonaire moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

BUDGET AND TAXATION COMMITTEE REPORT NO. 25

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 81 – Senator Ellis

AN ACT concerning

Southern Maryland Rapid Transit Project – Funding**SB0081/409139/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 81
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 11, insert:

“BY adding toArticle – TransportationSection 7–713Annotated Code of Maryland(2020 Replacement Volume)”.AMENDMENT NO. 2On page 1, in line 13, after “That” insert “the Laws of Maryland read as follows”.

On pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 5 on page 2, inclusive, and substitute:

“Article – Transportation

7–713.

(A) IN THIS SECTION, “SOUTHERN MARYLAND RAPID TRANSIT PROJECT” MEANS A HIGH-CAPACITY, FIXED-ROUTE RAPID TRANSIT SERVICE, WITH LIGHT RAIL TRANSIT AS THE PREFERRED OPTION, OPERATING IN A DEDICATED, GRADE-SEPARATED, 18.7-MILE TRANSITWAY IN THE MARYLAND ROUTE 5/U.S. ROUTE 301 CORRIDOR FROM THE BRANCH AVENUE METRORAIL STATION IN PRINCE GEORGE’S COUNTY TO WALDORF AND WHITE PLAINS IN CHARLES COUNTY.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT PROMPTLY SHALL UNDERTAKE ALL STEPS NECESSARY TO COMPLETE THE DESIGN, ENGINEERING, AND NATIONAL ENVIRONMENTAL POLICY ACT PROCESS AND SECURE A RECORD OF DECISION FOR THE SOUTHERN MARYLAND RAPID TRANSIT PROJECT.

(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IN EACH OF FISCAL YEARS 2023 THROUGH 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET AN APPROPRIATION FROM THE TRANSPORTATION TRUST FUND OF AT LEAST \$5,000,000, CONTINGENT ON THE RECEIPT OF FEDERAL FUNDS TO BE USED TO PROVIDE MATCHING FUNDS NEEDED TO CONDUCT AN ENVIRONMENTAL IMPACT STUDY UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) FOR THE SOUTHERN MARYLAND RAPID TRANSIT PROJECT.

(2) AN APPROPRIATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE REDUCED BY THE AMOUNT OF THE TOTAL AUTHORIZED IN THE PRIOR FISCAL YEAR TO CONDUCT THE NEPA STUDY.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 659 – Senator Guzzone

AN ACT concerning

Historic Revitalization Tax Credit – Small Commercial Projects – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 887 – Senators Elfreth and Simonaire

AN ACT concerning

Property Tax Credit – Business Entities – State of Emergency

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 958 – Senators Zucker and Peters

AN ACT concerning

Nonpublic Special Education Schools – State Contribution – Increase

SB0958/139832/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 958

(First Reading File Bill)

On page 3, in line 26, after “2023,” insert “in addition to”; and in line 27, strike “shall include” and substitute “, the Governor shall include in the annual budget bill an appropriation from the unexpended appropriation for Aid to Education, Nonpublic Placements Program (R00A02.07) within the Maryland State Department of Education that was included in the fiscal year 2020 or 2021 operating budget to provide”.

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. 38**Senate Bill 515 – Senator Klausmeier****EMERGENCY BILL**

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0515/928379/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 515

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “terms;” insert “making certain conforming changes;”.

AMENDMENT NO. 2

On page 2, in line 32, strike “**BY EITHER:**”.

On page 3, strike beginning with “**(I)**” in line 1 down through “**ADOLESCENTS**” in line 4 and substitute “**IN ANY OF THE FOLLOWING LOCATIONS:**”

(I) A LOCATION OTHER THAN REAL PROPERTY THAT IS USED FOR PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY EDUCATION, INCLUDING BY:

1. PARTICIPATING IN THE HOME AND HOSPITAL TEACHING PROGRAM FOR STUDENTS; OR

2. PARTICIPATING IN OR ATTENDING A PROGRAM APPROVED BY A COUNTY BOARD UNDER PARAGRAPH (2) OF THIS SUBSECTION; OR

(II) A REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS”;

and in line 11, after “violates” insert “**SUBSECTION (C) OR (D) OF**”.

The preceding 2 amendments were read only.

Senator Waldstreicher moved to make the Bill and Amendments a Special Order for next session.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 766)

SENATE THIRD READING CALENDAR NO. 56 (GENERAL SENATE BILLS)

Senate Bill 852 – Senators Hough, Bailey, Carozza, Cassilly, Corderman, Eckardt, Edwards, Gallion, Hershey, Jennings, Ready, Salling, Simonaire, and West

EMERGENCY BILL

AN ACT concerning

Crimes – Penalties and Procedures (Violent Firearms Offender Act of 2021)

Senator Carter moved to make the Bill a Special Order for April 1, 2021.

The motion was rejected.

Senator Carter moved to make the Bill a Special Order for next session.

The motion was adopted.

SENATE THIRD READING CALENDAR NO. 12 (GENERAL HOUSE BILLS)

House Bill 12 – Delegates C. Watson, C. Jackson, and Kerr

AN ACT concerning

Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption

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

Affirmative – 46 Negative – 1 (See Roll Call No. 767)

The Bill was then returned to the House of Delegates.

House Bill 14 – Delegate Kerr

EMERGENCY BILL

AN ACT concerning

Pharmacists – Prescription Drug and Device Labels – Expiration Dates

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

Affirmative – 47 Negative – 0 (See Roll Call No. 768)

The Bill was then returned to the House of Delegates.

House Bill 72 – Delegate Anderton

AN ACT concerning

County Boards of Education – Student Transportation – Vehicles and Report

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

Affirmative – 47 Negative – 0 (See Roll Call No. 769)

The Bill was then returned to the House of Delegates.

House Bill 135 – Delegate K. Young

EMERGENCY BILL

AN ACT concerning

**Pharmacists – Administration of Self-Administered Medications and
Maintenance Injectable Medications
(Christopher King Access to Treatment Act)**

Senator Lam moved to make the Bill a Special Order for April 1, 2021.

The motion was adopted.

House Bill 204 – Delegate Lierman

AN ACT concerning

**Environment and Natural Resources – Complaints, Inspections, and
Enforcement – Information Maintenance and Reporting**

FLOOR AMENDMENT

HB0204/123322/1

BY: Senator Bailey

AMENDMENT TO HOUSE BILL 204

(Third Reading File Bill)

On page 8, in lines 6 and 7, strike “BEGINNING WITH THE REPORT DUE ON OR BEFORE SEPTEMBER 30, 2023, THE” and substitute “THE”.

The preceding amendment was read and adopted.

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

Affirmative – 42 Negative – 5 (See Roll Call No. 770)

The Bill was then returned to the House of Delegates.

House Bill 205 – Delegate Reznik

AN ACT concerning

Public Schools – Provision of Menstrual Hygiene Products – Requirement

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

Affirmative – 47 Negative – 0 (See Roll Call No. 771)

The Bill was then returned to the House of Delegates.

House Bill 264 – Delegate Charkoudian

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 772)

The Bill was then returned to the House of Delegates.

House Bill 293 – Delegate Stein

AN ACT concerning

Natural Resources – Organized Killing Contests – Restriction

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

Affirmative – 42 Negative – 5 (See Roll Call No. 773)

The Bill was then returned to the House of Delegates.

House Bill 363 – Delegate Lierman

AN ACT concerning

Maryland Public Ethics Law – Retaliation for Reporting or Participating in Investigation – Prohibition

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

Affirmative – 47 Negative – 0 (See Roll Call No. 774)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 13 (GENERAL HOUSE BILLS)

House Bill 517 – Delegate C. Watson

AN ACT concerning

Clean Energy Loan Program – Remediation and Resiliency

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

Affirmative – 47 Negative – 0 (See Roll Call No. 775)

The Bill was then returned to the House of Delegates.

House Bill 518 – Delegate Dumais

AN ACT concerning

Public Libraries – ~~Electronic Book~~ Literary Product Licenses – Access

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

Affirmative – 47 Negative – 0 (See Roll Call No. 776)

The Bill was then returned to the House of Delegates.

House Bill 540 – Delegate Morgan

AN ACT concerning

Interstate Occupational Therapy Licensure Compact

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

Affirmative – 47 Negative – 0 (See Roll Call No. 777)

The Bill was then returned to the House of Delegates.

House Bill 679 – Delegate Rogers

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Class MT License

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

Affirmative – 47 Negative – 0 (See Roll Call No. 778)

The Bill was then returned to the House of Delegates.

House Bill 680 – Delegate Rogers

AN ACT concerning

Anne Arundel County – Board of License Commissioners – Chief Inspector

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

Affirmative – 47 Negative – 0 (See Roll Call No. 779)

The Bill was then returned to the House of Delegates.

House Bill 745 – Delegate Luedtke

AN ACT concerning

Election Law – Early Voting Centers – ~~Number Required~~

FLOOR AMENDMENT

HB0745/693420/1

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 745

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “center;” insert “requiring the State to pay the full cost of operating certain early voting centers under certain circumstances;”.

AMENDMENT NO. 2

On page 4, after line 15, insert:

“(G) IF A COUNTY IS REQUIRED TO ESTABLISH EARLY VOTING CENTERS UNDER SUBSECTION (B)(2), (3), (4), (5), (6), (7), (8), OR (9) OF THIS SECTION IN AN AMOUNT THAT IS GREATER THAN THE NUMBER THE COUNTY WAS REQUIRED TO ESTABLISH FOR THE 2020 GENERAL ELECTION, THE STATE SHALL PAY THE FULL COST OF OPERATING THE ADDITIONAL EARLY VOTING CENTERS.”;

and in line 16 and 18, strike “(g)” and “(h)”, respectively, and substitute “**(H)**” and “**(I)**”, respectively.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

HB0745/383225/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 745

(Third Reading File Bill)

On page 3, in line 27, strike “AND”; and in line 30, after “CENTERS” insert “**; AND**”

(VI) ACCESSIBILITY OF THE EARLY VOTING CENTER TO RURAL COMMUNITIES WITH RESPECT TO THE GEOGRAPHICAL DISTANCE BETWEEN EARLY VOTING CENTERS ACROSS THE COUNTY”.

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

Affirmative – 17 Negative – 30 (See Roll Call No. 780)

FLOOR AMENDMENT

HB0745/413023/1

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 745

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “center;” insert “requiring the State Board of Elections to study certain trends; requiring that the study include a certain comparison; requiring the State Board to report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 4, after line 19, insert:

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

(a) The State Board of Elections shall study the trends related to early voting in each county during the 2020, 2022, and 2024 general and primary statewide elections.

(b) The study required under subsection (a) of this section shall include, for each county and election, a comparison of:

(1) the number of early voting centers established;

(2) the number of registered voters who voted at each early voting center;

and

(3) the total number of registered voters who voted:

(i) at an early voting center;

(ii) at a polling place; and

(iii) by absentee ballot.

(c) On or before December 31, 2024, the State Board of Elections shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2-1257 of the State Government Article, of its findings and recommendations, including a recommendation on whether the number of early voting centers should increase, decrease, or remain at the levels established under Section 1 of this Act.”;

in line 20, strike “2.” and substitute “3.”; and in line 21, after “2021.” insert “It shall remain effective for a period of 3 years and 9 months and, at the end of June 30, 2025, 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.

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

Affirmative – 33 Negative – 14 (See Roll Call No. 781)

The Bill was then returned to the House of Delegates.

House Bill 871 – Delegate Charles

AN ACT concerning

Consolidation of the Procurement Improvement Council and the Council for the Procurement of Health, Educational, and Social Services

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

Affirmative – 47 Negative – 0 (See Roll Call No. 782)

The Bill was then returned to the House of Delegates.

House Bill 970 – Delegate Johnson

EMERGENCY BILL

AN ACT concerning

Psychology Interjurisdictional Compact

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

Affirmative – 47 Negative – 0 (See Roll Call No. 783)

The Bill was then returned to the House of Delegates.

House Bill 1232 – Delegate Brooks**EMERGENCY BILL**

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 784)

The Bill was then returned to the House of Delegates.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 31

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

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

HB0670/668370/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 670

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “**Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures**”; strike beginning with “requiring” in line 6 down through “warrant;” in line 15; in line 17, after “exception;” insert “providing that a police officer’s failure to comply with a certain requirement may be grounds for a certain disciplinary action against the officer and may not serve as the basis for the exclusion of certain evidence under a certain rule;”; and in line 19, after “lawfully” insert “and safely”.

On page 2, strike beginning with “requiring” in line 17 down through “interest;” in line 27; and strike beginning with “requiring” in line 32 down through “Statute;” in line 33.

On page 3, strike beginning with “requiring” in line 18 down through “footage;” in line 20; and strike beginning with “altering” in line 22 down through “undergo” in line 47.

On page 4, strike beginning with “less” in line 1 down through “Assembly;” in line 19; and strike beginning with “establishing” in line 34 down through “board” in line 35 and substitute “requiring a police accountability board to make a certain report and recommendations annually”.

On page 5, in line 5, strike “requiring” and substitute “authorizing”; in line 16, strike “and requiring”; in line 17, strike “requiring” and substitute “authorizing”; strike beginning with “providing” in line 25 down through “circumstances;” in line 26; strike beginning with “and” in line 33 down through “representation” in line 34 and substitute “may have the assistance of a representative”; and strike beginning with “authorizing” in line 40 down through “order to” in line 47.

On page 6, strike in their entirety lines 1 through 3, inclusive, and substitute “authorizing a certain assignment of benefits; establishing that law enforcement officers may be subject to forfeiture of benefits from the State Retirement and Pension System or a local system; prohibiting the payment of certain benefits to a law enforcement officer who is found guilty of, pleads guilty to, or enters a plea of nolo contendere to a qualifying crime; prohibiting the forfeiture of benefits if the forfeiture negatively affects or invalidates the tax qualified status of any of the several systems within the State Retirement and Pension System or a local system; requiring that certain forfeitures of benefits be reversed under certain circumstances; requiring the forfeiture of benefits, in whole or in part, for a law enforcement officer who is convicted of a qualifying crime; requiring the Attorney General or State’s Attorney to file a certain complaint in circuit court; requiring notice of the complaint to be sent to certain persons; requiring the State Retirement Agency and local systems to provide certain information to the Attorney General or State’s Attorney under certain circumstances; establishing certain findings that shall be made when entering an order requiring the forfeiture of benefits; requiring the forfeiture order to indicate the amount of benefits forfeit; requiring a court to consider certain factors when determining the amount of benefits subject to forfeiture; clarifying that only certain service is subject to forfeiture; authorizing a court to enter a domestic relations order that provides that some or all of the forfeited benefits be paid to certain individuals subject to certain limitations; prohibiting a forfeiture order from impairing or altering certain domestic relations orders; clarifying that a law enforcement officer may receive benefits as a beneficiary; clarifying”.

that a law enforcement officer’s interest in benefits of a former spouse is not subject to forfeiture; authorizing the Board of Trustees for the State Retirement and Pension System to recover certain payments made to a law enforcement officer subject to a forfeiture order; authorizing a local system to recover certain payments made to a public employee subject to a forfeiture order; limiting the amount that may be recovered; authorizing certain law enforcement officers to submit an application for retirement; prohibiting the State Retirement Agency or a local system from processing a certain application for retirement until certain conditions are met; requiring a forfeiture order to be rescinded under certain circumstances; requiring certain payments to be made when a conviction is overturned; providing that a law enforcement officer subject to a forfeiture order is entitled to a return of employee contributions on request; authorizing certain employee contributions to be reduced under certain circumstances; requiring the Board of Trustees to adopt certain regulations; requiring a local system to adopt certain policies and procedures;”; strike beginning with “providing” in line 5 down through “Act;” in line 6; strike beginning with “for” in line 10 down through “providing” in line 11; in line 11, after “provisions of this Act;” insert “making certain provisions of this Act contingent on the taking effect of another Act;”; and strike in their entirety lines 30 through 34, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 37 on page 7 through line 11 on page 8, inclusive.

On page 8, in line 15, strike “3-508, 3-523, and 3-524” and substitute “and 3-508”; in lines 20 and 21, strike “3-511, 3-514, 3-515, and 3-516” and substitute “3-514, and 3-515”; and strike in their entirety lines 24 through 28, inclusive, and substitute:

“BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21-502(a)(3)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 21-801 through 21-809 to be under the new subtitle “Subtitle 8. Forfeiture of Benefits – Law Enforcement Officers”; and 40-201 through 40-209 to be under the new subtitle “Subtitle 2. Forfeiture of Benefits – Law Enforcement Officers”
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)”.

On page 65, in lines 19, 24, and 32, strike “7.”, “8.”, and “10.”, respectively, and substitute “6.”, “7.”, and “8.”, respectively.

On page 66, in lines 6 and 15, strike “11.” and “12.”, respectively, and substitute “9.” and “10.”, respectively.

AMENDMENT NO. 2

On pages 9 through 14, strike in their entirety the lines beginning with line 33 on page 9 through line 3 on page 14, inclusive, and substitute:

“Article – Criminal Procedure”.

AMENDMENT NO. 3

On page 14, in line 7, before “DISPLAY” insert “WHEN NOT IN UNIFORM,”; in line 12, strike “BADGE NUMBER” and substitute “IDENTIFICATION NUMBER ISSUED BY THE LAW ENFORCEMENT AGENCY THE OFFICER IS REPRESENTING”; in line 16, after “(B)” insert “A POLICE OFFICER’S FAILURE TO COMPLY WITH SUBSECTION (A) OF THIS SECTION:

(1) MAY BE GROUNDS FOR ADMINISTRATIVE DISCIPLINARY ACTION AGAINST THE OFFICER; AND

(2) MAY NOT SERVE AS THE BASIS FOR THE EXCLUSION OF EVIDENCE UNDER THE EXCLUSIONARY RULE.

(C)”;

and in line 18, after “LAWFULLY” insert “AND SAFELY”.

AMENDMENT NO. 4

On page 17, in line 16, strike “4-YEAR”; strike beginning with “IN” in line 16 down through “JUSTICE” in line 17 and substitute “THAT WOULD FURTHER THE STUDENT’S CAREER IN LAW ENFORCEMENT”; in line 19, strike “4-YEAR”; and in line 20, strike “IN CRIMINAL LAW, CRIMINOLOGY, OR CRIMINAL JUSTICE” and substitute “THAT WOULD FURTHER THE POLICE OFFICER’S CAREER IN LAW ENFORCEMENT”.

On page 18, strike beginning with “IN” in line 5 down through “JUSTICE” in line 6 and substitute “THAT WOULD FURTHER THE RECIPIENT’S CAREER IN LAW ENFORCEMENT”.

AMENDMENT NO. 5

On pages 19 and 20, strike in their entirety the lines beginning with line 12 on page 19 through line 24 on page 20, inclusive.

AMENDMENT NO. 6

On page 21, in line 5, after “FROM” insert “INTENTIONAL”; in line 6, after “OMISSIONS” insert “OR INTENTIONAL VIOLATIONS OF CONSTITUTIONAL RIGHTS”; in line 8, strike “1.”; in the same line, strike “ITEM 2 OF THIS ITEM AND”; and strike in their entirety lines 11 through 16, inclusive.

On page 22, in line 1, after “FROM” insert “INTENTIONAL”; in line 2, after “OMISSIONS” insert “OR INTENTIONAL VIOLATIONS OF CONSTITUTIONAL RIGHTS”; in line 4, strike “A.”; in the same line, strike “ITEM B OF THIS ITEM AND”; and strike in their entirety lines 7 through 12, inclusive.

AMENDMENT NO. 7

On pages 22 through 28, strike in their entirety the lines beginning with line 22 on page 22 through line 2 on page 28, inclusive.

On page 65, strike in their entirety lines 28 through 31, inclusive.

AMENDMENT NO. 8

On page 28, strike in their entirety lines 15 and 16.

On pages 29 and 30, strike in their entirety the lines beginning with line 9 on page 29 through line 4 on page 30, inclusive.

AMENDMENT NO. 9

On page 41, before line 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety”;

in lines 13, 16, 17, and 27, in each instance, strike the bracket; strike line 15 in its entirety; in lines 16, 17, 19, and 25, strike “(10)”, “(11)”, “(12)”, and “(9)”, respectively, and substitute “(9)”, “(10)”, “(11)”, and “(12)”, respectively; in line 20, after “Justice;” insert “AND”; and strike in their entirety lines 21 through 24, inclusive.

On page 42, in lines 1, 2, and 3 in each instance, strike the bracket; in lines 1, 2, and 3, in each instance, strike “individual” and substitute “CIVILIAN”; in line 1, after “policing” insert “WHO DOES NOT HAVE RELATIONSHIPS TO LAW ENFORCEMENT”; in line 2, after “standards” insert “WHO DOES NOT HAVE RELATIONSHIPS TO LAW ENFORCEMENT”; in lines 2, 3, and 5, strike “(II)”, “(III)”, and “(IV)”, respectively; in line 3, strike “WITHOUT” and substitute “WHO DOES NOT HAVE”; in line 5, strike the first set of brackets; in the same line, strike “NINE” and substitute “THREE”; in the same line, strike “without” and substitute “WHO REPRESENT DIFFERENT GEOGRAPHIC AREAS OF THE STATE AND DO NOT HAVE”.

On page 46, after line 4, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety”.

AMENDMENT NO. 10

On pages 49 and 50, strike in their entirety the lines beginning with line 21 on page 49 through line 23 on page 50, inclusive.

AMENDMENT NO. 11

On pages 51 and 52, strike in their entirety the lines beginning with line 34 on page 51 through line 12 on page 52, inclusive.

AMENDMENT NO. 12

On pages 53 through 57, strike in their entirety the lines beginning with line 16 on page 53 through line 26 on page 57, inclusive.

On pages 58 and 59, strike in their entirety the lines beginning with line 26 on page 58 through line 20 on page 59, inclusive.

AMENDMENT NO. 13

On page 58, strike in their entirety lines 6 through 15, inclusive.

AMENDMENT NO. 14

On page 28, in lines 17, 19, 22, and 29, strike “**(F)**”, “**(G)**”, “**(H)**”, and “**(I)**”, respectively, and substitute “**(E)**”, “**(F)**”, “**(G)**”, and “**(H)**”, respectively.

On page 29, in lines 2, 4, and 6, strike “**(J)**”, “**(K)**”, and “**(L)**”, respectively, and substitute “**(I)**”, “**(J)**”, and “**(K)**”, respectively.

On page 30, strike beginning with “**RECEIVE**” in line 11 down through “**(4)**” in line 13 and substitute “**(I)**”; in line 14, after “**COMMITTEES**” insert “**; AND**”

(II) ON OR BEFORE DECEMBER 31 EACH YEAR, SUBMIT A REPORT TO THE GOVERNING BODY OF THE COUNTY THAT:

1. IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS OF POLICE OFFICERS IN THE COUNTY; AND

2. MAKES RECOMMENDATIONS ON CHANGES TO POLICY THAT WOULD IMPROVE POLICE ACCOUNTABILITY IN THE COUNTY”;

and strike in their entirety lines 23 through 30, inclusive.

On page 31, strike in their entirety lines 1 through 6, inclusive; in lines 7 and 25, strike “**3-104.**” and “**3-105.**”, respectively, and substitute “**3-103.**” and “**3-104.**”, respectively; strike beginning with the colon in line 20 down through “**(II)**” in line 23; and strike beginning with “**OR**” in line 23 down through “**PERJURY**” in line 24.

On page 32, in line 3, after “**BOARD**” insert “**OR ANOTHER MEMBER OF THE ACCOUNTABILITY BOARD DESIGNATED BY THE CHAIR OF THE ACCOUNTABILITY BOARD**”; strike in their entirety lines 4 through 16, inclusive, and substitute:

“(II) ONE DESIGNEE OF THE COUNTY’S POLICE CHIEF;

(III) ONE DESIGNEE OF THE COLLECTIVE BARGAINING UNIT FOR LAW ENFORCEMENT IN THE COUNTY, OR A DESIGNEE OF THE STATE LAW

ENFORCEMENT OFFICER'S LABOR ALLIANCE IF THERE IS NO COLLECTIVE BARGAINING UNIT FOR LAW ENFORCEMENT IN THE COUNTY;

strike beginning with the first "**THE**" in line 19 down through "**COUNTY**" in line 20 and substitute "**ONE CIVILIAN SELECTED BY THE CHIEF EXECUTIVE OF THE COUNTY**"; and strike in their entirety lines 25 through 29, inclusive, and substitute:

(I) A CIVILIAN MEMBER APPOINTED BY THE GOVERNOR;

(II) A CIVILIAN MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE;

(III) A CIVILIAN MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE;

(IV) A MEMBER APPOINTED BY THE SECRETARY OF STATE POLICE; AND

(V) A MEMBER APPOINTED BY THE MARYLAND STATE LODGE OF THE FRATERNAL ORDER OF POLICE.

On page 33, strike in their entirety lines 1 through 4, inclusive; strike beginning with "**ON**" in line 9 down through "**(E)**" in line 13; in line 14, after "**(1)**" insert "**RECEIVE COMPLAINTS OF MISCONDUCT FILED BY MEMBERS OF THE PUBLIC;**

(2)";

in line 16, strike "**(D)**" and substitute "**(G)**"; in lines 17, 21, 24, and 26, strike "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(3)**", "**(4)**", "**(5)**", and "**(6)**", respectively; in line 23, strike "**3-106**" and substitute "**3-105**"; after line 27, insert:

(E) (1) A COMPLAINT OF POLICE MISCONDUCT FILED WITH A POLICE ACCOUNTABILITY BOARD SHALL INCLUDE:

(I) THE NAME OF THE POLICE OFFICER ACCUSED OF MISCONDUCT;

(II) A DESCRIPTION OF THE FACTS ON WHICH THE COMPLAINT IS BASED; AND

(III) CONTACT INFORMATION OF THE COMPLAINANT OR A PERSON FILING ON BEHALF OF THE COMPLAINANT FOR INVESTIGATIVE FOLLOW-UP.

(2) A COMPLAINT NEED NOT BE NOTARIZED.

(F) AFTER RECEIVING A COMPLAINT FROM A MEMBER OF THE PUBLIC, AN ADMINISTRATIVE CHARGING COMMITTEE SHALL FORWARD THE COMPLAINT TO THE LAW ENFORCEMENT AGENCY WITH JURISDICTION FOR INVESTIGATION.

(G) ON COMPLETION OF AN INVESTIGATION OF A COMPLAINT MADE BY A MEMBER OF THE PUBLIC AGAINST A POLICE OFFICER, THE LAW ENFORCEMENT AGENCY SHALL FORWARD TO THE APPROPRIATE ADMINISTRATIVE CHARGING COMMITTEE THE INVESTIGATIVE FILES FOR THE MATTER.”;

in line 28, strike “(F)” and substitute “(H)”; and in the same line, strike “(E)” and substitute “(D)”.

On page 34, in line 6, strike “OR”; in line 7, strike “AND” and substitute “; OR”

(III) AN ADMINISTRATIVE CHARGE IS NOT IN THE INTEREST OF JUSTICE BECAUSE THE POLICE OFFICER HAS PARTICIPATED IN A RESTORATIVE JUSTICE PROGRAM; AND”;

in line 8, strike “A” and substitute “ANY”; in lines 10 and 12, strike “(G)” and “(H)”, respectively, and substitute “(I)” and “(J)”, respectively; in line 11, strike “AND ADDITIONALLY” and substitute “OR”; in line 14, after “UNTIL” insert “FINAL”; and in line 15, strike “3-106.” and substitute “3-105.”.

On page 35, in line 3, strike “3-107.” and substitute “3-106.”; in line 6, after “SECTION” insert “TO ADJUDICATE MATTERS FOR WHICH A LAW ENFORCEMENT OFFICER IS SUBJECT TO DISCIPLINE”; in line 11, strike the first “OR” and substitute a comma; in the same line, after “COURT” insert “, OR A DISINTERESTED ATTORNEY,”

APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNTY"; in line 12, after "A CIVILIAN" insert "WHO IS NOT A MEMBER OF AN ADMINISTRATIVE CHARGING COMMITTEE,"; and in line 15, after "MISCONDUCT" insert "APPOINTED BY THE HEAD OF THE LAW ENFORCEMENT AGENCY".

On page 36, in line 22, strike "3-108." and substitute "3-107.".

On page 37, strike in their entirety lines 4 through 13, inclusive, and substitute:

"(B) (1) A CHIEF OR A CHIEF'S DESIGNEE MAY SUSPEND A LAW ENFORCEMENT OFFICER WITHOUT PAY AND SUSPEND THE LAW ENFORCEMENT OFFICER'S POLICE POWERS ON AN EMERGENCY BASIS IF THE LAW ENFORCEMENT OFFICER IS CHARGED WITH A CRIME.";

strike beginning with "POLICE" in line 15 down through "BASED" in line 17 and substitute "CRIMINAL CHARGE OR CHARGES AGAINST THE POLICE OFFICER RESULT IN:

(I) A FINDING OF NOT GUILTY;

(II) AN ACQUITTAL;

(III) A DISMISSAL; OR

(IV) A NOLLE PROSEQUI";

in line 18, strike "SHALL" and substitute "MAY"; in line 19, strike "OR RECEIVES A PROBATION BEFORE JUDGMENT FOR"; in line 22, after "OFFICER;" insert "OR"; and strike beginning with "A" in line 23 down through "(4)" in line 24.

On page 38, in line 8, after "CRIMINAL" insert "OR CIVIL"; strike in their entirety lines 10 through 13, inclusive; in line 14, strike "3-109." and substitute "3-108."; and in line 28, after "STATEMENT" insert ", IF ANY,".

On page 39, strike in their entirety lines 12 through 21, inclusive; in lines 22 and 26, strike "3-110." and "3-111.", respectively, and substitute "3-109." and "3-110.", respectively; and in line 24, strike "HAVE THE RIGHT TO REPRESENTATION" and substitute "MAY HAVE THE ASSISTANCE OF A REPRESENTATIVE".

On page 40, in lines 20 and 23, strike “3-112.” and “3-113.”, respectively, and substitute “3-111.” and “3-112.”, respectively; and strike in their entirety lines 24 through 28, inclusive.

On page 41, strike line 1 in its entirety and substitute:

“(A) ON WRITTEN REQUEST, A POLICE OFFICER MAY HAVE EXPUNGED FROM ANY FILE THE RECORD OF A FORMAL COMPLAINT MADE AGAINST THE POLICE OFFICER IF:

(1) (I) THE LAW ENFORCEMENT AGENCY THAT INVESTIGATED THE COMPLAINT:

1. EXONERATED THE POLICE OFFICER OF ALL CHARGES IN THE COMPLAINT; OR

2. DETERMINED THAT THE CHARGES WERE UNSUSTAINED OR UNFOUNDED; OR

(II) A TRIAL BOARD ACQUITTED THE POLICE OFFICER, DISMISSED THE ACTION, OR MADE A FINDING OF NOT GUILTY; AND

(2) AT LEAST 3 YEARS HAVE PASSED SINCE THE FINAL DISPOSITION BY THE LAW ENFORCEMENT AGENCY OR HEARING BOARD.

(B) EVIDENCE OF A FORMAL COMPLAINT AGAINST A LAW ENFORCEMENT OFFICER IS NOT ADMISSIBLE IN AN ADMINISTRATIVE OR JUDICIAL PROCEEDING IF THE COMPLAINT RESULTED IN AN OUTCOME LISTED IN SUBSECTION (A)(1) OF THIS SECTION.

3-113.

(A) THE INVESTIGATING UNIT OF A LAW ENFORCEMENT AGENCY SHALL IMMEDIATELY REVIEW A COMPLAINT BY A MEMBER OF THE PUBLIC ALLEGING POLICE OFFICER MISCONDUCT.

(B) AN ADMINISTRATIVE CHARGING COMMITTEE SHALL REVIEW AND MAKE A DETERMINATION OR ASK FOR FURTHER REVIEW WITHIN 30 DAYS AFTER COMPLETION OF THE INVESTIGATING UNIT’S REVIEW.

(C) THE PROCESS OF REVIEW BY THE INVESTIGATING UNIT THROUGH DISPOSITION BY THE ADMINISTRATIVE CHARGING COMMITTEE SHALL BE COMPLETED WITHIN 1 YEAR AND 1 DAY AFTER THE FILING OF A COMPLAINT BY A CITIZEN.”.

AMENDMENT NO. 15

On pages 63 through 65, strike in their entirety the lines beginning with line 13 on page 63 through line 18 on page 65, inclusive, and substitute:

“21-502.

(a) (3) A court of competent jurisdiction may expressly order that a benefit under this Division II be assigned to a spouse, former spouse, child, or other dependent when an order of benefit forfeiture is issued in accordance with § 21-704 OR § 21-804 of this title.

SUBTITLE 8. FORFEITURE OF BENEFITS – LAW ENFORCEMENT OFFICERS.

21-801.

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

(B) “DOMESTIC RELATIONS ORDER” MEANS AN ORDER ISSUED IN ACCORDANCE WITH § 21-502(A)(2) OF THIS TITLE, § 414(P) OF THE INTERNAL REVENUE CODE, AND REGULATIONS ADOPTED BY THE BOARD OF TRUSTEES THAT ASSIGNS A BENEFIT TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT OF A LAW ENFORCEMENT OFFICER IN CONNECTION WITH A DECREE OR ORDER OF ALIMONY, CHILD SUPPORT, OR DIVORCE.

(C) “FINAL ADJUDICATION” MEANS ADJUDICATION BY A TRIAL COURT RESULTING IN FINAL DISPOSITION OF ALL CHARGES THAT CONSTITUTE A QUALIFYING CRIME.

(D) “LAW ENFORCEMENT OFFICER” MEANS AN INDIVIDUAL WHO:

(1) IS LISTED IN § 21–802 OF THIS SUBTITLE; AND

(2) HAS BEEN CHARGED WITH A QUALIFYING CRIME.

(E) “QUALIFYING CRIME” MEANS A CRIMINAL OFFENSE THAT IS COMMITTED IN THE COURSE OF THE PERFORMANCE OF THE LAW ENFORCEMENT OFFICER’S DUTIES AND RESPONSIBILITIES THAT IS:

(1) A FELONY;

(2) PERJURY; OR

(3) A MISDEMEANOR RELATING TO TRUTHFULNESS AND VERACITY.

(F) “RETIREMENT ALLOWANCE”:

(1) HAS THE MEANING STATED IN § 20–101 OF THIS ARTICLE; AND

(2) INCLUDES A VESTED ALLOWANCE.

(G) “VESTED ALLOWANCE” HAS THE MEANING STATED IN § 20–101 OF THIS ARTICLE.

21–802.

(A) THIS SUBTITLE APPLIES TO AN INDIVIDUAL WHO:

(1) IS A MEMBER, FORMER MEMBER, OR RETIREE OF THE:

(I) STATE POLICE RETIREMENT SYSTEM;

(II) LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM; OR

(III) EMPLOYEES' PENSION SYSTEM OR EMPLOYEES' RETIREMENT SYSTEM; AND

(2) HAS EARNED CREDITABLE SERVICE WHILE EMPLOYED AS A LAW ENFORCEMENT OFFICER.

(B) THIS SUBTITLE DOES NOT APPLY TO ANY SERVICE EARNED BEFORE JULY 1, 2022.

21-803.

(A) BENEFITS UNDER THIS DIVISION II OF THIS ARTICLE PAYABLE TO A LAW ENFORCEMENT OFFICER ARE SUBJECT TO FORFEITURE IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SUBTITLE IF THE LAW ENFORCEMENT OFFICER IS FOUND GUILTY OF, PLEADS GUILTY TO, OR ENTERS A PLEA OF NOLO CONTENDERE TO A QUALIFYING CRIME.

(B) (1) BENEFITS UNDER THIS DIVISION II MAY NOT BE FORFEITED OR REDUCED IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE FORFEITURE OR REDUCTION WILL NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF ANY OF THE SEVERAL SYSTEMS.

(2) IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE APPLICATION OF THIS SUBTITLE WOULD NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF ANY OF THE SEVERAL SYSTEMS, ANY FORFEITURE OF BENEFITS THAT TOOK PLACE BEFORE THE INTERNAL REVENUE SERVICE'S DETERMINATION SHALL BE REVERSED IN ACCORDANCE WITH § 21-807 OF THIS SUBTITLE TO THE EXTENT NECESSARY TO COMPLY WITH THE DETERMINATION.

21-804.

(A) IF THE FINAL ADJUDICATION OF CHARGES RESULTS IN CONVICTION OF A LAW ENFORCEMENT OFFICER, THE LAW ENFORCEMENT OFFICER'S RETIREMENT ALLOWANCE SHALL BE FORFEITED IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SECTION.

(B) (1) ON CONVICTION OF A LAW ENFORCEMENT OFFICER, THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY SHALL FILE A COMPLAINT IN CIRCUIT COURT TO FORFEIT THE LAW ENFORCEMENT OFFICER’S BENEFITS IN WHOLE OR IN PART.

(2) NOTICE OF THE COMPLAINT FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SERVED ON:

(I) THE LAW ENFORCEMENT OFFICER;

(II) ANY KNOWN SPOUSE OF THE LAW ENFORCEMENT OFFICER;

(III) ANY KNOWN DEPENDENTS OF THE LAW ENFORCEMENT OFFICER;

(IV) THE LAW ENFORCEMENT OFFICER’S DESIGNATED BENEFICIARIES;

(V) ANY FORMER SPOUSE WHO HAS BEEN ASSIGNED BENEFITS UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VI) THE STATE RETIREMENT AGENCY.

(3) NOTWITHSTANDING § 4-312 OF THE GENERAL PROVISIONS ARTICLE, ON WRITTEN REQUEST, THE STATE RETIREMENT AGENCY SHALL PROVIDE THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY WITH AVAILABLE INFORMATION FROM THE RETIREMENT RECORDS OF THE LAW ENFORCEMENT OFFICER TO ASSIST THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY IN PROVIDING THE NOTICE REQUIRED UNDER THIS SUBSECTION.

(C) THE COURT SHALL ENTER AN ORDER REQUIRING THE FORFEITURE, IN WHOLE OR IN PART, OF THE LAW ENFORCEMENT OFFICER’S BENEFITS IF THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT:

(1) THE LAW ENFORCEMENT OFFICER WAS CONVICTED OF A QUALIFYING CRIME;

(2) THE LAW ENFORCEMENT OFFICER WAS A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM, THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, THE EMPLOYEES' PENSION SYSTEM, OR THE EMPLOYEES' RETIREMENT SYSTEM; AND

(3) THE QUALIFYING CRIME FOR WHICH THE LAW ENFORCEMENT OFFICER WAS CONVICTED WAS COMMITTED WHILE THE LAW ENFORCEMENT OFFICER WAS AN ACTIVE MEMBER OF THE STATE POLICE RETIREMENT SYSTEM, THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, THE EMPLOYEES' PENSION SYSTEM, OR THE EMPLOYEES' RETIREMENT SYSTEM.

(D) ONLY SERVICE CREDIT IN THE STATE SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER IS A MEMBER WHEN THE QUALIFYING CRIME IS COMMITTED IS ELIGIBLE FOR FORFEITURE UNDER THIS SECTION.

(E) (1) AN ORDER REQUIRING FORFEITURE OF BENEFITS SHALL INDICATE THE AMOUNT OF BENEFITS TO BE FORFEITED.

(2) WHEN DETERMINING THE AMOUNT OF BENEFITS TO BE FORFEITED, THE COURT SHALL CONSIDER:

(I) THE SEVERITY OF THE CRIME;

(II) THE AMOUNT OF MONETARY LOSS SUFFERED BY THE STATE, A COUNTY, A POLITICAL SUBDIVISION, OR A PERSON AS A RESULT OF THE CRIME;

(III) THE DEGREE OF PUBLIC TRUST PLACED IN THE LAW ENFORCEMENT OFFICER;

(IV) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER;

(V) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER'S SPOUSE, CHILDREN, OR OTHER DEPENDENTS;

(VI) ANY INTEREST IN BENEFITS OF A FORMER SPOUSE ESTABLISHED UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VII) ANY OTHER FACTORS THE COURT DETERMINES RELEVANT.

(F) (1) IF THE COURT ENTERS AN ORDER REQUIRING THE FORFEITURE OF BENEFITS, THE COURT MAY ENTER A DOMESTIC RELATIONS ORDER THAT PROVIDES THAT SOME OR ALL OF THE FORFEITED BENEFITS BE PAID TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT FOR PURPOSES OF CHILD SUPPORT, ALIMONY, OR MARITAL PROPERTY RIGHTS.

(2) WHEN DETERMINING WHETHER TO ENTER A DOMESTIC RELATIONS ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL CONSIDER WHETHER THE LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILDREN, OR DEPENDENTS WERE CULPABLE OR COMPLICIT IN THE COMMISSION OF THE QUALIFYING CRIME.

(3) THE COURT MAY NOT ORDER BENEFITS TO BE PAID TO A LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT IN A MANNER THAT IS INCONSISTENT WITH THE PAYMENT OF BENEFITS IN THE STATE SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER WAS A MEMBER.

(G) (1) AN ORDER REQUIRING A FORFEITURE OF BENEFITS ISSUED UNDER THIS SECTION MAY NOT IMPAIR OR ALTER AN EXISTING DOMESTIC RELATIONS ORDER PROVIDING BENEFITS TO A FORMER SPOUSE OF A LAW ENFORCEMENT OFFICER.

(2) A LAW ENFORCEMENT OFFICER'S INTEREST IN A BENEFIT OF A FORMER SPOUSE ESTABLISHED BY A DOMESTIC RELATIONS ORDER MAY NOT BE SUBJECT TO A FORFEITURE OR REDUCTION UNDER THIS SUBTITLE.

(H) BENEFITS AVAILABLE TO A LAW ENFORCEMENT OFFICER AS A BENEFICIARY MAY NOT BE SUBJECT TO A FORFEITURE UNDER THIS SUBTITLE.

(A) IF A LAW ENFORCEMENT OFFICER HAS RETIRED BEFORE A FORFEITURE ORDER IS ISSUED UNDER § 21-804 OF THIS SUBTITLE, THE BOARD OF TRUSTEES MAY RECOVER FROM THE LAW ENFORCEMENT OFFICER THE AMOUNT OF BENEFITS PAID TO THE LAW ENFORCEMENT OFFICER BEFORE THE ORDER.

(B) THE RECOVERY UNDER SUBSECTION (A) OF THIS SECTION IS LIMITED TO AN AMOUNT EQUAL TO THE BENEFITS THAT WOULD HAVE BEEN FORFEITED HAD THE FORFEITURE ORDER BEEN ISSUED BEFORE THE LAW ENFORCEMENT OFFICER BEGAN RECEIVING ANY BENEFITS AS A RETIREE.

21-806.

(A) THIS SECTION APPLIES TO A LAW ENFORCEMENT OFFICER WHO IS NOT A RETIREE.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A LAW ENFORCEMENT OFFICER MAY SUBMIT AN APPLICATION FOR RETIREMENT.

(C) IF A LAW ENFORCEMENT OFFICER IS ELIGIBLE TO APPLY FOR A RETIREMENT ALLOWANCE, A LAW ENFORCEMENT OFFICER'S APPLICATION FOR RETIREMENT BENEFITS:

(1) SHALL BE CONSIDERED SUBMITTED ON THE FIRST DAY OF THE MONTH AFTER IT IS PROPERLY COMPLETED AND SUBMITTED TO THE STATE RETIREMENT AGENCY; AND

(2) MAY NOT BE PROCESSED BY THE STATE RETIREMENT AGENCY UNLESS AND UNTIL THE FINAL ADJUDICATION OF THE CHARGE THAT DOES NOT RESULT IN CONVICTION.

21-807.

(A) (1) ON RECEIPT OF AN ORDER THAT REVERSES OR OVERTURNS A CONVICTION OF A LAW ENFORCEMENT OFFICER, THE COURT THAT ISSUED A FORFEITURE ORDER UNDER § 21-804 OF THIS SUBTITLE SHALL RESCIND THE

FORFEITURE ORDER AND ORDER THE BOARD OF TRUSTEES TO PAY ANY BENEFITS THAT ARE PAYABLE UNDER THIS DIVISION II OF THIS ARTICLE TO THE LAW ENFORCEMENT OFFICER.

(2) WHEN A COURT RESCINDS A FORFEITURE ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL ALSO RESCIND ANY DOMESTIC RELATIONS ORDER ENTERED IN ACCORDANCE WITH § 21-804(F) OF THIS SUBTITLE.

(B) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED:

(1) THE LAW ENFORCEMENT OFFICER'S BENEFITS SHALL BE RESTORED BACK TO THE DATE THE BENEFIT PAYMENTS CEASED;

(2) THE LAW ENFORCEMENT OFFICER'S ALLOWANCE SHALL:

(I) BE PAID BEGINNING THE MONTH AFTER THE STATE RETIREMENT AGENCY IS NOTIFIED THAT THE CONVICTION IS OVERTURNED; AND

(II) INCLUDE ANY COST-OF-LIVING ADJUSTMENTS THAT WOULD HAVE BEEN MADE IN THE TIME BETWEEN THE CONVICTION AND THE TIME BENEFIT PAYMENTS ARE RESTORED; AND

(3) BENEFIT PAYMENTS THAT WOULD HAVE BEEN MADE DURING THE TIME FROM THE DATE OF CONVICTION TO THE DATE THE CONVICTION IS OVERTURNED SHALL BE MADE TO THE LAW ENFORCEMENT OFFICER, LESS ANY PAYMENTS MADE IN ACCORDANCE WITH A DOMESTIC RELATIONS ORDER DIRECTING PAYMENT OF BENEFITS TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT.

(C) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS NOT A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED, THE LAW ENFORCEMENT OFFICER MAY RECEIVE BENEFITS IN ACCORDANCE WITH THIS DIVISION II OF THIS ARTICLE.

21-808.

(A) A LAW ENFORCEMENT OFFICER SUBJECT TO A FORFEITURE ORDER ISSUED UNDER § 21-804 OF THIS SUBTITLE IS ENTITLED TO A RETURN OF THE INDIVIDUAL'S ACCUMULATED CONTRIBUTIONS ON REQUEST UNDER § 29-501 OF THIS ARTICLE.

(B) THE LAW ENFORCEMENT OFFICER'S ACCUMULATED CONTRIBUTIONS SHALL BE REDUCED BY AN AMOUNT EQUAL TO ANY BENEFIT PAYMENTS RECEIVED BY THE LAW ENFORCEMENT OFFICER THAT WOULD HAVE BEEN SUBJECT TO FORFEITURE AND HAVE NOT BEEN RECOVERED BY THE BOARD OF TRUSTEES UNDER § 21-805 OF THIS SUBTITLE.

21-809.

THE BOARD OF TRUSTEES SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

SUBTITLE 2. FORFEITURE OF BENEFITS – LAW ENFORCEMENT OFFICERS.40-201.

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

(B) "ACCUMULATED CONTRIBUTIONS", WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20-101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

(C) "DOMESTIC RELATIONS ORDER" MEANS AN ORDER ISSUED IN ACCORDANCE WITH § 414(P) OF THE INTERNAL REVENUE CODE, AND PROVISIONS ADOPTED BY THE LOCAL SYSTEM THAT ASSIGNS A BENEFIT TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT OF A LAW ENFORCEMENT OFFICER IN CONNECTION WITH A DECREE OR ORDER OF ALIMONY, CHILD SUPPORT, OR DIVORCE.

(D) “FINAL ADJUDICATION” MEANS ADJUDICATION BY A TRIAL COURT RESULTING IN FINAL DISPOSITION OF ALL CHARGES THAT CONSTITUTE A QUALIFYING CRIME.

(E) “FORMER MEMBER”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

(F) “LAW ENFORCEMENT OFFICER” MEANS AN INDIVIDUAL WHO:

(1) IS LISTED IN § 40–202 OF THIS SUBTITLE; AND

(2) HAS BEEN CHARGED WITH A QUALIFYING CRIME.

(G) “LOCAL SYSTEM” MEANS A RETIREMENT OR PENSION SYSTEM OPERATED FOR THE BENEFIT OF EMPLOYEES OF A POLITICAL SUBDIVISION OF THE STATE.

(H) “MEMBER”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

(I) “QUALIFYING CRIME” MEANS A CRIMINAL OFFENSE THAT IS COMMITTED IN THE COURSE OF THE PERFORMANCE OF THE LAW ENFORCEMENT OFFICER’S DUTIES AND RESPONSIBILITIES THAT IS:

(1) A FELONY;

(2) PERJURY; OR

(3) A MISDEMEANOR RELATING TO TRUTHFULNESS AND VERACITY.

(J) “RETIREE”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

(K) “RETIREMENT ALLOWANCE”:

(1) WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20-101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM; AND

(2) INCLUDES A VESTED ALLOWANCE.

(L) “VESTED ALLOWANCE”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20-101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

40-202.

(A) THIS SUBTITLE APPLIES TO AN INDIVIDUAL WHO:

(1) IS A MEMBER, FORMER MEMBER, OR RETIREE OF A LOCAL SYSTEM; AND

(2) HAS EARNED CREDITABLE SERVICE WHILE EMPLOYED AS A LAW ENFORCEMENT OFFICER.

(B) THIS SUBTITLE DOES NOT APPLY TO ANY SERVICE EARNED BEFORE JULY 1, 2022.

40-203.

(A) BENEFITS PAYABLE TO A LAW ENFORCEMENT OFFICER AS A RETIREE OF A LOCAL SYSTEM ARE SUBJECT TO FORFEITURE IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SUBTITLE IF THE LAW ENFORCEMENT OFFICER IS FOUND GUILTY OF, PLEADS GUILTY TO, OR ENTERS A PLEA OF NOLO CONTENDERE TO A QUALIFYING CRIME.

(B) (1) BENEFITS PAYABLE TO A LAW ENFORCEMENT OFFICER AS A RETIREE OF A LOCAL SYSTEM MAY NOT BE FORFEITED OR REDUCED IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE FORFEITURE OR REDUCTION

WILL NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF THE LOCAL SYSTEM.

(2) IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE APPLICATION OF THIS SUBTITLE WOULD NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF A LOCAL SYSTEM, ANY FORFEITURE OF BENEFITS THAT TOOK PLACE BEFORE THE INTERNAL REVENUE SERVICE’S DETERMINATION SHALL BE REVERSED IN ACCORDANCE WITH § 40–207 OF THIS SUBTITLE TO THE EXTENT NECESSARY TO COMPLY WITH THE DETERMINATION.

(C) A COURT OF COMPETENT JURISDICTION MAY EXPRESSLY ORDER THAT A BENEFIT UNDER A LOCAL SYSTEM BE ASSIGNED TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT WHEN AN ORDER OF BENEFIT FORFEITURE IS ISSUED IN ACCORDANCE WITH § 40–204 OF THIS SUBTITLE.

40–204.

(A) IF THE FINAL ADJUDICATION OF CHARGES RESULTS IN CONVICTION OF A LAW ENFORCEMENT OFFICER, THE LAW ENFORCEMENT OFFICER’S RETIREMENT ALLOWANCE SHALL BE FORFEITED IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SECTION.

(B) (1) ON CONVICTION OF A LAW ENFORCEMENT OFFICER, THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY SHALL FILE A COMPLAINT IN CIRCUIT COURT TO FORFEIT THE LAW ENFORCEMENT OFFICER’S BENEFITS IN WHOLE OR IN PART.

(2) NOTICE OF THE COMPLAINT FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SERVED ON:

(I) THE LAW ENFORCEMENT OFFICER;

(II) ANY KNOWN SPOUSE OF THE LAW ENFORCEMENT OFFICER;

(III) ANY KNOWN DEPENDENTS OF THE LAW ENFORCEMENT OFFICER;

(IV) THE LAW ENFORCEMENT OFFICER'S DESIGNATED BENEFICIARIES;

(V) ANY FORMER SPOUSE WHO HAS BEEN ASSIGNED BENEFITS UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VI) THE LOCAL SYSTEM.

(3) NOTWITHSTANDING § 4-312 OF THE GENERAL PROVISIONS ARTICLE, ON WRITTEN REQUEST, THE LOCAL SYSTEM SHALL PROVIDE THE ATTORNEY GENERAL OR THE STATE'S ATTORNEY WITH AVAILABLE INFORMATION FROM THE RETIREMENT RECORDS OF THE LAW ENFORCEMENT OFFICER TO ASSIST THE ATTORNEY GENERAL OR THE STATE'S ATTORNEY IN PROVIDING THE NOTICE REQUIRED UNDER THIS SUBSECTION.

(C) THE COURT SHALL ENTER AN ORDER REQUIRING THE FORFEITURE, IN WHOLE OR IN PART, OF THE LAW ENFORCEMENT OFFICER'S BENEFITS IF THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT:

(1) THE LAW ENFORCEMENT OFFICER WAS CONVICTED OF A QUALIFYING CRIME;

(2) THE LAW ENFORCEMENT OFFICER WAS A MEMBER OF THE LOCAL SYSTEM; AND

(3) THE QUALIFYING CRIME FOR WHICH THE LAW ENFORCEMENT OFFICER WAS CONVICTED WAS COMMITTED WHILE THE LAW ENFORCEMENT OFFICER WAS AN ACTIVE MEMBER OF THE LOCAL SYSTEM.

(D) ONLY SERVICE CREDIT IN THE LOCAL SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER IS A MEMBER WHEN THE QUALIFYING CRIME IS COMMITTED IS ELIGIBLE FOR FORFEITURE UNDER THIS SECTION.

(E) (1) AN ORDER REQUIRING FORFEITURE OF BENEFITS SHALL INDICATE THE AMOUNT OF BENEFITS TO BE FORFEITED.

(2) WHEN DETERMINING THE AMOUNT OF BENEFITS TO BE FORFEITED, THE COURT SHALL CONSIDER:

(I) THE SEVERITY OF THE CRIME;

(II) THE AMOUNT OF MONETARY LOSS SUFFERED BY THE STATE, A COUNTY, A POLITICAL SUBDIVISION, OR A PERSON AS A RESULT OF THE CRIME;

(III) THE DEGREE OF PUBLIC TRUST PLACED IN THE LAW ENFORCEMENT OFFICER;

(IV) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER;

(V) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER'S SPOUSE, CHILDREN, OR OTHER DEPENDENTS;

(VI) ANY INTEREST IN BENEFITS OF A FORMER SPOUSE ESTABLISHED UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VII) ANY OTHER FACTORS THE COURT DETERMINES RELEVANT.

(F) (1) IF THE COURT ENTERS AN ORDER REQUIRING THE FORFEITURE OF BENEFITS, THE COURT MAY ENTER A DOMESTIC RELATIONS ORDER THAT PROVIDES THAT SOME OR ALL OF THE FORFEITED BENEFITS BE PAID TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT FOR PURPOSES OF CHILD SUPPORT, ALIMONY, OR MARITAL PROPERTY RIGHTS.

(2) WHEN DETERMINING WHETHER TO ENTER A DOMESTIC RELATIONS ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL CONSIDER WHETHER THE LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILDREN, OR DEPENDENTS WERE CULPABLE OR COMPLICIT IN THE COMMISSION OF THE QUALIFYING CRIME.

(3) THE COURT MAY NOT ORDER BENEFITS TO BE PAID TO A LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT IN A MANNER THAT IS INCONSISTENT WITH THE PAYMENT OF BENEFITS IN THE LOCAL SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER WAS A MEMBER.

(G) (1) AN ORDER REQUIRING A FORFEITURE OF BENEFITS ISSUED UNDER THIS SECTION MAY NOT IMPAIR OR ALTER AN EXISTING DOMESTIC RELATIONS ORDER PROVIDING BENEFITS TO A FORMER SPOUSE OF A LAW ENFORCEMENT OFFICER.

(2) A LAW ENFORCEMENT OFFICER'S INTEREST IN A BENEFIT OF A FORMER SPOUSE ESTABLISHED BY A DOMESTIC RELATIONS ORDER MAY NOT BE SUBJECT TO A FORFEITURE OR REDUCTION UNDER THIS SUBTITLE.

(H) BENEFITS AVAILABLE TO A LAW ENFORCEMENT OFFICER AS A BENEFICIARY MAY NOT BE SUBJECT TO A FORFEITURE UNDER THIS SUBTITLE.

40-205.

(A) IF A LAW ENFORCEMENT OFFICER HAS RETIRED BEFORE A FORFEITURE ORDER IS ISSUED UNDER § 40-204 OF THIS SUBTITLE, THE LOCAL SYSTEM MAY RECOVER FROM THE LAW ENFORCEMENT OFFICER THE AMOUNT OF BENEFITS PAID TO THE LAW ENFORCEMENT OFFICER BEFORE THE ORDER.

(B) THE RECOVERY UNDER SUBSECTION (A) OF THIS SECTION IS LIMITED TO AN AMOUNT EQUAL TO THE BENEFITS THAT WOULD HAVE BEEN FORFEITED HAD THE FORFEITURE ORDER BEEN ISSUED BEFORE THE LAW ENFORCEMENT OFFICER BEGAN RECEIVING ANY BENEFITS AS A RETIREE.

40-206.

(A) THIS SECTION APPLIES TO A LAW ENFORCEMENT OFFICER WHO IS NOT A RETIREE.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A LAW ENFORCEMENT OFFICER MAY SUBMIT AN APPLICATION FOR RETIREMENT.

(C) IF A LAW ENFORCEMENT OFFICER IS ELIGIBLE TO APPLY FOR A RETIREMENT ALLOWANCE, A LAW ENFORCEMENT OFFICER'S APPLICATION FOR RETIREMENT BENEFITS:

(1) SHALL BE CONSIDERED SUBMITTED ON THE FIRST DAY OF THE MONTH AFTER IT IS PROPERLY COMPLETED AND SUBMITTED TO THE LOCAL SYSTEM; AND

(2) MAY NOT BE PROCESSED BY THE LOCAL SYSTEM UNLESS AND UNTIL THE FINAL ADJUDICATION OF THE CHARGE THAT DOES NOT RESULT IN CONVICTION.

40-207.

(A) (1) ON RECEIPT OF AN ORDER THAT REVERSES OR OVERTURNS A CONVICTION OF A LAW ENFORCEMENT OFFICER, THE COURT THAT ISSUED A FORFEITURE ORDER UNDER § 40-204 OF THIS SUBTITLE SHALL RESCIND THE FORFEITURE ORDER AND ORDER THE LOCAL SYSTEM TO PAY ANY BENEFITS THAT ARE PAYABLE TO THE LAW ENFORCEMENT OFFICER UNDER THE PROVISIONS OF THE LOCAL SYSTEM.

(2) WHEN A COURT RESCINDS A FORFEITURE ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL ALSO RESCIND ANY DOMESTIC RELATIONS ORDER ENTERED IN ACCORDANCE WITH § 40-204(F) OF THIS SUBTITLE.

(B) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED:

(1) THE LAW ENFORCEMENT OFFICER'S BENEFITS SHALL BE RESTORED BACK TO THE DATE THE BENEFIT PAYMENTS CEASED;

(2) THE LAW ENFORCEMENT OFFICER'S ALLOWANCE SHALL:

(I) BE PAID BEGINNING THE MONTH AFTER THE LOCAL SYSTEM IS NOTIFIED THAT THE CONVICTION IS OVERTURNED; AND

(II) INCLUDE ANY COST-OF-LIVING ADJUSTMENTS THAT WOULD HAVE BEEN MADE IN THE TIME BETWEEN THE CONVICTION AND THE TIME BENEFIT PAYMENTS ARE RESTORED; AND

(3) BENEFIT PAYMENTS THAT WOULD HAVE BEEN MADE DURING THE TIME FROM THE DATE OF CONVICTION TO THE DATE THE CONVICTION IS OVERTURNED SHALL BE MADE TO THE LAW ENFORCEMENT OFFICER, LESS ANY PAYMENTS MADE IN ACCORDANCE WITH A DOMESTIC RELATIONS ORDER DIRECTING PAYMENT OF BENEFITS TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT.

(C) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS NOT A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED, THE LAW ENFORCEMENT OFFICER MAY RECEIVE BENEFITS IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL SYSTEM.

40-208.

(A) A LAW ENFORCEMENT OFFICER SUBJECT TO A FORFEITURE ORDER ISSUED UNDER § 40-204 OF THIS SUBTITLE IS ENTITLED TO A RETURN OF THE INDIVIDUAL'S ACCUMULATED CONTRIBUTIONS ON REQUEST AS PROVIDED BY THE LOCAL SYSTEM.

(B) THE LAW ENFORCEMENT OFFICER'S ACCUMULATED CONTRIBUTIONS SHALL BE REDUCED BY AN AMOUNT EQUAL TO ANY BENEFIT PAYMENTS RECEIVED BY THE LAW ENFORCEMENT OFFICER THAT WOULD HAVE BEEN SUBJECT TO FORFEITURE AND HAVE NOT BEEN RECOVERED BY THE LOCAL SYSTEM UNDER § 40-205 OF THIS SUBTITLE.

40-209.

A LOCAL SYSTEM SHALL ADOPT POLICIES AND PROCEDURES TO IMPLEMENT THIS SUBTITLE.”

AMENDMENT NO. 16

On page 65, in line 24, strike “Section 4 of this Act” and substitute “§ 5–303 of the Courts and Judicial Proceedings Article, as enacted by Section 3 of this Act, and § 12–103 of the State Government Article, as enacted by Section 3 of this Act.”; in line 27, strike “September 30, 2021” and substitute “June 30, 2022”; and strike beginning with “Section” in line 32 down through “shall” in line 33 and substitute “Title 3, Subtitle 1 of the Public Safety Article, as enacted by Section 3 of this Act, shall”.

On page 66, strike in their entirety lines 21 through 24, inclusive, and substitute:

“SECTION 11. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect July 1, 2022, contingent on the taking effect of Chapter _____ (S.B. 71) of the Acts of the General Assembly of 2021, and if Chapter _____ (S.B. 71) does not take effect, Section 4 of this Act, with no further action required by the General Assembly, shall be null and void.

SECTION 12. AND BE IT FURTHER ENACTED, That, except as provided in Section 11 of this Act, this Act shall take effect July 1, 2022.”.

The preceding 16 amendments were read only.

Senator Smith moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

FINANCE COMMITTEE REPORT NO. 36

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 6 – Delegate Feldmark

AN ACT concerning

**Economic Development – Maryland Technology Development Corporation –
Alterations**

HB0006/677778/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 6

(Third Reading File Bill)

On page 3, in line 13, after “UNIVERSITY” insert “, EXCEPT THAT ANY SINGLE HISTORICALLY BLACK COLLEGE OR UNIVERSITY MAY NOT BE REPRESENTED FOR MORE THAN TWO CONSECUTIVE TERMS”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 13 – Delegate Luedtke

AN ACT concerning

**Influence on Collective Bargaining – Prohibition on Use of Public Funds ~~and~~
~~Income Tax Addition Modification~~**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 416 – Delegate Belcastro

AN ACT concerning

**Health Care Facilities – Assisted Living Programs – ~~Memory Care and~~
~~Alzheimer’s Disease Unit~~ Requirements for Alzheimer’s Special Care Units and
Regulations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 654 – Delegate Qi

AN ACT concerning

**Maryland Small Business Innovation Research and Technology Transfer
Incentive Program – Alterations**

HB0654/327077/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 654

(Third Reading File Bill)

On page 5, in line 20, after “businesses,” insert “MINORITY-OWNED SMALL BUSINESSES,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 849 – Delegate Rosenberg

AN ACT concerning

Public Health – Medical Records – Fees

HB0849/557475/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 849

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 11 down through “fee;” in line 13; and strike beginning with “altering” in line 19 down through “record;” in line 20.

AMENDMENT NO. 2

On page 2, in line 33, strike the brackets.

On page 4, in line 27, strike the brackets; and in the same line, strike “**(3)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 989 – Delegate Krebs

AN ACT concerning

Public Safety – 9–1–1 Emergency Telephone System – Alterations

HB0989/207878/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 989

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 6, after “Assembly;” insert “requiring the Board to report certain information to the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 6, in line 30, after “PROJECTS” insert “, INCLUDING RECRUITMENT PROJECTS DESIGNED TO REACH MINORITIES”.

On page 12, after line 8, insert:

“(c) On or before December 31, 2021, the Commission to Advance Next Generation 9–1–1 Across Maryland shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article:

(1) any available demographic information for 9–1–1 specialists, including race and gender, listed by county and statewide;

(2) prerequisites for employment as a 9–1–1 specialist, including certification and education requirements;

(3) the salary range and average salary of 9–1–1 specialists in the State;
and

(4) a plan to provide implicit bias training to 9–1–1 specialists.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1034 – Delegate Cullison

AN ACT concerning

**Prescription Drug Affordability Board – Plan of Action – Repeal of Date for
Submission**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 3**

AMENDED IN THE HOUSE

Senate Bill 433 – Senator King

AN ACT concerning

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

Senator Guzzone moved that the Senate concur in the House amendments.

SB0433/904660/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 433
(Third Reading File Bill)

AMENDMENT NO. 1

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

“BY adding to

Article – Education

Section 12–120

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.”

AMENDMENT NO. 2

On page 2, after line 1, insert:

“12–120.

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

- (1) NEUROSCIENCE;
- (2) OBSTETRICS AND GYNECOLOGY;
- (3) ONCOLOGY; AND
- (4) VASCULAR NEUROLOGY.

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

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

The preceding 2 amendments were read and concurred in.

SB0433/543722/1

BY: Delegate Jacobs

AMENDMENTS TO SENATE BILL 433, AS AMENDED

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

12–121.

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

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

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

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 785)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 786)

ADJOURNMENT

At 12:28 P.M. on motion of Senator King the Senate adjourned until 7:00 P.M. on Legislative Day March 10, 2021, Calendar Day, Wednesday, March 31, 2021.

Annapolis, Maryland
Legislative Day: March 10, 2021
Calendar Day: Wednesday, March 31, 2021
7:00 P.M. Session

The Senate met at 7:06 P.M.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 787)

The Journal of March 31, 2021 was read and approved.

MESSAGE FROM THE HOUSE OF DELEGATES NO. 3
SENATE BILLS PASSED BY YEAS AND NAYS

BILL NO.	SPONSOR	CONTENT
SB 14	Sen. Kelley	Compensation to Individual Erroneously Convicted, Sentenced, and Confined (The Walter Lomax Act)
SB 38	Sen. West	Baltimore County – Alcoholic Beverages – Board of License Commissioners – Qualifications
SB 110	Chair, Finance Committee	Private Passenger Motor Vehicle Liability Insurance – Notices – Alteration of Requirements
SB 153	Sen. Eckardt	Renewable Energy Portfolio Standard – Municipal Electric Utilities
SB 181	Chair, Judicial Proceedings Committee	Corporations and Associations – Trade Name Certificates – Requirements
SB 185	Sen. Kagan	Financial Institutions – Security Questions and Measures

BILL NO.	SPONSOR	CONTENT
SB 219	Chair, Finance Committee	Financial Institutions – Commissioner of Financial Regulation – Money Transmissions
SB 226	Chair, Finance Committee	Maryland Insurance Administration – Delivery of Notices and Other Communications by Electronic Means
SB 251	Chair, Finance Committee	Commissioner of Financial Regulation – Licensing of Nondepository Institutions – Elimination of Paper License Requirements
SB 281	Chair, Finance Committee	Office of the Commissioner of Financial Regulation – Sunset Extension
SB 320	Chair, Judicial Proceedings Committee	Foreign Corporations – Resident Agents – State Department of Assessments and Taxation
SB 386	Harford County Senators	Harford County – Alcoholic Beverages – Assisted Living Program License
SB 390	Sen. Gallion	Harford County – Alcoholic Beverages – Gift Basket Permit
SB 407	Sen. Kramer	Electricity – Net Energy Metering – Limit
SB 424	Sen. Salling	Baltimore County – Alcoholic Beverages – Class D Beer, Wine, and Liquor License
SB 426	Sen. Ferguson	Baltimore City – 46th District – Alcoholic Beverages Licenses
SB 428	Sen. Kelley	Public Utilities – Annual Reports
SB 429	Sen. Kelley	For–Hire Driving and Vehicles – Requirements
SB 430 (Emerg)	Sen. Kelley	Public Service Commission – Virtual Public Hearings
SB 451	Sen. Edwards	Garrett County – Alcoholic Beverages Act of 2021

BILL NO.	SPONSOR	CONTENT
SB 458	Sen. Feldman	Insurance – Impaired Entities – Delinquency Proceedings
SB 472 (Emerg)	Sen. Washington	Baltimore City – Alcoholic Beverages Districts – Legislative Districting Plan References
SB 547	Sen. McCray	Baltimore City – 45th District – Alcoholic Beverages – Class B–D–7 License
SB 561	Sen. Hershey	Electric Cooperatives – Meetings – Alterations
SB 679 (Emerg)	Sen. Edwards	Allegany County – Alcoholic Beverages Licenses – Annual Fees
SB 693	Sen. Young	Frederick County – Alcoholic Beverages – Stadium License
SB 694	Sen. Young	Frederick County – Barbershop and Beauty Salon Beer and Wine Licenses – Alterations
SB 715	Sen. Carozza	Wicomico County – Alcoholic Beverages – License Alterations
SB 731	Sen. Edwards	Allegany and Garrett Counties – Alcoholic Beverages – Gift Basket Permits
SB 739	Sen. Rosapepe	Prince George’s County – Alcoholic Beverages – BLX License
SB 792	Sen. Young	Frederick County – Alcoholic Beverages – Alcohol by Volume – Wine
SB 817 (Emerg)	Sen. Klausmeier	Unemployment Insurance – Study on System Reforms
SB 819 (Emerg)	Sen. Klausmeier	Unemployment Insurance – Weekly Benefit Amount – Income Disregard
SB 833	Charles County Senators	Charles County – Alcoholic Beverages – Class 4 Limited Winery License

BILL NO.	SPONSOR	CONTENT
SB 854	Sen. Hershey	Queen Anne's County – Alcoholic Beverages – Unannounced Visits by Inspectors
SB 855	Sen. Hershey	Queen Anne's County – Alcoholic Beverages – Repeal of Place of Worship Prohibition
SB 877 (Emerg)	The President	Annual Corrective Bill
SB 878 (Emerg)	The President	Annual Curative Bill
SB 893 (Emerg)	Sen. Rosapepe	Unemployment – Insurance Revisions and Special Enrollment Period for Health Benefits
SB 907	Sen. Benson	Human Services – Critical Medical Needs Program – Application for Assistance

By Order,
Nicole M. Xander, Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 5**

AMENDED IN THE HOUSE

Senate Bill 444 – Senator West

AN ACT concerning

**Transforming Manufacturing in a Digital Economy Workgroup
(Making It in Maryland)**

Senator Kelley moved that the Senate not concur in the House amendments.

SB0444/533093/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 444

(Third Reading File Bill)

On page 3, in line 15, after “AFL–CIO;” insert “and”; and strike beginning with the semicolon in line 18 down through “Center” in line 25.

The preceding amendment was read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0444
SPONSOR: Senator West
SUBJECT: Transforming Manufacturing in a Digital Economy Workgroup
(Making It in Maryland)

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Feldman, Chair
Senator Klausmeier
Senator Hershey

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 4

AMENDED IN THE HOUSE

Senate Bill 35 – Senator Feldman

SECOND PRINTING

AN ACT concerning

Procurement – Prevailing Wage – Applicability

Senator Kelley moved that the Senate concur in the House amendments.

SB0035/533794/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 35

(Third Reading File Bill)

On page 4, strike beginning with “A” in line 21 down through “2.” in line 22; and in line 23, strike “3.” and substitute “2.”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 788)

AMENDED IN THE HOUSE

Senate Bill 79 – Senator Kramer

AN ACT concerning

Electricity – Change of Address – Maintenance of Subscriptions and Contracts

Senator Kelley moved that the Senate concur in the House amendments.

SB0079/493591/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 79

(Third Reading File Bill)

On page 1, in line 19, after “(7)” insert “and (d)(1)(i)”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 789)

AMENDED IN THE HOUSE

Senate Bill 149 – Senator Kelley

AN ACT concerning

**Insurance – Application of Premium Tax – Continued Exclusion of Maryland
Automobile Insurance Fund**

Senator Kelley moved that the Senate concur in the House amendments.

SB0149/793695/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 149

(Third Reading File Bill)

On page 2, in line 21, strike “or” and substitute “and”; and in line 24, strike “OR” and substitute “AND”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 790)

AMENDED IN THE HOUSE

Senate Bill 816 – Senator Klausmeier (Chair, Joint Committee on Unemployment Insurance Oversight)

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Employer Contributions – ~~Payment Plans~~

Senator Kelley moved that the Senate concur in the House amendments.

SB0816/573793/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 816

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Contributions**” insert “**and Reimbursement Payments**”; and, in line 15, after “circumstances:” insert “altering the nonprofit organizations and governmental entities that may elect to defer payments of reimbursement bills for a certain calendar year:”.

On page 2, after line 6, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–620(a)(1) and (2)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

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

and in line 9, strike “8–626” and substitute “8–620(a)(3), 8–626.”.

AMENDMENT NO. 2

On page 4, after line 22, insert:

“8–620.

(a) (1) Reimbursement payments shall be made in accordance with this section.

(2) Except as provided in paragraphs (3) and (4) of this subsection, unless there is an application for review and redetermination of a bill under § 8–621 of this subtitle, a nonprofit organization or governmental entity shall pay the bill under this section within 30 days after the Secretary mailed the bill to the last known address of the nonprofit organization or governmental entity or otherwise delivered the bill to it.

(3) (i) For calendar year 2021, a nonprofit organization or governmental entity that employs fewer than 50 individuals may elect to defer payment of the bills under this section for the calendar quarters ending on March 31, June 30, and September 30.

(ii) **FOR CALENDAR YEAR 2021, IF THE FEDERAL GOVERNMENT IS NOT PROVIDING EMERGENCY UNEMPLOYMENT RELIEF FOR NONPROFIT ORGANIZATIONS AND GOVERNMENTAL ENTITIES FOR THE ENTIRETY OF THE CALENDAR QUARTER ENDING SEPTEMBER 30, A NONPROFIT ORGANIZATION OR GOVERNMENTAL ENTITY THAT EMPLOYS 50 OR MORE INDIVIDUALS MAY ELECT TO DEFER PAYMENT OF THE BILLS UNDER THIS SECTION FOR THE CALENDAR QUARTER ENDING SEPTEMBER 30.**

(III) A nonprofit organization or governmental entity that elects to defer the payment of a bill as authorized under subparagraph (i) OR (II) of this paragraph:

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

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

3. notwithstanding § 8–622 of this subtitle, may not be considered delinquent in making the payment during the period for which the payment is deferred; and

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

On page 6, in line 6, after “contributions” insert “and reimbursement”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 791)

AMENDED IN THE HOUSE

Senate Bill 846 – Senator Benson

AN ACT concerning

Home Energy Assistance – Critical Medical Needs Program – Power to the People Pilot Program

Senator Kelley moved that the Senate concur in the House amendments.

SB0846/443492/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 846

(Third Reading File Bill)

On page 4, in lines 26 and 28, in each instance, strike “~~PART-TIME~~” and substitute “FULL-TIME”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 792)

SENATE THIRD READING CALENDAR NO. 57 (GENERAL SENATE BILLS)

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 – 47 Negative – 0 (See Roll Call No. 793)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 794)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 795)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 796)

The Bill was then sent to the House of Delegates.

Senate Bill 736 – Senator Augustine

~~EMERGENCY BILL~~

AN ACT concerning

**Health Occupations – Pharmacists – Administration of Vaccinations Children’s
Vaccines – Study and Temporary Authority**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 797)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 798)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 799)

The Bill was then sent to the House of Delegates.

LAID OVER CALENDAR NO. 21

Senate Bill 716 – Senators Carozza, Hershey, and Lam

AN ACT concerning

**Solid Waste Management – Prohibition on Releasing a Balloon Into the
Atmosphere**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0716/214730/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 716

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 6, insert:

“(4) “RADIO TRACKING DEVICE” MEANS AN INSTRUMENT THAT EMANATES A SIGNAL THAT ALLOWS AN OPERATOR TO DETERMINE THE POSITION OF A RELEASED BALLOON.”;

in line 16, after “(2)” insert “A BALLOON THAT IS:

(I) ATTACHED TO A RADIO TRACKING DEVICE; AND

(II) RELEASED BY A PERSON WHO HOLDS AN AMATEUR OPERATOR LICENSE ISSUED BY THE FEDERAL COMMUNICATIONS COMMISSION;

(3)”;

and in line 17, strike “(3)” and substitute “(4)”.

AMENDMENT NO. 2

On page 2, in line 22, strike “\$250” and substitute “\$100”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR JENNINGS.

SB0716/583828/1

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 716

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “**Atmosphere**” insert “**or Improperly Discarding a Cigarette**”; in line 6, after “atmosphere;” insert “**prohibiting a person from discarding a cigarette except in a trash receptacle or designated cigarette receptacle;**”; in line 10, strike the first “a”; in the same line, strike “penalty” and substitute “**penalties**”; in line 12, after “atmosphere” insert “**or improperly discarding a cigarette**”; and in line 15, after “9-2301” insert “**and 9-2302**”.

AMENDMENT NO. 2

On page 3, after line 3, insert:

“9-2302.

(A) IN THIS SECTION “CIGARETTE” MEANS ANY SIZE OR SHAPED ROLL FOR SMOKING THAT IS MADE OF TOBACCO OR TOBACCO MIXED WITH ANOTHER INGREDIENT AND WRAPPED IN PAPER OR IN ANY OTHER MATERIAL EXCEPT TOBACCO.

(B) A PERSON MAY NOT DISCARD A CIGARETTE EXCEPT IN A TRASH RECEPTACLE OR DESIGNATED CIGARETTE RECEPTACLE.

(C) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$100 PER VIOLATION.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL ENFORCE THIS SECTION.

(2) THE DEPARTMENT MAY DELEGATE ITS AUTHORITY TO ENFORCE THIS SECTION TO AN ENFORCEMENT UNIT, OFFICE, OR OFFICIAL OF A COUNTY, A MUNICIPALITY, OR ANY OTHER LOCAL GOVERNMENT.

(3) AN ENFORCEMENT UNIT, OFFICER, OR OFFICIAL OF A LOCAL GOVERNMENT WITH DELEGATED AUTHORITY SHALL REPORT EACH VIOLATION UNDER THIS SECTION TO THE DEPARTMENT.

The preceding 2 amendments were read only.

Senator Zucker moved to make the Bill and Amendment a Special Order for April 1, 2021.

The motion was adopted.

Senate Bill 894 – Senator Rosapepe

EMERGENCY BILL

AN ACT concerning

Post-Crisis Jobs Act of 2021

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0894/157373/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 894

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 5 down through “training;” in line 6 and substitute “requiring the Maryland Department of Labor to provide certain information regarding certain unemployment insurance recipients to a chief elected official of a county on request and for certain purposes; authorizing a chief elected official of a county to share certain information with the governing body of the county and to request certain information on behalf of a certain political subdivision and provide the information to the political subdivision; authorizing the Department to adopt certain regulations;”; in line 9, strike “Maryland”; in the same line, strike “of Labor”; strike beginning with “providing” in line 12 down through “funds;” in line 14 and substitute “requiring that certain funding consist only of certain federal funding;”; and in line 16, after “intervals;” insert “providing that any funding appropriated for the implementation of this Act may consist only of certain federal funding;”.

On page 2, in line 3, strike “and 16–305(g)”; and in line 13, after “Section” insert “8–109; and”.

AMENDMENT NO. 2

On pages 3 through 4, strike in their entirety the lines beginning with line 29 on page 3 through line 8 on page 4, inclusive.

On page 4, after line 12, insert:

“(B) THIS SECTION DOES NOT APPLY TO AN APPLICANT FOR:

(1) A LICENSE, A CERTIFICATION, OR ANY OTHER AUTHORIZATION ISSUED UNDER THIS ARTICLE ISSUED BY:

(i) THE STATE BOARD OF DENTAL EXAMINERS; OR

(ii) THE STATE BOARD OF PHARMACY; OR

(2) A LICENSE OR REGISTRATION TO PRACTICE MASSAGE THERAPY.”;

in lines 13 and 19, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; and after line 25, insert:

“8–109.

(A) ON REQUEST AND FOR PURPOSES CONSISTENT WITH CHAPTERS AND (S.B. 893 AND S.B. 894) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021, THE DEPARTMENT SHALL PROVIDE TO THE CHIEF ELECTED OFFICIAL OF A COUNTY DEMOGRAPHIC DATA AND THE ADDRESSES, OCCUPATIONS, AND LAST KNOWN EMPLOYERS OF UNEMPLOYMENT INSURANCE RECIPIENTS WHO LIVE IN THE COUNTY OF THE CHIEF ELECTED OFFICIAL.

(B) A CHIEF ELECTED OFFICIAL OF A COUNTY MAY:

(1) SHARE THE INFORMATION PROVIDED TO THE CHIEF ELECTED OFFICIAL UNDER SUBSECTION (A) OF THIS SECTION WITH THE GOVERNING BODY OF THE COUNTY; AND

(2) REQUEST INFORMATION UNDER SUBSECTION (A) OF THIS SECTION ON BEHALF OF A POLITICAL SUBDIVISION WITHIN THE COUNTY AND PROVIDE THE INFORMATION TO THE POLITICAL SUBDIVISION.

(C) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE NAMES OF UNEMPLOYMENT INSURANCE RECIPIENTS MAY BE INCLUDED IN THE INFORMATION PROVIDED UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) ARE NECESSARY TO PROTECT THE PERSONALLY IDENTIFIABLE INFORMATION OF UNEMPLOYMENT INSURANCE RECIPIENTS.”.

On page 5, in line 28, strike “FUNDS” and substitute “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”; in line 29, strike “1.”; and in the same line, strike “FOR” and substitute “SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, FOR”.

On page 6, in line 1, strike “\$40,000,000” and substitute “\$20,000,000”; and strike beginning with “2.” in line 2 down through “PARAGRAPH” in line 4 and substitute:

“(III) ANY FUNDING PROVIDED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH 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”.

On page 7, in line 14, strike “FUNDS” and substitute “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”; in the same line, after “PROGRAM” insert “, INCLUDING FOR REASONABLE ADMINISTRATIVE COSTS OF ADMINISTERING THE”.

GRANTS"; in line 15, strike "FOR" and substitute "SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR"; and after line 17, insert:

"(3) ANY FUNDING PROVIDED UNDER PARAGRAPH (2) 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."

On page 9, in line 13, after the first "TO" insert ":

(I) COVER ADMINISTRATIVE COSTS;

(II);

in line 14, strike the comma and substitute a semicolon; and in the same line, after "AND" insert:

"(III);

in lines 15, 16, 17, 18, and 19, strike "(I)", "(II)", "(III)", "(IV)", and "(V)", respectively, and substitute "1.", "2.", "3.", "4.", and "5.", respectively; in line 25, strike "FUNDS" and substitute "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"; in line 26, after "(II)" insert "SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,"; and in line 27, strike "\$50,000,000" and substitute "\$60,000,000".

On page 10, strike beginning with "FUNDING" in line 1 down through "AREA" in line 5 and substitute "ANY FUNDING PROVIDED UNDER PARAGRAPH (1)(II) 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"; strike beginning with ", INCLUDING" in line 14 down through "EMPLOYERS" in line 17; and after line 17, insert:

“SECTION 2. 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.”;

and in line 18, strike “2.” and substitute “3.”.

The preceding 2 amendments were read only.

Senator Feldman moved to make the Bill and Amendments a Special Order for April 1, 2021.

The motion was adopted.

FINANCE COMMITTEE REPORT NO. 37 CONSENT NO. 11

Senator Kelley, Chair, for the Committee on Finance reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 141	FAV	Del. Sample–Hughes	Maryland Department of Health – Residential Service Agencies – Training Requirements
HB 556 (Emerg)	FAV	Del. D.E. Davis	Public Service Commission – Virtual Public Hearings
HB 558	FAV	Del. D.E. Davis	For–Hire Driving and Vehicles – Requirements
HB 578	FAV	Del. D.E. Davis	Public Utilities – Annual Reports
HB 674	FAV	Del. Valentino–Smith	Nursing Homes – Transfer of Ownership – Surveys

Favorable report adopted on all of the preceding bills.

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

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 38**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 391 – Delegates Hartman, Boyce, Arentz, Feldmark, Kerr, Lisanti, and Love

AN ACT concerning

Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere

HB0391/194539/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 391
(Third Reading File Bill)

On page 3, in line 5, strike “\$250” and substitute “\$100”.

The preceding amendment was read only.

Senator Jennings moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1040 – Delegate Kelly

~~EMERGENCY BILL~~

AN ACT concerning

Health Occupations – Pharmacists – Administration of Vaccinations Children’s Vaccines – Study and Temporary Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1048 – Delegate Wilkins

AN ACT concerning

Election Law – Permanent Absentee Ballot List

HB1048/174735/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1048

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Permanent**” insert “**Voting –**”; in the same line, after “**List**” insert “**, Ballot Drop Boxes, and Reports**”; in line 3, after “of” insert “requiring a local board of elections to designate the locations of ballot drop boxes in accordance with certain factors; requiring each local board to submit certain proposed locations to the State Administrator of Elections for approval; requiring the State Administrator to approve certain proposed ballot drop box locations; requiring the State Administrator to require a local board to reconsider a certain proposed location and to provide to the local board a certain explanation under certain circumstances; authorizing the State Administrator to add ballot drop box locations in a county under certain circumstances; requiring a local board to ensure the security of ballot drop boxes; requiring that a local board have certain access to certain security cameras; requiring a local board to remove the ballots from each ballot drop box at least once each day that the ballot drop box is open in accordance with certain procedures, except as otherwise provided by law; requiring the State Board to establish chain of custody procedures governing removal of election–related materials from ballot drop boxes and the return of the materials to the local board; requiring that a certain absentee ballot application include a certain statement; requiring that certain envelopes include a certain statement in a certain manner;”; and in line 4, strike “of Elections”.

On page 2, in line 5, after “address;” insert “prohibiting a person from canvassing, electioneering, or posting campaign material in a certain manner or placing certain material on a ballot drop box; requiring each local board to send a certain absentee ballot application to each eligible voter within a certain period of time in certain years except under certain circumstances; requiring the State Board to contract with a usability consultant on or before a certain date to review all the public informational materials and”.

forms related to mail-in voting produced by the State Board; requiring the consultant to make certain recommendations to the State Board on or before a certain date; requiring the consultant to make specific recommendations concerning certain matters; requiring the State Board to submit certain reports to certain committees of the General Assembly on or before certain dates; defining a certain term;”; after line 6, insert:

“BY repealing and reenacting, without amendments,

Article – Election Law

Section 1–101(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Election Law

Section 1–101(d–1), 2–304, 2–305, 9–305(c), and 9–311.1

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”;

in line 9, after “9–303” insert “, 9–305(c), 9–310(a), and 16–206”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“1–101.

(a) In this article the following words have the meanings indicated unless a different meaning is clearly intended from the context.

(D–1) “BALLOT DROP BOX” MEANS A SECURE, DURABLE, AND WEATHERPROOF CONTAINER THAT IS OFFICIALLY DESIGNATED BY A LOCAL BOARD OR THE STATE BOARD EXCLUSIVELY FOR VOTERS TO DEPOSIT ELECTION-RELATED MATERIALS IN PERSON, INCLUDING:

(1) ABSENTEE BALLOTS;

(2) ABSENTEE BALLOT APPLICATIONS; AND

(3) VOTER REGISTRATION APPLICATIONS.

2-304.

(A) A LOCAL BOARD SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING THE LOCATION OF A BALLOT DROP BOX:

(1) THE ACCESSIBILITY OF THE BALLOT DROP BOX TO HISTORICALLY DISENFRANCHISED COMMUNITIES, INCLUDING VOTERS WITH DISABILITIES, CULTURAL GROUPS, ETHNIC GROUPS, AND MINORITY GROUPS;

(2) PROXIMITY OF THE BALLOT DROP BOX TO DENSE CONCENTRATIONS OF VOTERS;

(3) ACCESSIBILITY OF THE BALLOT DROP BOX BY PUBLIC TRANSPORTATION;

(4) EQUITABLE DISTRIBUTION OF BALLOT DROP BOXES THROUGHOUT THE COUNTY; AND

(5) MAXIMIZING VOTER PARTICIPATION, INCLUDING THROUGH PLACEMENT OF BALLOT DROP BOXES AT COMMUNITY CENTERS AND PUBLIC GATHERING PLACES.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A LOCAL BOARD SHALL DESIGNATE LOCATIONS IN THE COUNTY AT WHICH A BALLOT DROP BOX WILL BE PLACED IN ACCORDANCE WITH THE FACTORS SET FORTH IN SUBSECTION (A) OF THIS SECTION.

(C) (1) EACH LOCAL BOARD SHALL SUBMIT THE PROPOSED LOCATIONS IN THE COUNTY FOR EACH BALLOT DROP BOX TO THE STATE ADMINISTRATOR FOR APPROVAL.

(2) THE STATE ADMINISTRATOR SHALL APPROVE A BALLOT DROP BOX LOCATION THAT MEETS THE FACTORS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION.

(3) IF A PROPOSED BALLOT DROP BOX LOCATION DOES NOT MEET THE FACTORS, THE STATE ADMINISTRATOR SHALL:

(I) REQUIRE THAT THE LOCAL BOARD RECONSIDER THE PROPOSED LOCATION FOR ONE OR MORE BALLOT DROP BOXES; AND

(II) PROVIDE TO THE LOCAL BOARD A DETAILED EXPLANATION OF WHY THE PROPOSED LOCATION DOES NOT MEET THE FACTORS.

(4) IF THE STATE ADMINISTRATOR FINDS THAT THE PROPOSED BALLOT DROP BOX LOCATIONS SUBMITTED TO THE STATE ADMINISTRATOR AFTER RECONSIDERATION BY THE LOCAL BOARD UNDER PARAGRAPH (3) OF THIS SUBSECTION DO NOT MEET THE FACTORS, THE STATE ADMINISTRATOR MAY ADD BALLOT DROP BOX LOCATIONS IN THE COUNTY.

2-305.

(A) (1) A LOCAL BOARD SHALL ENSURE THE SECURITY OF BALLOT DROP BOXES, INCLUDING THROUGH THE USE OF THE FOLLOWING:

(I) MONITORING BY SECURITY CAMERAS AT ALL TIMES; AND

(II) PERIODIC IN-PERSON VISITS BY APPROPRIATE PERSONNEL.

(2) A LOCAL BOARD SHALL HAVE IMMEDIATE ACCESS OR ACCESS WITHIN A REASONABLE AMOUNT OF TIME TO A SECURITY CAMERA USED FOR MONITORING A BALLOT DROP BOX UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.

(B) (1) EXCEPT AS OTHERWISE PROVIDED IN LAW, A LOCAL BOARD SHALL REMOVE THE ELECTION-RELATED MATERIALS FROM EACH BALLOT DROP BOX AT LEAST ONCE EACH DAY THAT THE BALLOT DROP BOX IS OPEN IN ACCORDANCE WITH THE CHAIN OF CUSTODY PROCEDURES ESTABLISHED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(2) THE STATE BOARD SHALL ESTABLISH CHAIN OF CUSTODY PROCEDURES GOVERNING REMOVAL OF ELECTION-RELATED MATERIALS FROM BALLOT DROP BOXES AND THE RETURN OF THE MATERIALS TO THE LOCAL BOARD.”

On page 3, after line 10, insert:

“9-305.

(C) THE STATE-APPROVED ABSENTEE BALLOT APPLICATION SHALL INCLUDE A STATEMENT EXPLAINING THE PROCESS FOR RETURNING A COMPLETED ABSENTEE BALLOT IF THE VOTER CHOOSES TO RECEIVE AN ABSENTEE BALLOT BY FACSIMILE TRANSMISSION OR THE INTERNET.

[(c)] (D) An application for an absentee ballot must be received by a local board:

(1) if the voter requests the absentee ballot be sent by mail or facsimile transmission, not later than the Tuesday preceding the election, at the time specified in the guidelines;

(2) if the voter requests the absentee ballot be sent by the Internet, not later than the Friday preceding the election, at the time specified in the guidelines; or

(3) if the voter or the voter’s duly authorized agent applies for an absentee ballot in person at the local board office, not later than the closing of the polls on election day.

9-310.

(a) (1) This subsection applies only to an absentee ballot that is sent by mail.

(2) (I) An absentee ballot shall be enclosed in specially printed envelopes, the form and content of which shall be prescribed by the State Board.

(II) THE OUTGOING ENVELOPE SHALL INCLUDE A STATEMENT, PROMINENTLY PLACED, REQUESTING THAT THE RECIPIENT RETURN THE ABSENTEE BALLOT TO THE LOCAL BOARD IF THE INTENDED RECIPIENT NO LONGER LIVES AT THAT ADDRESS.

(3) (i) A local board may use either two envelopes or three envelopes.

(ii) If two envelopes are used, the inner envelope shall be designated the “ballot/return envelope”, and, when issued, it shall fit inside the envelope designated the “outgoing envelope”.

(iii) If three envelopes are used, the innermost envelope shall be designated the “ballot envelope”, which shall fit inside the envelope designated the “return envelope”, both of which, when issued, shall fit inside the envelope designated the “outgoing envelope”.

(iv) The ballot/return envelope described under subparagraph (ii) of this paragraph and the return envelope described under subparagraph (iii) of this paragraph provided to a voter voting by absentee ballot shall include prepaid postage.

(4) (i) An absentee ballot shall be accompanied by instructions for postage of the ballot/return envelope or the return envelope.

(ii) The instructions for postage shall include:

1. a statement that the ballot/return envelope or return envelope includes prepaid postage and may be mailed as is; and

2. directions for how a voter may attach postage for the purpose of reducing the costs of the local board.

(5) When voted and returned to the local board, an absentee ballot shall be enclosed in a ballot envelope or ballot/return envelope, on which has been printed an oath prescribed by the State Board.”.

AMENDMENT NO. 3

On page 3, after line 23, insert:

“(C) (1) A VOTER MAY APPLY FOR PERMANENT ABSENTEE BALLOT STATUS AT ANY TIME.”;

and in line 24, strike “(C)” and substitute “**(2)**”.

On page 5, after line 10, insert:

“(4) IF THE COMMUNICATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS SENT BY MAIL, THE ENVELOPE SHALL INCLUDE A STATEMENT, PROMINENTLY PLACED, REQUESTING THAT THE RECIPIENT RETURN THE COMMUNICATION TO THE STATE BOARD IF THE INTENDED RECIPIENT NO LONGER LIVES AT THAT ADDRESS.”.

On page 6, after line 8, insert:

“16–206.

(a) A person may not:

(1) place any distinguishing mark on the person’s own or another person’s ballot for the purpose of identifying the ballot;

(2) misrepresent the person’s ability to mark a ballot or operate voting equipment;

(3) interfere or attempt to interfere with a voter while the voter is inside the polling room, marking a ballot, or operating voting equipment;

(4) induce or attempt to induce a voter to mark the voter’s ballot in a certain way;

(5) except for servicing by an authorized person, unlock any locked compartment of a voting device unless instructed to do so by the election director;

(6) destroy or deface a ballot;

(7) remove a ballot from a building in which voting occurs, except as otherwise provided in this article;

(8) delay the delivery of a ballot;

(9) possess on or before the day of election an official ballot printed for the election, unless the possession of the ballot is necessary and appropriate for carrying out the election process; [or]

(10) canvass, electioneer, or post any campaign material in the polling place or beyond a line established by signs posted in accordance with subsection (b) of this section;

(11) CANVASS, ELECTIONEER, OR POST ANY CAMPAIGN MATERIAL IN A MANNER THAT OBSTRUCTS ACCESS TO A BALLOT DROP BOX; OR

(12) PLACE ANY CAMPAIGN MATERIAL OR ANY OTHER UNAUTHORIZED MATERIAL ON A BALLOT DROP BOX.

(b) (1) At each polling place, one election judge from each principal political party shall be designated by the local board and, acting jointly, shall post signs delineating a line around the entrance and exit of the building that are closest to that part of the building in which voting occurs.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, the line shall be located as near as practicable to 100 feet from the entrance and exit and shall be established after consideration of the configuration of the entrance and the effect of placement on public safety and the flow of pedestrian and vehicular traffic.

(ii) In Montgomery County, on approval of the local board, the line may be located at any point between 25 feet and 100 feet from the entrance and exit.

(3) The signs shall contain the words “No Electioneering Beyond this Point”.

(c) A person who violates this section is guilty of a misdemeanor and is subject to a fine of not less than \$50 nor more than \$500 or imprisonment for not more than 60 days or both.”.

AMENDMENT NO. 4

On page 6, before line 9, insert:

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

(a) Except as provided in subsection (b) of this section, at least 60 days before the statewide primary election in 2022 and 2024, each local board of elections shall send the State Board–approved absentee ballot application to each eligible voter.

(b) A local board is not required to send the State Board–approved absentee ballot application to a voter who has permanent absentee ballot status.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before August 1, 2021, the State Board of Elections shall contract with a usability consultant to review all the public informational materials and forms related to mail–in voting produced by the State Board.

(b) (1) On or before December 1, 2021, the consultant shall make recommendations to the State Board regarding ways the State Board’s public informational materials and forms related to mail–in voting could be made more usable, especially by socioeconomically diverse communities.

(2) The consultant shall make specific usability recommendations concerning:

(i) the information related to mail–in voting that appears on the State Board’s website;

(ii) all materials mailed to voters who choose to vote by mail, including envelopes, forms, and instructions; and

(iii) the system allowing a voter to access information concerning the voter’s mail–in ballot.

(c) On or before February 1, 2022, the State Board shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2–1257 of the State Government Article, that includes:

(1) the recommendations submitted by the consultant under subsection (b) of this section; and

(2) the actions the State Board has taken or plans to take to implement the recommendations.

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before January 15, 2023, the State Board of Elections shall submit to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in

accordance with § 2–1257 of the State Government Article, a report on the number of voters who voted in each precinct polling place in the State in the primary election and the general election in the years 2018, 2020, and 2022.”;

in line 9, strike “2.” and substitute “5.”; and in line 10, strike “October” and substitute “June”.

The preceding 4 amendments were read only.

Senator Hough moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

BUDGET AND TAXATION COMMITTEE REPORT NO. 24 CONSENT NO. 7

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 10	FAV	Del. K. Young	Income Tax – Subtraction Modification – Living Organ Donors
HB 158	FAV	Del. Carr	Property Tax – Homeowners’ Property Tax Credit – Calculation and Refunds
HB 436	FAV	Del. Smith	Enoch Pratt Free Library – Operating Hours and Funding
HB 456	FAV	Del. Jacobs	Correctional Officers’ Retirement System – Kent County
HB 482	FAV	Del. Kaiser	Horse Racing – Maryland–Bred Race Fund – Advisory Committee Membership and Registration of Horses
HB 514	FAV	Del. B. Barnes	Maryland Legal Services Corporation Funding – Abandoned Property

BILL NO.	REPORT	SPONSOR	CONTENT
HB 539	FAV	Del. Buckel	Historic Revitalization Tax Credit – Certified Historic Structure and Single-Family, Owner-Occupied Residence – Definitions
HB 712	FAV	Del. D. Jones	Bureau of Revenue Estimates – Tax Incidence Study – Scope and Intergovernmental Assistance
HB 752	FAV	Del. Ebersole	Income Tax Credit – Food Donation Pilot Program – Extension
HB 844	FAV	Del. Lierman	State Retirement and Pension System – Fiduciary Insurance
HB 884	FAV	Del. Buckel	Task Force on the Economic Future of Western Maryland – Extension of Report Deadline and Task Force
HB 922	FAV	Del. Lierman	State Retirement and Pension System – COVID-19-Related Death Benefits – Clarification
HB 1053	FAV	Del. B. Barnes	Operating Budget – Education Programs – Mandated Funding
HB 1054	FAV	Del. B. Barnes	Education – Maryland School for the Blind – Pay Plan
HB 1179	FAV	Wicomico County Delegation	Wicomico County – Property Tax Credit – Hotel or Residential Development
HB 1238	FAV	Del. Forbes	Maryland 529 Program – Board Authority and State Contribution – Alterations

Favorable report adopted on all of the preceding bills.

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

BUDGET AND TAXATION COMMITTEE REPORT NO. 26

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 7 – Delegate Luedtke

AN ACT concerning

~~**Income Tax Credit – Venison Donation Expenses – Montgomery County Deer Donation**~~
Income Tax Credit and Grant Program

HB0007/339931/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 7

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Venison**” insert “**Income Tax Credit for**”; in line 3, strike “**Income Tax Credit and Grant Program**” and substitute “**Alterations, Extension, and Testing for Chronic Wasting Disease**”; in line 6, strike “an antlerless” and substitute “a”; in line 8, strike “an” and substitute “a”; in line 9, strike “antlerless”; strike beginning with “establishing” in line 10 down through “term;” in line 15 and substitute “altering the maximum amount of qualified expenses an individual may claim as a credit against the State income tax for a certain donation of a deer carcass or processed deer meat; altering the maximum aggregate credit amount the individual may claim in a taxable year; extending the termination date of the tax credit; requiring the Department of Natural Resources to report to certain committees of the General Assembly on or before a certain date on certain testing;”; in line 16, strike “and termination”; strike beginning with “providing” in line 16 down through “Act;” in line 17; in line 18, strike “antlerless”; and strike beginning with “and” in line 18 down through “Program” in line 19 and substitute “and testing for chronic wasting disease”.

On page 2, strike in their entirety lines 2 through 11, inclusive, and substitute:

“BY repealing and reenacting, with amendments,
Chapter 172 of the Acts of the General Assembly of 2018
Section 3

BY repealing and reenacting, with amendments,
Chapter 173 of the Acts of the General Assembly of 2018
Section 3”;

and strike beginning with “**FOR**” in line 22 down through the second comma in line 23.

AMENDMENT NO. 2

On page 2, in line 20, after “antlerless” insert “**OR ANTLERED**”; and in line 29, after “antlerless” insert “**OR ANTLERED**”.

AMENDMENT NO. 3

On page 2, in line 30, strike “\$50” and substitute “**\$75**”.

On page 3, in line 14, strike “\$200” and substitute “**\$600**”.

AMENDMENT NO. 4

On pages 3 and 4, strike in their entirety the lines beginning with line 21 on page 3 through line 28 on page 4, inclusive, and substitute:

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

Chapter 172 of the Acts of 2018

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018, and shall be applicable to all taxable years beginning after December 31, 2017, but before January 1, [2023] 2024. It shall remain effective for a period of [5] 6 years and, at the end of June 30, [2023] 2024, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Chapter 173 of the Acts of 2018

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018, and shall be applicable to all taxable years beginning after December 31, 2017, but before January 1, [2023] 2024. It shall remain effective for a period of [5] 6 years and, at the end of June 30, [2023] 2024, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2021, the Department of Natural Resources shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee, in accordance with § 2–1257 of the State Government Article, on the testing of deer brought to deer processors for chronic wasting disease.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be applicable to all taxable years beginning after December 31, 2020.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 113 – Delegates Lierman and Korman

AN ACT concerning

Board of Revenue Estimates and Bureau of Revenue Estimates – Organization and Operations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 133 – Delegate Korman

AN ACT concerning

State Finance and Procurement – Appropriation Reductions (Board of Public Works Budget Reduction Clarification Act)

HB0133/779338/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 133

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “business”.

AMENDMENT NO. 2

On page 2, in line 3, strike “TOTAL APPROPRIATION” and substitute “LEGISLATIVE APPROPRIATION AS APPROVED BY THE GENERAL ASSEMBLY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 252 – Delegates Long and Arikan

AN ACT concerning

Tax Sales – Owner-Occupied Residential Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 319 – Delegate Palakovich Carr

AN ACT concerning

Local Tax Relief for Working Families Act of 2021

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)(ii) 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 only.

Senator Rosapepe moved to make the Bill and Amendments a Special Order for April 2, 2021.

The motion was adopted.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 337 – Delegate P. Young

AN ACT concerning

Sales and Use Tax – Vendor Collection Credit – Job Training

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 865 – Delegate Smith

AN ACT concerning

Historic Revitalization Tax Credit – Small Commercial Projects – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 887 – Delegate Chang

AN ACT concerning

State Debt – Annuity Bond Fund – Use of Bond Premiums

HB0887/229234/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 887

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Code;” insert “making a conforming change;”; after line 7, insert:

“BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 8–125(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)”;

and in line 10, after “Section” insert “8–125(e) and”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“8–125.

(a) In this section, “Fund” means the State and Local Facilities Loan Fund.

(e) (1) Unless payment of expenses otherwise has been provided, the expenses of each bond sale shall be paid from the proceeds of that bond sale credited to the premium and expense account.

(2) After the expenses of each sale of State bonds have been paid, the remaining premium credited to the premium and expense account from that bond sale shall be transferred to the Annuity Bond Fund [to pay debt service on State bonds].”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1086 – Delegate Kaiser

AN ACT concerning

Maryland Tax Credit Evaluation Act – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1137 – Delegate Kerr

AN ACT concerning

Property Tax Credit – Business Entities – State of Emergency

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1301 – Delegate Smith

AN ACT concerning

Baltimore City – Visit Baltimore – Appropriation Calculation

HB1301/719638/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “calculated” insert “for certain fiscal years”; and in line 5, strike “providing for a delayed effective date.”.

AMENDMENT NO. 2

On page 2, in line 11, after “(2)” insert “**(I)**”; in lines 12, 13, 17, and 18, in each instance, strike the bracket; strike beginning with “**THE**” in line 13 down through “**AVERAGE**” in line 14; strike beginning with “**THE**” in line 18 down through “**AVERAGE**” in line 19; after line 21, insert:

“(II) FOR EACH FISCAL YEAR BEGINNING ON OR AFTER JULY 1, 2022, THE APPROPRIATION MADE FOR ANY FISCAL YEAR UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CALCULATED FROM THE ACTUAL HOTEL ROOM TAX RECEIPTS RECEIVED FROM THE IMMEDIATELY PRECEDING 3-YEAR ROLLING AVERAGE.”;

and in line 23, strike “2023” and substitute “2021”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1336 – Delegate Proctor

AN ACT concerning

~~**Alcohol and Tobacco Commission – Executive Director – Clarification**~~
State Retirement and Pension System – Executive Directors – Membership and Vesting

HB1336/939637/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1336

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “System;” insert “requiring the State Retirement Agency to submit a certain report on or before a certain date on immediate vesting for certain positions;”.

AMENDMENT NO. 2

On page 4, after line 32, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2021, in accordance with § 2–1257 of the State Government Article, the State Retirement Agency shall report to the Joint Committee on Pensions on:

(1) positions eligible for immediate vesting as a secretary of a principal department or a head of a department, office, or other unit of the State government; and

(2) positions ineligible for immediate vesting as a secretary of a principal department or a head of a department, office, or other unit of the State government, and the reasons a position is ineligible.”.

On page 5, in line 1, strike “3.” and substitute “4.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

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

AN ACT concerning

University System of Maryland – Academic Facilities Bonding Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1365 – Delegate Korman

AN ACT concerning

Nonpublic Special Education Schools – State Contribution – Increase

HB1365/429530/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1365

(Third Reading File Bill)

On page 3, in line 33, after “appropriation” insert “from the unexpended appropriation for Aid to Education, Nonpublic Placements Program (R00A02.07) within the Maryland State Department of Education that was included in the fiscal year 2020 or 2021 operating budget”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER CALENDAR NO. 22

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (16) AND THE FAVORABLE REPORT.

HB0670/668370/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 670

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures”; strike beginning with “requiring” in line 6 down through “warrant;” in

line 15; in line 17, after “exception;” insert “providing that a police officer’s failure to comply with a certain requirement may be grounds for a certain disciplinary action against the officer and may not serve as the basis for the exclusion of certain evidence under a certain rule;”; and in line 19, after “lawfully” insert “and safely”.

On page 2, strike beginning with “requiring” in line 17 down through “interest;” in line 27; and strike beginning with “requiring” in line 32 down through “Statute;” in line 33.

On page 3, strike beginning with “requiring” in line 18 down through “footage;” in line 20; and strike beginning with “altering” in line 22 down through “undergo” in line 47.

On page 4, strike beginning with “less” in line 1 down through “Assembly;” in line 19; and strike beginning with “establishing” in line 34 down through “board” in line 35 and substitute “requiring a police accountability board to make a certain report and recommendations annually”.

On page 5, in line 5, strike “requiring” and substitute “authorizing”; in line 16, strike “and requiring”; in line 17, strike “requiring” and substitute “authorizing”; strike beginning with “providing” in line 25 down through “circumstances;” in line 26; strike beginning with “and” in line 33 down through “representation” in line 34 and substitute “may have the assistance of a representative”; and strike beginning with “authorizing” in line 40 down through “order to” in line 47.

On page 6, strike in their entirety lines 1 through 3, inclusive, and substitute “authorizing a certain assignment of benefits; establishing that law enforcement officers may be subject to forfeiture of benefits from the State Retirement and Pension System or a local system; prohibiting the payment of certain benefits to a law enforcement officer who is found guilty of, pleads guilty to, or enters a plea of nolo contendere to a qualifying crime; prohibiting the forfeiture of benefits if the forfeiture negatively affects or invalidates the tax qualified status of any of the several systems within the State Retirement and Pension System or a local system; requiring that certain forfeitures of benefits be reversed under certain circumstances; requiring the forfeiture of benefits, in whole or in part, for a law enforcement officer who is convicted of a qualifying crime; requiring the Attorney General or State’s Attorney to file a certain complaint in circuit court; requiring notice of the complaint to be sent to certain persons; requiring the State Retirement Agency and local systems to provide certain information to the Attorney General or State’s Attorney under certain circumstances; establishing certain findings that shall be made when entering an order requiring the forfeiture of benefits; requiring the forfeiture order to indicate the amount of benefits forfeit; requiring a court to consider certain factors when determining”.

the amount of benefits subject to forfeiture; clarifying that only certain service is subject to forfeiture; authorizing a court to enter a domestic relations order that provides that some or all of the forfeited benefits be paid to certain individuals subject to certain limitations; prohibiting a forfeiture order from impairing or altering certain domestic relations orders; clarifying that a law enforcement officer may receive benefits as a beneficiary; clarifying that a law enforcement officer's interest in benefits of a former spouse is not subject to forfeiture; authorizing the Board of Trustees for the State Retirement and Pension System to recover certain payments made to a law enforcement officer subject to a forfeiture order; authorizing a local system to recover certain payments made to a public employee subject to a forfeiture order; limiting the amount that may be recovered; authorizing certain law enforcement officers to submit an application for retirement; prohibiting the State Retirement Agency or a local system from processing a certain application for retirement until certain conditions are met; requiring a forfeiture order to be rescinded under certain circumstances; requiring certain payments to be made when a conviction is overturned; providing that a law enforcement officer subject to a forfeiture order is entitled to a return of employee contributions on request; authorizing certain employee contributions to be reduced under certain circumstances; requiring the Board of Trustees to adopt certain regulations; requiring a local system to adopt certain policies and procedures;”; strike beginning with “providing” in line 5 down through “Act;” in line 6; strike beginning with “for” in line 10 down through “providing” in line 11; in line 11, after “provisions of this Act;” insert “making certain provisions of this Act contingent on the taking effect of another Act;”; and strike in their entirety lines 30 through 34, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 37 on page 7 through line 11 on page 8, inclusive.

On page 8, in line 15, strike “3-508, 3-523, and 3-524” and substitute “and 3-508”; in lines 20 and 21, strike “3-511, 3-514, 3-515, and 3-516” and substitute “3-514, and 3-515”; and strike in their entirety lines 24 through 28, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21-502(a)(3)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 21–801 through 21–809 to be under the new subtitle “Subtitle 8. Forfeiture of Benefits – Law Enforcement Officers”; and 40–201 through 40–209 to be under the new subtitle “Subtitle 2. Forfeiture of Benefits – Law Enforcement Officers”

Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)”.

On page 65, in lines 19, 24, and 32, strike “7.”, “8.”, and “10.”, respectively, and substitute “6.”, “7.”, and “8.”, respectively.

On page 66, in lines 6 and 15, strike “11.” and “12.”, respectively, and substitute “9.” and “10.”, respectively.

AMENDMENT NO. 2

On pages 9 through 14, strike in their entirety the lines beginning with line 33 on page 9 through line 3 on page 14, inclusive, and substitute:

“Article – Criminal Procedure”.

AMENDMENT NO. 3

On page 14, in line 7, before “DISPLAY” insert “WHEN NOT IN UNIFORM,”; in line 12, strike “BADGE NUMBER” and substitute “IDENTIFICATION NUMBER ISSUED BY THE LAW ENFORCEMENT AGENCY THE OFFICER IS REPRESENTING”; in line 16, after “(B)” insert “A POLICE OFFICER’S FAILURE TO COMPLY WITH SUBSECTION (A) OF THIS SECTION:

(1) MAY BE GROUNDS FOR ADMINISTRATIVE DISCIPLINARY ACTION AGAINST THE OFFICER; AND

(2) MAY NOT SERVE AS THE BASIS FOR THE EXCLUSION OF EVIDENCE UNDER THE EXCLUSIONARY RULE.

(C)”;

and in line 18, after “LAWFULLY” insert “AND SAFELY”.

AMENDMENT NO. 4

On page 17, in line 16, strike “4-YEAR”; strike beginning with “IN” in line 16 down through “JUSTICE” in line 17 and substitute “THAT WOULD FURTHER THE STUDENT’S CAREER IN LAW ENFORCEMENT”; in line 19, strike “4-YEAR”; and in line 20, strike “IN CRIMINAL LAW, CRIMINOLOGY, OR CRIMINAL JUSTICE” and substitute “THAT WOULD FURTHER THE POLICE OFFICER’S CAREER IN LAW ENFORCEMENT”.

On page 18, strike beginning with “IN” in line 5 down through “JUSTICE” in line 6 and substitute “THAT WOULD FURTHER THE RECIPIENT’S CAREER IN LAW ENFORCEMENT”.

AMENDMENT NO. 5

On pages 19 and 20, strike in their entirety the lines beginning with line 12 on page 19 through line 24 on page 20, inclusive.

AMENDMENT NO. 6

On page 21, in line 5, after “FROM” insert “INTENTIONAL”; in line 6, after “OMISSIONS” insert “OR INTENTIONAL VIOLATIONS OF CONSTITUTIONAL RIGHTS”; in line 8, strike “1.”; in the same line, strike “ITEM 2 OF THIS ITEM AND”; and strike in their entirety lines 11 through 16, inclusive.

On page 22, in line 1, after “FROM” insert “INTENTIONAL”; in line 2, after “OMISSIONS” insert “OR INTENTIONAL VIOLATIONS OF CONSTITUTIONAL RIGHTS”; in line 4, strike “A.”; in the same line, strike “ITEM B OF THIS ITEM AND”; and strike in their entirety lines 7 through 12, inclusive.

AMENDMENT NO. 7

On pages 22 through 28, strike in their entirety the lines beginning with line 22 on page 22 through line 2 on page 28, inclusive.

On page 65, strike in their entirety lines 28 through 31, inclusive.

AMENDMENT NO. 8

On page 28, strike in their entirety lines 15 and 16.

On pages 29 and 30, strike in their entirety the lines beginning with line 9 on page 29 through line 4 on page 30, inclusive.

AMENDMENT NO. 9

On page 41, before line 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety”;

in lines 13, 16, 17, and 27, in each instance, strike the bracket; strike line 15 in its entirety; in lines 16, 17, 19, and 25, strike “(10)”, “(11)”, “(12)”, and “(9)”, respectively, and substitute “(9)”, “(10)”, “(11)”, and “(12)”, respectively; in line 20, after “Justice,” insert “**AND**”; and strike in their entirety lines 21 through 24, inclusive.

On page 42, in lines 1, 2, and 3 in each instance, strike the bracket; in lines 1, 2, and 3, in each instance, strike “individual” and substitute “**CIVILIAN**”; in line 1, after “policing” insert “**WHO DOES NOT HAVE RELATIONSHIPS TO LAW ENFORCEMENT**”; in line 2, after “standards” insert “**WHO DOES NOT HAVE RELATIONSHIPS TO LAW ENFORCEMENT**”; in lines 2, 3, and 5, strike “(II)”, “(III)”, and “(IV)”, respectively; in line 3, strike “**WITHOUT**” and substitute “**WHO DOES NOT HAVE**”; in line 5, strike the first set of brackets; in the same line, strike “**NINE**” and substitute “**THREE**”; in the same line, strike “without” and substitute “**WHO REPRESENT DIFFERENT GEOGRAPHIC AREAS OF THE STATE AND DO NOT HAVE**”.

On page 46, after line 4, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety”.

AMENDMENT NO. 10

On pages 49 and 50, strike in their entirety the lines beginning with line 21 on page 49 through line 23 on page 50, inclusive.

AMENDMENT NO. 11

On pages 51 and 52, strike in their entirety the lines beginning with line 34 on page 51 through line 12 on page 52, inclusive.

AMENDMENT NO. 12

On pages 53 through 57, strike in their entirety the lines beginning with line 16 on page 53 through line 26 on page 57, inclusive.

On pages 58 and 59, strike in their entirety the lines beginning with line 26 on page 58 through line 20 on page 59, inclusive.

AMENDMENT NO. 13

On page 58, strike in their entirety lines 6 through 15, inclusive.

AMENDMENT NO. 14

On page 28, in lines 17, 19, 22, and 29, strike “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(E)”, “(F)”, “(G)”, and “(H)”, respectively.

On page 29, in lines 2, 4, and 6, strike “(J)”, “(K)”, and “(L)”, respectively, and substitute “(I)”, “(J)”, and “(K)”, respectively.

On page 30, strike beginning with “RECEIVE” in line 11 down through “(4)” in line 13 and substitute “(I)”; in line 14, after “COMMITTEES” insert “; AND”

(II) ON OR BEFORE DECEMBER 31 EACH YEAR, SUBMIT A REPORT TO THE GOVERNING BODY OF THE COUNTY THAT:

1. IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS OF POLICE OFFICERS IN THE COUNTY; AND

2. MAKES RECOMMENDATIONS ON CHANGES TO POLICY THAT WOULD IMPROVE POLICE ACCOUNTABILITY IN THE COUNTY”;

and strike in their entirety lines 23 through 30, inclusive.

On page 31, strike in their entirety lines 1 through 6, inclusive; in lines 7 and 25, strike “3-104.” and “3-105.”, respectively, and substitute “3-103.” and “3-104.”, respectively; strike beginning with the colon in line 20 down through “(II)” in line 23; and strike beginning with “OR” in line 23 down through “PERJURY” in line 24.

On page 32, in line 3, after “BOARD” insert “OR ANOTHER MEMBER OF THE ACCOUNTABILITY BOARD DESIGNATED BY THE CHAIR OF THE ACCOUNTABILITY BOARD”; strike in their entirety lines 4 through 16, inclusive, and substitute:

“(II) ONE DESIGNEE OF THE COUNTY’S POLICE CHIEF;

(III) ONE DESIGNEE OF THE COLLECTIVE BARGAINING UNIT FOR LAW ENFORCEMENT IN THE COUNTY, OR A DESIGNEE OF THE STATE LAW ENFORCEMENT OFFICER’S LABOR ALLIANCE IF THERE IS NO COLLECTIVE BARGAINING UNIT FOR LAW ENFORCEMENT IN THE COUNTY;”;

strike beginning with the first “THE” in line 19 down through “COUNTY” in line 20 and substitute “ONE CIVILIAN SELECTED BY THE CHIEF EXECUTIVE OF THE COUNTY”; and strike in their entirety lines 25 through 29, inclusive, and substitute:

“(I) A CIVILIAN MEMBER APPOINTED BY THE GOVERNOR;

(II) A CIVILIAN MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE;

(III) A CIVILIAN MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE;

(IV) A MEMBER APPOINTED BY THE SECRETARY OF STATE POLICE; AND

(V) A MEMBER APPOINTED BY THE MARYLAND STATE LODGE OF THE FRATERNAL ORDER OF POLICE.”.

On page 33, strike in their entirety lines 1 through 4, inclusive; strike beginning with “ON” in line 9 down through “(E)” in line 13; in line 14, after “(1)” insert “RECEIVE COMPLAINTS OF MISCONDUCT FILED BY MEMBERS OF THE PUBLIC;

(2)”;

in line 16, strike “(D)” and substitute “(G)”; in lines 17, 21, 24, and 26, strike “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “(3)”, “(4)”, “(5)”, and “(6)”, respectively; in line 23, strike “3-106” and substitute “3-105”; after line 27, insert:

“(E) (1) A COMPLAINT OF POLICE MISCONDUCT FILED WITH A POLICE ACCOUNTABILITY BOARD SHALL INCLUDE:

(I) THE NAME OF THE POLICE OFFICER ACCUSED OF MISCONDUCT;

(II) A DESCRIPTION OF THE FACTS ON WHICH THE COMPLAINT IS BASED; AND

(III) CONTACT INFORMATION OF THE COMPLAINANT OR A PERSON FILING ON BEHALF OF THE COMPLAINANT FOR INVESTIGATIVE FOLLOW-UP.

(2) A COMPLAINT NEED NOT BE NOTARIZED.

(F) AFTER RECEIVING A COMPLAINT FROM A MEMBER OF THE PUBLIC, AN ADMINISTRATIVE CHARGING COMMITTEE SHALL FORWARD THE COMPLAINT TO THE LAW ENFORCEMENT AGENCY WITH JURISDICTION FOR INVESTIGATION.

(G) ON COMPLETION OF AN INVESTIGATION OF A COMPLAINT MADE BY A MEMBER OF THE PUBLIC AGAINST A POLICE OFFICER, THE LAW ENFORCEMENT AGENCY SHALL FORWARD TO THE APPROPRIATE ADMINISTRATIVE CHARGING COMMITTEE THE INVESTIGATIVE FILES FOR THE MATTER.”;

in line 28, strike “(F)” and substitute “(H)”; and in the same line, strike “(E)” and substitute “(D)”.

On page 34, in line 6, strike “OR”; in line 7, strike “AND” and substitute “; OR”

(III) AN ADMINISTRATIVE CHARGE IS NOT IN THE INTEREST OF JUSTICE BECAUSE THE POLICE OFFICER HAS PARTICIPATED IN A RESTORATIVE JUSTICE PROGRAM; AND”;

in line 8, strike “A” and substitute “ANY”; in lines 10 and 12, strike “(G)” and “(H)”, respectively, and substitute “(I)” and “(J)”, respectively; in line 11, strike “AND ADDITIONALLY” and substitute “OR”; in line 14, after “UNTIL” insert “FINAL”; and in line 15, strike “3-106.” and substitute “3-105.”.

On page 35, in line 3, strike “3-107.” and substitute “3-106.”; in line 6, after “SECTION” insert “TO ADJUDICATE MATTERS FOR WHICH A LAW ENFORCEMENT OFFICER IS SUBJECT TO DISCIPLINE”; in line 11, strike the first “OR” and substitute a comma; in the same line, after “COURT” insert “, OR A DISINTERESTED ATTORNEY, APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNTY”; in line 12, after “A CIVILIAN” insert “WHO IS NOT A MEMBER OF AN ADMINISTRATIVE CHARGING COMMITTEE,”; and in line 15, after “MISCONDUCT” insert “APPOINTED BY THE HEAD OF THE LAW ENFORCEMENT AGENCY” .

On page 36, in line 22, strike “3-108.” and substitute “3-107.”.

On page 37, strike in their entirety lines 4 through 13, inclusive, and substitute:

“(B) (1) A CHIEF OR A CHIEF’S DESIGNEE MAY SUSPEND A LAW ENFORCEMENT OFFICER WITHOUT PAY AND SUSPEND THE LAW ENFORCEMENT OFFICER’S POLICE POWERS ON AN EMERGENCY BASIS IF THE LAW ENFORCEMENT OFFICER IS CHARGED WITH A CRIME.”;

strike beginning with “POLICE” in line 15 down through “BASED” in line 17 and substitute “CRIMINAL CHARGE OR CHARGES AGAINST THE POLICE OFFICER RESULT IN:

- (I) A FINDING OF NOT GUILTY;
- (II) AN ACQUITTAL;
- (III) A DISMISSAL; OR
- (IV) A NOLLE PROSEQUI”;

in line 18, strike “SHALL” and substitute “MAY”; in line 19, strike “OR RECEIVES A PROBATION BEFORE JUDGMENT FOR”; in line 22, after “OFFICER;” insert “OR”; and strike beginning with “A” in line 23 down through “(4)” in line 24.

On page 38, in line 8, after “CRIMINAL” insert “OR CIVIL”; strike in their entirety lines 10 through 13, inclusive; in line 14, strike “3-109.” and substitute “3-108.”; and in line 28, after “STATEMENT” insert “, IF ANY,”.

On page 39, strike in their entirety lines 12 through 21, inclusive; in lines 22 and 26, strike “3-110.” and “3-111.”, respectively, and substitute “3-109.” and “3-110.”, respectively; and in line 24, strike “HAVE THE RIGHT TO REPRESENTATION” and substitute “MAY HAVE THE ASSISTANCE OF A REPRESENTATIVE”.

On page 40, in lines 20 and 23, strike “3-112.” and “3-113.”, respectively, and substitute “3-111.” and “3-112.”, respectively; and strike in their entirety lines 24 through 28, inclusive.

On page 41, strike line 1 in its entirety and substitute:

“(A) ON WRITTEN REQUEST, A POLICE OFFICER MAY HAVE EXPUNGED FROM ANY FILE THE RECORD OF A FORMAL COMPLAINT MADE AGAINST THE POLICE OFFICER IF:

(1) (I) THE LAW ENFORCEMENT AGENCY THAT INVESTIGATED THE COMPLAINT:

1. EXONERATED THE POLICE OFFICER OF ALL CHARGES IN THE COMPLAINT; OR

2. DETERMINED THAT THE CHARGES WERE UNSUSTAINED OR UNFOUNDED; OR

(II) A TRIAL BOARD ACQUITTED THE POLICE OFFICER, DISMISSED THE ACTION, OR MADE A FINDING OF NOT GUILTY; AND

(2) AT LEAST 3 YEARS HAVE PASSED SINCE THE FINAL DISPOSITION BY THE LAW ENFORCEMENT AGENCY OR HEARING BOARD.

(B) EVIDENCE OF A FORMAL COMPLAINT AGAINST A LAW ENFORCEMENT OFFICER IS NOT ADMISSIBLE IN AN ADMINISTRATIVE OR JUDICIAL PROCEEDING IF THE COMPLAINT RESULTED IN AN OUTCOME LISTED IN SUBSECTION (A)(1) OF THIS SECTION.

3-113.

(A) THE INVESTIGATING UNIT OF A LAW ENFORCEMENT AGENCY SHALL IMMEDIATELY REVIEW A COMPLAINT BY A MEMBER OF THE PUBLIC ALLEGING POLICE OFFICER MISCONDUCT.

(B) AN ADMINISTRATIVE CHARGING COMMITTEE SHALL REVIEW AND MAKE A DETERMINATION OR ASK FOR FURTHER REVIEW WITHIN 30 DAYS AFTER COMPLETION OF THE INVESTIGATING UNIT’S REVIEW.

(C) THE PROCESS OF REVIEW BY THE INVESTIGATING UNIT THROUGH DISPOSITION BY THE ADMINISTRATIVE CHARGING COMMITTEE SHALL BE COMPLETED WITHIN 1 YEAR AND 1 DAY AFTER THE FILING OF A COMPLAINT BY A CITIZEN.”.

AMENDMENT NO. 15

On pages 63 through 65, strike in their entirety the lines beginning with line 13 on page 63 through line 18 on page 65, inclusive, and substitute:

“21-502.

(a) (3) A court of competent jurisdiction may expressly order that a benefit under this Division II be assigned to a spouse, former spouse, child, or other dependent when an order of benefit forfeiture is issued in accordance with § 21-704 OR § 21-804 of this title.

SUBTITLE 8. FORFEITURE OF BENEFITS – LAW ENFORCEMENT OFFICERS.

21-801.

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

(B) “DOMESTIC RELATIONS ORDER” MEANS AN ORDER ISSUED IN ACCORDANCE WITH § 21-502(A)(2) OF THIS TITLE, § 414(P) OF THE INTERNAL REVENUE CODE, AND REGULATIONS ADOPTED BY THE BOARD OF TRUSTEES THAT ASSIGNS A BENEFIT TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT OF A LAW ENFORCEMENT OFFICER IN CONNECTION WITH A DECREE OR ORDER OF ALIMONY, CHILD SUPPORT, OR DIVORCE.

(C) “FINAL ADJUDICATION” MEANS ADJUDICATION BY A TRIAL COURT RESULTING IN FINAL DISPOSITION OF ALL CHARGES THAT CONSTITUTE A QUALIFYING CRIME.

(D) “LAW ENFORCEMENT OFFICER” MEANS AN INDIVIDUAL WHO:

- (1) IS LISTED IN § 21-802 OF THIS SUBTITLE; AND
- (2) HAS BEEN CHARGED WITH A QUALIFYING CRIME.

(E) “QUALIFYING CRIME” MEANS A CRIMINAL OFFENSE THAT IS COMMITTED IN THE COURSE OF THE PERFORMANCE OF THE LAW ENFORCEMENT OFFICER’S DUTIES AND RESPONSIBILITIES THAT IS:

- (1) A FELONY;
- (2) PERJURY; OR
- (3) A MISDEMEANOR RELATING TO TRUTHFULNESS AND VERACITY.

(F) “RETIREMENT ALLOWANCE”:

- (1) HAS THE MEANING STATED IN § 20-101 OF THIS ARTICLE; AND
- (2) INCLUDES A VESTED ALLOWANCE.

(G) “VESTED ALLOWANCE” HAS THE MEANING STATED IN § 20–101 OF THIS ARTICLE.

21–802.

(A) THIS SUBTITLE APPLIES TO AN INDIVIDUAL WHO:

(1) IS A MEMBER, FORMER MEMBER, OR RETIREE OF THE:

(I) STATE POLICE RETIREMENT SYSTEM;

(II) LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM; OR

(III) EMPLOYEES’ PENSION SYSTEM OR EMPLOYEES’ RETIREMENT SYSTEM; AND

(2) HAS EARNED CREDITABLE SERVICE WHILE EMPLOYED AS A LAW ENFORCEMENT OFFICER.

(B) THIS SUBTITLE DOES NOT APPLY TO ANY SERVICE EARNED BEFORE JULY 1, 2022.

21–803.

(A) BENEFITS UNDER THIS DIVISION II OF THIS ARTICLE PAYABLE TO A LAW ENFORCEMENT OFFICER ARE SUBJECT TO FORFEITURE IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SUBTITLE IF THE LAW ENFORCEMENT OFFICER IS FOUND GUILTY OF, PLEADS GUILTY TO, OR ENTERS A PLEA OF NOLO CONTENDERE TO A QUALIFYING CRIME.

(B) (1) BENEFITS UNDER THIS DIVISION II MAY NOT BE FORFEITED OR REDUCED IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE FORFEITURE OR REDUCTION WILL NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF ANY OF THE SEVERAL SYSTEMS.

(2) IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE APPLICATION OF THIS SUBTITLE WOULD NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF ANY OF THE SEVERAL SYSTEMS, ANY FORFEITURE OF BENEFITS THAT TOOK PLACE BEFORE THE INTERNAL REVENUE SERVICE'S DETERMINATION SHALL BE REVERSED IN ACCORDANCE WITH § 21-807 OF THIS SUBTITLE TO THE EXTENT NECESSARY TO COMPLY WITH THE DETERMINATION.

21-804.

(A) IF THE FINAL ADJUDICATION OF CHARGES RESULTS IN CONVICTION OF A LAW ENFORCEMENT OFFICER, THE LAW ENFORCEMENT OFFICER'S RETIREMENT ALLOWANCE SHALL BE FORFEITED IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SECTION.

(B) (1) ON CONVICTION OF A LAW ENFORCEMENT OFFICER, THE ATTORNEY GENERAL OR THE STATE'S ATTORNEY SHALL FILE A COMPLAINT IN CIRCUIT COURT TO FORFEIT THE LAW ENFORCEMENT OFFICER'S BENEFITS IN WHOLE OR IN PART.

(2) NOTICE OF THE COMPLAINT FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SERVED ON:

(I) THE LAW ENFORCEMENT OFFICER;

(II) ANY KNOWN SPOUSE OF THE LAW ENFORCEMENT OFFICER;

(III) ANY KNOWN DEPENDENTS OF THE LAW ENFORCEMENT OFFICER;

(IV) THE LAW ENFORCEMENT OFFICER'S DESIGNATED BENEFICIARIES;

(V) ANY FORMER SPOUSE WHO HAS BEEN ASSIGNED BENEFITS UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VI) THE STATE RETIREMENT AGENCY.

(3) NOTWITHSTANDING § 4-312 OF THE GENERAL PROVISIONS ARTICLE, ON WRITTEN REQUEST, THE STATE RETIREMENT AGENCY SHALL PROVIDE THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY WITH AVAILABLE INFORMATION FROM THE RETIREMENT RECORDS OF THE LAW ENFORCEMENT OFFICER TO ASSIST THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY IN PROVIDING THE NOTICE REQUIRED UNDER THIS SUBSECTION.

(C) THE COURT SHALL ENTER AN ORDER REQUIRING THE FORFEITURE, IN WHOLE OR IN PART, OF THE LAW ENFORCEMENT OFFICER’S BENEFITS IF THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT:

(1) THE LAW ENFORCEMENT OFFICER WAS CONVICTED OF A QUALIFYING CRIME;

(2) THE LAW ENFORCEMENT OFFICER WAS A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM, THE LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM, THE EMPLOYEES’ PENSION SYSTEM, OR THE EMPLOYEES’ RETIREMENT SYSTEM; AND

(3) THE QUALIFYING CRIME FOR WHICH THE LAW ENFORCEMENT OFFICER WAS CONVICTED WAS COMMITTED WHILE THE LAW ENFORCEMENT OFFICER WAS AN ACTIVE MEMBER OF THE STATE POLICE RETIREMENT SYSTEM, THE LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM, THE EMPLOYEES’ PENSION SYSTEM, OR THE EMPLOYEES’ RETIREMENT SYSTEM.

(D) ONLY SERVICE CREDIT IN THE STATE SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER IS A MEMBER WHEN THE QUALIFYING CRIME IS COMMITTED IS ELIGIBLE FOR FORFEITURE UNDER THIS SECTION.

(E) (1) AN ORDER REQUIRING FORFEITURE OF BENEFITS SHALL INDICATE THE AMOUNT OF BENEFITS TO BE FORFEITED.

(2) WHEN DETERMINING THE AMOUNT OF BENEFITS TO BE FORFEITED, THE COURT SHALL CONSIDER:

(I) THE SEVERITY OF THE CRIME;

(II) THE AMOUNT OF MONETARY LOSS SUFFERED BY THE STATE, A COUNTY, A POLITICAL SUBDIVISION, OR A PERSON AS A RESULT OF THE CRIME;

(III) THE DEGREE OF PUBLIC TRUST PLACED IN THE LAW ENFORCEMENT OFFICER;

(IV) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER;

(V) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER'S SPOUSE, CHILDREN, OR OTHER DEPENDENTS;

(VI) ANY INTEREST IN BENEFITS OF A FORMER SPOUSE ESTABLISHED UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VII) ANY OTHER FACTORS THE COURT DETERMINES RELEVANT.

(F) (1) IF THE COURT ENTERS AN ORDER REQUIRING THE FORFEITURE OF BENEFITS, THE COURT MAY ENTER A DOMESTIC RELATIONS ORDER THAT PROVIDES THAT SOME OR ALL OF THE FORFEITED BENEFITS BE PAID TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT FOR PURPOSES OF CHILD SUPPORT, ALIMONY, OR MARITAL PROPERTY RIGHTS.

(2) WHEN DETERMINING WHETHER TO ENTER A DOMESTIC RELATIONS ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL CONSIDER WHETHER THE LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILDREN, OR DEPENDENTS WERE CULPABLE OR COMPLICIT IN THE COMMISSION OF THE QUALIFYING CRIME.

(3) THE COURT MAY NOT ORDER BENEFITS TO BE PAID TO A LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT IN A MANNER THAT IS INCONSISTENT WITH THE PAYMENT OF BENEFITS IN THE STATE SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER WAS A MEMBER.

(G) (1) AN ORDER REQUIRING A FORFEITURE OF BENEFITS ISSUED UNDER THIS SECTION MAY NOT IMPAIR OR ALTER AN EXISTING DOMESTIC RELATIONS ORDER PROVIDING BENEFITS TO A FORMER SPOUSE OF A LAW ENFORCEMENT OFFICER.

(2) A LAW ENFORCEMENT OFFICER'S INTEREST IN A BENEFIT OF A FORMER SPOUSE ESTABLISHED BY A DOMESTIC RELATIONS ORDER MAY NOT BE SUBJECT TO A FORFEITURE OR REDUCTION UNDER THIS SUBTITLE.

(H) BENEFITS AVAILABLE TO A LAW ENFORCEMENT OFFICER AS A BENEFICIARY MAY NOT BE SUBJECT TO A FORFEITURE UNDER THIS SUBTITLE.

21-805.

(A) IF A LAW ENFORCEMENT OFFICER HAS RETIRED BEFORE A FORFEITURE ORDER IS ISSUED UNDER § 21-804 OF THIS SUBTITLE, THE BOARD OF TRUSTEES MAY RECOVER FROM THE LAW ENFORCEMENT OFFICER THE AMOUNT OF BENEFITS PAID TO THE LAW ENFORCEMENT OFFICER BEFORE THE ORDER.

(B) THE RECOVERY UNDER SUBSECTION (A) OF THIS SECTION IS LIMITED TO AN AMOUNT EQUAL TO THE BENEFITS THAT WOULD HAVE BEEN FORFEITED HAD THE FORFEITURE ORDER BEEN ISSUED BEFORE THE LAW ENFORCEMENT OFFICER BEGAN RECEIVING ANY BENEFITS AS A RETIREE.

21-806.

(A) THIS SECTION APPLIES TO A LAW ENFORCEMENT OFFICER WHO IS NOT A RETIREE.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A LAW ENFORCEMENT OFFICER MAY SUBMIT AN APPLICATION FOR RETIREMENT.

(C) IF A LAW ENFORCEMENT OFFICER IS ELIGIBLE TO APPLY FOR A RETIREMENT ALLOWANCE, A LAW ENFORCEMENT OFFICER'S APPLICATION FOR RETIREMENT BENEFITS:

(1) SHALL BE CONSIDERED SUBMITTED ON THE FIRST DAY OF THE MONTH AFTER IT IS PROPERLY COMPLETED AND SUBMITTED TO THE STATE RETIREMENT AGENCY; AND

(2) MAY NOT BE PROCESSED BY THE STATE RETIREMENT AGENCY UNLESS AND UNTIL THE FINAL ADJUDICATION OF THE CHARGE THAT DOES NOT RESULT IN CONVICTION.

21-807.

(A) (1) ON RECEIPT OF AN ORDER THAT REVERSES OR OVERTURNS A CONVICTION OF A LAW ENFORCEMENT OFFICER, THE COURT THAT ISSUED A FORFEITURE ORDER UNDER § 21-804 OF THIS SUBTITLE SHALL RESCIND THE FORFEITURE ORDER AND ORDER THE BOARD OF TRUSTEES TO PAY ANY BENEFITS THAT ARE PAYABLE UNDER THIS DIVISION II OF THIS ARTICLE TO THE LAW ENFORCEMENT OFFICER.

(2) WHEN A COURT RESCINDS A FORFEITURE ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL ALSO RESCIND ANY DOMESTIC RELATIONS ORDER ENTERED IN ACCORDANCE WITH § 21-804(F) OF THIS SUBTITLE.

(B) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED:

(1) THE LAW ENFORCEMENT OFFICER'S BENEFITS SHALL BE RESTORED BACK TO THE DATE THE BENEFIT PAYMENTS CEASED;

(2) THE LAW ENFORCEMENT OFFICER'S ALLOWANCE SHALL:

(I) BE PAID BEGINNING THE MONTH AFTER THE STATE RETIREMENT AGENCY IS NOTIFIED THAT THE CONVICTION IS OVERTURNED; AND

(II) INCLUDE ANY COST-OF-LIVING ADJUSTMENTS THAT WOULD HAVE BEEN MADE IN THE TIME BETWEEN THE CONVICTION AND THE TIME BENEFIT PAYMENTS ARE RESTORED; AND

(3) BENEFIT PAYMENTS THAT WOULD HAVE BEEN MADE DURING THE TIME FROM THE DATE OF CONVICTION TO THE DATE THE CONVICTION IS OVERTURNED SHALL BE MADE TO THE LAW ENFORCEMENT OFFICER, LESS ANY PAYMENTS MADE IN ACCORDANCE WITH A DOMESTIC RELATIONS ORDER DIRECTING PAYMENT OF BENEFITS TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT.

(C) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS NOT A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED, THE LAW ENFORCEMENT OFFICER MAY RECEIVE BENEFITS IN ACCORDANCE WITH THIS DIVISION II OF THIS ARTICLE.

21-808.

(A) A LAW ENFORCEMENT OFFICER SUBJECT TO A FORFEITURE ORDER ISSUED UNDER § 21-804 OF THIS SUBTITLE IS ENTITLED TO A RETURN OF THE INDIVIDUAL'S ACCUMULATED CONTRIBUTIONS ON REQUEST UNDER § 29-501 OF THIS ARTICLE.

(B) THE LAW ENFORCEMENT OFFICER'S ACCUMULATED CONTRIBUTIONS SHALL BE REDUCED BY AN AMOUNT EQUAL TO ANY BENEFIT PAYMENTS RECEIVED BY THE LAW ENFORCEMENT OFFICER THAT WOULD HAVE BEEN SUBJECT TO FORFEITURE AND HAVE NOT BEEN RECOVERED BY THE BOARD OF TRUSTEES UNDER § 21-805 OF THIS SUBTITLE.

21-809.

THE BOARD OF TRUSTEES SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

SUBTITLE 2. FORFEITURE OF BENEFITS – LAW ENFORCEMENT OFFICERS.

40-201.

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

(B) “ACCUMULATED CONTRIBUTIONS”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

(C) “DOMESTIC RELATIONS ORDER” MEANS AN ORDER ISSUED IN ACCORDANCE WITH § 414(P) OF THE INTERNAL REVENUE CODE, AND PROVISIONS ADOPTED BY THE LOCAL SYSTEM THAT ASSIGNS A BENEFIT TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT OF A LAW ENFORCEMENT OFFICER IN CONNECTION WITH A DECREE OR ORDER OF ALIMONY, CHILD SUPPORT, OR DIVORCE.

(D) “FINAL ADJUDICATION” MEANS ADJUDICATION BY A TRIAL COURT RESULTING IN FINAL DISPOSITION OF ALL CHARGES THAT CONSTITUTE A QUALIFYING CRIME.

(E) “FORMER MEMBER”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

(F) “LAW ENFORCEMENT OFFICER” MEANS AN INDIVIDUAL WHO:

(1) IS LISTED IN § 40–202 OF THIS SUBTITLE; AND

(2) HAS BEEN CHARGED WITH A QUALIFYING CRIME.

(G) “LOCAL SYSTEM” MEANS A RETIREMENT OR PENSION SYSTEM OPERATED FOR THE BENEFIT OF EMPLOYEES OF A POLITICAL SUBDIVISION OF THE STATE.

(H) “MEMBER”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

(I) “QUALIFYING CRIME” MEANS A CRIMINAL OFFENSE THAT IS COMMITTED IN THE COURSE OF THE PERFORMANCE OF THE LAW ENFORCEMENT OFFICER’S DUTIES AND RESPONSIBILITIES THAT IS:

(1) A FELONY;

(2) PERJURY; OR

(3) A MISDEMEANOR RELATING TO TRUTHFULNESS AND VERACITY.

(J) “RETIREE”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

(K) “RETIREMENT ALLOWANCE”:

(1) WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM; AND

(2) INCLUDES A VESTED ALLOWANCE.

(L) “VESTED ALLOWANCE”, WHEN USED IN RELATION TO A LOCAL SYSTEM, HAS THE MEANING MOST CLOSELY ANALOGOUS TO THE MEANING STATED IN § 20–101 OF THIS ARTICLE WITHIN THE CONTEXT OF THE LOCAL SYSTEM.

40–202.

(A) THIS SUBTITLE APPLIES TO AN INDIVIDUAL WHO:

(1) IS A MEMBER, FORMER MEMBER, OR RETIREE OF A LOCAL SYSTEM; AND

(2) HAS EARNED CREDITABLE SERVICE WHILE EMPLOYED AS A LAW ENFORCEMENT OFFICER.

(B) THIS SUBTITLE DOES NOT APPLY TO ANY SERVICE EARNED BEFORE JULY 1, 2022.

40-203.

(A) BENEFITS PAYABLE TO A LAW ENFORCEMENT OFFICER AS A RETIREE OF A LOCAL SYSTEM ARE SUBJECT TO FORFEITURE IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SUBTITLE IF THE LAW ENFORCEMENT OFFICER IS FOUND GUILTY OF, PLEADS GUILTY TO, OR ENTERS A PLEA OF NOLO CONTENDERE TO A QUALIFYING CRIME.

(B) (1) BENEFITS PAYABLE TO A LAW ENFORCEMENT OFFICER AS A RETIREE OF A LOCAL SYSTEM MAY NOT BE FORFEITED OR REDUCED IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE FORFEITURE OR REDUCTION WILL NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF THE LOCAL SYSTEM.

(2) IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE APPLICATION OF THIS SUBTITLE WOULD NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF A LOCAL SYSTEM, ANY FORFEITURE OF BENEFITS THAT TOOK PLACE BEFORE THE INTERNAL REVENUE SERVICE'S DETERMINATION SHALL BE REVERSED IN ACCORDANCE WITH § 40-207 OF THIS SUBTITLE TO THE EXTENT NECESSARY TO COMPLY WITH THE DETERMINATION.

(C) A COURT OF COMPETENT JURISDICTION MAY EXPRESSLY ORDER THAT A BENEFIT UNDER A LOCAL SYSTEM BE ASSIGNED TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT WHEN AN ORDER OF BENEFIT FORFEITURE IS ISSUED IN ACCORDANCE WITH § 40-204 OF THIS SUBTITLE.

40-204.

(A) IF THE FINAL ADJUDICATION OF CHARGES RESULTS IN CONVICTION OF A LAW ENFORCEMENT OFFICER, THE LAW ENFORCEMENT OFFICER'S RETIREMENT ALLOWANCE SHALL BE FORFEITED IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SECTION.

(B) (1) ON CONVICTION OF A LAW ENFORCEMENT OFFICER, THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY SHALL FILE A COMPLAINT IN CIRCUIT COURT TO FORFEIT THE LAW ENFORCEMENT OFFICER’S BENEFITS IN WHOLE OR IN PART.

(2) NOTICE OF THE COMPLAINT FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SERVED ON:

(I) THE LAW ENFORCEMENT OFFICER;

(II) ANY KNOWN SPOUSE OF THE LAW ENFORCEMENT OFFICER;

(III) ANY KNOWN DEPENDENTS OF THE LAW ENFORCEMENT OFFICER;

(IV) THE LAW ENFORCEMENT OFFICER’S DESIGNATED BENEFICIARIES;

(V) ANY FORMER SPOUSE WHO HAS BEEN ASSIGNED BENEFITS UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VI) THE LOCAL SYSTEM.

(3) NOTWITHSTANDING § 4-312 OF THE GENERAL PROVISIONS ARTICLE, ON WRITTEN REQUEST, THE LOCAL SYSTEM SHALL PROVIDE THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY WITH AVAILABLE INFORMATION FROM THE RETIREMENT RECORDS OF THE LAW ENFORCEMENT OFFICER TO ASSIST THE ATTORNEY GENERAL OR THE STATE’S ATTORNEY IN PROVIDING THE NOTICE REQUIRED UNDER THIS SUBSECTION.

(C) THE COURT SHALL ENTER AN ORDER REQUIRING THE FORFEITURE, IN WHOLE OR IN PART, OF THE LAW ENFORCEMENT OFFICER’S BENEFITS IF THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT:

(1) THE LAW ENFORCEMENT OFFICER WAS CONVICTED OF A QUALIFYING CRIME;

(2) THE LAW ENFORCEMENT OFFICER WAS A MEMBER OF THE LOCAL SYSTEM; AND

(3) THE QUALIFYING CRIME FOR WHICH THE LAW ENFORCEMENT OFFICER WAS CONVICTED WAS COMMITTED WHILE THE LAW ENFORCEMENT OFFICER WAS AN ACTIVE MEMBER OF THE LOCAL SYSTEM.

(D) ONLY SERVICE CREDIT IN THE LOCAL SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER IS A MEMBER WHEN THE QUALIFYING CRIME IS COMMITTED IS ELIGIBLE FOR FORFEITURE UNDER THIS SECTION.

(E) (1) AN ORDER REQUIRING FORFEITURE OF BENEFITS SHALL INDICATE THE AMOUNT OF BENEFITS TO BE FORFEITED.

(2) WHEN DETERMINING THE AMOUNT OF BENEFITS TO BE FORFEITED, THE COURT SHALL CONSIDER:

(I) THE SEVERITY OF THE CRIME;

(II) THE AMOUNT OF MONETARY LOSS SUFFERED BY THE STATE, A COUNTY, A POLITICAL SUBDIVISION, OR A PERSON AS A RESULT OF THE CRIME;

(III) THE DEGREE OF PUBLIC TRUST PLACED IN THE LAW ENFORCEMENT OFFICER;

(IV) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER;

(V) THE FINANCIAL NEEDS AND RESOURCES OF THE LAW ENFORCEMENT OFFICER'S SPOUSE, CHILDREN, OR OTHER DEPENDENTS;

(VI) ANY INTEREST IN BENEFITS OF A FORMER SPOUSE ESTABLISHED UNDER AN EXISTING DOMESTIC RELATIONS ORDER; AND

(VII) ANY OTHER FACTORS THE COURT DETERMINES RELEVANT.

(F) (1) IF THE COURT ENTERS AN ORDER REQUIRING THE FORFEITURE OF BENEFITS, THE COURT MAY ENTER A DOMESTIC RELATIONS ORDER THAT PROVIDES THAT SOME OR ALL OF THE FORFEITED BENEFITS BE PAID TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT FOR PURPOSES OF CHILD SUPPORT, ALIMONY, OR MARITAL PROPERTY RIGHTS.

(2) WHEN DETERMINING WHETHER TO ENTER A DOMESTIC RELATIONS ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL CONSIDER WHETHER THE LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILDREN, OR DEPENDENTS WERE CULPABLE OR COMPLICIT IN THE COMMISSION OF THE QUALIFYING CRIME.

(3) THE COURT MAY NOT ORDER BENEFITS TO BE PAID TO A LAW ENFORCEMENT OFFICER'S SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT IN A MANNER THAT IS INCONSISTENT WITH THE PAYMENT OF BENEFITS IN THE LOCAL SYSTEM IN WHICH THE LAW ENFORCEMENT OFFICER WAS A MEMBER.

(G) (1) AN ORDER REQUIRING A FORFEITURE OF BENEFITS ISSUED UNDER THIS SECTION MAY NOT IMPAIR OR ALTER AN EXISTING DOMESTIC RELATIONS ORDER PROVIDING BENEFITS TO A FORMER SPOUSE OF A LAW ENFORCEMENT OFFICER.

(2) A LAW ENFORCEMENT OFFICER'S INTEREST IN A BENEFIT OF A FORMER SPOUSE ESTABLISHED BY A DOMESTIC RELATIONS ORDER MAY NOT BE SUBJECT TO A FORFEITURE OR REDUCTION UNDER THIS SUBTITLE.

(H) BENEFITS AVAILABLE TO A LAW ENFORCEMENT OFFICER AS A BENEFICIARY MAY NOT BE SUBJECT TO A FORFEITURE UNDER THIS SUBTITLE.

40-205.

(A) IF A LAW ENFORCEMENT OFFICER HAS RETIRED BEFORE A FORFEITURE ORDER IS ISSUED UNDER § 40-204 OF THIS SUBTITLE, THE LOCAL SYSTEM MAY

RECOVER FROM THE LAW ENFORCEMENT OFFICER THE AMOUNT OF BENEFITS PAID TO THE LAW ENFORCEMENT OFFICER BEFORE THE ORDER.

(B) THE RECOVERY UNDER SUBSECTION (A) OF THIS SECTION IS LIMITED TO AN AMOUNT EQUAL TO THE BENEFITS THAT WOULD HAVE BEEN FORFEITED HAD THE FORFEITURE ORDER BEEN ISSUED BEFORE THE LAW ENFORCEMENT OFFICER BEGAN RECEIVING ANY BENEFITS AS A RETIREE.

40-206.

(A) THIS SECTION APPLIES TO A LAW ENFORCEMENT OFFICER WHO IS NOT A RETIREE.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A LAW ENFORCEMENT OFFICER MAY SUBMIT AN APPLICATION FOR RETIREMENT.

(C) IF A LAW ENFORCEMENT OFFICER IS ELIGIBLE TO APPLY FOR A RETIREMENT ALLOWANCE, A LAW ENFORCEMENT OFFICER'S APPLICATION FOR RETIREMENT BENEFITS:

(1) SHALL BE CONSIDERED SUBMITTED ON THE FIRST DAY OF THE MONTH AFTER IT IS PROPERLY COMPLETED AND SUBMITTED TO THE LOCAL SYSTEM; AND

(2) MAY NOT BE PROCESSED BY THE LOCAL SYSTEM UNLESS AND UNTIL THE FINAL ADJUDICATION OF THE CHARGE THAT DOES NOT RESULT IN CONVICTION.

40-207.

(A) (1) ON RECEIPT OF AN ORDER THAT REVERSES OR OVERTURNS A CONVICTION OF A LAW ENFORCEMENT OFFICER, THE COURT THAT ISSUED A FORFEITURE ORDER UNDER § 40-204 OF THIS SUBTITLE SHALL RESCIND THE FORFEITURE ORDER AND ORDER THE LOCAL SYSTEM TO PAY ANY BENEFITS THAT ARE PAYABLE TO THE LAW ENFORCEMENT OFFICER UNDER THE PROVISIONS OF THE LOCAL SYSTEM.

(2) WHEN A COURT RESCINDS A FORFEITURE ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL ALSO RESCIND ANY DOMESTIC RELATIONS ORDER ENTERED IN ACCORDANCE WITH § 40-204(F) OF THIS SUBTITLE.

(B) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED:

(1) THE LAW ENFORCEMENT OFFICER'S BENEFITS SHALL BE RESTORED BACK TO THE DATE THE BENEFIT PAYMENTS CEASED;

(2) THE LAW ENFORCEMENT OFFICER'S ALLOWANCE SHALL:

(I) BE PAID BEGINNING THE MONTH AFTER THE LOCAL SYSTEM IS NOTIFIED THAT THE CONVICTION IS OVERTURNED; AND

(II) INCLUDE ANY COST-OF-LIVING ADJUSTMENTS THAT WOULD HAVE BEEN MADE IN THE TIME BETWEEN THE CONVICTION AND THE TIME BENEFIT PAYMENTS ARE RESTORED; AND

(3) BENEFIT PAYMENTS THAT WOULD HAVE BEEN MADE DURING THE TIME FROM THE DATE OF CONVICTION TO THE DATE THE CONVICTION IS OVERTURNED SHALL BE MADE TO THE LAW ENFORCEMENT OFFICER, LESS ANY PAYMENTS MADE IN ACCORDANCE WITH A DOMESTIC RELATIONS ORDER DIRECTING PAYMENT OF BENEFITS TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT.

(C) IF A CONVICTION OF A LAW ENFORCEMENT OFFICER WHO WAS NOT A RETIREE BEFORE THE DATE OF CONVICTION IS OVERTURNED, THE LAW ENFORCEMENT OFFICER MAY RECEIVE BENEFITS IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL SYSTEM.

40-208.

(A) A LAW ENFORCEMENT OFFICER SUBJECT TO A FORFEITURE ORDER ISSUED UNDER § 40-204 OF THIS SUBTITLE IS ENTITLED TO A RETURN OF THE INDIVIDUAL'S ACCUMULATED CONTRIBUTIONS ON REQUEST AS PROVIDED BY THE LOCAL SYSTEM.

(B) THE LAW ENFORCEMENT OFFICER'S ACCUMULATED CONTRIBUTIONS SHALL BE REDUCED BY AN AMOUNT EQUAL TO ANY BENEFIT PAYMENTS RECEIVED BY THE LAW ENFORCEMENT OFFICER THAT WOULD HAVE BEEN SUBJECT TO FORFEITURE AND HAVE NOT BEEN RECOVERED BY THE LOCAL SYSTEM UNDER § 40-205 OF THIS SUBTITLE.

40-209.

A LOCAL SYSTEM SHALL ADOPT POLICIES AND PROCEDURES TO IMPLEMENT THIS SUBTITLE."

AMENDMENT NO. 16

On page 65, in line 24, strike "Section 4 of this Act" and substitute "§ 5-303 of the Courts and Judicial Proceedings Article, as enacted by Section 3 of this Act, and § 12-103 of the State Government Article, as enacted by Section 3 of this Act,"; in line 27, strike "September 30, 2021" and substitute "June 30, 2022"; and strike beginning with "Section" in line 32 down through "shall" in line 33 and substitute "Title 3, Subtitle 1 of the Public Safety Article, as enacted by Section 3 of this Act, shall".

On page 66, strike in their entirety lines 21 through 24, inclusive, and substitute:

"SECTION 11. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect July 1, 2022, contingent on the taking effect of Chapter _____ (S.B. 71) of the Acts of the General Assembly of 2021, and if Chapter _____ (S.B. 71) does not take effect, Section 4 of this Act, with no further action required by the General Assembly, shall be null and void.

SECTION 12. AND BE IT FURTHER ENACTED, That, except as provided in Section 11 of this Act, this Act shall take effect July 1, 2022."

The preceding 16 amendments were read and adopted.

Senator Jennings moved the Bill be recommitted.

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

Affirmative – 18 Negative – 29 (See Roll Call No. 800)

Senator Ready moved to make the Bill and Report a Special Order for April 1, 2021.

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

Affirmative – 19 Negative – 28 (See Roll Call No. 801)

Favorable report, as amended, adopted by roll call vote as follows:

Affirmative – 30 Negative – 16 (See Roll Call No. 802)

FLOOR AMENDMENT

HB0670/143923/1

BY: Senator Cassilly

AMENDMENT TO HOUSE BILL 670

(Third Reading File Bill)

On page 21, in line 10, strike “**\$890,000**” and substitute “**\$600,000**”.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 803)

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

FLOOR AMENDMENT

HB0670/143923/1

BY: Senator Cassilly

AMENDMENT TO HOUSE BILL 670
(Third Reading File Bill)

On page 21, in line 10, strike “\$890,000” and substitute “\$600,000”.

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

Affirmative – 19 Negative – 28 (See Roll Call No. 804)

FLOOR AMENDMENT

HB0670/893625/1

BY: Senator Cassilly

AMENDMENT TO HOUSE BILL 670
(Third Reading File Bill)

On page 21, in line 9, strike “, THE” and substitute “:

1. AN AWARD FOR NONECONOMIC DAMAGES MAY NOT EXCEED \$400,000; AND

2. THE”;

and in line 17, strike “LIMITATION” and substitute “LIMITATIONS”.

On page 22, in line 5, strike “, THE” and substitute “:

A. AN AWARD FOR NONECONOMIC DAMAGES MAY NOT EXCEED \$400,000; AND

B. THE”;

in line 6, strike “SHALL” and substitute “MAY”; in the same line, after the semicolon, insert “AND”; and in line 13, strike “LIMITATION” and substitute “LIMITATIONS”.

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

Affirmative – 18 Negative – 29 (See Roll Call No. 805)

FLOOR AMENDMENT

HB0670/633123/1

BY: Senator Young

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Judicial Proceedings Committee Amendments (HB0670/668370/1), in line 8 of Amendment No. 1, after “crime” insert “, under certain circumstances”; and in line 11, strike “requiring” and substitute “authorizing”.

AMENDMENT NO. 2

On page 17 of the Judicial Proceedings Committee Amendments, in lines 14 and 17 of Amendment No. 15, in each instance, strike “SHALL” and substitute “MAY”.

On page 18 of the Judicial Proceedings Committee Amendments, in line 16, strike “SHALL” and substitute “MAY”.

On page 28 of the Judicial Proceedings Committee Amendments, in lines 6 and 9, in each instance, strike “SHALL” and substitute “MAY”.

On page 29 of the Judicial Proceedings Committee Amendments, in line 10, strike “SHALL” and substitute “MAY”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB0670/703522/1

BY: Senator West

AMENDMENT TO HOUSE BILL 670, AS AMENDED

(Third Reading File Bill)

On page 33 of the bill, in line 27, strike the period and substitute “.

(E) (1) PROMPTLY AFTER COMPLETING AN INVESTIGATION OF MISCONDUCT BY A LAW ENFORCEMENT OFFICER IN WHICH THE LAW ENFORCEMENT OFFICER IS DETERMINED TO HAVE ENGAGED IN CONDUCT FOR WHICH DISCIPLINARY ACTION MAY BE IMPOSED, THE CHIEF OR THE CHIEF'S DESIGNEE SHALL:

(I) NOTIFY THE LAW ENFORCEMENT OFFICER OF:

1. EACH OFFENSE FOR WHICH THE LAW ENFORCEMENT OFFICER IS SUBJECT TO DISCIPLINARY ACTION;

2. THE POSSIBLE DISCIPLINARY ACTION THAT MAY BE IMPOSED FOR EACH OFFENSE; AND

3. THE PROPOSED DISCIPLINARY ACTION FOR EACH OFFENSE; AND

(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, PROVIDE THE LAW ENFORCEMENT OFFICER WITH A COPY OF THE INVESTIGATORY FILE AND ANY EXCULPATORY INFORMATION IF THE LAW ENFORCEMENT OFFICER AND ANY REPRESENTATIVE OF THE LAW ENFORCEMENT OFFICER AGREE TO EXECUTE A CONFIDENTIALITY AGREEMENT NOT TO DISCLOSE ANY MATERIAL CONTAINED IN THE INVESTIGATORY FILE AND EXCULPATORY INFORMATION.

(2) THE CHIEF OR THE CHIEF'S DESIGNEE MAY EXCLUDE OR REDACT THE IDENTITY OF A CONFIDENTIAL SOURCE FROM A COPY OF THE INVESTIGATORY FILE AND EXCULPATORY INFORMATION PROVIDED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION."

On page 9 of the Judicial Proceedings Committee Amendments (HB0670/668370/1), in line 17 of Amendment No. 14, strike "(G)" and substitute "(H)"; and in line 20, strike "(E)" and substitute "(F)".

On page 10 of the Judicial Proceedings Committee Amendments, in lines 9, 12, and 16 of Amendment No. 14, strike "(F)", "(G)", and "(H)", respectively, and substitute "(G)", "(H)", and "(I)", respectively.

On page 11 of the Judicial Proceedings Committee Amendments, in line 2 of Amendment No. 14, strike "(I)" and substitute "(J)"; and in the same line, strike "(J)" and substitute "(K)".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0670/193920/1

BY: Senator Cassilly

AMENDMENT TO HOUSE BILL 670

(Third Reading File Bill)

On page 34, in line 27, after “**HIGHER**” insert “**OR LOWER**”; and strike beginning with “**, BUT**” in line 29 down through “**COMMITTEE**” in line 30.

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

Affirmative – 17 Negative – 28 (See Roll Call No. 806)

FLOOR AMENDMENT

HB0670/803721/1

BY: Senator Cassilly

AMENDMENTS TO HOUSE BILL 670

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike in their entirety lines 41 and 42.

AMENDMENT NO. 2

On page 45, strike in their entirety lines 5 through 8, inclusive; and in line 9, strike “**(F)**” and substitute “**(E)**”.

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

Affirmative – 21 Negative – 26 (See Roll Call No. 807)

FLOOR AMENDMENT

HB0670/893922/1

BY: Senator Cassilly

AMENDMENTS TO HOUSE BILL 670

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “, require” in line 34 down through “time,” in line 35.

AMENDMENT NO. 2

On page 44, strike in their entirety lines 5 and 6; and in lines 7 and 9, strike “**(3)**” and “**(4)**”, respectively, and substitute “**(2)**” and “**(3)**”, respectively.

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

Affirmative – 16 Negative – 30 (See Roll Call No. 808)

FLOOR AMENDMENT

HB0670/323826/1

BY: Senator West

AMENDMENTS TO HOUSE BILL 670

(Third Reading File Bill)

AMENDMENT NO. 1

On page 5, in line 14, after “exceptions;” insert “providing that a law enforcement agency has the burden of proof by a preponderance of the evidence in certain proceedings; providing that a law enforcement officer may be disciplined only for cause;”.

AMENDMENT NO. 2

On page 36, after line 11, insert:

“(G) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A LAW ENFORCEMENT AGENCY HAS THE BURDEN OF PROOF BY A PREPONDERANCE OF THE EVIDENCE IN ANY PROCEEDING UNDER THIS SUBTITLE.

“(H) A LAW ENFORCEMENT OFFICER MAY BE DISCIPLINED ONLY FOR CAUSE.”;

and in lines 12 and 21, strike “**(G)**” and “**(H)**”, respectively, and substitute “**(I)**” and “**(J)**”, respectively.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB0670/983528/1

BY: Senator Cassilly

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 4 of the bill, in line 38, strike “providing for” and substitute “requiring”; and in line 39, after “committees” insert “to be composed of an odd number of members as determined by the local legislative body”.

AMENDMENT NO. 2

On page 32 of the bill, strike beginning with the colon in line 1 down through “**BOARD;**” in line 3 and substitute “**AN ODD NUMBER OF MEMBERS, AS DETERMINED BY THE LOCAL LEGISLATIVE BODY.**”; and strike beginning with “**(IV)**” in line 17 down through “**(V)**” in line 19.

On page 8 of the Judicial Proceedings Committee Amendments (HB0670/668370/1), strike beginning with “**OR**” in line 14 of Amendment No. 14 down through “**BOARD**” in line 16; and strike beginning with “**(II)**” in line 17 down through “**COUNTY;**” in line 21.

On page 9 of the Judicial Proceedings Committee Amendments, in line 2 of Amendment No. 14, strike “**ONE CIVILIAN SELECTED BY THE CHIEF EXECUTIVE OF THE COUNTY**”.

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

Affirmative – 16 Negative – 29 (See Roll Call No. 809)

FLOOR AMENDMENT

HB0670/333520/1

BY: Senator Hough

AMENDMENTS TO HOUSE BILL 670, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2 of the bill, strike beginning with “individuals” in line 30 down through “and” in line 31.

On pages 4 and 5 of the bill, strike beginning with “requiring” in line 37 on page 4 down through “time;” in line 1 on page 5.

On page 5 of the bill, strike beginning with “requiring” in line 30 down through “period;” in line 33.

On page 8 of the bill, in line 14, strike “3-113” and substitute “3-112”.

AMENDMENT NO. 2

On page 28 of the bill, strike beginning with “ADMINISTRATIVELY” in line 8 down through “(C)” in line 10; in line 13, strike “(D)” and substitute “(C)”; and strike beginning with “NOT” in line 19 down through “MISCONDUCT.” in line 21.

On page 30 of the bill, in line 8, after “POLICING;” insert “AND”; strike beginning with “APPOINT” in line 9 down through “(3)” in line 11; and strike beginning with “ON” in line 13 down through “COMMITTEES” in line 14.

On pages 31 through 34 of the bill, strike in their entirety the lines beginning with line 26 on page 31 through line 15 on page 34, inclusive.

On page 34 of the bill, in line 21, strike “(1)”; in lines 21 and 22, strike “AN ADMINISTRATIVE CHARGING COMMITTEE ISSUES AN ADMINISTRATIVE CHARGE” and substitute “THE COMPLETION OF AN INVESTIGATION OF A COMPLAINT MADE BY A MEMBER OF THE PUBLIC”; in line 22, after “OFFICER,” insert “IF DISCIPLINE IS APPROPRIATE,”; in line 24, strike “WHO HAS BEEN ADMINISTRATIVELY CHARGED”; and strike beginning with “THE” in line 26 down through “(3)” in line 31.

On page 35 of the bill, in line 1, strike “(4)” and substitute “(3)”.

On page 36 of the bill, in lines 23 and 24, strike “, ADMINISTRATIVE CHARGING COMMITTEE,”.

On pages 36 and 37 of the bill, strike in their entirety the lines beginning with line 29 on page 36 through line 3 on page 37, inclusive.

On page 38 of the bill, in lines 20 and 21, strike “ADMINISTRATIVE CHARGING COMMITTEE,”; in line 22, after “INVESTIGATION,” insert “AND”; and strike beginning with “AN” in line 23 down through “4.” in line 26.

On page 39 of the bill, strike beginning with “CHARGING,” in line 7 down through “(3)” in line 8; and in lines 9, 10, and 11, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively.

On page 43 of the bill, in line 9, strike “OR ADMINISTRATIVE CHARGING COMMITTEE”.

On page 7 of the Judicial Proceedings Committee Amendments (HB0670/668370/1), in line 2 of Amendment No. 14, strike “(E)” and substitute “(D)”; in the same line, strike “(F)”; in the same line, strike “(G)” and substitute “(E)”; in the same line, strike “(H)” and substitute “(F)”; in line 4, strike “(I)” and substitute “(G)”; in the same line, strike “(J)” and substitute “(H)”; and in the same line, strike “(K)” and substitute “(I)”.

On page 8 of the Judicial Proceedings Committee Amendments, in line 2 of Amendment No. 14, strike “(I)”; strike beginning with the semicolon in line 2 down through “(II)” in line 3; in lines 5 and 7, strike “1.” and “2.”, respectively, and substitute “(I)” and “(II)”, respectively; strike beginning with “OR” in line 14 down through “BOARD” in line 16; and strike beginning with “(II)” in line 17 down through “COUNTY,” in line 21.

On page 9 of the Judicial Proceedings Committee Amendments, in line 2 of Amendment No. 14, strike “ONE CIVILIAN SELECTED BY THE CHIEF EXECUTIVE OF THE COUNTY”; strike beginning with “(I)” in line 4 down through “POLICE.” in line 12; strike beginning with “RECEIVE” in line 14 down through “(2)” in line 16; in line 18, strike “(3)”; in the same line, strike the second “(4)”; in the same line, strike the second “(5)”; in the same line, strike “(6)”; and in line 19, strike “3-105”.

On pages 9 and 10 of the Judicial Proceedings Committee Amendments, in Amendment No. 14, strike beginning with “(E)” in line 20 on page 9 down through “MATTER.” in line 15 on page 10.

On page 10 of the Judicial Proceedings Committee Amendments, in line 16 of Amendment No. 14, strike “**(H)**”; in line 17, strike “**(D)**”; and strike beginning with the semicolon in line 18 down through “**AND**” in line 21.

On page 11 of the Judicial Proceedings Committee Amendments, in line 1 of Amendment No. 14, strike “**ANY**”; in line 2, strike “**(I)**”; in the same line, strike “**(J)**”; in line 3, strike “**OR**”; in the same line, strike “**FINAL**”; in line 4, strike “**3-105.**”; in line 5, strike “**3-106.**” and substitute “**3-105.**”; in lines 10 and 11, strike “**WHO IS NOT A MEMBER OF AN ADMINISTRATIVE CHARGING COMMITTEE.**”; and in line 13, strike “**3-107.**” and substitute “**3-106.**”.

On page 12 of the Judicial Proceedings Committee Amendments, in line 8 of Amendment No. 14, strike “**3-108.**” and substitute “**3-107.**”; in line 11, strike “**3-109.**” and substitute “**3-108.**”; in the same line, strike “**3-110.**” and substitute “**3-109.**”; in line 15, strike “**3-111.**” and substitute “**3-110.**”; and in the same line, strike “**3-112.**” and substitute “**3-111.**”.

On page 13 of the Judicial Proceedings Committee Amendments, in line 15 of Amendment No. 14, strike “**3-113.**” and substitute “**3-112.**”; and in line 16, strike “**(A)**”.

On pages 13 and 14 of the Judicial Proceedings Committee Amendments, in Amendment No. 14, strike beginning with “**(B)**” in line 19 on page 13 down through “**CITIZEN.**” in line 4 on page 14.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

HB0670/423323/1

BY: Senator Hough

AMENDMENT TO HOUSE BILL 670, AS AMENDED
(Third Reading File Bill)

On page 21, in line 10, after “**OF**” insert “:

1.”;

in the same line, after “**\$890,000**” insert “**FOR COUNTIES AND MUNICIPALITIES WITH POPULATIONS OF MORE THAN 300,000; AND**”

2. \$500,000 FOR COUNTIES AND MUNICIPALITIES WITH POPULATIONS OF 300,000 OR LESS”;

and in lines 17 and 23, in each instance, strike “**LIMITATION**” and substitute “**LIMITATIONS**”.

The preceding amendment was read and rejected.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 810)

ADJOURNMENT

At 12:51 A.M. on motion of Senator King the Senate adjourned until 12:00 P.M. on Legislative Day March 11, 2021, Calendar Day, Thursday, April 1, 2021.

Annapolis, Maryland
Legislative Day: March 11, 2021
Calendar Day: Thursday, April 1, 2021
12:00 P.M. Session

The Senate met at 12:15 P.M.

Prayer by Imam Asmir Sheik, Islamic Society of Annapolis, guest of Senator Beidle.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 812)

The Journal of March 31, 2021 was read and approved.

**LETTERS OF REASSIGNMENT
ANNOUNCEMENT BY THE PRESIDENT**

April 1, 2021

In accordance with Rule 33(d), the following legislation has been reassigned as indicated below:

SB 960	Senator Lee
	Highways – Public–Private Partnerships – Cultural Preservation
	Reassigned to Education, Health, and Environmental Affairs and Budget and Taxation

Read and ordered journalized.

LAI D OVER CALENDAR NO. 24

House Bill 1048 – Delegate Wilkins

AN ACT concerning

Election Law – Permanent Absentee Ballot List

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

HB1048/174735/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1048

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Permanent**” insert “**Voting –**”; in the same line, after “**List**” insert “**, Ballot Drop Boxes, and Reports**”; in line 3, after “of” insert “requiring a local board of elections to designate the locations of ballot drop boxes in accordance with certain factors; requiring each local board to submit certain proposed locations to the State Administrator of Elections for approval; requiring the State Administrator to approve certain proposed ballot drop box locations; requiring the State Administrator to require a local board to reconsider a certain proposed location and to provide to the local board a certain explanation under certain circumstances; authorizing the State Administrator to add ballot drop box locations in a county under certain circumstances; requiring a local board to ensure the security of ballot drop boxes; requiring that a local board have certain access to certain security cameras; requiring a local board to remove the ballots from each ballot drop box at least once each day that the ballot drop box is open in accordance with certain procedures, except as otherwise provided by law; requiring the State Board to establish chain of custody procedures governing removal of election–related materials from ballot drop boxes and the return of the materials to the local board; requiring that a certain absentee ballot application include a certain statement; requiring that certain envelopes include a certain statement in a certain manner;”; and in line 4, strike “of Elections”.

On page 2, in line 5, after “address;” insert “prohibiting a person from canvassing, electioneering, or posting campaign material in a certain manner or placing certain material on a ballot drop box; requiring each local board to send a certain absentee ballot application to each eligible voter within a certain period of time in certain years except under certain circumstances; requiring the State Board to contract with a usability consultant on or before a certain date to review all the public informational materials and forms related to mail–in voting produced by the State Board; requiring the consultant to”

make certain recommendations to the State Board on or before a certain date; requiring the consultant to make specific recommendations concerning certain matters; requiring the State Board to submit certain reports to certain committees of the General Assembly on or before certain dates; defining a certain term;”; after line 6, insert:

“BY repealing and reenacting, without amendments,

Article – Election Law

Section 1–101(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Election Law

Section 1–101(d–1), 2–304, 2–305, 9–305(c), and 9–311.1

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”;

in line 9, after “9–303” insert “, 9–305(c), 9–310(a), and 16–206”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“1–101.

(a) In this article the following words have the meanings indicated unless a different meaning is clearly intended from the context.

(D–1) “BALLOT DROP BOX” MEANS A SECURE, DURABLE, AND WEATHERPROOF CONTAINER THAT IS OFFICIALLY DESIGNATED BY A LOCAL BOARD OR THE STATE BOARD EXCLUSIVELY FOR VOTERS TO DEPOSIT ELECTION–RELATED MATERIALS IN PERSON, INCLUDING:

(1) ABSENTEE BALLOTS;

(2) ABSENTEE BALLOT APPLICATIONS; AND

(3) VOTER REGISTRATION APPLICATIONS.

2-304.

(A) A LOCAL BOARD SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING THE LOCATION OF A BALLOT DROP BOX:

(1) THE ACCESSIBILITY OF THE BALLOT DROP BOX TO HISTORICALLY DISENFRANCHISED COMMUNITIES, INCLUDING VOTERS WITH DISABILITIES, CULTURAL GROUPS, ETHNIC GROUPS, AND MINORITY GROUPS;

(2) PROXIMITY OF THE BALLOT DROP BOX TO DENSE CONCENTRATIONS OF VOTERS;

(3) ACCESSIBILITY OF THE BALLOT DROP BOX BY PUBLIC TRANSPORTATION;

(4) EQUITABLE DISTRIBUTION OF BALLOT DROP BOXES THROUGHOUT THE COUNTY; AND

(5) MAXIMIZING VOTER PARTICIPATION, INCLUDING THROUGH PLACEMENT OF BALLOT DROP BOXES AT COMMUNITY CENTERS AND PUBLIC GATHERING PLACES.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A LOCAL BOARD SHALL DESIGNATE LOCATIONS IN THE COUNTY AT WHICH A BALLOT DROP BOX WILL BE PLACED IN ACCORDANCE WITH THE FACTORS SET FORTH IN SUBSECTION (A) OF THIS SECTION.

(C) (1) EACH LOCAL BOARD SHALL SUBMIT THE PROPOSED LOCATIONS IN THE COUNTY FOR EACH BALLOT DROP BOX TO THE STATE ADMINISTRATOR FOR APPROVAL.

(2) THE STATE ADMINISTRATOR SHALL APPROVE A BALLOT DROP BOX LOCATION THAT MEETS THE FACTORS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION.

(3) IF A PROPOSED BALLOT DROP BOX LOCATION DOES NOT MEET THE FACTORS, THE STATE ADMINISTRATOR SHALL:

(I) REQUIRE THAT THE LOCAL BOARD RECONSIDER THE PROPOSED LOCATION FOR ONE OR MORE BALLOT DROP BOXES; AND

(II) PROVIDE TO THE LOCAL BOARD A DETAILED EXPLANATION OF WHY THE PROPOSED LOCATION DOES NOT MEET THE FACTORS.

(4) IF THE STATE ADMINISTRATOR FINDS THAT THE PROPOSED BALLOT DROP BOX LOCATIONS SUBMITTED TO THE STATE ADMINISTRATOR AFTER RECONSIDERATION BY THE LOCAL BOARD UNDER PARAGRAPH (3) OF THIS SUBSECTION DO NOT MEET THE FACTORS, THE STATE ADMINISTRATOR MAY ADD BALLOT DROP BOX LOCATIONS IN THE COUNTY.

2-305.

(A) (1) A LOCAL BOARD SHALL ENSURE THE SECURITY OF BALLOT DROP BOXES, INCLUDING THROUGH THE USE OF THE FOLLOWING:

(I) MONITORING BY SECURITY CAMERAS AT ALL TIMES; AND

(II) PERIODIC IN-PERSON VISITS BY APPROPRIATE PERSONNEL.

(2) A LOCAL BOARD SHALL HAVE IMMEDIATE ACCESS OR ACCESS WITHIN A REASONABLE AMOUNT OF TIME TO A SECURITY CAMERA USED FOR MONITORING A BALLOT DROP BOX UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.

(B) (1) EXCEPT AS OTHERWISE PROVIDED IN LAW, A LOCAL BOARD SHALL REMOVE THE ELECTION-RELATED MATERIALS FROM EACH BALLOT DROP BOX AT LEAST ONCE EACH DAY THAT THE BALLOT DROP BOX IS OPEN IN ACCORDANCE WITH THE CHAIN OF CUSTODY PROCEDURES ESTABLISHED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(2) THE STATE BOARD SHALL ESTABLISH CHAIN OF CUSTODY PROCEDURES GOVERNING REMOVAL OF ELECTION-RELATED MATERIALS FROM BALLOT DROP BOXES AND THE RETURN OF THE MATERIALS TO THE LOCAL BOARD.”.

On page 3, after line 10, insert:

“9–305.

(C) THE STATE-APPROVED ABSENTEE BALLOT APPLICATION SHALL INCLUDE A STATEMENT EXPLAINING THE PROCESS FOR RETURNING A COMPLETED ABSENTEE BALLOT IF THE VOTER CHOOSES TO RECEIVE AN ABSENTEE BALLOT BY FACSIMILE TRANSMISSION OR THE INTERNET.

[(c)] (D) An application for an absentee ballot must be received by a local board:

(1) if the voter requests the absentee ballot be sent by mail or facsimile transmission, not later than the Tuesday preceding the election, at the time specified in the guidelines;

(2) if the voter requests the absentee ballot be sent by the Internet, not later than the Friday preceding the election, at the time specified in the guidelines; or

(3) if the voter or the voter’s duly authorized agent applies for an absentee ballot in person at the local board office, not later than the closing of the polls on election day.

9–310.

(a) (1) This subsection applies only to an absentee ballot that is sent by mail.

(2) (I) An absentee ballot shall be enclosed in specially printed envelopes, the form and content of which shall be prescribed by the State Board.

(II) THE OUTGOING ENVELOPE SHALL INCLUDE A STATEMENT, PROMINENTLY PLACED, REQUESTING THAT THE RECIPIENT RETURN THE ABSENTEE BALLOT TO THE LOCAL BOARD IF THE INTENDED RECIPIENT NO LONGER LIVES AT THAT ADDRESS.

(3) (i) A local board may use either two envelopes or three envelopes.

(ii) If two envelopes are used, the inner envelope shall be designated the “ballot/return envelope”, and, when issued, it shall fit inside the envelope designated the “outgoing envelope”.

(iii) If three envelopes are used, the innermost envelope shall be designated the “ballot envelope”, which shall fit inside the envelope designated the “return envelope”, both of which, when issued, shall fit inside the envelope designated the “outgoing envelope”.

(iv) The ballot/return envelope described under subparagraph (ii) of this paragraph and the return envelope described under subparagraph (iii) of this paragraph provided to a voter voting by absentee ballot shall include prepaid postage.

(4) (i) An absentee ballot shall be accompanied by instructions for postage of the ballot/return envelope or the return envelope.

(ii) The instructions for postage shall include:

1. a statement that the ballot/return envelope or return envelope includes prepaid postage and may be mailed as is; and

2. directions for how a voter may attach postage for the purpose of reducing the costs of the local board.

(5) When voted and returned to the local board, an absentee ballot shall be enclosed in a ballot envelope or ballot/return envelope, on which has been printed an oath prescribed by the State Board.”.

AMENDMENT NO. 3

On page 3, after line 23, insert:

“(C) (1) **A VOTER MAY APPLY FOR PERMANENT ABSENTEE BALLOT STATUS AT ANY TIME.**”;

and in line 24, strike “(C)” and substitute “**(2)**”.

On page 5, after line 10, insert:

“(4) IF THE COMMUNICATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS SENT BY MAIL, THE ENVELOPE SHALL INCLUDE A STATEMENT, PROMINENTLY PLACED, REQUESTING THAT THE RECIPIENT RETURN THE COMMUNICATION TO THE STATE BOARD IF THE INTENDED RECIPIENT NO LONGER LIVES AT THAT ADDRESS.”.

On page 6, after line 8, insert:

“16–206.

(a) A person may not:

(1) place any distinguishing mark on the person’s own or another person’s ballot for the purpose of identifying the ballot;

(2) misrepresent the person’s ability to mark a ballot or operate voting equipment;

(3) interfere or attempt to interfere with a voter while the voter is inside the polling room, marking a ballot, or operating voting equipment;

(4) induce or attempt to induce a voter to mark the voter’s ballot in a certain way;

(5) except for servicing by an authorized person, unlock any locked compartment of a voting device unless instructed to do so by the election director;

(6) destroy or deface a ballot;

(7) remove a ballot from a building in which voting occurs, except as otherwise provided in this article;

(8) delay the delivery of a ballot;

(9) possess on or before the day of election an official ballot printed for the election, unless the possession of the ballot is necessary and appropriate for carrying out the election process; [or]

(10) canvass, electioneer, or post any campaign material in the polling place or beyond a line established by signs posted in accordance with subsection (b) of this section;

(11) CANVASS, ELECTIONEER, OR POST ANY CAMPAIGN MATERIAL IN A MANNER THAT OBSTRUCTS ACCESS TO A BALLOT DROP BOX; OR

(12) PLACE ANY CAMPAIGN MATERIAL OR ANY OTHER UNAUTHORIZED MATERIAL ON A BALLOT DROP BOX.

(b) (1) At each polling place, one election judge from each principal political party shall be designated by the local board and, acting jointly, shall post signs delineating a line around the entrance and exit of the building that are closest to that part of the building in which voting occurs.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, the line shall be located as near as practicable to 100 feet from the entrance and exit and shall be established after consideration of the configuration of the entrance and the effect of placement on public safety and the flow of pedestrian and vehicular traffic.

(ii) In Montgomery County, on approval of the local board, the line may be located at any point between 25 feet and 100 feet from the entrance and exit.

(3) The signs shall contain the words “No Electioneering Beyond this Point”.

(c) A person who violates this section is guilty of a misdemeanor and is subject to a fine of not less than \$50 nor more than \$500 or imprisonment for not more than 60 days or both.”.

AMENDMENT NO. 4

On page 6, before line 9, insert:

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

(a) Except as provided in subsection (b) of this section, at least 60 days before the statewide primary election in 2022 and 2024, each local board of elections shall send the State Board–approved absentee ballot application to each eligible voter.

(b) A local board is not required to send the State Board–approved absentee ballot application to a voter who has permanent absentee ballot status.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before August 1, 2021, the State Board of Elections shall contract with a usability consultant to review all the public informational materials and forms related to mail–in voting produced by the State Board.

(b) (1) On or before December 1, 2021, the consultant shall make recommendations to the State Board regarding ways the State Board’s public informational materials and forms related to mail–in voting could be made more usable, especially by socioeconomically diverse communities.

(2) The consultant shall make specific usability recommendations concerning:

(i) the information related to mail–in voting that appears on the State Board’s website;

(ii) all materials mailed to voters who choose to vote by mail, including envelopes, forms, and instructions; and

(iii) the system allowing a voter to access information concerning the voter’s mail–in ballot.

(c) On or before February 1, 2022, the State Board shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2–1257 of the State Government Article, that includes:

(1) the recommendations submitted by the consultant under subsection (b) of this section; and

(2) the actions the State Board has taken or plans to take to implement the recommendations.

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before January 15, 2023, the State Board of Elections shall submit to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in

accordance with § 2–1257 of the State Government Article, a report on the number of voters who voted in each precinct polling place in the State in the primary election and the general election in the years 2018, 2020, and 2022.”;

in line 9, strike “2.” and substitute “5.”; and in line 10, strike “October” and substitute “June”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 40

House Bill 135 – Delegate K. Young

EMERGENCY BILL

AN ACT concerning

**Pharmacists – Administration of Self-Administered Medications and
Maintenance Injectable Medications
(Christopher King Access to Treatment Act)**

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

FLOOR AMENDMENT

HB0135/253022/1

BY: Senator Lam

AMENDMENTS TO HOUSE BILL 135

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after “Act;” insert “requiring the Maryland Department of Health, in consultation with certain entities, to report to the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 6, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 1, 2022, the Maryland Department of Health, in consultation with MedChi, The Maryland State Medical Society, the Maryland Nurses Association, and the Maryland Pharmacists Association, shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on pharmacist–administered maintenance injectable medications that treat sexually transmitted infections, including:

(1) a summary of the scope of pharmacy practices in other states as they relate to maintenance injectable medications that treat sexually transmitted infections;

(2) the status of the federal Centers for Disease Control and Prevention recommendation that clinics engage with local pharmacies to ensure continuity of care for sexually transmitted infection treatment during the COVID–19 public health emergency, as highlighted in the Centers for Disease Control and Prevention’s “Dear Colleagues” letter, dated April 6, 2020;

(3) a summary of best practices for the treatment of sexually transmitted infections and the corresponding roles for pharmacists; and

(4) whether the General Assembly should repeal any provisions of this Act regarding the administration of maintenance injectable medications that treat sexually transmitted infections.”;

and in line 13, strike “3.” and substitute “4.”.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 813)

The Bill was then returned to the House of Delegates.

SPECIAL ORDER CALENDAR NO. 42

Senate Bill 894 – Senator Rosapepe

EMERGENCY BILL

AN ACT concerning

Post-Crisis Jobs Act of 2021

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0894/157373/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 894

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 5 down through “training;” in line 6 and substitute “requiring the Maryland Department of Labor to provide certain information regarding certain unemployment insurance recipients to a chief elected official of a county on request and for certain purposes; authorizing a chief elected official of a county to share certain information with the governing body of the county and to request certain information on behalf of a certain political subdivision and provide the information to the political subdivision; authorizing the Department to adopt certain regulations;”; in line 9, strike “Maryland”; in the same line, strike “of Labor”; strike beginning with “providing” in line 12 down through “funds;” in line 14 and substitute “requiring that certain funding consist only of certain federal funding;”; and in line 16, after “intervals;” insert “providing that any funding appropriated for the implementation of this Act may consist only of certain federal funding;”.

On page 2, in line 3, strike “and 16–305(g)”; and in line 13, after “Section” insert “8–109; and”.

AMENDMENT NO. 2

On pages 3 through 4, strike in their entirety the lines beginning with line 29 on page 3 through line 8 on page 4, inclusive.

On page 4, after line 12, insert:

“(B) THIS SECTION DOES NOT APPLY TO AN APPLICANT FOR:

(1) A LICENSE, A CERTIFICATION, OR ANY OTHER AUTHORIZATION ISSUED UNDER THIS ARTICLE ISSUED BY:

(I) THE STATE BOARD OF DENTAL EXAMINERS; OR

(II) THE STATE BOARD OF PHARMACY; OR

(2) A LICENSE OR REGISTRATION TO PRACTICE MASSAGE THERAPY.”;

in lines 13 and 19, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; and after line 25, insert:

“8-109.

(A) ON REQUEST AND FOR PURPOSES CONSISTENT WITH CHAPTERS AND (S.B. 893 AND S.B. 894) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021, THE DEPARTMENT SHALL PROVIDE TO THE CHIEF ELECTED OFFICIAL OF A COUNTY DEMOGRAPHIC DATA AND THE ADDRESSES, OCCUPATIONS, AND LAST KNOWN EMPLOYERS OF UNEMPLOYMENT INSURANCE RECIPIENTS WHO LIVE IN THE COUNTY OF THE CHIEF ELECTED OFFICIAL.

(B) A CHIEF ELECTED OFFICIAL OF A COUNTY MAY:

(1) SHARE THE INFORMATION PROVIDED TO THE CHIEF ELECTED OFFICIAL UNDER SUBSECTION (A) OF THIS SECTION WITH THE GOVERNING BODY OF THE COUNTY; AND

(2) REQUEST INFORMATION UNDER SUBSECTION (A) OF THIS SECTION ON BEHALF OF A POLITICAL SUBDIVISION WITHIN THE COUNTY AND PROVIDE THE INFORMATION TO THE POLITICAL SUBDIVISION.

(C) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE NAMES OF UNEMPLOYMENT INSURANCE RECIPIENTS MAY BE INCLUDED IN THE INFORMATION PROVIDED UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) ARE NECESSARY TO PROTECT THE PERSONALLY IDENTIFIABLE INFORMATION OF UNEMPLOYMENT INSURANCE RECIPIENTS.”.

On page 5, in line 28, strike “FUNDS” and substitute “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”; in line 29, strike “1.”; and in the same line, strike “FOR” and substitute “SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, FOR”.

On page 6, in line 1, strike “\$40,000,000” and substitute “\$20,000,000”; and strike beginning with “2.” in line 2 down through “PARAGRAPH” in line 4 and substitute:

“(III) ANY FUNDING PROVIDED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH 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”.

On page 7, in line 14, strike “FUNDS” and substitute “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”; in the same line, after “PROGRAM” insert “, INCLUDING FOR REASONABLE ADMINISTRATIVE COSTS OF ADMINISTERING THE GRANTS”; in line 15, strike “FOR” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR”; and after line 17, insert:

“(3) ANY FUNDING PROVIDED UNDER PARAGRAPH (2) 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.”.

On page 9, in line 13, after the first “TO” insert “:

(I) COVER ADMINISTRATIVE COSTS;

(II)”;

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

“(III)”;

in lines 15, 16, 17, 18, and 19, strike “(I)”, “(II)”, “(III)”, “(IV)”, and “(V)”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, and “5.”, respectively; in line 25, strike “FUNDS” and substitute “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”; in line 26, after “(II)” insert “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,”; and in line 27, strike “\$50,000,000” and substitute “\$60,000,000”.

On page 10, strike beginning with “FUNDING” in line 1 down through “AREA” in line 5 and substitute “ANY FUNDING PROVIDED UNDER PARAGRAPH (1)(II) 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”; strike beginning with “, INCLUDING” in line 14 down through “EMPLOYERS” in line 17; and after line 17, insert:

“SECTION 2. 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.”;

and in line 18, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SENATE THIRD READING CALENDAR NO. 14 (GENERAL HOUSE BILLS)

House Bill 6 – Delegate Feldmark

AN ACT concerning

**Economic Development – Maryland Technology Development Corporation –
Alterations**

FLOOR AMENDMENT

HB0006/443823/1

BY: Senator Hayes

AMENDMENTS TO HOUSE BILL 6, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “Act;” insert “providing for the application of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 6, in line 17, after “That” insert “the two term limit on a member of the Board of Directors appointed under § 10–403(b)(2)(iv) of the Economic Development Article, as enacted by Section 1 of this Act, may be applied only prospectively to any term being served on or after the effective date of this Act.”

SECTION 5. AND BE IT FURTHER ENACTED, That”.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 814)

The Bill was then returned to the House of Delegates.

House Bill 13 – Delegate Luedtke

AN ACT concerning

**Influence on Collective Bargaining – Prohibition on Use of Public Funds ~~and~~
~~Income Tax Addition Modification~~**

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

Affirmative – 32 Negative – 15 (See Roll Call No. 815)

The Bill was then returned to the House of Delegates.

House Bill 416 – Delegate Belcastro

AN ACT concerning

Health Care Facilities – Assisted Living Programs – ~~Memory Care and Alzheimer’s Disease Unit~~ Requirements for Alzheimer’s Special Care Units and Regulations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 816)

The Bill was then returned to the House of Delegates.

House Bill 654 – Delegate Qi

AN ACT concerning

Maryland Small Business Innovation Research and Technology Transfer Incentive Program – Alterations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 817)

The Bill was then returned to the House of Delegates.

House Bill 849 – Delegate Rosenberg

AN ACT concerning

Public Health – Medical Records – Fees

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

Affirmative – 47 Negative – 0 (See Roll Call No. 818)

The Bill was then returned to the House of Delegates.

House Bill 989 – Delegate Krebs

AN ACT concerning

Public Safety – 9-1-1 Emergency Telephone System – Alterations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 819)

The Bill was then returned to the House of Delegates.

House Bill 1034 – Delegate Cullison

AN ACT concerning

Prescription Drug Affordability Board – Plan of Action – Repeal of Date for Submission

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

Affirmative – 47 Negative – 0 (See Roll Call No. 820)

The Bill was then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 15 (GENERAL HOUSE BILLS)
CONSENT NO. 7**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 10	Del. K. Young	Income Tax – Subtraction Modification – Living Organ Donors	B&T
HB 158	Del. Carr	Property Tax – Homeowners’ Property Tax Credit – Calculation and Refunds	B&T
HB 436	Del. Smith	Enoch Pratt Free Library – Operating Hours and Funding	B&T
HB 456	Del. Jacobs	Correctional Officers’ Retirement System – Kent County	B&T
HB 482	Del. Kaiser	Horse Racing – Maryland–Bred Race Fund – Advisory Committee Membership and Registration of Horses	B&T

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 514	Del. B. Barnes	Maryland Legal Services Corporation Funding – Abandoned Property	B&T
HB 539	Del. Buckel	Historic Revitalization Tax Credit – Certified Historic Structure and Single-Family, Owner-Occupied Residence – Definitions	B&T
HB 712	Del. D. Jones	Bureau of Revenue Estimates – Tax Incidence Study – Scope and Intergovernmental Assistance	B&T
HB 752	Del. Ebersole	Income Tax Credit – Food Donation Pilot Program – Extension	B&T
HB 844	Del. Lierman	State Retirement and Pension System – Fiduciary Insurance	B&T
HB 884	Del. Buckel	Task Force on the Economic Future of Western Maryland – Extension of Report Deadline and Task Force	B&T
HB 922	Del. Lierman	State Retirement and Pension System – COVID-19-Related Death Benefits – Clarification	B&T
HB 1053	Del. B. Barnes	Operating Budget – Education Programs – Mandated Funding	B&T
HB 1054	Del. B. Barnes	Education – Maryland School for the Blind – Pay Plan	B&T
HB 1179	Wicomico County Delegation	Wicomico County – Property Tax Credit – Hotel or Residential Development	B&T

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 1238	Del. Forbes	Maryland 529 Program – Board Authority and State Contribution – Alterations	B&T

By Order,
Nicole M. Xander, Secretary

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 821)

The Bills were then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 16 (GENERAL HOUSE BILLS)
CONSENT NO. 8**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 141	Del. Sample–Hughes	Maryland Department of Health – Residential Service Agencies – Training Requirements	FIN
HB 556 (Emerg)	Del. D.E. Davis	Public Service Commission – Virtual Public Hearings	FIN
HB 558	Del. D.E. Davis	For–Hire Driving and Vehicles – Requirements	FIN
HB 578	Del. D.E. Davis	Public Utilities – Annual Reports	FIN
HB 674	Del. Valentino–Smith	Nursing Homes – Transfer of Ownership – Surveys	FIN

By Order,
Nicole M. Xander, Secretary

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 822)

The Bills were then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 17 (GENERAL HOUSE BILLS)

House Bill 7 – Delegate Luedtke

AN ACT concerning

~~Income Tax Credit – Venison Donation Expenses – Montgomery County Deer~~
Donation Income Tax Credit and Grant Program

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

Affirmative – 47 Negative – 0 (See Roll Call No. 823)

The Bill was then returned to the House of Delegates.

House Bill 113 – Delegates Lierman and Korman

AN ACT concerning

**Board of Revenue Estimates and Bureau of Revenue Estimates – Organization
and Operations**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 824)

The Bill was then returned to the House of Delegates.

House Bill 133 – Delegate Korman

AN ACT concerning

**State Finance and Procurement – Appropriation Reductions
(Board of Public Works Budget Reduction Clarification Act)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 825)

The Bill was then returned to the House of Delegates.

House Bill 252 – Delegates Long and Arikan

AN ACT concerning

Tax Sales – Owner-Occupied Residential Property

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

Affirmative – 47 Negative – 0 (See Roll Call No. 826)

The Bill was then returned to the House of Delegates.

House Bill 337 – Delegate P. Young

AN ACT concerning

Sales and Use Tax – Vendor Collection Credit – Job Training

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

Affirmative – 47 Negative – 0 (See Roll Call No. 827)

The Bill was then returned to the House of Delegates.

House Bill 865 – Delegate Smith

AN ACT concerning

Historic Revitalization Tax Credit – Small Commercial Projects – Alterations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 828)

The Bill was then returned to the House of Delegates.

House Bill 887 – Delegate Chang

AN ACT concerning

State Debt – Annuity Bond Fund – Use of Bond Premiums

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

Affirmative – 47 Negative – 0 (See Roll Call No. 829)

The Bill was then returned to the House of Delegates.

House Bill 1040 – Delegate Kelly

~~EMERGENCY BILL~~

AN ACT concerning

Health Occupations – Pharmacists – Administration of Vaccinations Children’s Vaccines – Study and Temporary Authority

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

Affirmative – 47 Negative – 0 (See Roll Call No. 830)

The Bill was then returned to the House of Delegates.

House Bill 1086 – Delegate Kaiser

AN ACT concerning

Maryland Tax Credit Evaluation Act – Alterations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 831)

The Bill was then returned to the House of Delegates.

House Bill 1137 – Delegate Kerr

AN ACT concerning

Property Tax Credit – Business Entities – State of Emergency

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

Affirmative – 47 Negative – 0 (See Roll Call No. 832)

The Bill was then returned to the House of Delegates.

House Bill 1301 – Delegate Smith

AN ACT concerning

Baltimore City – Visit Baltimore – Appropriation Calculation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 833)

The Bill was then returned to the House of Delegates.

House Bill 1336 – Delegate Proctor

AN ACT concerning

~~**Alcohol and Tobacco Commission – Executive Director – Clarification**~~
State Retirement and Pension System – Executive Directors – Membership and Vesting

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

Affirmative – 47 Negative – 0 (See Roll Call No. 834)

The Bill was then returned to the House of Delegates.

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

AN ACT concerning

University System of Maryland – Academic Facilities Bonding Authority

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

Affirmative – 47 Negative – 0 (See Roll Call No. 835)

The Bill was then returned to the House of Delegates.

House Bill 1365 – Delegate Korman

AN ACT concerning

Nonpublic Special Education Schools – State Contribution – Increase

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

Affirmative – 47 Negative – 0 (See Roll Call No. 836)

The Bill was then returned to the House of Delegates.

FINANCE COMMITTEE REPORT NO. 38

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

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

AN ACT concerning

Preserve Telehealth Access Act of 2021

HB0123/597079/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 123

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 8 down through “circumstances;” in line 9 and substitute “prohibiting the Program from excluding from coverage a certain health care service provided to a Program recipient in person for a certain reason;”.

On page 2, in line 8, before “establishing” insert “requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide certain coverage for certain services delivered through telehealth regardless of the location of the patient at the time the services are provided;”; strike beginning with “requiring” in line 15 down through “services” in line 16 and substitute “excluding from coverage or denying coverage for certain services provided in a certain manner for a certain reason”; and in line 18, before “prohibiting” insert “requiring the Department to revise certain regulations for a certain purpose on or before a certain date; requiring the Maryland Insurance Administration to study a certain matter and provide certain findings and recommendations from the study to the Maryland Health Care Commission for inclusion in a certain report; requiring the Maryland Insurance Administration to consider the requirements of this Act when proposing certain revisions to certain regulations;”.

AMENDMENT NO. 2

On page 4, in line 15, after “provide” insert “**, SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET,**”.

AMENDMENT NO. 3

On page 8, in lines 32 and 33, strike “REQUIRE A PROGRAM RECIPIENT TO USE TELEHEALTH IN LIEU OF IN-PERSON SERVICE DELIVERY FOR BEHAVIORAL HEALTH SERVICES” and substitute “EXCLUDE FROM COVERAGE A BEHAVIORAL HEALTH CARE SERVICE PROVIDED TO A PROGRAM RECIPIENT IN PERSON SOLELY BECAUSE THE SERVICE MAY ALSO BE PROVIDED THROUGH TELEHEALTH”.

AMENDMENT NO. 4

On page 11, in line 26, after “telehealth” insert “REGARDLESS OF THE LOCATION OF THE PATIENT AT THE TIME THE TELEHEALTH SERVICES ARE PROVIDED”.

AMENDMENT NO. 5

On pages 11 and 12, strike beginning with “WHEN” in line 30 on page 11 down through “SERVICES” in line 1 on page 12 and substitute “MAY NOT EXCLUDE FROM COVERAGE OR DENY COVERAGE FOR A BEHAVIORAL HEALTH CARE SERVICE THAT IS A COVERED BENEFIT UNDER A HEALTH INSURANCE POLICY OR CONTRACT WHEN PROVIDED IN PERSON SOLELY BECAUSE THE BEHAVIORAL HEALTH CARE SERVICE MAY ALSO BE PROVIDED THROUGH A COVERED TELEHEALTH BENEFIT”.

AMENDMENT NO. 6

On page 12, in line 7, strike “(1)” and substitute “(I)”.

On page 13, in lines 14 and 15, strike “THIRD PARTY” and substitute “THIRD-PARTY”.

On page 14, in lines 14 and 35, in each instance, strike the period.

On page 15, in line 31, after “health” insert a comma; and in line 33, after “providers” insert a comma.

On page 16, in line 1, after “Article” insert a comma; in the same line, after “by” insert “Section 1 of”; in the same line, after “Act,” insert “and”; in line 13, after “care” insert a comma; and in line 20, after “Article” insert “, as specified in Section 3 of this Act”.

On page 17, in line 14, strike “Sections 1 and 2” and substitute “Section 1”.

AMENDMENT NO. 7

On page 15, before line 1, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2021, the Maryland Department of Health shall revise its regulations regarding telehealth reimbursed by the Maryland Medical Assistance Program to ensure that requirements for reimbursement of mental health and substance use disorder services delivered through telehealth comply with the federal Mental Health Parity and Addiction Equity Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Insurance Administration shall:

(1) (i) study how telehealth can support efforts to ensure health care provider network sufficiency;

(ii) study the impact of changes in access to and coverage of telehealth services under health benefit plans offered by health insurance carriers on the ability of consumers to choose in-person care versus telehealth care as the modality of receiving a covered service; and

(iii) provide any findings and recommendations from its study to the Maryland Health Care Commission for inclusion in the report required under Section 4 of this Act; and

(2) consider the requirements of this Act when proposing any revisions to regulations relating to network adequacy.”;

and in line 1, strike “2.” and substitute “4.”.

On page 17, in line 6, strike “3.” and substitute “5.”; in lines 9, 27, and 28, in each instance, strike “2” and substitute “4”; in line 32, strike “4.” and substitute “6.”; and in line 35, strike “5.” and substitute “7.”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 881 – Delegate Valentino–Smith

AN ACT concerning

Mental Health Facilities – Sexual Abuse and Harassment – Reporting and Prevention

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 904 – Delegate Bridges

AN ACT concerning

State Personnel – Collective Bargaining – Exclusive Representative Access to New Employees

HB0904/117570/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 904

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 12 and 13, strike “and a new employee”; in line 13, after “meet” insert “with a new employee”; in line 19, after “include” insert “and exclude”; and in the same line, after “information;” insert “requiring that a certain notice be considered confidential by an exclusive representative; prohibiting an exclusive representative from disclosing certain information, subject to a certain exception; authorizing an exclusive representative to authorize a third-party contractor to use certain information in a certain manner and for a certain purpose;”.

AMENDMENT NO. 2

On page 2, in line 31, strike “AND A NEW EMPLOYEE”; and in line 32, after “MEET” insert “WITH A NEW EMPLOYEE”.

On page 3, in line 16, before “in” insert an opening bracket; in the same line, strike the third opening bracket; in line 17, after the closing bracket insert “OF”; in the same line, after “EMPLOYEE” insert “IN A BARGAINING UNIT REPRESENTED BY THE EXCLUSIVE REPRESENTATIVE”; in line 25, strike “24 HOURS” and substitute “5 DAYS”; in the same

line, strike “AND”; in line 26, after “(II)” insert “EXCEPT AS PROVIDED IN ITEM (III) OF THIS PARAGRAPH,”; in the same line, strike “AND” and substitute a comma; in the same line, after “UNIT” insert “, AND ALL EMPLOYEE IDENTIFICATION NUMBERS, INCLUDING WORKDAY NUMBERS;”; in line 27, strike the period; and after line 27, insert:

“(III) EXCLUDE THE NEW EMPLOYEE’S SOCIAL SECURITY NUMBER; AND

(IV) BE CONSIDERED CONFIDENTIAL BY AN EXCLUSIVE REPRESENTATIVE.

(4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN EXCLUSIVE REPRESENTATIVE MAY NOT DISCLOSE THE INFORMATION IN A NOTICE.

(II) THE EXECUTIVE REPRESENTATIVE MAY AUTHORIZE A THIRD-PARTY CONTRACTOR TO USE THE INFORMATION IN A NOTICE, AS DIRECTED BY THE EXCLUSIVE REPRESENTATIVE, TO FULFILL THE EXCLUSIVE REPRESENTATIVE’S STATUTORY DUTIES.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 1210 – The Speaker

AN ACT concerning

Corporate Diversity – Board, Executive Leadership, and Mission

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 only.

Senator Jennings moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 39**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 83 – Delegate Queen

AN ACT concerning

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

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 630 – Delegate Solomon

AN ACT concerning

Primary and Secondary Education – School District Energy Use – Policy and Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 738 – Chair, Ways and Means Committee (By Request – Departmental
– State Board of Elections)**

AN ACT concerning

Election Law – Certificates of Candidacy and Ballot Questions – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 891 – Delegate D.M. Davis

AN ACT concerning

Higher Education – Hunger-Free Campus Grant Program – Established

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 905 – Delegate Bridges

AN ACT concerning

Education – Workforce Development Sequence Scholarships – Eligibility

HB0905/224738/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 905

(Third Reading File Bill)

On page 2, strike beginning with “**(I)**” in line 7 down through “**(II)**” in line 9.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1060 – Delegate Patterson

AN ACT concerning

Charles County – Board of Education – Membership Alterations

HB1060/514034/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1060

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 25, strike “Seven” and substitute “NINE”; in line 27, strike “SEVEN” and substitute “NINE”; and in line 28, strike “ONE MEMBER” and substitute “TWO MEMBERS”.

On page 3, in line 3, strike “THREE MEMBERS” and substitute “ONE MEMBER”.

On page 4, in line 5, after “All” insert “ELECTED”; and in the same line, strike “, EXCEPT THE STUDENT MEMBER,”.

AMENDMENT NO. 2

On page 7, in line 15, strike “members” and substitute “member”.

The preceding 2 amendments were read only.

Senator Hershey moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1136 – Delegate Chisholm

AN ACT concerning

Anne Arundel County – Alcoholic Beverages Licenses – Annual Fees

HB1136/204832/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1136

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 8, after “circumstances” insert “and reimburse a certain amount of the annual license fees the next fiscal year under certain circumstances; making this Act an emergency measure”.

AMENDMENT NO. 2

On page 1, in line 20, after “fee” insert “for any Class B, Class C, Class D, and Class H license”; and in line 21, after “holder” insert “:

(i)”.

On pages 1 through 2, strike beginning with “for” in line 21 on page 1 down through “license” in line 1 on page 2.

On page 2, in line 2, after “Comptroller” insert “; and

(ii) for the following fiscal year:

1. the remaining balance of the annual license fee that was not reimbursed during the previous fiscal year; or

2. a percentage of the annual license fee, in proportion to the total amount of the balance of fees remitted to the county”;

and in lines 3 and 4, strike “shall take effect July 1, 2021” and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to

each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1317 – Delegate Smith

AN ACT concerning

Barbers – Employment of Apprentice Barbers – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 40**

House Bill 127 – Delegate Boyce

AN ACT concerning

Maryland Paint Stewardship

Senator Ready moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 295 – Delegates Love and Henson

AN ACT concerning

**Water Pollution – Stormwater Management Regulations and Watershed
Implementation Plans – Review and Update**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

The motion was adopted.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 777 – Delegate Brooks

AN ACT concerning

Power Plant Research Program – Review of Application for Certificate of Public Convenience and Necessity – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 790 – Delegate P. Young

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 800 – Delegate Clark

AN ACT concerning

~~**Aquaculture Leases – Marking and Recording Requirements – Natural Resources – Waters of the State – Mobile Locator Application**~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 860 – Delegate Gilchrist

AN ACT concerning

State Planning – Preservation of Agricultural Land – Goal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 878 – Delegate Chang

AN ACT concerning

**Bay Restoration Fund – Authorized Uses and County Authority to Incur
Indebtedness**

HB0878/534235/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 878

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Authorized Uses and**”; strike beginning with “authorizing” in line 4 down through “system;” in line 7; in line 9, after “from” insert “a certain account of”; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 7 through 24, inclusive; in line 30, after “**THE**” insert “**SEPARATE ACCOUNT OF THE**”; and in the same line, after “**FUND**” insert “**ESTABLISHED UNDER § 9–1605.2(H) OF THE ENVIRONMENT ARTICLE**”.

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

“(2) MAKE GRANTS AND LOANS TO COVER ENGINEERING COSTS AND NON-BEST-AVAILABLE-TECHNOLOGY COMPONENTS, INCLUDING DRAINFIELDS, NEEDED FOR THE REPAIR OF EXISTING ON-SITE SEWAGE DISPOSAL SYSTEMS OR THE INSTALLATION ON NEW ON-SITE SEWAGE DISPOSAL SYSTEMS THAT USE THE BEST AVAILABLE TECHNOLOGY FOR NITROGEN REMOVAL; OR”;

in line 3, strike “(2)” and substitute “(3)”; in lines 6, 12, and 17, in each instance, after “FROM” insert “THE SPECIAL ACCOUNT OF”; and in line 7, after “FUND” insert “ESTABLISHED UNDER § 9-1605.2(H) OF THE ENVIRONMENT ARTICLE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 39

Senate Bill 515 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0515/928379/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 515

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “terms;” insert “making certain conforming changes;”.

AMENDMENT NO. 2

On page 2, in line 32, strike “**BY EITHER:**”.

On page 3, strike beginning with “**(I)**” in line 1 down through “**ADOLESCENTS**” in line 4 and substitute “**IN ANY OF THE FOLLOWING LOCATIONS:**”

(I) A LOCATION OTHER THAN REAL PROPERTY THAT IS USED FOR PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY EDUCATION, INCLUDING BY:

1. PARTICIPATING IN THE HOME AND HOSPITAL TEACHING PROGRAM FOR STUDENTS; OR

2. PARTICIPATING IN OR ATTENDING A PROGRAM APPROVED BY A COUNTY BOARD UNDER PARAGRAPH (2) OF THIS SUBSECTION; OR

(II) A REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS”;

and in line 11, after “violates” insert “**SUBSECTION (C) OR (D) OF**”.

Senator Bailey moved to remove the preceding 2 amendments.

The motion was adopted.

SUBSTITUTE FLOOR COMMITTEE AMENDMENTS

SB0515/808170/1

BY: Judicial Proceedings Committee

SUBSTITUTE AMENDMENTS TO SENATE BILL 515

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “requiring” and substitute “authorizing”; in lines 6 and 8, in each instance, strike “continue receiving” and substitute “receive”; in line 10, after “terms;” insert “making certain conforming changes:”.

AMENDMENT NO. 2

On page 2, in line 31, strike “SHALL CONTINUE RECEIVING” and substitute “MAY RECEIVE”; and in line 32, strike “BY EITHER:”.

On page 3, strike beginning with “(I)” in line 1 down through “ADOLESCENTS” in line 4 and substitute “IN ANY OF THE FOLLOWING LOCATIONS:”

(I) A LOCATION OTHER THAN A PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY SCHOOL, INCLUDING BY:

1. PARTICIPATING IN THE HOME AND HOSPITAL TEACHING PROGRAM FOR STUDENTS; OR

2. PARTICIPATING IN OR ATTENDING A PROGRAM APPROVED BY A COUNTY BOARD UNDER PARAGRAPH (2) OF THIS SUBSECTION;

(II) A REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS; 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”;

in line 6, strike “CONTINUE RECEIVING” and substitute “RECEIVE”; and in line 11, after “violates” insert “SUBSECTION (C) OR (D) OF”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 463 – Delegate Barron

EMERGENCY BILL

AN ACT concerning

Maryland Health Equity Resource Act

HB0463/823920/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 463

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “grants;” insert “requiring the Commission to give certain consideration to certain proposals;”; in line 13, after “used;” insert “altering the purposes of the Maryland Health Benefit Exchange Fund; altering the purposes for which the Maryland Health Benefit Exchange Fund may be used; requiring the Governor to transfer and appropriate a certain amount to the Health Equity Resource Community Reserve Fund in certain fiscal years;”; in the same line, strike the comma; in line 14, strike “on or before a certain date;”; in the same line, strike “Secretary of Health” and substitute “Community Health Resources Commission”; in line 17, strike the first “Secretary” and substitute “Commission”; strike beginning with “Secretary to” in line 17 down through “the” in line 18; in line 18, after “Disparities” insert “to provide certain technical assistance in implementing certain provisions of this Act; requiring any other unit in the Maryland Department of Health to provide certain assistance at the request of the Commission”; in line 20, strike “Secretary” and substitute “Commission”; in line 22, strike “purposes” and substitute “duties”; and in line 23, strike “chairs” and substitute “chair”.

On page 2, in line 1, strike “requiring the Secretary” and substitute “authorizing the Commission”; in lines 4, 9, 11, 28, and 30, in each instance, strike “Secretary” and substitute “Commission”; in line 7, after “elements;” insert “requiring the application to allocate certain funding to cover certain costs for a certain employee; authorizing nonprofit”

community-based organizations, nonprofit hospitals, institutions of higher education, federally qualified health centers, and local government agencies to contract with a historically black college or university in the State to provide certain services under certain circumstances;; in line 13, strike “Secretary’s” and substitute “Commission’s”; and in line 14, after “final;” insert “authorizing certain health care providers who practice in Health Equity Resource Communities to receive certain assistance and grants; authorizing certain nonprofit community-based organizations, nonprofit hospitals, institutions of higher education, and local government agencies to receive certain grants; establishing a Health Equity Resource Community Reserve Fund; establishing the purpose and contents of the Fund; requiring the Commission to administer the Fund; requiring the State Treasurer to invest the money of the Fund in a certain manner; requiring the interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State;”.

On page 3, in line 3, strike “20-1406” and substitute “20-1408”; and after line 6, insert:

“BY repealing and reenacting, without amendments,

Article – Insurance

Section 31-107(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 31-107(b) and (f)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6-226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6-226(a)(2)(ii)122. and 123.

Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)124.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 4, in line 13, after “**(2)**” insert “**(1)**”; in line 15, strike “**IN THE DEPARTMENT**” and substitute “**UNDER TITLE 20, SUBTITLE 14.**”

(II) CRISP SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION BY MAINTAINING A DATA SET AND SUPPORTING PROGRAM EVALUATION FOR THE PROGRAM”;

in line 25, strike “**SUSTAINABLE**” and substitute “**SELF-SUSTAINABLE**”; after line 30, insert:

“(V) THE COMMISSION SHALL GIVE SPECIAL CONSIDERATION TO PROPOSALS FROM AREAS PREVIOUSLY DESIGNATED AS A HEALTH ENTERPRISE ZONE.”

On page 5, in line 1, strike “**JANUARY 1, 2022**” and substitute “**DECEMBER 1, 2021**”.

AMENDMENT NO. 3

On page 7, after line 5, insert:

“(C) “COMMISSION” MEANS THE COMMUNITY HEALTH RESOURCES COMMISSION.

(D) “COMMUNITY HEALTH WORKER” HAS THE MEANING STATED IN § 13–3701 OF THIS ARTICLE.”;

in line 8, strike “**(C)**”, and substitute “**(E)**”; after line 9, insert:

“(F) “FUND” MEANS THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND ESTABLISHED UNDER § 20–1407 OF THIS SUBTITLE.

(G) “HEALTH CARE PRACTITIONER” MEANS AN INDIVIDUAL OR, COLLECTIVELY, A GROUP OF INDIVIDUALS WORKING TOGETHER WITHIN THE SAME PRACTICE, EACH OF WHOM IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED BY LAW TO PROVIDE HEALTH CARE SERVICES UNDER THE HEALTH OCCUPATIONS ARTICLE.”;

in line 17, strike **“(D)”** and substitute **“(H)”**.

On page 8, in lines 7, 18, and 20, strike **“(E)”**, **“(F)”**, and **“(G)”**, respectively, and substitute **“(I)”**, **“(J)”**, and **“(K)”**, respectively; and in line 15, strike **“SECRETARY”** and substitute **“COMMISSION”**.

On page 9, in line 5, strike **“BEGINNING JULY 1, 2023, THE SECRETARY”** and substitute **“THE COMMISSION”**; in line 9, after **“(2)”**, insert **“(I)”**; in the same line, strike **“SECRETARY SHALL CONSULT WITH THE”**; in line 10, after **“DISPARITIES”** insert **“SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION”**; after line 11, insert:

“(II) AT THE REQUEST OF THE COMMISSION, ANY OTHER UNIT IN THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO THE COMMISSION IN IMPLEMENTING THE PROVISIONS OF THIS SUBTITLE.

(C) TWO ADDITIONAL STAFF SHALL BE ADDED TO THE COMMISSION TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.”;

in line 15, strike **“SECRETARY”** and substitute **“COMMISSION”**; in line 26, strike **“PURPOSES”** and substitute **“DUTIES”**; in the same line, strike **“ARE TO”** and substitute **“INCLUDE”**; in line 27, strike **“PROVIDE”** and substitute **“PROVIDING INITIAL AND ONGOING”**; in the same line, strike **“TO THE COMMUNITY”** and substitute **“AND GUIDANCE REGARDING PROGRAM EVALUATION AND DATA COLLECTION METRICS FOR”**; strike beginning with **“RESOURCES”** in line 28 down through **“ARTICLE”** in line 29 and substitute **“EQUITY RESOURCE COMMUNITIES AND HEALTH EQUITY RESEARCH PRACTITIONERS”**; strike beginning with **“PROVIDE”** in line 30 down through **“SUBTITLE”** in line 31 and substitute **“ASSISTING THE COMMISSION IN PREPARING THE REQUIRED**

ANNUAL REPORT DESCRIBED IN § 20-1408(B) OF THIS SUBTITLE AND § 19-2112 OF THIS ARTICLE".

On page 10, strike beginning with "PROVIDE" in line 1 down through "PRACTITIONERS" in line 4 and substitute "PROPOSING STRATEGIES FOR TAX INCENTIVES AND LOAN REPAYMENTS TO ASSIST HEALTH EQUITY RESOURCE COMMUNITIES IN ACHIEVING THEIR MISSION"; in line 5, strike "IDENTIFY LONG-TERM FUNDING STRATEGIES" and substitute "PROVIDING GUIDANCE, AS DETERMINED BY THE COMMISSION, TO THE COMMISSION AS NECESSARY"; in line 8, strike "CHAIR" and substitute "CHAIR"; in the same line, strike "MARYLAND"; in line 9, after "COMMISSION", insert "OR THE CHAIR'S DESIGNEE"; strike beginning with "AN" in line 10 down through "ADMINISTRATION" in line 24 and substitute "THE DIRECTOR OF THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES, OR THE DIRECTOR'S DESIGNEE;

(3) THREE MEMBERS APPOINTED BY THE GOVERNOR, INCLUDING:

(i) ONE INDIVIDUAL REPRESENTING THE MARYLAND DEPARTMENT OF HEALTH; AND

(ii) ONE INDIVIDUAL WITH EXPERTISE IN HEALTH CARE FINANCING;

(4) THREE MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE, INCLUDING:

(i) ONE INDIVIDUAL WITH EXPERTISE IN THE SOCIAL DETERMINANTS OF HEALTH; AND

(ii) ONE INDIVIDUAL WHO IS A MEMBER OF THE GENERAL PUBLIC RESIDING IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED A HEALTH EQUITY RESOURCE COMMUNITY; AND

(5) THREE MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE, INCLUDING:

(I) ONE INDIVIDUAL WITH EXPERTISE IN HEALTH EQUITY; AND

(II) ONE INDIVIDUAL WHO IS A MEMBER OF THE GENERAL PUBLIC RESIDING IN AN AREA THAT HAS BEEN OR MAY BE DESIGNATED A HEALTH EQUITY RESOURCE COMMUNITY".

On page 12, strike beginning with "TO" in line 23 down through "STATE" in line 25 and substitute "COLLECTIVELY, THE MEMBERS OF THE ADVISORY COMMITTEE SHALL HAVE KNOWLEDGE OF THE FOLLOWING:

(I) EXISTING OR POTENTIAL HEALTH DISPARITIES IN THE STATE;

(II) GROUPS OF RESIDENTS NEGATIVELY AFFECTED BY HEALTH DISPARITIES;

(III) SYSTEMS, POLICIES, AND METHODS LIKELY TO IMPROVE HEALTH OUTCOMES AND REDUCE HEALTH DISPARITIES;

(IV) EFFECTIVE PREVENTION SERVICES;

(V) HEALTH CARE COSTS, TRENDS, AND DRIVERS;

(VI) CLINICAL HEALTH SERVICES RESEARCH; AND

(VII) CONSUMER OR PATIENT PERSPECTIVES; AND

(VII) INNOVATIVE WAYS TO ADDRESS SOCIAL DETERMINANTS OF HEALTH THROUGH THE USE OF COMMUNITY HEALTH WORKERS".

On page 13, strike beginning with "(I)" in line 1 down through "OF" in line 5 and substitute "TO THE EXTENT PRACTICABLE AND CONSISTENT WITH FEDERAL AND STATE LAW, THE MEMBERSHIP OF THE ADVISORY COMMITTEE SHALL REFLECT THE RACIAL, ETHNIC, GEOGRAPHIC, AND GENDER DIVERSITY OF THE STATE.

(3) THE CHAIR OF THE MARYLAND COMMUNITY HEALTH RESOURCES COMMISSION SHALL CHAIR;

after line 7, insert:

“(2) THE COMMISSION SHALL STAGGER THE TERMS OF THE INITIAL APPOINTED MEMBERS.”;

in lines 10, 12, and 15, strike “**(2)**”, “**(3)**”, and “**(4)**”, respectively, and substitute “**(3)**”, “**(4)**”, and “**(5)**”, respectively; in line 15, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 24, strike “**AUGUST 1, 2021**” and substitute “**JANUARY 1, 2022**”; and in line 26, strike “**4**” and substitute “**6**”.

On page 14, in line 1, strike “**SECRETARY SHALL**” and substitute “**COMMISSION MAY**”; in line 7, strike “**A FEDERALLY QUALIFIED HEALTH CENTER,**”; in line 9, after “**EDUCATION,**” insert “**A FEDERALLY QUALIFIED HEALTH CENTER,**”; in lines 10 and 17, in each instance, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 15, strike “**SUBSECTION (C)**” and substitute “**SUBSECTIONS (C) AND (E)**”; in line 26, strike “**THAT MAY BE**”.

On page 15, after line 15, insert:

“(D) THE APPLICATION MAY INCLUDE:

(1) A PROPOSAL TO USE FUNDING AVAILABLE UNDER THIS SUBTITLE TO PROVIDE FOR LOAN REPAYMENT INCENTIVES TO INDUCE HEALTH CARE PRACTITIONERS TO PRACTICE IN THE AREA;

(2) A PROPOSAL TO USE INNOVATIVE PUBLIC HEALTH STRATEGIES TO REDUCE HEALTH DISPARITIES IN THE AREA THAT MAY BE SUPPORTED BY GRANTS AWARDED UNDER THIS SUBTITLE, SUCH AS THE USE OF COMMUNITY HEALTH WORKERS, COMMUNITY HEALTH CENTERS, FEDERALLY QUALIFIED HEALTH CENTERS, INSTITUTIONS OF HIGHER EDUCATION, AND COMMUNITY-BASED DISEASE MANAGEMENT ACTIVITIES; AND

(3) A PROPOSAL TO USE OTHER INCENTIVES OR MECHANISMS TO ADDRESS HEALTH DISPARITIES THAT FOCUS ON WAYS TO EXPAND ACCESS TO CARE,

EXPAND ACCESS TO NONMEDICAL INTERVENTIONS THAT PROMOTE IMPROVED HEALTH OUTCOMES, PROMOTE HIRING, AND REDUCE COSTS TO THE HEALTH CARE SYSTEM.

(E) THE APPLICATION SUBMITTED IN ACCORDANCE WITH THIS SECTION SHALL ALLOCATE SUFFICIENT FUNDING TO COVER SALARY AND BENEFIT COSTS FOR THE EVALUATOR REQUIRED UNDER § 20–1406 OF THIS SUBTITLE.

On page 16, in line 2, strike “BEGINNING JULY 1, 2023, THE SECRETARY SHALL” and substitute “ON OR BEFORE OCTOBER 1, 2022, THE COMMISSION SHALL ISSUE A REQUEST FOR PROPOSALS TO”; in lines 5, 13, and 18, in each instance, strike “SECRETARY” and substitute “COMMISSION”; in line 23, strike “SUSTAINABILITY” and substitute “SELF–SUSTAINABILITY”; in line 25, after “WITH” insert “THE STATE HEALTH IMPROVEMENT PROCESS AND”; and in line 30, strike “AND”.

On page 17, in lines 1, 24, 26, and 28, in each instance, strike “SECRETARY” and substitute “COMMISSION”; in line 3, after “OUTCOMES” insert “; AND”.

(7) A PREVIOUS DESIGNATION AS A HEALTH ENTERPRISE ZONE OR INCLUSION OF AREAS PREVIOUSLY INCLUDED IN A HEALTH ENTERPRISE ZONE;

strike beginning with “FEDERALLY” in line 5 down through “A” in line 6; in line 7, after “EDUCATION,” insert “A FEDERALLY QUALIFIED HEALTH CENTER,”; strike beginning with “SECRETARY” in line 16 down through “COMMITTEE” in line 17 and substitute “COMMISSION”; in line 21, strike “SECRETARY AND THE HEALTH EQUITY RESOURCE ADVISORY COMMITTEE” and substitute “COMMISSION”; in line 23, strike “20–1406(B)” and substitute “20–1408(B)”; in line 24, after “(D)” insert “NOTWITHSTANDING THE REQUIREMENT TO HIRE A FULL–TIME EMPLOYEE TO SERVE AS AN EVALUATOR UNDER SUBSECTION (C) OF THIS SECTION, A NONPROFIT COMMUNITY–BASED ORGANIZATION, A NONPROFIT HOSPITAL, AN INSTITUTION OF HIGHER EDUCATION, A FEDERALLY QUALIFIED HEALTH CENTER, OR A LOCAL GOVERNMENT AGENCY MAY CONTRACT WITH A HISTORICALLY BLACK COLLEGE OR UNIVERSITY IN THE STATE TO PROVIDE EVALUATOR SERVICES.”

(E);

in line 26, strike “(E)” and substitute “(F)”; and after line 28, insert:

“20–1406.

(A) HEALTH CARE PRACTITIONERS AND COMMUNITY HEALTH WORKERS THAT PRACTICE IN A HEALTH EQUITY RESOURCE COMMUNITY MAY RECEIVE LOAN REPAYMENT ASSISTANCE, AS PROVIDED FOR IN THE APPLICATION FOR DESIGNATION FOR THE HEALTH EQUITY RESOURCE COMMUNITY AND APPROVED BY THE COMMISSION UNDER THIS SUBTITLE.

(B) (1) A HEALTH CARE PRACTITIONER OR COMMUNITY HEALTH WORKER MAY APPLY TO THE COMMISSION FOR A GRANT TO DEFRAY THE COSTS OF CAPITAL OR LEASEHOLD IMPROVEMENTS TO, OR MEDICAL OR DENTAL EQUIPMENT TO BE USED IN, A HEALTH EQUITY RESOURCE COMMUNITY.

(2) TO QUALIFY FOR A GRANT UNDER PARAGRAPH (1) OF THIS SUBSECTION, A HEALTH CARE PRACTITIONER OR A COMMUNITY HEALTH WORKER SHALL:

(I) OWN OR LEASE THE HEALTH CARE FACILITY; AND

(II) PROVIDE HEALTH CARE FROM THAT FACILITY.

(3) (I) A GRANT TO DEFRAY THE COST OF MEDICAL OR DENTAL EQUIPMENT MAY NOT EXCEED THE LESSER OF \$25,000 OR 50% OF THE COST OF THE EQUIPMENT.

(II) GRANTS FOR CAPITAL OR LEASEHOLD IMPROVEMENTS SHALL BE FOR THE PURPOSES OF IMPROVING OR EXPANDING THE DELIVERY OF HEALTH CARE IN THE HEALTH EQUITY RESOURCE COMMUNITY.

(C) (1) A NONPROFIT COMMUNITY–BASED ORGANIZATION, A NONPROFIT HOSPITAL, AN INSTITUTION OF HIGHER EDUCATION, A FEDERALLY QUALIFIED HEALTH CENTER, OR A LOCAL GOVERNMENT AGENCY THAT RECEIVES APPROVAL OF AN APPLICATION SUBMITTED UNDER § 20–1403 OF THIS SUBTITLE MAY SUBMIT AN APPLICATION, ON ITS OWN BEHALF, TO RECEIVE GRANTS FOR CAPITAL OR

LEASEHOLD IMPROVEMENTS, AS DETERMINED BY THE COMMISSION, FOR THE PURPOSES DESCRIBED UNDER SUBSECTION (B)(3)(II) OF THIS SECTION.

(2) SUBJECT TO § 20-1408(A)(2) OF THIS SUBTITLE, THE TERM OF ANY GRANT AWARDED TO A NONPROFIT COMMUNITY-BASED ORGANIZATION, A NONPROFIT HOSPITAL, AN INSTITUTION OF HIGHER EDUCATION, A FEDERALLY QUALIFIED HEALTH CENTER, OR A LOCAL GOVERNMENT AGENCY FOR CAPITAL OR LEASEHOLD IMPROVEMENTS SHALL HAVE A TERM OF 5 YEARS, AND MAY BE RENEWED IN ACCORDANCE WITH AN APPLICATION APPROVED BY THE COMMISSION.

20-1407.

(A) THERE IS A HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND.

(B) THE PURPOSE OF THE FUND IS TO:

(1) SUPPORT AREAS DESIGNATED BY THE COMMISSION AS HEALTH EQUITY RESOURCE COMMUNITIES BY PROVIDING GRANTS TO COMMUNITY-BASED ORGANIZATIONS, NONPROFIT HOSPITALS, INSTITUTIONS OF HIGHER EDUCATION, FEDERALLY QUALIFIED HEALTH CENTERS, LOCAL GOVERNMENT AGENCIES, HEALTH CARE PRACTITIONERS, AND COMMUNITY HEALTH WORKERS TO FACILITATE REDUCTION OF HEALTH DISPARITIES, IMPROVE HEALTH OUTCOMES, PROVIDE DRUG TREATMENT AND REHABILITATION, AND REDUCE HEALTH COSTS AND HOSPITAL ADMISSIONS AND READMISSIONS IN SPECIFIC AREAS OF THE STATE; AND

(2) PROVIDE FUNDING TO SUPPLEMENT AND NOT SUPPLANT EXISTING FUNDING FOR BEHAVIORAL HEALTH PROGRAMS THAT PROVIDE PREVENTION, RECOVERY SUPPORT, AND HARM REDUCTION SERVICES FOR INDIVIDUALS WITH SUBSTANCE USE AND MENTAL HEALTH DISORDERS.

(C) THE COMMISSION SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) ANY UNSPENT PORTION OF THE FUND MAY NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND BUT SHALL REMAIN IN THE FUND TO BE USED FOR THE PURPOSES SPECIFIED IN THIS SUBTITLE.

(3) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND IN ACCORDANCE WITH § 31-107 OF THE INSURANCE ARTICLE;

(2) INTEREST EARNINGS OF THE FUND; AND

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

(F) THE FUND MAY BE USED ONLY TO PROVIDE FUNDING TO THE COMMISSION FOR THE SUPPORT OF AREAS DESIGNATED AS HEALTH EQUITY RESOURCE COMMUNITIES BY PROVIDING GRANTS TO COMMUNITY-BASED ORGANIZATIONS, NONPROFIT HOSPITALS, INSTITUTIONS OF HIGHER EDUCATION, LOCAL GOVERNMENT AGENCIES, HEALTH CARE PRACTITIONERS, FEDERALLY QUALIFIED HEALTH CENTERS, COMMUNITY HEALTH WORKERS, AND INSTITUTIONS OF HIGHER EDUCATION TO REDUCE HEALTH DISPARITIES, IMPROVE HEALTH OUTCOMES, PROVIDE ADDICTION AND MENTAL HEALTH SERVICES, AND REDUCE HEALTH COSTS AND HOSPITAL ADMISSIONS AND READMISSIONS.

(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(I) MONEY EXPENDED FROM THE FUND TO SUPPORT AREAS DESIGNATED BY THE COMMISSION AS HEALTH EQUITY RESOURCE COMMUNITIES UNDER THIS SUBTITLE IS SUPPLEMENTAL TO AND NOT INTENDED TO SUPPLANT FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THOSE PURPOSES.

On page 20, in line 25, strike “**20-1406.**” and substitute “**20-1408.**”; strike beginning with “**ON**” in line 26 down through “**EACH**” in line 27 and substitute “**EACH**”; in line 31, strike “**SECRETARY**” and substitute “**COMMISSION**”; and in line 34, strike “**AND**”.

On page 21, in line 2, after “**YEAR**” insert “**; AND**”

(III) ANY OTHER INFORMATION AS REQUESTED BY THE COMMISSION.

(2) THE REPORTING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PERIODICALLY IN ACCORDANCE WITH A SCHEDULE DETERMINED BY THE COMMISSION;

in line 3, strike “**(2)**” and substitute “**(3)**”; in lines 3, 9, and 12, in each instance, strike “**SECRETARY**” and substitute “**COMMISSION**”; in line 11, strike “**BEGINNING IN 2024,**”; in line 17, after “**(II)**” insert “**EVIDENCE OF THE IMPACT OF THE LOAN REPAYMENT INCENTIVES IN ATTRACTING HEALTH CARE PRACTITIONERS AND COMMUNITY HEALTH WORKERS TO HEALTH EQUITY RESOURCE COMMUNITIES;**”

(III);

and in line 23, strike “**(III)**” and substitute “**(IV)**”.

On page 22, after line 2, insert:

“Article – Insurance

31-107.

(a) There is a Maryland Health Benefit Exchange Fund.

(b) (1) The purpose of the Fund is to:

(i) provide funding for the operation and administration of the Exchange in carrying out the purposes of the Exchange under this subtitle; [and]

(ii) provide funding for the establishment and operation of the State Reinsurance Program authorized under this subtitle; AND

(III) PROVIDE FUNDING FOR THE ESTABLISHMENT AND OPERATION OF HEALTH EQUITY RESOURCE COMMUNITIES UNDER TITLE 20, SUBTITLE 14 OF THE HEALTH – GENERAL ARTICLE.

(2) The operation and administration of the Exchange and the State Reinsurance Program may include functions delegated by the Exchange to a third party under law or by contract.

(f) (1) The Fund may be used only:

[(1)] (I) for the operation and administration of the Exchange in carrying out the purposes authorized under this subtitle; [and]

[(2)] (II) for the establishment and operation of the State Reinsurance Program; AND

(III) FOR APPROPRIATIONS TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND UNDER § 20-1407 OF THE HEALTH – GENERAL ARTICLE.

(2) IN EACH OF FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL:

(I) TRANSFER \$15,000,000 TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND; AND

(II) INCLUDE THE FUNDS TRANSFERRED IN ACCORDANCE WITH ITEM (I) OF THIS PARAGRAPH IN THE ANNUAL BUDGET BILL AS AN APPROPRIATION TO THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND UNDER § 20-1407 OF THE HEALTH – GENERAL ARTICLE.

Article – State Finance and Procurement6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

122. the Racing and Community Development Financing Fund; [and]

123. the Racing and Community Development Facilities Fund;
AND

124. THE HEALTH EQUITY RESOURCE COMMUNITY RESERVE FUND.”

The preceding 3 amendments were read and 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 46 Members present.

(See Roll Call No. 837)

RECESS

At 1:18 P.M. on motion of Senator King the Senate recessed until 7:00 P.M. on Legislative Day, March 11, 2021, Calendar Day, Thursday, April 1, 2021.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 11, 2021
Calendar Day: Thursday, April 1, 2021

At 8:16 P.M. the Senate resumed its session.

Prayer by Senator Justin Ready.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 838)

On motion of Senator King it was ordered that Senator Reilly be excused from today's session.

The Journal of April 1, 2021 was read and approved.

MOTION

Senator Young moved that the Senate receive in Open Session the following Report for the Committee on Executive Nominations.

Senator Young, Chair for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 8
April 1, 2021

Health, Maryland Department

1. Dennis R. Schrader District 13

Secretary of the Maryland Department of Health; appointed to serve at the pleasure of the Governor

Education, State Board of

2. Joan A. Mele–McCarthy, D.A. District 27
360 Holie Lane
Huntingtown, MD 20639

Member of the State Board of Education; reappointed to serve a term of 4 years from July 1, 2021

University System of Maryland Board of Regents

3. Aaliyah B. Edwards District 8
1331 Dartmouth Avenue
Parkville, MD 21234

Member of the University System of Maryland Board of Regents; appointed to serve a term of 2 years from July 1, 2020

4. Ellen R. Fish District 11
7 Broadridge Lane
Lutherville, MD 21093

Member of the University System of Maryland Board of Regents; reappointed to serve a term of 5 years from July 1, 2021

5. Gary T. Gill District 11
2328 W. Joppa Road, Suite 200
Lutherville, MD 21093

Member of the University System of Maryland Board of Regents; appointed to serve a term of 5 years from July 1, 2019

6. Robert R. Neall District 33
829 West Central Avenue
Davidsonville, MD 21035

Member of the University System of Maryland Board of Regents; reappointed to serve a term of 5 years from July 1, 2020

7. Nathaniel L. Sansom District 37
3372 Residential Drive
Eden, MD 21822

Member of the University System of Maryland Board of Regents; appointed to serve a term of 1 year from July 1, 2020

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Labor Relations Board, State

S-1. LeRoy A. Wilkison District 37
25896 Miles Haven Road, P.O. Box 68
Newcomb, MD 21653

Member of the State Labor Relations Board; reappointed to serve a term of 6 years from July 1, 2019

University System of Maryland Board of Regents

S-2. Meredith M. Mears District 37
27310 Equestrian Drive
Salisbury, MD 21801

Member of the University System of Maryland Board of Regents; reappointed to serve a term of 5 years from July 1, 2020

S-3. Louis M. Pope District 9
12519 Marlow Road
Fulton, MD 20789

Member of the University System of Maryland Board of Regents; reappointed to serve a term of 5 years from July 1, 2020

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Allegany College Board of Trustees

L-1. Michele R. Martz
391 Ridgewood Drive
Fort Ashby, WV 26719

Member of the Allegany College Board of Trustees; appointed to serve remainder of a term of 6 years from July 1, 2018

- L–2. James R. Pyles District 1
47 LaVale Boulevard
LaVale, MD 21502

Member of the Allegany College Board of Trustees; reappointed to serve a term of 6 years from July 1, 2021

Anne Arundel Community College Board of Trustees

- L–3. Allinda J. Price–Jones District 31
7713 Lyman Avenue
Pasadena, MD 21122

Member of the Anne Arundel Community College Board of Trustees; appointed to serve remainder of a term to expire June 30, 2023

Baltimore City Board of Elections

- L–4. Evette Matthews District 45
5841 Arizona Avenue
Baltimore, MD 21206

Member of the Baltimore City Board of Elections; appointed to serve a term to expire June 4, 2023

Baltimore City Board of License Commissioners

- L–5. Robert E. Guye, Sr. District 45
5010 Sipple Avenue
Baltimore, MD 21206

Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years that expires on June 30, 2021

- L–6. Albert J. Matricianni District 43
3801 Canterbury Road Unit 1101
Baltimore, MD 21218

Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years that expires on July 1, 2022

Cecil County Board of Elections

L-7. Stephen J. Stiles District 35
248 North East Road
North East, MD 21901

Member of the Cecil County Board of Elections; appointed to serve a term to expire June 4, 2023

Frederick County Board of License Commissioners

L-8. Joan M. Aquilino District 4
3728 Blueberry Drive
Monrovia, MD 21770

Member of the Frederick County Board of License Commissioners; reappointed to serve a term of 5 years from July 1, 2021

Montgomery College Board of Trustees

L-9. Omar A. Lazo District 19
13107 Nordic Hill Drive
Silver Spring, MD 20906

Member of the Montgomery College Board of Trustees; appointed to serve a term of 6 years from July 1, 2021

Somerset County Board of Elections

L-10. James S. Lane District 38
312 Tyler Street
Crisfield, MD 21817

Member of the Somerset County Board of Elections; appointed to serve a term to expire June 4, 2023

Washington County Board of Commissioners

L-11. Charles A. Burkett, Jr. District 2
12906 Pinehill Drive
Hagerstown, MD 21740

Commissioner of the Washington County Board of Commissioners; appointed to serve until the General Election of November 2022

Washington County Board of License Commissioners

L-12. Robert J. Buczkowski
1249 Frederick Street
Hagerstown, MD 21740

District 2

Chair of the Washington County Board of License Commissioners; reappointed to serve a term of 6 years from June 1, 2021

Senator Young moved to make the Report a Special Order for April 2, 2021.

The motion was adopted.

SENATE THIRD READING CALENDAR NO. 58 (GENERAL SENATE BILLS)**Senate Bill 515 – Senator Klausmeier****EMERGENCY BILL**

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

Senator Smith moved to suspend Rule 24 to allow two readings of **Senate Bill 515** on the same day in compliance with the Constitution. Senate Bill 515 was then placed on third reading.

The motion was adopted.

Senate Bill 515 – Senator Klausmeier**EMERGENCY BILL**

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

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

Affirmative – 46 Negative – 0 (See Roll Call No. 839)

The Bill was then sent to the House of Delegates.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 27 CONSENT NO. 8

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 186	FAV	Del. Malone	Courts – Court Dog Program – Veterans Treatment Courts
HB 257	FAV	Del. Qi	Maryland Commission on Civil Rights – Employment Discrimination – Reporting
HB 290	FAV	Del. Hill	Employment Discrimination – Time for Filing Complaints
HB 321	FAV	Del. Ebersole	Public Buildings – Changing Facilities – Requirements
HB 384	FAV	Del. Sample–Hughes	Real Property – Sale of Mobile Home Parks – Notice Requirements
HB 449	FAV	Del. Bartlett	Family Law – Marriage – Licenses and Records
HB 593	FAV	Del. Fraser–Hidalgo	Condominiums and Homeowners Associations – Meeting Requirements
HB 646	FAV	Del. Valentino–Smith	Child Abuse and Neglect – Memorandum of Understanding With Military Family Advocacy Program
HB 794	FAV	Carroll County Delegation	Carroll County – Sheriff – Salary

Favorable report adopted on all of the preceding bills.

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

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 28 CONSENT NO. 9

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 115	FAV	Del. Moon	Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties
HB 193	FAV	Del. Guyton	Criminal Procedure – Victims of Crime – Private Room
HB 519	FAV	Del. Barve	Vehicle Equipment – Safety Glass – Replacement Standards
HB 730	FAV	The Speaker	Driver’s Licenses, Learner’s Instructional Permits, and Identification Cards – Applications and Renewals
HB 742	FAV	Del. Dumais	Compensation to Individual Erroneously Convicted, Sentenced, and Confined (The Walter Lomax Act)
HB 1072	FAV	Charles County Delegation	Charles County – Community Service and Pretrial Release Programs – Authorization
HB 1074	FAV	Del. R. Watson	Vehicle Laws – Commercial Motor Carriers – Safety, Inspection, Performance, and Insurance Information (James Cohran’s Law)
HB 1266	FAV	Del. W. Fisher	Estates and Trusts – Wills – Custodianship
HB 1315	FAV	Del. Fraser–Hidalgo	Motor Vehicles – Inspection Certificates – Exception

Favorable report adopted on all of the preceding bills.

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

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 29 CONSENT NO. 10

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 128	FAV	Del. Stewart	Criminal Law – Hate Crimes – Protected Groups and Penalties
HB 277	FAV	Del. Atterbeary	Criminal Law – First-Degree Child Abuse – Continuing Course of Conduct
HB 445	FAV	Del. Dumais	Criminal Procedure – Charging Procedures – Citations
HB 882 (Emerg)	FAV	Del. Barron	Workgroup to Study Partial Expungement

Favorable report adopted on all of the preceding bills.

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

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 30

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 89 – Delegate Wilkins

AN ACT concerning

Correctional Services – Diminution Credits – Education

Favorable report adopted.

FLOOR AMENDMENT

HB0089/493529/1

BY: Senator Hough

AMENDMENTS TO HOUSE BILL 89

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “Act;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 3, in line 18, strike “2021” and substitute “2022”.

The preceding 2 amendments were read only.

Senator Hough moved that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 301 – Delegates Shetty and R. Lewis

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 885 – Delegate R. Watson

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Courts of Appeals and Special Appeals – Renaming

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1023 – Delegate Holmes

AN ACT concerning

**Real Property – Condominiums, Homeowners Associations, and Cooperative
Housing Corporations – Virtual Meetings**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 32

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 48 – Delegates Bhandari and C. Jackson

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 110 – Delegate Korman

AN ACT concerning

Electric Vehicle Recharging Equipment for Multifamily Units Act

HB0110/118975/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 110

(Third Reading File Bill)

On page 3 in line 20, and on page 6 in line 5, in each instance, strike “OR” and substitute “AND”.

On page 3 in line 21, and on page 6 in line 6, in each instance, strike “NOT IMPOSSIBLE” and substitute “REASONABLY POSSIBLE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 118 – Delegates Stein and Malone

AN ACT concerning

Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties

HB0118/638371/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 118

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “a” insert “certain”.

AMENDMENT NO. 2

On page 2, in line 11, strike “IS:” and substitute “IS LAWFULLY:”; and in line 16, after “IS” insert “LAWFULLY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 258 – Delegate Guyton

AN ACT concerning

State Child Welfare System – Reporting**HB0258/958174/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 258

(Third Reading File Bill)

On page 2, in line 11, strike “and foster youth”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 289 – Delegate Atterbeary

AN ACT concerning

Peace Orders – Workplace Violence**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 only.

Senator Hough moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1261 – Delegate W. Fisher

AN ACT concerning

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

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 33

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 231 – Delegate Palakovich Carr

AN ACT concerning

Crimes – Mitigation and Defense – Race, Color, National Origin, Sex, Gender Identity, or Sexual Orientation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1000 – Delegate Pippy

AN ACT concerning

Estates and Trusts – Guardian of Property of Minor or Disabled Person – Prohibition on Distribution or Disbursement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 34

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 46 – Senator Lam

AN ACT concerning

Crimes – Mitigation – Race, Color, National Origin, Sex, Gender Identity, or Sexual Orientation

SB0046/178873/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 46

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Mitigation**” insert “**and Defense**”; and strike beginning with “does” in line 9 down through “crime” in line 11 and substitute “is not a defense to the crime of assault in any degree”.

AMENDMENT NO. 2

On page 2, strike beginning with “**DOES**” in line 18 down through “**CRIME**” in line 21 and substitute “**IS NOT A DEFENSE TO THE CRIME OF ASSAULT IN ANY DEGREE**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 41

Senate Bill 716 – Senators Carozza, Hershey, and Lam

AN ACT concerning

Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR JENNINGS.

FLOOR AMENDMENT

SB0716/583828/1

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 716

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “**Atmosphere**” insert “**or Improperly Discarding a Cigarette**”; in line 6, after “atmosphere;” insert “prohibiting a person from discarding a cigarette except in a trash receptacle or designated cigarette receptacle;”; in line 10, strike the first “a”; in the same line, strike “penalty” and substitute “penalties”; in line 12, after “atmosphere” insert “or improperly discarding a cigarette”; and in line 15, after “9–2301” insert “and 9–2302”.

AMENDMENT NO. 2

On page 3, after line 3, insert:

“9-2302.

(A) IN THIS SECTION “CIGARETTE” MEANS ANY SIZE OR SHAPED ROLL FOR SMOKING THAT IS MADE OF TOBACCO OR TOBACCO MIXED WITH ANOTHER INGREDIENT AND WRAPPED IN PAPER OR IN ANY OTHER MATERIAL EXCEPT TOBACCO.

(B) A PERSON MAY NOT DISCARD A CIGARETTE EXCEPT IN A TRASH RECEPTACLE OR DESIGNATED CIGARETTE RECEPTACLE.

(C) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$100 PER VIOLATION.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL ENFORCE THIS SECTION.

(2) THE DEPARTMENT MAY DELEGATE ITS AUTHORITY TO ENFORCE THIS SECTION TO AN ENFORCEMENT UNIT, OFFICE, OR OFFICIAL OF A COUNTY, A MUNICIPALITY, OR ANY OTHER LOCAL GOVERNMENT.

(3) AN ENFORCEMENT UNIT, OFFICER, OR OFFICIAL OF A LOCAL GOVERNMENT WITH DELEGATED AUTHORITY SHALL REPORT EACH VIOLATION UNDER THIS SECTION TO THE DEPARTMENT.”.

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

Affirmative – 20 Negative – 25 (See Roll Call No. 840)

FLOOR AMENDMENT

SB0716/133220/1

BY: Senator Carter

AMENDMENTS TO SENATE BILL 716, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 5, strike “, or organizing the release of,”; in line 6, after “atmosphere;” insert “prohibiting a person from organizing or participating in a mass balloon release;”; in line 10, strike the first “a”; in the same line, strike “penalty” and substitute “penalties”; and after line 10, insert “requiring the Department to select, procure, or develop a certain video;”.

AMENDMENT NO. 2

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0716/214730/1), in line 2 of Amendment No. 1, strike “(4)” and substitute “(5)”.

On page 2 of the bill, in line 4, after “(3)” insert ““MASS BALLOON RELEASE” MEANS AN EVENT WHERE A PERSON OR PERSONS KNOWINGLY AND INTENTIONALLY RELEASE OR CAUSE TO BE RELEASED 10 OR MORE BALLOONS INTO THE ATMOSPHERE.”

(4)”;

in line 18, after “(C)” insert “(1)”; in line 19, strike “, OR ORGANIZE THE RELEASE OF,”; after line 20, insert:

“(2) A PERSON MAY NOT ORGANIZE OR PARTICIPATE IN A MASS BALLOON RELEASE.”;

in line 21, after “(1)” insert “A PERSON WHO VIOLATES SUBSECTION (C)(1) OF THIS SECTION SHALL PERFORM 6 HOURS OF COMMUNITY SERVICE OR WATCH AN EDUCATIONAL VIDEO ON ENVIRONMENTAL DAMAGE CAUSED BY HUMAN POLLUTION OR BOTH.”

(2)”;

and in the same line, after “(C)” insert “(2)”.

On page 3 of the bill, after line 3, insert:

“(4) THE DEPARTMENT SHALL SELECT, PROCURE, OR DEVELOP AN EDUCATIONAL VIDEO THAT DOES NOT EXCEED 1 HOUR IN DURATION ON ENVIRONMENTAL DAMAGE CAUSED BY HUMAN POLLUTION THAT A PERSON WHO VIOLATES SUBSECTION (C)(1) OF THIS SECTION MAY VIEW IN ACCORDANCE WITH SUBSECTION (D)(1) OF THIS SECTION.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE HOUSE OF DELEGATES
SENATE BILLS AMENDED IN THE HOUSE NO. 6**

Senate Bill 263 – Senators West and Waldstreicher

AN ACT concerning

Corporations and Real Estate Investment Trusts – Miscellaneous

Senator Smith moved that the Senate concur in the House amendments.

SB0263/873899/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 263

(Third Reading File Bill)

On page 1, in line 5, strike “obsolete language on”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 841)

MESSAGE TO THE SENATE

BILL: HB0261
SPONSOR: Delegate Branch, T.

SUBJECT: Business Regulation – Battery–Charged Fence Security Systems
– Regulation

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Wilson, Chair
Delegate T. Branch
Delegate Adams

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

Senator Feldman moved to reconsider the vote by which House Bill 261 passed Third Reading.

The motion was adopted.

Senator Feldman moved to reconsider the Amendments to House Bill 261.

The motion was adopted.

Senator Feldman moved to withdraw the Amendments from House Bill 261.

The motion was adopted.

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

Affirmative – 43 Negative – 0 (See Roll Call No. 842)

The Bill was then returned to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0261**
SPONSOR: Delegate Branch, T.
SUBJECT: Business Regulation – Battery–Charged Fence Security Systems
 – Regulation

The Senate recesses from its position on HB0261.

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

Senate recessed and the amendment was removed.

SPECIAL ORDER CALENDAR NO. 44

House Bill 127 – Delegate Boyce

AN ACT concerning

Maryland Paint Stewardship

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 407 – Delegate Stein

AN ACT concerning

On–Site Sewage Disposal Systems – Inspection – Licensing

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

HB0407/463027/1

BY: Senator Hough

AMENDMENT TO HOUSE BILL 407

(Third Reading File Bill)

On page 3, in line 9, after “INDIVIDUAL” insert “KNOWINGLY”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 43

Senate Bill 852 – Senators Hough, Bailey, Carozza, Cassilly, Corderman, Eckardt, Edwards, Gallion, Hershey, Jennings, Ready, Salling, Simonaire, and West

EMERGENCY BILL

AN ACT concerning

Crimes – Penalties and Procedures

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Smith moved to make the Bill a Special Order for April 2, 2021.

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

Affirmative – 26 Negative – 18 (See Roll Call No. 843)

SENATE THIRD READING CALENDAR NO. 18 (GENERAL HOUSE BILLS)

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

FLOOR AMENDMENT

HB0670/663127/1

BY: Senator West

AMENDMENT TO HOUSE BILL 670, AS AMENDED

(Third Reading File Bill)

On page 33 of the bill, after line 23, insert:

“(5) REVIEW ANY BODY CAMERA FOOTAGE THAT MAY BE RELEVANT TO THE MATTERS COVERED IN THE COMPLAINT OF MISCONDUCT;

“(6) AUTHORIZE THE POLICE OFFICER WHO IS SUBJECT TO INVESTIGATION TO APPEAR BEFORE THE ADMINISTRATIVE CHARGING COMMITTEE, ALONG WITH ANY REPRESENTATIVE OF THE POLICE OFFICER, TO MAKE A STATEMENT IN DEFENSE OF THE POLICE OFFICER’S CONDUCT;”.

On page 9 of the Judicial Proceedings Committee Amendments (HB0670/668370/1), in line 18 of Amendment No. 14, strike the second “**(5)**” and substitute “**(7)**”; and in the same line, strike “**(6)**” and substitute “**(8)**”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0670/583724/1

BY: Senator Hettleman

AMENDMENT TO HOUSE BILL 670, AS AMENDED

(Third Reading File Bill)

On page 2 of Senator West’s Amendment (HB0670/703522/1), in line 2, after “**SUBSECTION**” insert “.

“(3) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO EXEMPT ANY PUBLIC INFORMATION RELATING TO POLICE DISCIPLINE FROM DISCLOSURE UNDER THE PUBLIC INFORMATION ACT”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0670/663420/1

BY: Senator Carter

AMENDMENTS TO HOUSE BILL 670, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (HB0670/663420/1), in line 19 of Amendment No. 1, before “authorizing” insert “requiring and”.

On page 4 of the bill, strike beginning with “prohibiting” in line 24 down through “bargaining” in line 26 and substitute “providing that a law enforcement agency or the agency’s superior governmental authority and a collective bargaining unit may not enter into a certain agreement”.

On page 5 of the bill, in line 33, after “period;” insert “requiring the Maryland Police Training and Standards Commission to adopt certain regulations;”.

On page 8 of the bill, in line 14, strike “3-113” and substitute “3-114”.

AMENDMENT NO. 2

On page 4 of the Judicial Proceedings Committee Amendments, in line 1 of Amendment No. 3, strike “WHEN NOT IN UNIFORM,”.

On page 8 of the Judicial Proceedings Committee Amendments, in Amendment No. 14, strike beginning with “DESIGNEE” in line 18 down through “COUNTY” in line 21 and substitute “CIVILIAN SELECTED BY THE COUNTY’S POLICE CHIEF WITH NO CURRENT AFFILIATION WITH THE CHIEF OR LAW ENFORCEMENT”.

On page 9 of the Judicial Proceedings Committee Amendments, in lines 11 and 12 of Amendment No. 14, strike “MEMBER APPOINTED BY THE MARYLAND STATE LODGE OF THE FRATERNAL ORDER OF POLICE.” and substitute “CIVILIAN MEMBER APPOINTED BY THE SECRETARY OF STATE POLICE WITH NO CURRENT AFFILIATION WITH THE SECRETARY OR LAW ENFORCEMENT.”.

On page 12 of the Judicial Proceedings Committee Amendments, in line 4 of Amendment No. 14, strike “SHALL”; in the same line, strike “MAY”; in lines 4 and 5, strike “RECEIVES A PROBATION BEFORE JUDGMENT FOR”; and in line 7, strike “OR CIVIL”.

On page 37 of the bill, in line 18, after “(C)” insert “(1)”; in line 19, after “OF” insert “A FELONY”.

(2) THE CHIEF MAY TERMINATE THE EMPLOYMENT OF A POLICE OFFICER WHO:

(1);

in the same line, strike the colon; in line 20, strike “(1)”; in the same line, after “FELONY;” insert “OR”; in line 21, strike “(2)” and substitute “(II)”; in the same line, strike “A” and substitute “IS CONVICTED OF”

1. A;

and in line 23, strike “(3)” and substitute “2.”.

On page 40 of the bill, strike in their entirety lines 21 and 22 and substitute:

“A LAW ENFORCEMENT AGENCY OR THE AGENCY’S SUPERIOR GOVERNING AUTHORITY AND A COLLECTIVE BARGAINING UNIT MAY NOT ENTER INTO AN AGREEMENT THAT:

(1) IS INCONSISTENT WITH THE PROVISIONS OF THIS SUBTITLE; OR

(2) RELATES TO:

(I) DISCIPLINE OF LAW ENFORCEMENT OFFICERS; OR

(II) THE INVESTIGATION, INTERROGATION, POLYGRAPHING, OR DRUG AND ALCOHOL TESTING OF A LAW ENFORCEMENT OFFICER BY A LAW ENFORCEMENT AGENCY IN ASSOCIATION WITH A DISCIPLINARY PROCEEDING.”

On pages 12 and 13 of the Judicial Proceedings Committee Amendments, strike beginning with “(A)” in line 18 on page 12 down through “SECTION.” in line 14 on page 13 and substitute:

“A RECORD RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER, INCLUDING AN INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS RELATING TO A DISCIPLINARY DECISION, MAY NOT BE:

(1) EXPUNGED; OR

(2) DESTROYED BY A LAW ENFORCEMENT AGENCY.”.

On page 14 of the Judicial Proceedings Committee Amendments, in line 4 of Amendment No. 14, after “CITIZEN.” insert:

“3-114.

THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.”.

On page 45 of the bill, in line 6, strike “ANNUALLY”; in the same line, after “ASSESSMENT” insert “EVERY TWO YEARS”; and in the same line, strike the second “A” and substitute “AN ANNUAL”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB0670/273821/1

BY: Senator Cassilly

AMENDMENT TO HOUSE BILL 670

(Third Reading File Bill)

On page 38, in line 5, after “(3)” insert “(1)”; and after line 9, insert:

“(II) IF A POLICE OFFICER IS REQUIRED TO SUBMIT TO A POLYGRAPH EXAMINATION DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE RESULTS OF THE POLYGRAPH EXAMINATION ARE NOT ADMISSIBLE OR DISCOVERABLE IN A CRIMINAL OR CIVIL PROCEEDING AGAINST THE POLICE OFFICER.”.

The preceding amendment was read and adopted.

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

Affirmative – 32 Negative – 15 (See Roll Call No. 844)

The Bill was then returned to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 845)

ADJOURNMENT

At 11:08 P.M. on motion of Senator King the Senate adjourned until 12:00 P.M. on Legislative Day March 12, 2021, Calendar Day, Friday, April 2, 2021, in Honor of Joseph Lee Somerville.

Annapolis, Maryland
Legislative Day: March 12, 2021
Calendar Day: Friday, April 2, 2021
12:00 P.M. Session

The Senate met at 12:21 P.M.

Prayer by Rabbi Shalom Zirkind, Chabad of Hunt Valley, guest of Senator West.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 846)

The Journal of April 1, 2021 was read and approved.

MESSAGE FROM THE HOUSE OF DELEGATES NO. 4
SENATE BILLS PASSED BY YEAS AND NAYS

BILL NO.	SPONSOR	CONTENT
SB 7	Sen. Simonaire	Courts – Court Dog Program – Veterans Treatment Courts
SB 40	Sen. Peters	Higher Education – Richard W. Collins III Leadership With Honor Scholarship – Bowie State
SB 83	Sen. Kramer	Utility Regulation – Consideration of Climate and Labor
SB 93	Sen. Griffith	Business Occupations and Professions – Architects – Scope of Licensure
SB 325	Chair, Budget and Taxation Committee	Tax Sales – Redemption – Nondelinquent Taxes

BILL NO.	SPONSOR	CONTENT
SB 369	Sen. Peters	Child Abuse and Neglect – Memorandum of Understanding With Military Family Advocacy Program
SB 417	Sen. Pinsky	Power Plant Research Program – Review of Application for Certificate of Public Convenience and Necessity – Alterations
SB 484	Sen. Hettleman	Criminal Procedure – Victims of Crime – Private Room
SB 488	Sen. Beidle	Family Law – Marriage – Licenses and Records
SB 503	Sen. Smith	Public Utilities – Gas Service Regulator Safety (Flower Branch Act)
SB 505	Sen. Hettleman	Criminal Law – First-Degree Child Abuse – Continuing Course of Conduct
SB 508	Sen. Peters	Public Utilities – Net Energy Metering
SB 533	Sen. Guzzone	Horse Racing – Maryland-Bred Race Fund – Advisory Committee Membership and Registration of Horses
SB 593	Sen. Zucker	Property Tax – Homeowners' Property Tax Credit – Calculation and Refunds
SB 651	Sen. Klausmeier	Baltimore County – Workers' Compensation – Permanent Partial Disability – Detention and Correctional Officers
SB 671	Sen. Waldstreicher	Criminal Procedure – Charging Procedures – Citations
SB 746	Sen. Guzzone	Education – Community Colleges – Collective Bargaining
SB 750	Charles County Senators	Charles County – Community Service and Pretrial Release Programs – Authorization

BILL NO.	SPONSOR	CONTENT
SB 779	Sen. Elfreth	Maryland 529 Program – Board Authority and State Contribution – Alterations
SB 794	Wicomico County Senators	Wicomico County – Property Tax Credit – Hotel or Residential Development
SB 845	Sen. Benson	Education – Workforce Development Sequence Scholarships – Eligibility
SB 856	Sen. Hershey	Electric Companies – Billing Information
SB 874 (Emerg)	Sen. Jackson	Workgroup to Study Partial Expungement
SB 886	Sen. Elfreth	Transfer With Success Act

By Order,
Nicole M. Xander, Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 31**

House Bill 584 – Delegate R. Watson

AN ACT concerning

Public Utilities – Net Energy Metering

FOR the purpose of ~~increasing the maximum generation capacity of an electric generating system that may be used by an eligible customer-generator for net metering;~~ prohibiting the Public Service Commission from prohibiting the construction or operation of multiple net metered solar generating facilities located on certain contiguous lots solely because the capacity of the combined net metering systems exceeds a certain limit under certain circumstances; and generally relating to the net metering of electric generating systems.

BY repealing and reenacting, without amendments,
Article – Public Utilities

Section 7-306(a)(1), (4), (7), and (8) and (b) through (f)
Annotated Code of Maryland
(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7-306(g)
Annotated Code of Maryland
(2020 Replacement Volume and 2020 Supplement)

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

House Bill 685 – Delegate Valderrama

AN ACT concerning

Labor and Employment – Secure Maryland Wage Act

FOR the purpose of requiring that certain employees working at a Maryland heightened security interest location be paid a certain wage ~~or combination of certain wages or benefits~~ for certain time periods under certain circumstances; requiring certain employers to pay certain covered employees a certain supplement benefit rate in a certain manner beginning on a certain date; declaring findings of the General Assembly; specifying the purposes of certain provisions of this Act; specifying that certain provisions of this Act do not diminish certain rights of certain covered employees; requiring an employer to pay certain covered employees an overtime wage under certain circumstances; specifying that a certain agreement to work for less than a certain wage is void; prohibiting an employer from including a tip credit as part of the wage of certain covered employees; requiring an employer to allow certain covered employees to receive tips and retain all tips received; requiring and authorizing the Commissioner of Labor and Industry to create and make available certain materials for certain employers; requiring the Commissioner to provide certain materials to certain employers under certain circumstances; requiring an employer to keep posted in each place of employment certain materials in a certain manner; requiring employers to keep certain records for a certain period of time; requiring the Commissioner to take certain enforcement actions; providing for the confidentiality of certain records and statements; authorizing a certain person to file a complaint in circuit court within a certain time period under certain circumstances; requiring that a certain complaint be served on the Commissioner; requiring the court to make a certain determination under certain circumstances; authorizing certain employees to bring a certain action under certain circumstances; authorizing the Commissioner to take certain actions regarding certain claims under certain circumstances; providing that a certain agreement is not a defense for certain purposes; requiring a court to make certain awards to certain employees under certain circumstances; prohibiting certain employers and employees from taking certain actions; establishing a certain penalty; prohibiting a certain conviction of a certain employer except under certain circumstances; requiring the Commissioner

to enforce certain provisions of law; authorizing the Commissioner to conduct a certain investigation under certain circumstances; ~~establishing an exemption under the Wage and Hour Law for a certain covered employee; establishing an exemption under the Living Wage Law for a certain covered employee;~~ requiring the Port of Baltimore to conduct a certain study and report to the Governor and the General Assembly on or before a certain date; requiring the Maryland Aviation Administration to conduct a certain study and report to the Governor and the General Assembly on or before a certain date; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to wages paid at heightened security interest locations.

BY repealing and reenacting, with amendments,
 Article – Labor and Employment
 Section 3–102 ~~and~~, 3–403(13) and (14), and 3–419
 Annotated Code of Maryland
 (2016 Replacement Volume and 2020 Supplement)

BY adding to
 Article – Labor and Employment
 Section 3–103(m) and 3–403(15); and ~~3–1501~~ 3–1601 through ~~3–1511~~ 3–1611 to be
 under the new subtitle “Subtitle ~~15~~ 16. Secure Maryland Wage Act”
 Annotated Code of Maryland
 (2016 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 18–102
 Annotated Code of Maryland
 (2015 Replacement Volume and 2020 Supplement)~~

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

House Bill 972 – Delegate C. Branch

AN ACT concerning

Real Estate – ~~Real Estate Brokerage Services – Prohibition~~ Workgroup to Study Real Estate Trust Money Distribution

FOR the purpose of ~~prohibiting a real estate broker from providing brokerage services relating to any new transaction involving certain property until certain trust money has been distributed in accordance with certain provisions of law, under certain circumstances;~~ establishing the Workgroup to Study Real Estate Trust Money Distribution; providing for the membership, composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the

Workgroup to report its recommendations to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to real estate brokerage services and trust money.

~~BY repealing and reenacting, without amendments,
Article — Business Occupations and Professions
Section 17-101(a) and (l) and 17-501
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Business Occupations and Professions
Section 17-505
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

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

House Bill 1262 – Delegate Hornberger

AN ACT concerning

Maryland Electricians Act – Revisions

FOR the purpose of altering the powers and duties of the State Board of Master Electricians; changing the name of the State Board of Master Electricians to the State Board of Electricians; requiring the ~~Department~~ General Assembly, on or before a certain date, to ~~adopt regulations~~ consider legislation proposed by the Workgroup to Study Limited Energy Services necessary for the regulation and licensing of low-voltage electricians if certain legislation is not enacted on or before a certain date; prohibiting, beginning on a certain date, local jurisdictions from issuing certain licenses; replacing local electrician licenses with local electrician registrations; authorizing local jurisdictions that issued certain licenses before a certain date to issue registrations under certain circumstances; prohibiting a certain local jurisdiction, beginning on a certain date, from registering a master-level, journeyman-level, or apprentice-level electrician unless it administers certain examinations and registers certain information with the State Board; requiring certain local jurisdictions to report certain information to the Department on or before a certain date each year; allowing a local jurisdiction to take certain actions against certain licensees under certain circumstances; requiring certain local jurisdictions to administer a certain examination in a certain manner; requiring each county and each municipal corporation to enforce certain provisions of law and adopt certain regulations or require certain State licenses under certain circumstances; altering certain licensing and examination requirements; repealing a certain provision of law stating that certain provisions of law do not require certain individuals to hold a State license; altering certain reciprocity requirements for certain individuals authorized to provide electrical services in other states;

establishing certain continuing education requirements; authorizing the State Board to waive certain examination requirements and certain experience requirements for certain licensees in certain circumstances; altering the circumstances under which the State Board may deny a license to an applicant, reprimand a licensee, or suspend or revoke a license; authorizing the State Board to set certain fees; providing for the construction of a certain provision of law; requiring a master electrician to display certain information in a certain manner; requiring a licensee to give the State Board certain notice of a change in certain information; prohibiting a person from ~~taking certain actions without a license~~; employing an individual to provide or assist in providing electrical services unless the individual meets certain licensing requirements; requiring the presence of a certain electrician at a certain job site; providing that a local jurisdiction is not precluded from enforcing more stringent requirements; establishing certain penalties for certain violations; establishing the Workgroup to Study Limited Energy Services; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its recommendations to certain committees of the General Assembly on or before a certain date; requiring the State Board to provide a certain notice to each local board in the State; providing for the termination of certain provisions of this Act; altering certain definitions; defining certain terms; making stylistic and conforming changes; providing for a delayed effective date for certain provisions of this Act; and generally relating to the State Board of Electricians and the licensing and regulation of electricians.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 6–101 through 6–103; 6–201, 6–202(h)(2), and 6–205 to be under the amended subtitle “Subtitle 2. State Board of Electricians”; 6–301, 6–302 through 6–306, 6–307, 6–308, 6–310(c)(4) and (e), 6–311(b)(2) and (3), (c), and (d)(1), 6–312, 6–315, 6–316, 6–319(c) and (d)(1), 6–321(a)(2) and (b), 6–401 through 6–603, 6–604(b), and 6–701

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Business Occupations and Professions

Section 6–104, 6–307.1, and 6–605 through 6–608

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing

Article – Business Occupations and Professions

Section 6–605

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

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

House Bill 1328 – Delegate Feldmark

AN ACT concerning

Economic Development – Broadband Providers – Joint Trenching and Fee (Building Out Broadband Act of 2021)

FOR the purpose of ~~declaring certain findings and the intent of the General Assembly; renaming the Rural Broadband Assistance Fund to be the Maryland Digital Connectivity Fund; altering the purpose of the Fund; providing that the Fund consists of certain fees; altering the use of the Fund to include providing certain financial assistance to authorities to expand high-speed Internet access in certain areas of the State; requiring the Department of Commerce to submit a certain report on or before a certain date; authorizing a county or municipal corporation to adopt certain policies to advance progress of infrastructure, equipment, and systems needed to extend certain broadband access; altering the duties of the Maryland Rural Broadband Coordination Board; requiring the Department of Transportation and units of local government to allow joint trenching by broadband providers in a certain manner under certain circumstances; authorizing the Department of Transportation, and units of local government under certain circumstances, to charge a fee to certain broadband providers for joint trenching; requiring the Department of Transportation and units of local government to maintain a certain list of broadband providers that request to receive notice of certain trenching projects; requiring the State or a unit of local government, except under certain circumstances, to provide certain notice to broadband providers of certain trenching projects in a certain manner; exempting counties and municipal corporations within the jurisdiction of the Washington Suburban Sanitary District from certain requirements; requiring certain revenues to be distributed and used in a certain manner; requiring the Department of Commerce and the Department of Transportation to adopt certain regulations on or before a certain date; requiring the State to use certain funding for a certain purpose, to the extent practicable; defining certain terms; making a portion of this Act contingent on the taking effect of another Act; and generally relating to broadband expansion.~~

~~BY repealing~~

~~Article – Economic Development~~

~~Section 5-1101~~

~~Annotated Code of Maryland~~

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

~~BY adding to~~

~~Article – Economic Development~~

~~Section 5-1101 and 5-1103 to be under the amended subtitle “Subtitle 11. Maryland Digital Connectivity”~~

~~Annotated Code of Maryland~~

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

~~BY repealing and reenacting, with amendments,~~

~~Article – Economic Development~~

~~Section 5–1102 and 13–504~~

~~Annotated Code of Maryland~~

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

BY adding to

Article – Housing and Community Development

Section 6.5–108

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

(As enacted by Chapter _____ (S.B. 66/H.B. 97) of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 8–654

Annotated Code of Maryland

(2020 Replacement Volume)

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

SPECIAL ORDER CALENDAR NO. 46

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 8

Senator Young, Chair for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee

Report No. 8

April 1, 2021

Health, Maryland Department

1. Dennis R. Schrader

District 13

Secretary of the Maryland Department of Health; appointed to serve at the pleasure of the Governor

Education, State Board of

2. Joan A. Mele–McCarthy, D.A. District 27
360 Holie Lane
Huntingtown, MD 20639

Member of the State Board of Education; reappointed to serve a term of 4 years from July 1, 2021

University System of Maryland Board of Regents

3. Aaliyah B. Edwards District 8
1331 Dartmouth Avenue
Parkville, MD 21234

Member of the University System of Maryland Board of Regents; appointed to serve a term of 2 years from July 1, 2020

4. Ellen R. Fish District 11
7 Broadridge Lane
Lutherville, MD 21093

Member of the University System of Maryland Board of Regents; reappointed to serve a term of 5 years from July 1, 2021

5. Gary T. Gill District 11
2328 W. Joppa Road, SUite 200
Lutherville, MD 21093

Member of the University System of Maryland Board of Regents; appointed to serve a term of 5 years from July 1, 2019

6. Robert R. Neall District 33
829 West Central Avenue
Davidsonville, MD 21035

Member of the University System of Maryland Board of Regents; reappointed to serve a term of 5 years from July 1, 2020

7. Nathaniel L. Sansom District 37
3372 Residential Drive
Eden, MD 21822

Member of the University System of Maryland Board of Regents; appointed to serve a term of 1 year from July 1, 2020

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Labor Relations Board, State

S-1. LeRoy A. Wilkison District 37
25896 Miles Haven Road, P.O. Box 68
Newcomb, MD 21653

Member of the State Labor Relations Board; reappointed to serve a term of 6 years from July 1, 2019

University System of Maryland Board of Regents

S-2. Meredith M. Mears District 37
27310 Equestrian Drive
Salisbury, MD 21801

Member of the University System of Maryland Board of Regents; reappointed to serve a term of 5 years from July 1, 2020

S-3. Louis M. Pope District 9
12519 Marlow Road
Fulton, MD 20789

Member of the University System of Maryland Board of Regents; reappointed to serve a term of 5 years from July 1, 2020

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Allegany College Board of Trustees

L-1. Michele R. Martz
391 Ridgewood Drive
Fort Ashby, WV 26719

Member of the Allegany College Board of Trustees; appointed to serve remainder of a term of 6 years from July 1, 2018

L-2. James R. Pyles District 1
47 LaVale Boulevard
LaVale, MD 21502

Member of the Allegany College Board of Trustees; reappointed to serve a term of 6 years from July 1, 2021

Anne Arundel Community College Board of Trustees

L-3. Allinda J. Price-Jones District 31
7713 Lyman Avenue
Pasadena, MD 21122

Member of the Anne Arundel Community College Board of Trustees; appointed to serve remainder of a term to expire June 30, 2023

Baltimore City Board of Elections

L-4. Evette Matthews District 45
5841 Arizona Avenue
Baltimore, MD 21206

Member of the Baltimore City Board of Elections; appointed to serve a term to expire June 4, 2023

Baltimore City Board of License Commissioners

L-5. Robert E. Guye, Sr. District 45
5010 Sipple Avenue
Baltimore, MD 21206

Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years that expires on June 30, 2021

L-6. Albert J. Matricianni District 43
3801 Canterbury Road Unit 1101
Baltimore, MD 21218

Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years that expires on July 1, 2022

Cecil County Board of Elections

- L-7. Stephen J. Stiles District 35
248 North East Road
North East, MD 21901

Member of the Cecil County Board of Elections; appointed to serve a term to expire June 4, 2023

Frederick County Board of License Commissioners

- L-8. Joan M. Aquilino District 4
3728 Blueberry Drive
Monrovia, MD 21770

Member of the Frederick County Board of License Commissioners; reappointed to serve a term of 5 years from July 1, 2021

Montgomery College Board of Trustees

- L-9. Omar A. Lazo District 19
13107 Nordic Hill Drive
Silver Spring, MD 20906

Member of the Montgomery College Board of Trustees; appointed to serve a term of 6 years from July 1, 2021

Somerset County Board of Elections

- L-10. James S. Lane District 38
312 Tyler Street
Crisfield, MD 21817

Member of the Somerset County Board of Elections; appointed to serve a term to expire June 4, 2023

Washington County Board of Commissioners

- L-11. Charles A. Burkett, Jr. District 2
12906 Pinehill Drive
Hagerstown, MD 21740

Commissioner of the Washington County Board of Commissioners; appointed to serve to serve until the General Election of November 2022

Washington County Board of License Commissioners

L-12. Robert J. Buczkowski
1249 Frederick Street
Hagerstown, MD 21740

District 2

Chair of the Washington County Board of License Commissioners; reappointed to serve a term of 6 years from June 1, 2021

The President of the Senate put the following question: “With the exception of Nominee No. 1, will the Senate advise and consent to the above nominations of the Executive?”

The above nominations of the Executive, with the exception of Nominee No. 1, were all confirmed by roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 847)

Nominee No. 1

The President of the Senate put the following question: “Will the Senate advise and consent to the above nomination of the Executive?”

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 848)

FINANCE COMMITTEE REPORT NO. 40

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 392 – Senator Augustine

EMERGENCY BILL

AN ACT concerning

Electricity and Gas – Limited-Income Mechanisms

SB0392/367477/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 392
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Mechanisms**” insert “**and Assistance**”; in line 14, after “limitations;” insert “altering the eligibility criteria for certain assistance from the Electric Universal Service Program; altering the number of years within which a certain customer may not receive certain arrearage assistance from the Program; requiring the Department of Human Services to provide certain applicants notice of and an opportunity to cure certain deficiencies in documentation; prohibiting the termination of certain service during a certain period; providing that arrearage assistance received in certain years from the Program does not count toward a certain limitation; requiring the Governor to make a certain appropriation in a certain amount for a certain fiscal year; establishing a Workgroup on Low–Income Utility Assistance to conduct a certain study of low–income energy assistance programs; providing for the membership, purpose, and staffing of the Workgroup; requiring the Workgroup to report to certain committees of the General Assembly on or before a certain date with certain recommendations;”; in line 15, after “terms;” insert “providing for the termination of certain provisions of this Act;”; in line 25, after “4–503” insert “and 7–512.1(a) and (f)”; and after line 27, insert:

“BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–512.1(b), (c), and (e)

Annotated Code of Maryland

(2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Human Services

Section 5–5A–01

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 5–5A–07

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 9, after “**(I)**” insert “**1.**”; in the same line, after the semicolon insert “**OR**”; in line 10, strike “**(II)**” and substitute “**2.**”; in line 12, strike “**(III)**” and substitute “**(II)**”; in the same line, after “**A**” insert “**BROADER**”; in line 16, after “**(4)**” insert

“PAYMENT PLAN” MEANS AN AGREEMENT BETWEEN AN ELIGIBLE LIMITED-INCOME CUSTOMER AND A UTILITY COMPANY TO PAY AN ARREARAGE BALANCE OVER A SPECIFIC PERIOD OF TIME TO AVOID DISCONNECTION OF A UTILITY SERVICE.

(5) (I);

strike beginning with the colon in line 16 down through “(I)” in line 17; strike beginning with the semicolon in line 18 down through “UTILITY” in line 19 and substitute “.

(II) “UTILITY COMPANY” DOES NOT INCLUDE A SMALL RURAL ELECTRIC COOPERATIVE”;

in line 25, strike “MAY” and substitute “SHALL”; in line 27, strike “THE” and substitute “NOTWITHSTANDING § 4-503(B) OF THIS TITLE, THE”; and after line 29, insert:

“(3) A MUNICIPAL ELECTRIC UTILITY MAY ADOPT A LIMITED-INCOME MECHANISM SUBJECT TO THE APPROVAL OF THE COMMISSION IN THE SAME MANNER AS A UTILITY COMPANY IN ACCORDANCE WITH THIS SECTION.”.

On page 3, in line 4, after “(I)” insert “A SEPARATE APPLICATION FOR APPROVAL OF THE MECHANISM; OR

(II) ONLY WITH THE PRIOR APPROVAL OF THE COMMISSION,”;

strike beginning with the semicolon in line 7 down through “MECHANISM” in line 9; in line 10, strike “FULLY”; in line 11, after the first “THE” insert “PRUDENTLY INCURRED”; in line 19, strike “AND”; in line 20, after “(IV)” insert “A TIME FRAME AND PROCESS FOR THE COMMISSION TO REVIEW THE EFFECTIVENESS OF THE MECHANISM AFTER IMPLEMENTATION; AND

(V)”;

after line 21, insert:

“(E) IN EVALUATING A LIMITED-INCOME MECHANISM, THE COMMISSION SHALL CONSIDER:

(1) THE DEGREE TO WHICH THE MECHANISM PROMOTES AFFORDABILITY OF ELECTRICITY OR NATURAL GAS FOR LIMITED-INCOME CUSTOMERS;

(2) THE PUBLIC INTEREST IN ALLOCATING THE COSTS OF THE MECHANISM BETWEEN THE UTILITY COMPANY’S SHAREHOLDERS AND RATE PAYERS;

(3) THE IMPACT ON RATES, UTILITY OPERATING COSTS, CUSTOMER ARREARAGES, CUSTOMER DISCONNECTIONS, UNCOLLECTIBLE COSTS, AND SUCCESSFUL COMPLETION OF PAYMENT PLANS;

(4) THE ABILITY OF A LIMITED-INCOME CUSTOMER TO CONTINUE TO RECEIVE BENEFITS WHEN RELOCATING WITHIN THE SAME SERVICE TERRITORY;

(5) COORDINATION OF BENEFITS UNDER THE MECHANISM WITH ANY OTHER PUBLIC OR PRIVATE ASSISTANCE THAT MAY BE AVAILABLE TO THE CUSTOMER;

(6) A MINIMUM LEVEL OF SUPPORT OR ASSISTANCE STRUCTURE TO PROVIDE EQUITABLE AVAILABILITY OF LIMITED-INCOME ASSISTANCE ACROSS THE STATE; AND

(7) ANY OTHER INFORMATION THE COMMISSION CONSIDERS APPROPRIATE.”;

and in lines 22 and 28, strike “(E)” and “(F)”, respectively, and substitute “(F)” and “(G)”, respectively.

AMENDMENT NO. 3

On page 5, after line 27, insert:

“7-512.1.

(a) (1) The Commission shall establish an electric universal service program to assist electric customers with annual incomes:

(I) at or below 175% of the federal poverty level; OR

(II) FOR A CUSTOMER AT LEAST 67 YEARS OF AGE, AT OR BELOW 200% OF THE FEDERAL POVERTY LEVEL.

(2) The components of the electric universal service program shall include:

(i) bill assistance;

(ii) low-income residential weatherization; and

(iii) the retirement of arrearages for electric customers who have not received assistance in retiring arrearages under the universal service program within the preceding [7] 5 fiscal years.

(3) The Department of Housing and Community Development is responsible for administering the low-income residential weatherization component of the electric universal service program.

(4) (i) The Department of Human Services, through the Office of Home Energy Programs, is responsible for administering the bill assistance and the arrearage retirement components of the electric universal service program.

(ii) The Department of Human Services may:

1. establish minimum and maximum benefits available to an electric customer under the bill assistance and arrearage retirement components; and

2. coordinate benefits under the electric universal service program with benefits under the Maryland Energy Assistance Program and other available energy assistance programs.

(5) The Department of Human Services may, with input from a panel or roundtable of interested parties, contract to assist in administering the bill assistance and the arrearage retirement components of the electric universal service program.

(6) The Commission has oversight responsibility for the bill assistance and the arrearage retirement components of the electric universal service program and any other funds expended under this section.

(7) In a specific case, the electric universal service program may waive the income eligibility limitation under paragraph (1) of this subsection in order to provide assistance to an electric customer who would qualify for a similar waiver under the Maryland Energy Assistance Program established under Title 5, Subtitle 5A of the Human Services Article.

(8) (I) IF AN APPLICANT FOR BILL ASSISTANCE OR ARREARAGE RETIREMENT IS TO BE DENIED DUE TO DEFICIENT DOCUMENTATION, THE DEPARTMENT OF HUMAN SERVICES SHALL:

1. PROMPTLY PROVIDE NOTICE OF THE DEFICIENCY TO THE APPLICANT; AND

2. AFFORD THE APPLICANT AMPLE OPPORTUNITY OF NOT LESS THAN 3 MONTHS TO CURE THE DEFICIENCY.

(II) AN ELECTRIC COMPANY MAY NOT BEGIN THE PROCESS TO TERMINATE SERVICE TO AN APPLICANT WHILE THE APPLICANT IS CURING A DEFICIENCY UNDER THIS PARAGRAPH.

(9) NOTWITHSTANDING PARAGRAPH (2)(III) OF THIS SUBSECTION, ANY ASSISTANCE RECEIVED FOR ARREARAGE RETIREMENT BY A CUSTOMER IN CALENDAR YEARS 2020 AND 2021 MAY NOT BE COUNTED TOWARD THE LIMITATION ON THE NUMBER OF TIMES THE CUSTOMER MAY RECEIVE ASSISTANCE FOR ARREARAGE RETIREMENT.

(b) (1) All customers shall contribute to the funding of the electric universal service program through a charge collected by each electric company.

(2) The Commission shall determine a fair and equitable allocation for collecting the charges among all customer classes pursuant to subsection (e) of this section.

(3) Except as provided in paragraph (4) of this subsection, in accordance with subsection (f)(6) of this section, any unexpended bill assistance and arrearage retirement funds returned to customers under subsection (f) of this section shall be returned to each customer class as a credit in the same proportion that the customer class contributed charges to the fund.

(4) The Department of Human Services shall expend any unexpended bill assistance and arrearage funds that were collected in fiscal years 2010 through 2017, in excess of the total amount authorized under subsection (e) of this section, for one or more of the following purposes:

(i) bill assistance and the retirement of arrearages for customers who are eligible to receive assistance at the time services are provided;

(ii) targeted and enhanced low-income residential weatherization designed to remediate households that are considered ineligible to participate in other State energy efficiency programs due to significant health and safety hazards;

(iii) an arrearage management program for low-income customers in arrears, including providing credits or matching payments for customers who make timely payments on current bills; or

(iv) an arrearage prevention program for low-income customers.

(5) An electric company shall recover electric universal service program costs in accordance with § 7-512 of this subtitle.

(6) As determined by the Office of Home Energy Programs, bill assistance payments to an electric company may be on a monthly basis for each customer.

(7) The Commission shall determine the allocation of the electric universal service charge among the generation, transmission, and distribution rate components of all classes.

(8) The Commission may not assess the electric universal service surcharge on a per kilowatt-hour basis.

(c) (1) On or before December 1 of each year, the Commission shall report, subject to § 2-1257 of the State Government Article, to the General Assembly on the electric universal service program, including:

(i) subject to subsection (e) of this section, a recommendation on the total amount of funds for the program for the following fiscal year based on:

1. the level of participation in and the amounts expended on bill assistance and arrearage retirement during the preceding fiscal year;

2. how bill assistance and arrearage retirement payments were calculated during the preceding fiscal year;

3. the projected needs for the bill assistance and the arrearage retirement components for the next fiscal year; and

4. the amount of any bill assistance or arrearage retirement surplus carried over in the electric universal service program fund under subsection (f)(6)(i) of this section;

(ii) for bill assistance, the total amount of need, as determined by the Commission, for electric customers with annual incomes at or below 175% of the federal poverty level and the basis for this determination;

(iii) the amount of funds needed, as determined by the Commission, to retire arrearages for electric customers who have not received assistance in retiring arrearages under the electric universal service program within the preceding 7 fiscal years, and the basis for this determination;

(iv) the amount of funds needed, as determined by the Commission, for bill assistance and arrearage retirement, respectively, for customers for whom income limitations may be waived under subsection (a)(7) of this section, and the basis for each determination;

(v) the impact on customers' rates, including the allocation among customer classes, from collecting the total amount recommended by the Commission under item (i) of this paragraph; and

(vi) the impact of using other federal poverty level benchmarks on costs and the effectiveness of the electric universal service program.

(2) (i) To assist the Commission in preparing its recommendations under paragraph (1) of this subsection, the Office of Home Energy Programs shall report to the Commission each year on:

1. the number of customers and the amount of distributions made to fuel customers under the Maryland Energy Assistance Program established under Title 5, Subtitle 5A of the Human Services Article, identified by funding source and fuel source;

2. the cost of outreach and education materials provided by the Office of Home Energy Programs for the electric universal service program; and

3. the amount of money that the Department of Human Services receives, and is projected to receive, for low-income energy assistance from:

A. the Maryland Strategic Energy Investment Fund under § 9-20B-05 of the State Government Article;

B. with respect to electric customers only, the Maryland Energy Assistance Program; and

C. any other federal, State, local, or private source.

(ii) The Office of Home Energy Programs may satisfy the reporting requirement of subparagraph (i)1 of this paragraph by providing the Commission with a copy of material that contains the required information and that the Office of Home Energy Programs submits to the federal government.

(iii) The Commission shall include the information provided by the Office of Home Energy Programs under subparagraph (i) of this paragraph in its report to the General Assembly under paragraph (1) of this subsection.

(3) Subject to subsection (d)(2) of this section, the Commission shall include the information provided by the Department of Housing and Community Development under subsection (d)(1) of this section in its report to the General Assembly under paragraph (1) of this subsection.

(4) The electric universal service program shall be subject to audit by the Office of Legislative Audits in accordance with §§ 2-1220 through 2-1227 of the State Government Article.

(e) The total amount of funds to be collected for the electric universal service program each year shall be \$37 million, allocated in the following manner:

(1) \$27.4 million shall be collected from the industrial and commercial classes; and

(2) \$9.6 million shall be collected from the residential class.

(f) (1) In this subsection, “fund” means the electric universal service program fund.

(2) There is an electric universal service program fund.

(3) (i) 1. The Comptroller shall collect the revenue collected by electric companies under subsection (b) of this section and place the revenue into the fund.

2. The General Assembly may appropriate funds supplemental to the funds collected under subparagraph 1 of this subparagraph.

(ii) The fund is a continuing, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(iii) The purpose of the fund is to assist electric customers as provided in subsection (a)(1) of this section.

(4) The Department of Human Services, with oversight by the Commission, shall disburse the bill assistance and arrearage retirement funds in accordance with the provisions of this section.

(5) The Comptroller annually shall disburse up to \$1,000,000 of low-income residential weatherization funds to the Department of Housing and Community Development, as provided in the State budget.

(6) (i) At the end of a given fiscal year, any unexpended bill assistance and arrearage retirement funds that were collected for that fiscal year shall be retained in the fund and shall be made available for disbursement through the first 6 months of the next fiscal year to customers who:

1. qualify for assistance from the fund during the given fiscal year;

2. apply for assistance from the fund before the end of the given fiscal year; and

3. remain eligible for assistance at the time services are provided.

(ii) If the Commission determines that an extension is needed, the Commission may extend up to an additional [3] 6 months the period in which unexpended bill assistance and arrearage retirement funds may be made available for disbursement under subparagraph (i) of this paragraph.

(iii) 1. Any bill assistance and arrearage retirement funds collected for a given fiscal year that are retained under subparagraph (i) of this paragraph and that remain unexpended at the end of the period allowed under subparagraphs (i) and (ii) of this paragraph shall be returned to each customer class in the proportion that the customer class contributed charges to the fund for the given fiscal year in the form of a credit toward the charge assessed in the following fiscal year.

2. If the Commission determines that it is impractical to establish a rate credit for the amount to be returned for a given fiscal year to customers under subsubparagraph 1 of this subparagraph, the Commission:

A. may defer the return for not more than 2 additional fiscal years; and

B. shall combine the returned amount for that fiscal year with amounts to be returned for the following fiscal years when calculating the rate credit for the final fiscal year of the period.”.

AMENDMENT NO. 4

On page 5, in line 28, after “2.” insert “AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Human Services

5-5A-01.

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

(b) “Energy emergency” means a lack of fuel or the imminent discontinuation of energy services supplied by a fuel vendor or utility vendor that will endanger health, safety, or welfare.

(c) “Fuel vendor” means a person that distributes, transports, produces, or offers for sale coal products, fuel oil, kerosene, bottled gas, propane, or wood for fuel use or consumption in the State.

(d) “Office” means the Office of Home Energy Programs.

(e) “Program” means the Energy Assistance Program.

(f) “Utility vendor” means a person that distributes, transports, or produces natural gas or electricity for use or consumption in the State.

5-5A-07.

(a) (1) The Office shall:

(i) carry out an energy emergency crisis intervention program to prevent low-income households, including the near poor, the elderly, households with children, and those on fixed incomes from experiencing danger to health or survival as a result of an energy emergency;

(ii) establish intake procedures for those experiencing an energy emergency;

(iii) establish guidelines for the income and program eligibility of applicants; and

(iv) identify local public or private agencies to administer the crisis intervention program.

(2) (i) The Office shall make payments to fuel vendors and utility vendors that have provided service to persons qualifying for the crisis intervention program.

(ii) The amount of assistance shall be based on need.

(b) (1) The Office shall carry out one or more fuel and utility assistance programs to make payments on behalf of qualified households to defray fuel and utility costs.

(2) The Office shall determine program and income eligibility guidelines.

(3) The amount of assistance shall be based on need.

(C) 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.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup on Low–Income Utility Assistance.

(b) The purpose of the Workgroup is to examine the forms of federal, State, local, and private assistance available to low–income residential electric and natural gas customers.

(c) The Workgroup consists of:

(1) the Secretary of Human Services or the Secretary’s designee;

(2) the Secretary of Housing and Community Development, or the Secretary’s designee;

(3) the Attorney General, or the Attorney General’s designee;

(4) the Chairman of the Public Service Commission, or the Chairman’s designee;

(5) the People’s Counsel, or the People’s Counsel’s designee;

(6) one member of the Senate of Maryland, appointed by the President of the Senate;

(7) one member of the House of Delegates, appointed by the Speaker of the House; and

(8) the following members appointed by the Governor:

(i) two members representing the interests of low-income residential electric and natural gas customers; and

(ii) two members representing natural gas and electric utilities.

(d) The Secretary of Human Services or the Secretary's designee shall serve as the chair of the Workgroup.

(e) The Department of Human Services shall staff the Workgroup.

(f) The Workgroup shall study:

(1) the different systems and forms of financial assistance available to low-income electric and natural gas customers in the State from federal, State, local, and private sources, especially the Electric Universal Service Program and the Maryland Energy Assistance Program;

(2) inefficiencies and gaps in the availability, qualification, and processing of applications for and delivery of financial assistance to low-income electric and natural gas customers;

(3) the feasibility of establishing a new natural gas universal service program, or the expansion of existing programs to cover low-income natural gas customers, including the characteristics of any new or expanded program;

(4) coordination of benefits under existing financial assistance programs for low-income electric and natural gas customers and means to improve coordination so as to extend and enhance the effectiveness of these programs;

(5) anticipated short-term and long-term demand for financial assistance for low-income electric and natural gas customers in the wake of the COVID-19 pandemic and systemic economic inequities, particularly in disadvantaged communities;

(6) the feasibility of establishing one or more financial assistance programs for small businesses in low-income communities; and

(7) any other matter the Workgroup considers relevant and helpful to addressing the needs of low-income utility customers.

(g) The Workgroup shall submit a report of the study, findings, and recommendations, including recommended legislation and regulatory changes, to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2-1257 of the State Government Article, on or before January 1, 2022.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall remain effective through June 30, 2023, and, at the end of June 30, 2023, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION 5.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 460 – Senator Feldman

AN ACT concerning

Economic Development – Advanced Clean Energy and Clean Energy Innovation Investments and Initiatives

SB0460/937874/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 460
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after “Fund;” insert “clarifying the amount of certain funding provided in a certain fiscal year;”.

AMENDMENT NO. 2

On page 4, after line 3, insert:

“(7) RENEWABLE CHEMICAL PRODUCTION;”;

and in lines 4, 6, 8, 10, 11, 12, 13, 16, 18, 19, 21, 23, 25, and 26, strike “(7)”, “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, “(14)”, “(15)”, “(16)”, “(17)”, “(18)”, “(19)”, and “(20)”, respectively, and substitute “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, “(14)”, “(15)”, “(16)”, “(17)”, “(18)”, “(19)”, “(20)”, and “(21)”, respectively.

On page 5, in line 4, strike “(21)” and substitute “(22)”; and in line 5, strike “(20)” and substitute “(21)”.

On page 7, in line 21, after “AS” insert “A GREEN BANK FOR”; in line 22, strike “GREEN BANK”; in the same line, strike “AND”; and in line 23, after “(6)” insert “ENCOURAGE THE CENTER TO WORK IN CONJUNCTION WITH OTHER LOCAL AND PRIVATE GREEN BANKS; AND

(7)”.

On page 8, strike line 22 in its entirety and substitute:

“(6) WORK AS A GREEN BANK AND IN CONJUNCTION WITH LOCAL AND PRIVATE GREEN BANKS.”

On page 13, in line 15, strike “AND”; and in the same line, after “COMPANIES” insert “, AND PILOT PROJECTS FOCUSED ON ON-SITE CLEAN ENERGY GENERATION FOR BUILDINGS”.

AMENDMENT NO. 3

On page 17, in line 10, after “4.” insert “AND BE IT FURTHER ENACTED, That, for fiscal year 2022 only, the funding provided to the Maryland Energy Innovation Fund from the Maryland Strategic Energy Investment Fund under § 9-20B-05(f)(11) and (f-4) of the State Government Article, as enacted by this Act, shall be reduced proportionally by the amount of any actual transfers made to the Maryland Energy Innovation Fund from

the Maryland Strategic Energy Investment Fund under Chapters 364 and 365 of the Acts of the General Assembly of 2017 for fiscal year 2022.

SECTION 5."

The preceding 3 amendments were read only.

Senator Hough moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 811 – Senator Hershey

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Computation of Earned Rate of Contribution –
Applicable Table of Rates**

SB0811/587071/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 811

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Hershey” and substitute “Senators Hershey, Klausmeier, Kelley, Augustine, Beidle, Benson, Feldman, Hayes, Jennings, Kramer, and Ready”; and strike beginning with “that” in line 4 down through “circumstances” in line 6 and substitute “the Governor, based on the availability of certain federal funds, to include in the annual budget bill for a certain fiscal year a certain appropriation to the Unemployment Insurance Trust Fund; authorizing the appropriation to be used for certain administrative costs, including the repayment of certain federal funds; requiring that the earned rate of contributions for a certain calendar year be calculated using a certain table of unemployment insurance rate”.

AMENDMENT NO. 2

On page 2 in line 16, on page 3 in line 13, on page 4 in line 9, on page 5 in line 8, on page 6 in line 10, and on page 7 in line 14, in each instance, strike “AND (G)” and substitute “, (G), AND (H)”.

On page 8, in line 34, strike “SUBSECTION (G)” and substitute “SUBSECTIONS (G) AND (H)”.

On page 9, strike beginning with “EXCEPT” in line 3 down through “SECTION” in line 16 and substitute “BASED ON THE AVAILABILITY OF QUALIFIED FEDERAL FUNDS AND NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR FISCAL YEAR 2022, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF FUNDS TOWARDS REPLENISHMENT OF THE UNEMPLOYMENT INSURANCE TRUST FUND IN AN AMOUNT SUFFICIENT TO RESULT IN THE EARNED RATE OF CONTRIBUTIONS FOR CALENDAR YEAR 2022 BEING CALCULATED USING TABLE C OF THE TABLE OF RATES, BASED ON THE FUNDING REQUIREMENTS OF SUBSECTION (D)(3) OF THIS SECTION.”

(2) THE APPROPRIATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE USED FOR ADMINISTRATIVE COSTS, INCLUDING REPAYMENTS, IF ANY, OF FEDERAL FUNDS.

(H) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE EARNED RATE OF CONTRIBUTIONS FOR CALENDAR YEAR 2023 SHALL BE CALCULATED USING TABLE C OF THE TABLE OF RATES SPECIFIED IN SUBSECTION (D) OF THIS SECTION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

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

**Budget Bill
(Fiscal Year 2022)**

Introductory Remarks of the Honorable Guy Guzzone, Chair Senate Budget and Taxation Committee regarding the Budget Bill Conference Committee Report.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL 588 –
THE BUDGET BILL
(See Exhibit O of Appendix III)

CONFERENCE COMMITTEE SUMMARY REPORT ON
HOUSE BILL 588 – THE BUDGET BILL AND
HOUSE BILL 589 – THE BUDGET RECONCILIATION AND FINANCING ACT
(See Exhibit P of Appendix III)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 849)

The Bill was then returned to the House of Delegates.

BILL NO.: **HB 589** SPONSOR: **Speaker**

SUBJECT: **Budget Reconciliation and Financing Act of 2021**

THIRD READING CALENDAR HOUSE NO. **69** SENATE NO. **2**

Hon. William C. Ferguson, IV, President of the Senate
Hon. Adrienne A. Jones, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Budget and Taxation Committee Amendments (HB0589/243724/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0589/443822/1) be adopted.

HB0589/443822/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 589
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering the source of funding for certain required appropriations;”; in line 5, after “fund;” insert “altering the area in which certain raffle proceeds are required to be used to benefit certain individuals;”; strike beginning with “requiring” in line 14 down through “program;” in line 16 and substitute “altering the percentage of eligible costs that may be paid from the Bay Restoration Fund for upgrading certain privately owned wastewater treatment facilities; establishing the Maternal and Child Health Population Health Improvement Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Maryland Department of Health and the Health Services Cost Review Commission to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; specifying that the Fund is subject to a certain audit;”; in line 18, strike “each” and substitute “for a certain”; in line 19, strike “each” and substitute “for a certain”; in the same line, after “year” insert “and a certain amount for each following fiscal year”; and in line 22, after “program;” insert “expanding the purpose of a certain fund;”.

On page 2, in line 16, after “fund;” insert “altering the amount of a required appropriation from the Transportation Trust Fund for the operation of the Maryland Transit Administration for a certain fiscal year;”; in line 20, after “funds;” insert “authorizing certain State agencies to temporarily charge certain expenditures to a certain account; providing a process to reimburse a certain account for certain charged expenditures;”; and in line 29, after “limitation;” insert “requiring certain employees in positions in certain Department of Public Safety and Correctional Services facilities to be transferred to certain vacancies in certain other facilities; defining certain terms; providing for the termination of certain provisions of this Act;”.

On pages 3 and 4, strike in their entirety the lines beginning with line 34 on page 3 through line 4 on page 4, inclusive.

On page 4, after line 4, insert:

“BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(i)(1) and (2)(i)

Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)”;

in line 17, after “Section” insert “19–210 and”; in line 22, after “(e),” insert “31–107(b) and (f).”; after line 24, insert:

“BY repealing and reenacting, without amendments,
Article – Insurance
Section 31–107(a) and (e)
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)”;

in line 32, strike “7–329(b–1) and” and substitute “6–226(a)(2)(ii)127. and 128., 7–329(b–1), and”; in line 38, strike “7–329(a) and (b) and” and substitute “6–226(a)(2)(i), 7–329(a) and (b), and”; and after line 40, insert:

“BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)129.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)
(As enacted by Chapters 20 and 538 of the Acts of the General Assembly of 2020 and
Chapters 4, 8, 25, 28, 33, and 36 of the Acts of the General Assembly of 2021)”.

On page 5, strike in their entirety lines 1 through 5, inclusive; and after line 16, insert:

“BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–205
Annotated Code of Maryland
(2020 Replacement Volume)”.

On page 7, after line 23, insert:

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

Article – Economic Development”.

On page 41, in lines 1, 5, 14, and 19, strike “2.”, “3.”, “4.”, and “5.”, respectively, and substitute “3.”, “4.”, “5.”, and “6.”, respectively; and in line 8, strike “**JANUARY 1, 2021**” and substitute “January 1, 2021”.

On page 42, in lines 6, 16, and 21, strike “6.”, “7.”, and “8.”, respectively, and substitute “8.”, “9.”, and “10.”, respectively.

On page 43, in lines 12, 16, 24, 28, 33, and 38, strike “10.”, “11.”, “13.”, “14.”, “15.”, and “16.”, respectively, and substitute “12.”, “13.”, “14.”, “15.”, “16.”, and “17.”, respectively.

On page 44, in line 10, strike “17.” and substitute “18.”; and in line 11, after “2021.” insert “Section 1 of this Act shall remain effective for a period of 3 years and 1 month and, at the end of June 30, 2024, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 2

On page 6, in line 15, strike “Prince George’s County” and substitute “**THE COMMON OWNERSHIP AND COOPERATIVE COMMUNITIES LOCATED IN WHOLE OR IN PART WITHIN AN ESTIMATED 1-MILE RADIUS OF PROPERTY OWNED OR UNDER THE CONTROL OF THE PROFESSIONAL FOOTBALL TEAM**”.

AMENDMENT NO. 3

On page 18, strike in their entirety lines 5 through 22, inclusive.

AMENDMENT NO. 4

On page 19, after line 14, insert:

“Article – Environment

9-1605.2.

(i) (1) **(I)** In this subsection[, “eligible] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “ELIGIBLE costs” means the additional costs that would be attributable to upgrading a wastewater facility to enhanced nutrient removal, as determined by the Department.

(III) “PRIVATELY OWNED WASTEWATER FACILITY” MEANS A WASTEWATER FACILITY THAT IS OWNED BY A PRIVATE ENTITY.

(IV) “PUBLICLY OWNED WASTEWATER FACILITY” MEANS A WASTEWATER FACILITY THAT IS OWNED BY THIS STATE OR A POLITICAL SUBDIVISION, MUNICIPAL CORPORATION, OR OTHER PUBLIC ENTITY.

(2) Funds in the Bay Restoration Fund shall be used only:

(i) 1. To award grants for up to 100% of eligible costs of projects relating to planning, design, construction, and upgrade of a PUBLICLY OWNED wastewater facility for flows up to the design capacity of the wastewater facility, as approved by the Department, to achieve enhanced nutrient removal in accordance with paragraph (3) of this subsection; AND

2. TO AWARD GRANTS FOR UP TO 50% OF ELIGIBLE COSTS OF PROJECTS RELATING TO PLANNING, DESIGN, CONSTRUCTION, AND UPGRADE OF A PRIVATELY OWNED WASTEWATER FACILITY FOR FLOWS UP TO THE DESIGN CAPACITY OF THE WASTEWATER FACILITY, AS APPROVED BY THE DEPARTMENT, TO ACHIEVE ENHANCED NUTRIENT REMOVAL IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION;”.

AMENDMENT NO. 5

On page 19, after line 15, insert:

“19-210.

(A) IN THIS SECTION, “FUND” MEANS THE MATERNAL AND CHILD HEALTH POPULATION HEALTH IMPROVEMENT FUND.

(B) THERE IS A MATERNAL AND CHILD HEALTH POPULATION HEALTH IMPROVEMENT FUND.

(C) THE PURPOSE OF THE FUND IS TO INVEST IN MATERNAL AND CHILD POPULATION HEALTH IMPROVEMENTS THROUGH THE MEDICAL CARE PROGRAMS

ADMINISTRATION AND THE PREVENTION AND HEALTH PROMOTION
ADMINISTRATION.

(D) THE DEPARTMENT AND THE COMMISSION SHALL ADMINISTER THE
FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) A UNIFORM, BROAD–BASED ASSESSMENT OF A REASONABLE
AMOUNT IN HOSPITAL RATES IN ORDER TO INVEST IN MATERNAL AND CHILD
POPULATION HEALTH IMPROVEMENTS UNDER § 19–207 OF THIS SUBTITLE;

(2) INTEREST EARNINGS; AND

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

(G) THE FUND MAY BE USED ONLY FOR EXPENSES ASSOCIATED WITH
MATERNAL AND CHILD HEALTH POPULATION HEALTH IMPROVEMENTS THROUGH
DECEMBER 31, 2025.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
THE FUND.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY:

(1) IN ACCORDANCE WITH THE STATE BUDGET; AND

(2) AFTER THE APPROVAL OF A MAJORITY OF THE MEMBERS OF THE COMMISSION.

(J) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT WOULD OTHERWISE BE APPROPRIATED FOR THE MARYLAND MEDICAL ASSISTANCE PROGRAM.

(K) THE FUND IS SUBJECT TO AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.”.

On page 25, after line 9, insert:

“6-226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

127. the Michael Erin Busch Sports Fund; [and]

128. the Coordinated Community Supports Partnership Fund;

129. THE MATERNAL AND CHILD HEALTH POPULATION HEALTH IMPROVEMENT FUND.”.

AMENDMENT NO. 6

On page 20, in lines 1 and 2, strike “AND EACH FISCAL YEAR THEREAFTER”; and in line 6, strike “EACH” and substitute “THAT”.

On page 21, after line 25, insert:

“(2) AT THE BEGINNING OF EACH OF FISCAL YEARS 2023 AND 2024, THE GOVERNOR SHALL TRANSFER THE FIRST \$8,000,000 OF THE FUNDS COLLECTED FROM THE ASSESSMENT REQUIRED UNDER THIS SECTION TO THE COMMUNITY HEALTH RESOURCES COMMISSION.”;

in line 26, strike “(2)” and substitute “(3)”; and in line 28, strike “PARAGRAPH (1)” and substitute “PARAGRAPHS (1) AND (2)”.

On page 22, in line 22, strike the brackets; strike beginning with “SUBJECT” in line 22 down through “THE” in line 23; in line 27, strike “2021” and substitute “2022”; and strike in their entirety lines 28 through 30, inclusive.

On page 23, in line 12, strike “BE LESS THAN” and substitute “EXCEED”; in the same line, strike “\$11,500,000;” and substitute “\$14,000,000; AND”; strike in their entirety lines 13 and 14; in line 15, strike “(5)” and substitute “(4)”; in the same line, after “year” insert “AFTER FISCAL YEAR 2022”; and after line 16, insert:

“31–107.

(a) There is a Maryland Health Benefit Exchange Fund.

(b) (1) The purpose of the Fund is to:

(i) provide funding for the operation and administration of the Exchange in carrying out the purposes of the Exchange under this subtitle; [and]

(ii) provide funding for the establishment and operation of the State Reinsurance Program authorized under this subtitle; AND

(III) PROVIDE FUNDING FOR THE MEDICAL ASSISTANCE PROGRAM AND THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM.

(2) The operation and administration of the Exchange and the State Reinsurance Program may include functions delegated by the Exchange to a third party under law or by contract.

(e) The Fund consists of:

- (1) any user fees or other assessments collected by the Exchange;
 - (2) all revenue deposited into the Fund that is received from the distribution of the premium tax under § 6–103.2 of this article;
 - (3) income from investments made on behalf of the Fund;
 - (4) interest on deposits or investments of money in the Fund;
 - (5) money collected by the Board as a result of legal or other actions taken by the Board on behalf of the Exchange or the Fund;
 - (6) money donated to the Fund;
 - (7) money awarded to the Fund through grants;
 - (8) any pass-through funds received from the federal government under a waiver approved under § 1332 of the Affordable Care Act;
 - (9) any funds designated by the federal government to provide reinsurance to carriers that offer individual health benefit plans in the State;
 - (10) any funds designated by the State to provide reinsurance to carriers that offer individual health benefit plans in the State;
 - (11) any federal funds received in accordance with § 31–121 of this subtitle for the administration of small business tax credits; and
 - (12) any other money from any other source accepted for the benefit of the Fund.
- (f) The Fund may be used only:
- (1) for the operation and administration of the Exchange in carrying out the purposes authorized under this subtitle; [and]
 - (2) for the establishment and operation of the State Reinsurance Program;

(3) IN FISCAL YEARS 2021 AND 2022, FOR THE MEDICAL ASSISTANCE PROGRAM WITHIN THE MEDICAL CARE PROGRAMS ADMINISTRATION OF THE MARYLAND DEPARTMENT OF HEALTH; AND

(4) IN FISCAL YEAR 2022, FOR THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER TITLE 15, SUBTITLE 10 OF THE HEALTH – GENERAL ARTICLE.”.

AMENDMENT NO. 7

On pages 31 and 32, strike in their entirety the lines beginning with line 9 on page 31 through line 10 on page 32, inclusive.

AMENDMENT NO. 8

On page 38, strike in their entirety lines 1 through 3, inclusive; in lines 4, 6, and 8, strike “2.”, “3.”, and “4.”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; strike in their entirety lines 27 through 29, inclusive; and in lines 30 and 32, strike “2.” and “3.”, respectively, and substitute “1.” and “2.”, respectively.

On page 39, in line 1, strike “4.” and substitute “3.”; in line 10, after “(i)” insert “1.”; in line 11, strike “\$136,235,225” and substitute “\$119,800,225”; in line 13, strike “\$72,000,000” and substitute “\$104,365,475”; after line 13, insert:

“2. FOR FISCAL YEAR 2022 ONLY, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$1,200,000 TO THE STATE LAKES PROTECTION AND RESTORATION FUND ESTABLISHED UNDER § 8–205 OF THE NATURAL RESOURCES ARTICLE TO BE USED ONLY TO FUND A PILOT DREDGING PROJECT AT DEEP CREEK LAKE, WHICH IS NOT REQUIRED TO BE MATCHED BY LOCAL FUNDS.

3. FOR EACH OF FISCAL YEARS 2023, 2024, 2025, 2026, AND 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$2,500,000 TO THE MARYLAND AGRICULTURAL AND RESOURCE–BASED INDUSTRY DEVELOPMENT CORPORATION FOR THE NEXT GENERATION FARMLAND ACQUISITION PROGRAM AUTHORIZED UNDER § 10–523(A)(3)(II) OF THE ECONOMIC DEVELOPMENT ARTICLE.

4. FOR FISCAL YEAR 2025 ONLY, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$2,735,000 TO THE MARYLAND AGRICULTURAL AND RESOURCE-BASED INDUSTRY DEVELOPMENT CORPORATION ESTABLISHED UNDER TITLE 10, SUBTITLE 5 OF THE ECONOMIC DEVELOPMENT ARTICLE TO BE USED AS FOLLOWS:

A. \$2,300,000 TO SUPPORT THE CORPORATION'S RURAL BUSINESS LOAN PROGRAMS AND SMALL MATCHING GRANT PROGRAMS; AND

B. \$435,000 FOR GRANTS AND NEAR-EQUITY INVESTMENTS TO:

I. SUPPORT THE CREATION OR EXPANSION OF AGRICULTURAL PRODUCT AGGREGATION AND STORAGE SITES; AND

II. FACILITATE PARTICIPATION IN THE CERTIFIED LOCAL FARM ENTERPRISE PROGRAM.;

in line 15, strike “**\$9,430,475**” and substitute “**\$8,230,475**”; in line 16, strike “\$50,721,900” and substitute “**\$37,986,900**”; in line 17, strike “\$50,721,900” and substitute “**\$48,221,900**”; and in line 24, strike “\$72,000,000” and substitute “**\$104,365,475**”.

On page 40, in line 2, strike “\$72,000,000” and substitute “**\$104,365,475**”; and in line 3, strike “5.” and substitute “**4.**”.

AMENDMENT NO. 9

On page 40, after line 8, insert:

“Article – Transportation

7-205.

(a) For fiscal year 2020, the Governor shall include in the State budget an appropriation from the Transportation Trust Fund for the operation of the Administration that is equal to the appropriation for the operation of the Administration in the fiscal year 2019 State budget as introduced, increased by at least 4.4%.

(b) For [each of fiscal years] FISCAL YEAR 2021 [and 2022], the Governor shall include in the State budget an appropriation from the Transportation Trust Fund for the operation of the Administration that is equal to the appropriation for the operation of the Administration in the State budget for the immediately preceding fiscal year, increased by at least 4.4%.

(C) FOR FISCAL YEAR 2022, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FROM THE TRANSPORTATION TRUST FUND FOR THE OPERATION OF THE ADMINISTRATION THAT MAY NOT BE LESS THAN THE FISCAL YEAR 2021 APPROPRIATION FOR THE OPERATION OF THE ADMINISTRATION.

[(c)] (D) (1) For each of fiscal years 2020 through 2022, the Governor shall include in the State budget an appropriation for the capital needs of the Administration of at least \$29,100,000 from the revenues available for the State capital program in the Transportation Trust Fund.

(2) The appropriation required under paragraph (1) of this subsection may not supplant any other capital funding otherwise available for the Administration.”.

AMENDMENT NO. 10

On page 41, in line 16, strike “\$2,000,000” and substitute “\$1,500,000”.

AMENDMENT NO. 11

On page 41, in line 21, strike “\$3,000,000” and substitute “\$2,000,000”.

AMENDMENT NO. 12

On page 42, after line 5, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law under § 2–606 of the Tax – General Article:

(a) The Maryland Department of Health and other appropriate State agencies are authorized to temporarily charge expenditures related to the Coronavirus Disease 2019 (COVID–19) response that are eligible for reimbursement from the Federal Emergency Management Agency’s Public Assistance process to the Local Reserve Account established to comply with § 2–606 of the Tax – General Article.

(b) Once reimbursement is received from the Federal Emergency Management

Agency’s Public Assistance process, the revenue shall be used to offset the eligible expenditures authorized under subsection (a) of this section to reimburse the Local Reserve Account.

(c) Any charges against the Local Reserve Account that are not fully reimbursed under subsection (b) of this section shall be reimbursed by the General Fund at the Maryland General Assembly session following a determination by the Federal Emergency Management Agency to ensure the Local Reserve Account is fully reimbursed for the temporary charges made under subsection (a) of this section.

(d) This provision shall be in effect until June 30, 2022, or until the Federal Emergency Management Agency has made a final determination on all expenditures that are temporarily charged under subsection (a) of this section. On the effective date of this Act, the Department of Budget and Management may appropriate these funds through the budget amendment process, as needed.”.

AMENDMENT NO. 13

On page 43, after line 6, insert:

“SECTION 11. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, employees in positions at Department of Public Safety and Correctional Services facilities that are closed effective June 30, 2021, shall be transferred to existing vacancies in comparable job classifications within other Department of Public Safety and Correctional Services facilities. These transfers shall be effective not later than July 1, 2021, and shall be made without any loss of status, compensation, or benefits.”.

AMENDMENT NO. 14

On page 43, strike in their entirety lines 7 through 11, inclusive.

AMENDMENT NO. 15

On page 43, strike in their entirety lines 20 through 23, inclusive.

AMENDMENT NO. 16

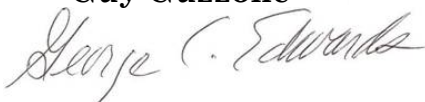
On page 44, in lines 3 and 6, in each instance, strike “\$5,000,000” and substitute “\$100,000”.

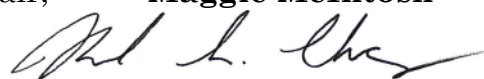
Senate Members:

House Members:

Chair, 
Guy Guzzone

Chair, 
Maggie McIntosh





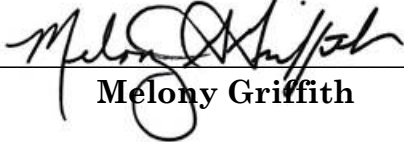
George C. Edwards



Cory V. McCray

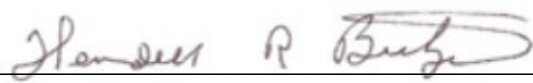


Craig J. Zucker



Melony Griffith

Mark S. Chang



Wendell R. Beitzel



Keith E. Haynes



Kirill Reznik

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 – 47 Negative – 0 (See Roll Call No. 850)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 59 (GENERAL SENATE BILLS)

Senate Bill 46 – Senator Lam

AN ACT concerning

**Crimes – Mitigation and Defense – Race, Color, National Origin, Sex, Gender
Identity, or Sexual Orientation**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 851)

The Bill was then sent to the House of Delegates.

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 – 35 Negative – 12 (See Roll Call No. 852)

The Bill was then sent to the House of Delegates.

Senate Bill 894 – Senator Rosapepe

EMERGENCY BILL

AN ACT concerning

Post-Crisis Jobs Act of 2021

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

Affirmative – 47 Negative – 0 (See Roll Call No. 853)

The Bill was then sent to the House of Delegates.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 7**

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)**

Senator Smith moved that the Senate concur in the House amendments.

SB0494/232214/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 494
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 12 down through “hearing;” in line 15 and substitute “authorizing a certain individual to introduce evidence in support of a certain motion at a certain hearing; authorizing the State to introduce evidence in support of or in opposition to a certain motion at a certain hearing; requiring that notice of a certain hearing be given to a certain victim or victim’s representative in a certain manner;”; strike beginning with “authorizing” in line 21 down through “individual;” in line 23; in line 24, after “sentence;” insert “providing for the application of a certain provision of this Act;”; and in the same line, after “minors” insert “and the reduction of the duration of certain sentences”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“(A) THIS SECTION APPLIES ONLY TO AN INDIVIDUAL WHO:

(1) WAS CONVICTED AS AN ADULT FOR AN OFFENSE COMMITTED WHEN THE INDIVIDUAL WAS A MINOR;

(2) WAS SENTENCED FOR THE OFFENSE BEFORE OCTOBER 1, 2021;
AND

(3) HAS BEEN IMPRISONED FOR AT LEAST 20 YEARS FOR THE OFFENSE.”;

in line 17, strike “**(A)**” and substitute “**(B)**”; and strike beginning with “**CONVICTED**” in line 17 down through “**MINOR**” in line 18 and substitute “**DESCRIBED IN SUBSECTION (A) OF THIS SECTION**”.

On page 3, strike beginning with “**THE**” in line 1 down through “**4-345**” in line 9 and substitute “**NOTICE OF THE HEARING UNDER THIS SUBSECTION SHALL BE GIVEN TO THE VICTIM OR THE VICTIM’S REPRESENTATIVE AS PROVIDED IN §§ 11-104 AND 11-503 OF THIS ARTICLE**”; in line 10, strike “**(B)**” and substitute “**(C)**”; in line 11, strike “**(A)**” and substitute “**(B)**”; strike beginning with the colon in line 13 down through “**(2)**” in line 16; in line 17, strike “**(I)**” and substitute “**(1)**”; in the same line, after “**PUBLIC;**” insert “**AND**”; in line 18, strike “**(II)**” and substitute “**(2)**”; strike beginning with “**;**” in line 19 down through “**SECTION**” in line 22; and in line 23, strike “**(C)**” and substitute “**(D)**”.

On page 4, in line 6, after “**PHYSICAL**” insert “**, MENTAL,**”; in line 9, strike “**THE INDIVIDUAL’S**” and substitute “**ANY**”; in lines 17 and 21, strike “**(D)**” and “**(E)**”, respectively, and substitute “**(E)**” and “**(F)**”, respectively; and in line 20, strike “**(C)**” and substitute “**(D)**”.

On page 5, strike in their entirety lines 1 through 8, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 854)

SPECIAL ORDER CALENDAR NO. 47

Senate Bill 852 – Senators Hough, Bailey, Carozza, Cassilly, Corderman, Eckardt, Edwards, Gallion, Hershey, Jennings, Ready, Salling, Simonaire, and West

EMERGENCY BILL

AN ACT concerning

Crimes – Penalties and Procedures

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

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

Affirmative – 32 Negative – 15 (See Roll Call No. 855)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE SENATE BILLS AMENDED IN THE HOUSE NO. 11

Senate Bill 683 – Senator Kramer

AN ACT concerning

Election Law – Voting – Permanent Absentee Ballot List, Ballot Drop Boxes, and Report

Senator Pinsky moved that the Senate concur in the House amendments.

SB0683/515369/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 683

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “**Report**” and substitute “**Reports**”; strike beginning with “criteria” in line 5 down through “Elections” in line 6 and substitute “factors”; in line 8, strike “under certain circumstances”; strike beginning with “requiring” in line 12 down through “statement;” in line 13 and substitute “requiring a local board to ensure the security of ballot drop boxes; requiring that a local board have certain access to certain security cameras; requiring a local board to remove the ballots from each ballot drop box at least once each day that the ballot drop box is open in accordance with certain procedures, except as otherwise provided by law; requiring the State Board to establish chain of custody procedures governing removal of election–related materials from ballot drop boxes and the return of the materials to the local board; requiring that a certain absentee ballot application include a certain statement; requiring that certain envelopes include a certain statement in a certain manner;”; in line 13, after “requiring” insert “that”; in line 14, strike “to”; and strike beginning with “requiring” in line 18 down through “time;” in line 20.

On page 2, strike beginning with “requiring” in line 1 down through “method;” in line 4; in line 5, strike “who”; in line 22, after “address;” insert “prohibiting a person from canvassing, electioneering, or posting campaign material in a certain manner or placing certain material on a ballot drop box; requiring each local board to send a certain absentee ballot application to each eligible voter within a certain period of time in certain years except under certain circumstances; requiring the State Board to contract with a usability consultant on or before a certain date to review all the public informational materials and forms related to mail–in voting produced by the State Board; requiring the consultant to make certain recommendations to the State Board on or before a certain date; requiring the consultant to make specific recommendations concerning certain matters;”; in line 23, strike “a”; in the same line, strike “report” and substitute “reports”; in line 24, strike “a”; in the same line, strike “date” and substitute “dates”; in line 25, strike “voting” and substitute “a permanent absentee ballot list”; in line 33, after “2–304,” insert “2–305, 9–305(c).”; in line 38, strike “and” and substitute “, 9–305(c).”; and in the same line, after “9–310(a)” insert “, and 16–206”.

AMENDMENT NO. 2

On page 3, in line 9, after “DURABLE” insert “, AND WEATHERPROOF”; after line 15, insert:

“(A) A LOCAL BOARD SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING THE LOCATION OF A BALLOT DROP BOX:

(1) THE ACCESSIBILITY OF THE BALLOT DROP BOX TO HISTORICALLY DISENFRANCHISED COMMUNITIES, INCLUDING VOTERS WITH DISABILITIES, CULTURAL GROUPS, ETHNIC GROUPS, AND MINORITY GROUPS;

(2) PROXIMITY OF THE BALLOT DROP BOX TO DENSE CONCENTRATIONS OF VOTERS;

(3) ACCESSIBILITY OF THE BALLOT DROP BOX BY PUBLIC TRANSPORTATION;

(4) EQUITABLE DISTRIBUTION OF BALLOT DROP BOXES THROUGHOUT THE COUNTY; AND

(5) MAXIMIZING VOTER PARTICIPATION, INCLUDING THROUGH PLACEMENT OF BALLOT DROP BOXES AT COMMUNITY CENTERS AND PUBLIC GATHERING PLACES.”;

in lines 16 and 20, strike “(A)” and “(B)”, respectively, and substitute “(B)” and “(C)”, respectively; in line 16, strike “(B)” and substitute “(C)”; strike beginning with “CRITERIA” in line 18 down through “BOARD” in line 19 and substitute “THE FACTORS SET FORTH IN SUBSECTION (A) OF THIS SECTION”; strike beginning with “COMPLIES” in line 24 down through “BOARD” in line 25 and substitute “MEETS THE FACTORS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION”; strike beginning with “COMPLY” in line 26 down through “CRITERIA” in line 27 and substitute “MEET THE FACTORS”.

On page 4, in line 2, strike “IS NOT IN COMPLIANCE WITH THE CRITERIA” and substitute “DOES NOT MEET THE FACTORS”; in line 6, strike “ARE NOT IN COMPLIANCE WITH THE CRITERIA” and substitute “DO NOT MEET THE FACTORS”; and after line 7, insert:

“2-305.

(A) (1) A LOCAL BOARD SHALL ENSURE THE SECURITY OF BALLOT DROP BOXES, INCLUDING THROUGH THE USE OF THE FOLLOWING:

(I) MONITORING BY SECURITY CAMERAS AT ALL TIMES; AND

(II) PERIODIC IN-PERSON VISITS BY APPROPRIATE PERSONNEL.

(2) A LOCAL BOARD SHALL HAVE IMMEDIATE ACCESS OR ACCESS WITHIN A REASONABLE AMOUNT OF TIME TO A SECURITY CAMERA USED FOR MONITORING A BALLOT DROP BOX UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.

(B) (1) EXCEPT AS OTHERWISE PROVIDED IN LAW, A LOCAL BOARD SHALL REMOVE THE ELECTION-RELATED MATERIALS FROM EACH BALLOT DROP BOX AT LEAST ONCE EACH DAY THAT THE BALLOT DROP BOX IS OPEN IN ACCORDANCE WITH THE CHAIN OF CUSTODY PROCEDURES ESTABLISHED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(2) THE STATE BOARD SHALL ESTABLISH CHAIN OF CUSTODY PROCEDURES GOVERNING REMOVAL OF ELECTION-RELATED MATERIALS FROM BALLOT DROP BOXES AND THE RETURN OF THE MATERIALS TO THE LOCAL BOARD.”.

AMENDMENT NO. 3

On page 5, after line 1, insert:

“9-305.

(C) THE STATE-APPROVED ABSENTEE BALLOT APPLICATION SHALL INCLUDE A STATEMENT EXPLAINING THE PROCESS FOR RETURNING A COMPLETED ABSENTEE BALLOT IF THE VOTER CHOOSES TO RECEIVE AN ABSENTEE BALLOT BY FACSIMILE TRANSMISSION OR THE INTERNET.

[(c)] (D) An application for an absentee ballot must be received by a local board:

(1) if the voter requests the absentee ballot be sent by mail or facsimile transmission, not later than the Tuesday preceding the election, at the time specified in the guidelines;

(2) if the voter requests the absentee ballot be sent by the Internet, not later than the Friday preceding the election, at the time specified in the guidelines; or

(3) if the voter or the voter's duly authorized agent applies for an absentee ballot in person at the local board office, not later than the closing of the polls on election day."

AMENDMENT NO. 3

On page 6, strike beginning with "AT" in line 13 down through "(2)" in line 16; in line 18, strike "(3)" and substitute "(2)"; in line 22, strike "(1)"; in line 25, strike "(I)" and substitute "(1)"; and in lines 27, 28, and 29, strike "1.", "2.", and "3.", respectively, and substitute "(I)", "(II)", and "(III)", respectively.

On page 7, in line 1, strike "(II)" and substitute "(2)"; in lines 4, 5, and 6, strike "1.", "2.", and "3.", respectively, and substitute "(I)", "(II)", and "(III)", respectively; and strike in their entirety lines 7 through 10, inclusive.

On page 9, after line 12, insert:

"16-206.

(a) A person may not:

(1) place any distinguishing mark on the person's own or another person's ballot for the purpose of identifying the ballot;

(2) misrepresent the person's ability to mark a ballot or operate voting equipment;

(3) interfere or attempt to interfere with a voter while the voter is inside the polling room, marking a ballot, or operating voting equipment;

(4) induce or attempt to induce a voter to mark the voter's ballot in a certain way;

(5) except for servicing by an authorized person, unlock any locked compartment of a voting device unless instructed to do so by the election director;

(6) destroy or deface a ballot;

(7) remove a ballot from a building in which voting occurs, except as otherwise provided in this article;

(8) delay the delivery of a ballot;

(9) possess on or before the day of election an official ballot printed for the election, unless the possession of the ballot is necessary and appropriate for carrying out the election process; [or]

(10) canvass, electioneer, or post any campaign material in the polling place or beyond a line established by signs posted in accordance with subsection (b) of this section;

(11) CANVASS, ELECTIONEER, OR POST ANY CAMPAIGN MATERIAL IN A MANNER THAT OBSTRUCTS ACCESS TO A BALLOT DROP BOX; OR

(12) PLACE ANY CAMPAIGN MATERIAL OR ANY OTHER UNAUTHORIZED MATERIAL ON A BALLOT DROP BOX.

(b) (1) At each polling place, one election judge from each principal political party shall be designated by the local board and, acting jointly, shall post signs delineating a line around the entrance and exit of the building that are closest to that part of the building in which voting occurs.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, the line shall be located as near as practicable to 100 feet from the entrance and exit and shall be established after consideration of the configuration of the entrance and the effect of placement on public safety and the flow of pedestrian and vehicular traffic.

(ii) In Montgomery County, on approval of the local board, the line may be located at any point between 25 feet and 100 feet from the entrance and exit.

(3) The signs shall contain the words “No Electioneering Beyond this Point”.

(c) A person who violates this section is guilty of a misdemeanor and is subject to a fine of not less than \$50 nor more than \$500 or imprisonment for not more than 60 days or both.

AMENDMENT NO. 4

On page 9, before line 13, insert:

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

(a) Except as provided in subsection (b) of this section, at least 60 days before the statewide primary election in 2022 and 2024, each local board of elections shall send the State Board–approved absentee ballot application to each eligible voter.

(b) A local board is not required to send the State Board–approved absentee ballot application to a voter who has permanent absentee ballot status.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before August 1, 2021, the State Board of Elections shall contract with a usability consultant to review all the public informational materials and forms related to mail–in voting produced by the State Board.

(b) (1) On or before December 1, 2021, the consultant shall make recommendations to the State Board regarding ways the State Board’s public informational materials and forms related to mail–in voting could be made more usable, especially by socioeconomically diverse communities.

(2) The consultant shall make specific usability recommendations concerning:

(i) the information related to mail–in voting that appears on the State Board’s website;

(ii) all materials mailed to voters who choose to vote by mail, including envelopes, forms, and instructions; and

(iii) the system allowing a voter to access information concerning the voter’s mail–in ballot.

(c) On or before February 1, 2022, the State Board shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2–1257 of the State Government Article, that includes:

(1) the recommendations submitted by the consultant under subsection (b) of this section; and

(2) the actions the State Board has taken or plans to take to implement the recommendations.”;

in line 13, strike “2.” and substitute “4.”; in line 19, strike “3.” and substitute “5.”; and in line 20, strike “October” and substitute “June”.

The preceding 5 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 856)

AMENDED IN THE HOUSE

Senate Bill 793 – Senator Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Consumption Permits

Senator Pinsky moved that the Senate concur in the House amendments.

SB0793/623194/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 793

(Third Reading File Bill)

On page 3, in line 26, strike “**0.5**” and substitute “**1.5**”.

On page 4, in line 7, strike “**\$200**” and substitute “**\$400**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 857)

AMENDED IN THE HOUSE

Senate Bill 821 – Senators Hester and Gallion

EMERGENCY BILL

AN ACT concerning

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

Senator Pinsky moved that the Senate concur in the House amendments.

SB0821/403993/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 821

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “delayed” in line 25 on page 1 down through “the” in line 1 on page 2.

On page 2, strike beginning with “certain” in line 1 down through “of” in line 2; and in line 17, strike “2-212(c).”.

AMENDMENT NO. 2

On page 19, strike beginning with “AND” in line 6 down through “6.” in line 17; strike beginning with “except” in line 20 down through “Act.” in line 21; in line 21, strike “Section 3 of this Act” and substitute “It”; in line 22, strike “until” and substitute “through”; in the same line, strike “that date” and substitute “December 31, 2022”; and in the same line, strike “Section 3 of”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 858)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 859)

RECESS

At 2:32 P.M. on motion of Senator King the Senate recessed until 5:30 P.M. on Legislative Day, March 12, 2021, Calendar Day, Friday, April 2, 2021.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 12, 2021
Calendar Day: Friday, April 2, 2021

At 6:38 P.M. the Senate resumed its session.

Prayer by Senator Salling.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 860)

On motion of Senator King it was ordered that Senator Kelley be excused from today's session.

The Journal of April 2, 2021 (prior session) was read and approved.

RULES COMMITTEE REPORT NO. 7

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation:

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

EMERGENCY BILL

AN ACT concerning

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

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

House Bill 409 – Delegate J. Lewis

AN ACT concerning

**Juveniles Convicted as Adults – Sentencing – Limitations and Reduction
(Juvenile Restoration Act)**

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 625 – Prince George’s County Delegation

AN ACT concerning

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

PG 307–21

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 636 – Delegate Solomon

AN ACT concerning

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

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 831 – Delegate Charkoudian

EMERGENCY BILL

AN ACT concerning

Maryland Food System Resiliency Council

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

House Bill 964 – Delegate Parrott

AN ACT concerning

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

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 1364 – Delegate Crosby

AN ACT concerning

Historic St. Mary’s City Fort to 400 Commission

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

House Bill 1375 – Delegate Kelly

AN ACT concerning

Health Information Exchanges – Electronic Health Information – Sharing and Disclosure

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

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

AN ACT concerning

Correctional Services – Parole – Life Imprisonment

Senator Smith moved that the Senate not concur in the House amendments.

SB0202/702811/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 202

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 12 down through “Commission” in line 13; in line 17, strike the first comma and substitute “and”; and in the same line, strike “, and 7–307”.

AMENDMENT NO. 2

On page 2, in line 13, after “YEARS” insert “OR THE EQUIVALENT OF 20 YEARS WHEN CONSIDERING ALLOWANCES FOR DIMINUTION OF THE INMATE’S PERIOD OF CONFINEMENT AS PROVIDED UNDER TITLE 3, SUBTITLE 7 OF THIS ARTICLE AND § 6–218 OF THE CRIMINAL PROCEDURE ARTICLE”.

On page 3, in line 9, after “YEARS” insert “OR THE EQUIVALENT OF 20 YEARS CONSIDERING THE ALLOWANCES FOR DIMINUTION OF THE INMATE’S TERM OF CONFINEMENT UNDER § 6–218 OF THE CRIMINAL PROCEDURE ARTICLE AND TITLE 3, SUBTITLE 7 OF THIS ARTICLE”.

On pages 3 and 4, strike in their entirety the lines beginning with line 34 on page 3 through line 25 on page 4, inclusive.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0202
SPONSOR: Senator Kelley, et al
SUBJECT: Correctional Services – Parole – Life Imprisonment

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Carter, Chair
Senator Waldstreicher
Senator Hough

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 9**

Senate Bill 107 – Senator Hayes

AN ACT concerning

Labor and Employment – Secure Maryland Wage Act

Senator Kelley moved that the Senate not concur in the House amendments.

SB0107/183995/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 107
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “establishing” in line 10 down through “employee;” in line 11; and strike in their entirety lines 29 through 33, inclusive.

AMENDMENT NO. 2

On page 5, in line 26, after “INCLUDE” insert “:

(I)”;

and in line 27, after “TITLE” insert “;OR

(II) AN AIRLINE”.

On pages 14 and 15, strike in their entirety the lines beginning with line 5 on page 14 through line 2 on page 15, inclusive.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0107**
SPONSOR: Senator Hayes
SUBJECT: Labor and Employment – Secure Maryland Wage Act

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Hayes, Chair
Senator Beidle
Senator Augustine

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 12**

Senate Bill 762 – Senator McCray

AN ACT concerning

Maryland Electricians Act – Revisions

Senator Pinsky moved that the Senate not concur in the House amendments.

SB0762/253791/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 762
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “Department” and substitute “General Assembly”; and in line 6, strike “adopt regulations” and substitute “consider legislation proposed by the Workgroup to Study Limited Energy Services”.

On page 2, in line 10, strike “, subject to a certain exception,”; in line 13, after “violations;” insert “establishing the Workgroup to Study Limited Energy Services; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its recommendations to certain committees of the General Assembly on or before a certain date;”; in line 14, after “State;” insert “providing for the termination of certain provisions of this Act;”; and in line 15, after “changes;” insert “providing for a delayed effective date for certain provisions of this Act;”.

AMENDMENT NO. 2

On page 5, in line 2, strike “licenses,” and substitute “**REGISTRATIONS,**”; in lines 20, 22, and 23, in each instance, strike “license” and substitute “**REGISTRATION**”; and in line 28, strike “**JULY 1, 2021,**” and substitute “**JANUARY 1, 2022,**”.

On page 6, in lines 2, 4, and 8, in each instance, strike “**JULY 1, 2021,**” and substitute “**JANUARY 1, 2022,**”; in line 15, strike “**JULY 1, 2022,**” and substitute “**JANUARY 1, 2023,**”; and in the same line, strike “**JULY**” and substitute “**JANUARY**”.

On page 7, in line 4, strike “**DEPARTMENT**” and substitute “**GENERAL ASSEMBLY**”; and in line 5, strike “**ADOPT REGULATIONS**” and substitute “**CONSIDER LEGISLATION PROPOSED BY THE WORKGROUP TO STUDY LIMITED ENERGY SERVICES**”.

On page 21, in line 23, strike the second “license” and substitute “**REGISTRATION**”.

On page 29, in line 15, strike “**(1)**”; strike beginning with “**EXCEPT**” in line 15 down through “**AT**” in line 16 and substitute “**AT**”; and strike in their entirety lines 19 through 25, inclusive.

On page 31, after line 17, insert:

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

- (a) **There is a Workgroup to Study Limited Energy Services.**
- (b) **The Workgroup consists of the following members, appointed by the Secretary of Labor:**
 - (1) **one representative of the Maryland Department of Labor;**
 - (2) **one representative of a local government electrician licensing authority;**
 - (3) **one representative of an association that represents the limited energy services community;**
 - (4) **one representative of a manufacturer of limited energy services equipment;**
 - (5) **one representative of the International Brotherhood of Electrical Workers or a trade union representing electricians;**

(6) one State or locally licensed electrician with multiple years of experience;

(7) an electrical inspector; and

(8) four individuals who provide limited energy services.

(c) The Secretary of Labor shall designate the chair of the Workgroup.

(d) The Maryland Department of Labor shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall study and make recommendations regarding legislation for the licensing and regulation of, and qualifications for, individuals who provide limited energy services in the State.

(g) On or before December 1, 2021, the Workgroup shall report its recommendations to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee, in accordance with § 2-1257 of the State Government Article.”;

in line 18, strike “2.” and substitute “3.”; in line 23, strike “3.” and substitute “4.”; in the same line, after “That” insert “Section 1 of”; in lines 23 and 24, strike “July 1, 2021” and substitute “January 1, 2022”; and after line 24, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect July 1, 2021. Section 2 of this Act shall remain effective for a period of 6 months and, at the end of December 31, 2021, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0762**
SPONSOR: Senator McCray
SUBJECT: Maryland Electricians Act – Revisions

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chair
Senator Washington
Senator Reilly

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: **HB0072**
SPONSOR: Delegate Anderton
SUBJECT: County Boards of Education – Student Transportation – Vehicles and Report

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Washington, Chair
Delegate Smith

Secretary

Read and adopted.

Senate receded and the amendments were removed.

MESSAGE TO THE SENATE

BILL: **HB0517**
SPONSOR: Delegate Watson, C.
SUBJECT: Clean Energy Loan Program – Remediation and Resiliency

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Healey, Chair
Delegate Harrison
Delegate Wivell

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0517**
SPONSOR: Delegate Watson, C.
SUBJECT: Clean Energy Loan Program – Remediation and Resiliency

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Healey, Chairman
Delegate Harrison
Delegate Wivell.

The Senate appoints:

Senator Hester, Chair
Senator Kagan
Senator Ellis

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: **HB0012**
SPONSOR: Delegate Watson, C., et al
SUBJECT: Alcoholic Beverages – Sale or Delivery for Off-Premises
Consumption

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate D.E. Davis, Chair
Delegate T. Branch
Delegate C. Watson

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0012**
SPONSOR: Delegate Watson, C., et al
SUBJECT: Alcoholic Beverages – Sale or Delivery for Off-Premises
Consumption

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate D.E. Davis, Chairman
Delegate T. Branch
Delegate C. Watson.

The Senate appoints:

Senator Simonaire, Chair
Senator Pinsky
Senator Washington

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: **HB0293**
SPONSOR: Delegate Stein
SUBJECT: Natural Resources – Organized Killing Contests – Restriction

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Gilchrist, Chair
Delegate Stein
Delegate Jacobs

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0293**
SPONSOR: Delegate Stein
SUBJECT: Natural Resources – Organized Killing Contests – Restriction

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Gilchrist, Chairman
Delegate Stein
Delegate Jacobs.

The Senate appoints:

Senator Kagan, Chair
Senator Simonaire
Senator Lam

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

SENATE THIRD READING CALENDAR NO. 25 (GENERAL HOUSE BILLS)

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

AN ACT concerning

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

FLOOR COMMITTEE AMENDMENT

HB0590/373829/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 590

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 5, in line 13, strike “36,650,000” and substitute “28,650,000”.

AMENDMENT NO. 2

On page 28, in line 9, strike “20,754,000” and substitute “23,754,000”; in line 32, strike “2,000,000” and substitute “5,000,000”; and in line 36, strike “Beaver” and substitute “Beaverdam”.

AMENDMENT NO. 3

On page 42, in line 19, strike “1,000,000” and substitute “3,000,000”.

AMENDMENT NO. 4

On page 44, in line 32, strike “500,000” and substitute “550,000”.

AMENDMENT NO. 5

On page 48, in lines 37 and 38, strike "Pavilion and Kayak Launch" and substitute "Boardwalk and Observation Tower".

On pages 48 and 49, strike beginning with "a" in line 41 on page 48 down through "launch" in line 1 on page 49 and substitute "an ADA accessible boardwalk and observation tower".

AMENDMENT NO. 6

On page 57, in line 23, strike "100,000" and substitute "150,000".

AMENDMENT NO. 7

On page 57, after line 30, insert:

“

<u>(FN)</u>	<u>Rock Hall Town Hall. Provide a grant to the Rock Hall Mayor and City Council for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Rock Hall Town Hall (Kent County).....</u>	<u>250,000</u>
<u>(FO)</u>	<u>Paint Branch Trail and Trolley Trail. Provide a grant to the College Park City University Partnership for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Paint Branch Trail and Trolley Trail (Prince George’s County)</u>	<u>443,000</u>
<u>(FP)</u>	<u>Meals on Wheels of College Park. Provide a grant to the Meals on Wheels of College Park Area, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Meals on Wheels of College Park (Prince George’s County)</u>	<u>250,000</u>
<u>(FQ)</u>	<u>Manna Food Center. Provide a grant to the Board of Directors of the Manna Food Center for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Manna Food Center (Montgomery County).....</u>	<u>150,000</u>

<u>(FR)</u>	<u>McElderry Park Resource Center. Provide a grant to the McElderry Park Community Association for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the McElderry Park Resource Center (Baltimore City).....</u>	<u>75,000</u>
<u>(FS)</u>	<u>Liberty Senior Center Pavilions. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Liberty Senior Center, including but not limited to the construction of two pavilions, the installation of outdoor picnic equipment, and the installation of a built-in gas grill (Baltimore County).....</u>	<u>150,000</u>
<u>(FT)</u>	<u>Bus Stop Enclosures. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the bus stop enclosures to include: (1) the westbound lane of Liberty Road at the intersection of Bayer Avenue, (2) the westbound lane of Liberty Road at the intersection of Offutt Road, (3) the eastbound lane of Liberty Road at the intersection of Offutt Road, (4) the eastbound lane of Liberty Road at the intersection of Pikeswood Drive, and (5) the eastbound lane of Liberty Road at the intersection of Marriottsville Road (Baltimore County).....</u>	<u>150,000</u>
<u>(FU)</u>	<u>Sidewalk Installation. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of sidewalks along Liberty Road (Baltimore County).....</u>	<u>200,000</u>
<u>(FV)</u>	<u>Randallstown Library. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Randallstown Library (Baltimore County).....</u>	<u>100,000</u>
<u>(FW)</u>	<u>District Heights Senior Center. Provide a grant to the Mayor and City Council of District Heights for the acquisition, planning, design, construction, repair, renovation,</u>	

	<u>reconstruction, site improvement, and capital equipping of the District Heights Senior Center (Prince George’s County).....</u>	<u>200,000</u>
(FX)	<u>Diggs Johnson Museum. Provide a grant to the Board of Directors of the Diggs Johnson Museum for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Diggs Johnson Museum including signage (Baltimore County)</u>	<u>155,000</u>
(FY)	<u>Oakwood Village Community Signs. Provide a grant to the Oakwood Community Village Association, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Oakwood Village Community including signage (Baltimore County).....</u>	<u>2,000</u>
(FZ)	<u>Baltimore Pumphouse. Provide a grant to the Board of Directors of the Baltimore Pumphouse for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Baltimore Pumphouse (Baltimore City).....</u>	<u>75,000</u>
(GA)	<u>Exercise Pavilion. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of an exercise pavilion at 4515 Deer Park Road, located in Owings Mills (Baltimore County).....</u>	<u>150,000</u>
(GB)	<u>Parking Lot Expansion. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of a parking lot at Franklin Boulevard and Quarry Place (Baltimore County).....</u>	<u>200,000</u>
(GC)	<u>Robert W. Johnson Community Center. Provide a grant to the Board of Directors of the Robert W. Johnson Community Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of Robert W. Johnson Community Center, located in Washington County (Washington County)</u>	<u>100,000</u>

(GD) Greenhaven Wharf Bulkhead Repair. Provide a grant to the County Executive and County Council of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of infrastructure improvements to the Greenhaven Wharf bulkhead (Anne Arundel County)..... 250,000

”.

AMENDMENT NO. 8

On page 61, in line 20, after the first “County” insert “and to support renovation costs in the auxiliary Pascal Crisis locations in Anne Arundel County”.

On page 75, in line 39, after the first “County” insert “and to support renovation costs in the auxiliary Pascal Crisis locations in Anne Arundel County”.

AMENDMENT NO. 9

On page 106, in line 5, strike “\$503,237,000” and substitute “\$503,780,400”.

On page 114, after line 21, insert:

“

(R) Studio 541 Museum. Provide a grant to the Board of Directors of the Blocker Family Foundation Co. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Studio 541 Museum, located in Baltimore City (Baltimore City)..... 193,400

(S) Prologue Outreach Center. Provide a grant to the Board of Directors of Prologue, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Prologue Outreach Center, located in Baltimore County (Baltimore County)..... 150,000

(T) Baltimore Unity Hall. Provide a grant to Baltimore Unity Hall, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Baltimore Unity Hall (Baltimore City) 100,000

(U) Capitol Heights–Seat Pleasant Boys and Girls Club. Provide a grant to the Board of Directors of the Capitol Heights–Seat Pleasant Boys and Girls Club, Inc. for the acquisition, planning, design, construction, repair, renovation,

<u>reconstruction, site improvement, and capital equipping of the Capitol Heights–Seat Pleasant Boys and Girls Club (Prince George’s County).....</u>	<u>100,000</u>
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”.

AMENDMENT NO. 10

On page 119, strike beginning with “provided” in line 16 down through “\$1,500,000” in line 19 and substitute “provided that \$1,500,000 of this authorization”; and in line 22, strike “23,000,000” and substitute “21,500,000”.

AMENDMENT NO. 11

On page 120, in line 4, strike “3,350,000” and substitute “11,350,000”.

The preceding 11 amendments were read and adopted.

FLOOR AMENDMENT

HB0590/123525/1

BY: Senator Hershey

AMENDMENT TO HOUSE BILL 590

(Third Reading File Bill – Committee Reprint)

On page 48, in lines 37 and 38, strike “Pavilion and Kayak Launch” and substitute “Boardwalk and Observation Tower”.

On pages 48 and 49, strike beginning with “a” in line 41 on page 48 down through “launch” in line 1 on page 49 and substitute “an ADA accessible boardwalk and observation tower”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0590/313621/1

BY: Senator Reilly

AMENDMENT TO HOUSE BILL 590

(Third Reading File Bill – Committee Reprint)

On page 61, in line 20, after the first “County” insert “and to support renovation costs in the auxiliary Pascal Crisis locations in Anne Arundel County”.

On page 75, in line 39, after the first “County” insert “and to support renovation costs in the auxiliary Pascal Crisis locations in Anne Arundel County”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0590/709333/1

BY: Senator Hayes

AMENDMENT TO HOUSE BILL 590

(Third Reading File Bill – Committee Reprint)

On page 77, in line 37, strike “250,000” and substitute “150,000”; and after line 37, insert:

“(S-1) Baltimore Unity Hall. Provide a grant to the Board of Trustees of the Memorial Apartments Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Center for Community Arts, Education, and Job Training (Baltimore City)..... 100,000”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0590/283220/1

BY: Senator Peters

AMENDMENT TO HOUSE BILL 590

(Third Reading File Bill – Committee Reprint)

On page 106, in line 5, strike “\$503,237,000” and substitute “\$503,580,400”.

On page 114, after line 21, insert:

“

(R) Studio 541 Museum. Provide a grant to the Board of Directors of the Blocker Family Foundation Co. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Studio 541 Museum, located in Baltimore City (Baltimore City)..... 193,400

(S) Prologue Outreach Center. Provide a grant to the Board of Directors of Prologue, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Prologue Outreach Center, located in Baltimore County (Baltimore County)..... 150,000

”

The preceding amendment was read and adopted.

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

Affirmative – 46 Negative – 0 (See Roll Call No. 862)

The Bill was then returned to the House of Delegates.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 10**

Senate Bill 205 – Senator Hettleman

AN ACT concerning

Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption

Senator Pinsky moved that the Senate not concur in the House amendments.

SB0205/443298/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 205
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 4 down through “allow” in line 5; and strike beginning with “requiring” in line 11 down through “Assembly;” in line 12.

AMENDMENT NO. 2

On page 2, in line 13, strike “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; and strike beginning with “(1)” in line 20 down through “(B)” in line 28.

On page 3, strike beginning with “LOCAL” in line 1 down through “A” in line 2; and in line 2, strike “TO” and substitute “MAY”.

On page 4, in line 6, strike “(C)” and substitute “(B)”; strike beginning with “LOCAL” in line 9 down through “A” in line 10; and in line 10, strike “TO” and substitute “MAY”.

On page 5, strike beginning with “(D)” in line 14 down through “(1)” in line 17 and substitute “(C)”; in line 17, after “BOARD” insert “:

(1)”;

in line 19, strike “A LOCAL LAW OR AN ORDINANCE ADOPTED UNDER”; in line 20, strike the period and substitute “; AND”; in line 21, strike “A LOCAL LICENSING BOARD”; and strike beginning with “A” in line 22 down through “UNDER” in line 23.

On pages 5 and 6, strike beginning with “AND” in line 25 on page 5 through “3.” in line 1 on page 6.

On page 6, in line 3, strike “and any local law or ordinance adopted under this Act”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0205**
SPONSOR: Senator Hettleman
SUBJECT: Alcoholic Beverages – Sale or Delivery for Off–Premises
Consumption

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Simonaire, Chair
Senator Pinsky
Senator Washington

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

SENATE THIRD READING CALENDAR NO. 19 (GENERAL HOUSE BILLS)

House Bill 83 – Delegate Queen

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 863)

The Bill was then returned to the House of Delegates.

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

AN ACT concerning

Preserve Telehealth Access Act of 2021

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

Affirmative – 46 Negative – 0 (See Roll Call No. 864)

The Bill was then returned to the House of Delegates.

House Bill 295 – Delegates Love and Henson

AN ACT concerning

Water Pollution – Stormwater Management Regulations and Watershed Implementation Plans – Review and Update

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

Affirmative – 46 Negative – 0 (See Roll Call No. 865)

The Bill was then returned to the House of Delegates.

House Bill 463 – Delegate Barron**EMERGENCY BILL**

AN ACT concerning

Maryland Health Equity Resource Act

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

Affirmative – 46 Negative – 0 (See Roll Call No. 866)

The Bill was then returned to the House of Delegates.

House Bill 630 – Delegate Solomon

AN ACT concerning

Primary and Secondary Education – School District Energy Use – Policy and Study

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

Affirmative – 32 Negative – 14 (See Roll Call No. 867)

The Bill was then returned to the House of Delegates.

House Bill 738 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)

AN ACT concerning

Election Law – Certificates of Candidacy and Ballot Questions – Revisions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 868)

The Bill was then returned to the House of Delegates.

House Bill 777 – Delegate Brooks

AN ACT concerning

Power Plant Research Program – Review of Application for Certificate of Public Convenience and Necessity – Alterations

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

Affirmative – 34 Negative – 12 (See Roll Call No. 869)

The Bill was then returned to the House of Delegates.

House Bill 790 – Delegate P. Young

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 870)

The Bill was then returned to the House of Delegates.

House Bill 800 – Delegate Clark

AN ACT concerning

~~Aquaculture Leases – Marking and Recording Requirements – Natural Resources – Waters of the State – Mobile Locator Application~~

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

Affirmative – 46 Negative – 0 (See Roll Call No. 871)

The Bill was then returned to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 872)

ADJOURNMENT

At 7:17 P.M. on motion of Senator King the Senate adjourned until 7:00 P.M. on Legislative Day March 13, 2021, Calendar Day, Monday, April 5, 2021.

Annapolis, Maryland
Legislative Day: March 13, 2021
Calendar Day: Monday, April 5, 2021
7:00 P.M. Session

The Senate met at 7:14 P.M.

Prayer by Reverend Dr. Carletta Allen, Asbury United Methodist Church, guest of Senator Elfreth.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 873)

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

MESSAGE FROM THE HOUSE OF DELEGATES NO. 5
SENATE BILLS PASSED BY YEAS AND NAYS

BILL NO.	SPONSOR	CONTENT
SB 20	Sen. Carter	Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties
SB 48	Sen. Young	Income Tax – Subtraction Modification – Living Organ Donors
SB 51	Sen. Bailey	Tri-County Council for Southern Maryland – Property Management – Southern Maryland Regional Agricultural Center
SB 220	Sen. Hettleman	Criminal Law – Hate Crimes – Protected Groups and Penalties

BILL NO.	SPONSOR	CONTENT
SB 291	Chair, Judicial Proceedings Committee	Motor Vehicle Offenses – Following Too Closely – Unified Truck Travel
SB 293	Sen. Waldstreicher	Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties
SB 343	Chair, Education, Health, and Environmental Affairs Committee	Natural Resources – Shrimp Fishery – Licensing and Regulation
SB 344	Chair, Education, Health, and Environmental Affairs Committee	Agriculture – Cost-Sharing Program – State Cost-Sharing Funds
SB 352	Chair, Education, Health, and Environmental Affairs Committee	Agriculture – Multiflora Rose Management – Repeal
SB 371	Sen. Peters	Special Education – Individualized Education Programs – Educational Evaluations
SB 436	Sen. King	Child Care Centers – Teacher Qualifications
SB 447	Sen. Edwards	Historic Revitalization Tax Credit – Certified Historic Structure and Single-Family, Owner-Occupied Residence – Definitions
SB 473	Sen. Washington	Labor and Employment – Leave With Pay – Bereavement Leave
SB 474	Sen. Eckardt	Real Property – Sale of Mobile Home Parks – Notice Requirements

BILL NO.	SPONSOR	CONTENT
SB 535	Sen. King	Condominiums and Homeowners Associations – Meeting Requirements
SB 539	Sen. Guzzone	Income Tax Credit – Food Donation Pilot Program – Extension
SB 548	Sen. Augustine	Public Schools – Centers for Disease Control and Prevention Surveys – Revisions
SB 613	Carroll County Senators	Carroll County – Sheriff – Salary
SB 678	Sen. Edwards	Task Force on the Economic Future of Western Maryland – Extension of Report Deadline and Task Force
SB 801	Sen. Griffith	Labor and Employment – Economic Stabilization Act – Alterations
SB 823	Sen. Gallion	Cecil County – Board of Education – Member Terms and Compensation

By Order,
Nicole M. Xander, Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 32**

House Bill 467 – Delegate Rogers

AN ACT concerning

Renewable Energy Portfolio Standard – ~~Hydroelectric Power~~ Alterations and Compliance Fees

FOR the purpose of altering the renewable energy portfolio standard for certain years: extending indefinitely the renewable energy portfolio standard percentage derived from Tier 2 renewable sources; repealing the limit on the period of time during which

energy from a Tier 2 renewable source is eligible for inclusion in meeting the renewable energy portfolio standard; 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; making a technical change; providing for the application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
 Article – Public Utilities
 Section 7–701(a), (s)(8), and (t) and 7–703(b)(15)
 Annotated Code of Maryland
 (2020 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
 Article – Public Utilities
 Section 7–703(b)(16) through (25) ~~and~~, 7–704(a)(4), and 7–705(b)(2)
 Annotated Code of Maryland
 (2020 Replacement Volume and 2020 Supplement)

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

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)

FOR the purpose of ~~requiring the Maryland Health Benefit Exchange to provide for a special enrollment period for health insurance coverage for certain essential workers during certain emergencies; requiring an essential employer to give a written statement regarding certain hazard pay paid to certain essential workers at certain intervals; requiring the Maryland Emergency Management Agency and a local organization of emergency services to periodically evaluate and determine whether an emergency is occurring or has occurred and make a certain announcements under certain circumstances; requiring an each essential employer to take certain actions related to occupational safety and health during an emergency; authorizing providing that an essential worker has the right to refuse to fulfill perform a certain responsibility under certain circumstances task as provided under certain provisions of law; prohibiting an essential employer from retaliating or taking other adverse action against an essential worker or other worker for certain actions; requiring an essential worker to notify the Commissioner of Labor of Industry of certain information within a certain time period for a certain purpose; providing for the enforcement of certain provisions this Act; requiring an essential employer to comply~~

~~with certain standards, protocols, and procedures established by the Commissioner; requiring essential employers to prepare a certain plan and take certain actions with regard to the plan; requiring essential employers to take certain steps to minimize the risk of transmission of an infectious disease under certain circumstances; requiring an essential employer to pay costs associated with for certain testing except under certain circumstances; requiring essential employees employers to report certain test results to the Maryland Department of Health in a certain manner; requiring the Maryland Department of Health to collect certain test results, categorize the results in a certain manner, and publish the results in a certain format; requiring essential employers to provide essential workers with certain bereavement and health public health emergency leave on a certain date; requiring an essential employer to provide public health emergency leave in a certain manner and in certain amounts; requiring an essential employer to allow an essential worker to use public health emergency leave for certain reasons; authorizing an essential employer to require an essential worker who uses public health emergency leave to provide certain documentation and to refuse to pay an essential worker for certain public health emergency leave under certain circumstances; requiring essential employers to provide certain essential workers with certain hazard pay in a certain manner; prohibiting an essential employer from lowering certain pay for a certain purpose; requiring essential employers to provide certain financial assistance during an emergency under certain circumstances and in a certain manner; prohibiting certain financial assistance from being counted towards an essential worker's eligibility for State means tested benefit programs; prohibiting an essential employer from knowingly misclassifying an essential worker; requiring and authorizing the Commissioner to adopt certain regulations; requiring the Commissioner to enforce certain occupational safety and health requirements for certain essential workers; prohibiting an employer from discharging or otherwise discriminating against an employee because the employee is an essential worker who files a complaint or exercises a right under certain provisions of law; defining certain terms; requiring the Secretary of Labor to adopt a certain Emergency Temporary Standard within a certain period of time; requiring the Secretary to set a certain standard to expire at a certain time; requiring that a certain standard remain in effect whether or not it becomes the subject of federal litigation; requiring that a certain standard require employers to take certain actions; requiring the Maryland Department of Health, in consultation with the Maryland Department of Labor and local health departments, to develop a template health emergency preparedness plan for responding to a catastrophic health emergency on or before a certain date; specifying the contents of the health emergency preparedness plan; requiring the Maryland Department of Health, in consultation with the Maryland Department of Labor and local health departments, to report to the General Assembly on or before a certain date on recommendations for certain legislation; requiring Maryland Occupational Safety and Health to report to the General Assembly on or before a certain date; requiring the Commissioner to adopt certain regulations as soon as practicable after a certain date; requiring each essential employer to provide certain public health emergency paid leave to each essential worker on a certain date; providing for the application of certain provisions of this Act; making this Act an~~

emergency measure; providing for the termination of certain provisions of this Act; and generally relating to employment standards during an emergency.

~~BY repealing and reenacting, with amendments,
Article – Insurance
Section 31-108(b)(6)
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3-504
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)~~

BY adding to
Article – Labor and Employment
Section 3-1601 through ~~3-1612~~ 3-1609 to be under the new subtitle “Subtitle 16. Maryland Essential Workers’ Protection Act”; and 5-205(p)
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 5-604
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

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

House Bill 799 – Delegate Clark

EMERGENCY BILL

AN ACT concerning

~~**Aquaculture Leases and Shellfish Nursery Operations – Wetlands**~~
Aquaculture Coordinating Council – Application of Tidal Wetlands Permit Requirements to Aquaculture Operations – Study

FOR the purpose of ~~exempting under certain circumstances certain activities and the use of certain equipment associated with an aquaculture lease or a shellfish nursery operation from the requirement to obtain certain licenses from the Department of the Environment or the Board of Public Works; establishing that the use of certain equipment on or attached to a pier and associated with an aquaculture lease or a shellfish nursery operation is not included as a nonwater dependent project for the purposes of the requirement to obtain a State or tidal wetlands license; establishing~~

~~that certain aquaculture activity and the installation of certain equipment on a pier for the cultivation of shellfish seed under a certain permit are lawful uses on private wetlands; making certain conforming changes; altering a certain definition requiring the Aquaculture Coordinating Council, in coordination with the Department of the Environment, to review certain policies and submit its findings and recommendations to the Governor and the General Assembly on or before a certain date; making this Act an emergency measure; providing for the termination of this Act; and generally relating to wetlands license or the application of State or tidal wetlands license and permit requirements for to aquaculture leases and shellfish nursery operations in the State.~~

~~BY repealing and reenacting, without amendments,
Article — Environment
Section 16-101(a), 16-104(b)(1), and 16-202(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Environment
Section 16-101(i), 16-202(h), and 16-304
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — Natural Resources
Section 4-11A-09(a), 4-11A-10(a), and 4-11A-23(a) and (b)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

~~BY adding to
Article — Natural Resources
Section 4-11A-10(d-1)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Natural Resources
Section 4-11A-23(d)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

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

House Bill 934 – Delegate Bartlett

AN ACT concerning

Public Health – Chief Medical Examiner – Autopsy Findings and Conclusions

FOR the purpose of clarifying the circumstances under which a person in interest may appeal to the Secretary of Health the denial by the Chief Medical Examiner to correct certain findings and conclusions recorded on a certificate of death; clarifying the issues to be considered in a certain contested case hearing; requiring the Maryland Department of Health to report to certain committees of the General Assembly on or before a certain date; making stylistic changes; and generally relating to autopsy findings and conclusions of the Chief Medical Examiner.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–310(d)(1) and (2)(ii)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 5–310(d)(2)(i)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

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

House Bill 1003 – Delegate Lierman

AN ACT concerning

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

FOR the purpose of requiring the Governor or the head of a certain unit to provide certain notice to the Legislative Policy Committee within a certain time frame when authorizing a certain emergency procurement during a state of emergency under certain circumstances; ~~requiring the Office of Legislative Audits to perform a certain audit within a certain time frame under certain circumstances;~~ requiring the Governor or the head of a certain unit to provide a copy of a certain procurement contract to the Legislative Policy Committee under certain circumstances; authorizing the Legislative Policy Committee to request that the Office of Legislative Audits perform a certain audit under certain circumstances; requiring the Governor to provide certain notice to certain persons within a certain time frame after suspending the effect of a certain statute or rule or regulation under certain circumstances; ~~authorizing a certain appropriation to be increased by budget amendment if the Board of Public Works makes a certain declaration; prohibiting the Governor from suspending the effects of certain provisions under certain circumstances;~~ and generally relating to emergency procurements and the

Governor's authority to suspend the effect of a statute, rule, or regulation during a state of emergency.

BY adding to

Article – Public Safety

Section 14–117

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

~~BY adding to~~

~~Article – State Finance and Procurement~~

~~Section 7–214~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2020 Supplement)~~

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

House Bill 1027 – Delegate Wells (By Request – Baltimore City Administration)

AN ACT concerning

Maryland Police Accountability Act of 2021 – Baltimore City – Control of the Police Department of Baltimore City

FOR the purpose of providing that the Police Department of Baltimore City is an agency and instrumentality of the City of Baltimore, instead of the State; providing that certain police officers have the authority conferred under a certain provision of law; clarifying that the Police Department shall be considered to be an agency and instrumentality of the State for certain actions arising prior to a certain date and that the Police Department shall be considered to be an agency and instrumentality of Baltimore City for certain actions arising on and after a certain date; establishing an Advisory Board on the Transfer of Control of the Police Department of Baltimore City; providing for the membership, chair, staffing, and duties of the Advisory Board; requiring the Advisory Board to submit certain reports to certain persons at certain times; making a portion of this Act contingent on the passage and ratification, by a certain date, of a certain Baltimore City Charter amendment; stating the intent of the General Assembly; providing for the effective dates of this Act; and generally relating to the Police Department of Baltimore City.

BY repealing and reenacting, with amendments,

The Public Local Laws of Baltimore City

Section 16–2(a) and 16–3

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

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

House Bill 1134 – Delegate Carey

AN ACT concerning

Natural Resources – Fishing and Hunting Rights

FOR the purpose of stating certain findings of the General Assembly related to fishing and hunting; establishing that it is the intent of the General Assembly that residents of the State have a right to fish and to hunt subject to certain regulations and restrictions; and generally relating to the right to fish and hunt.

BY adding to

Article – Natural Resources

Section 4–103

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Natural Resources

Section 10–102

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

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

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 13**

AMENDED IN THE HOUSE

Senate Bill 3 – Senators Griffith, Augustine, Beidle, Eckardt, Elfreth, Ellis, Ferguson, Guzzone, Hershey, Kagan, Kelley, Ready, Washington, and West

AN ACT concerning

Preserve Telehealth Access Act of 2021

Senator Kelley moved that the Senate concur in the House amendments.

SB0003/946780/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 3

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through “circumstances;” in line 10 and substitute “prohibiting the Program from excluding from coverage a certain health care service provided to a Program recipient in person for a certain reason;”.

On page 2, strike beginning with “requiring” in line 24 down through “delivery” in line 25 and substitute “excluding from coverage or denying coverage for certain services provided in a certain manner for a certain reason”; and in line 27, after “date;” insert “requiring the Maryland Insurance Administration to study a certain matter and provide certain findings and recommendations from the study to the Maryland Health Care Commission for inclusion in a certain report; requiring the Maryland Insurance Administration to consider the requirements of this Act when proposing certain revisions to certain regulations;”.

AMENDMENT NO. 2

On page 8, in line 25, after “**PROVIDED;**” insert “AND”; and strike beginning with “**;** AND” in line 29 down through “**ARTICLE**” in line 33.

On page 9, in lines 9 and 10, strike “**REQUIRE A PROGRAM RECIPIENT TO USE TELEHEALTH IN LIEU OF IN-PERSON SERVICE DELIVERY**” and substitute “**EXCLUDE FROM COVERAGE A BEHAVIORAL HEALTH CARE SERVICE PROVIDED TO A PROGRAM RECIPIENT IN PERSON SOLELY BECAUSE THE SERVICE MAY ALSO BE PROVIDED THROUGH TELEHEALTH**”.

On page 12, strike in their entirety lines 6 through 9, inclusive; in lines 10 and 13, strike “**(III)**” and “**(IV)**”, respectively, and substitute “**(II)**” and “**(III)**”, respectively; and strike beginning with “**WHEN**” in line 13 down through “**DELIVERY**” in line 15 and substitute “**MAY NOT EXCLUDE FROM COVERAGE OR DENY COVERAGE FOR A BEHAVIORAL HEALTH CARE SERVICE THAT IS A COVERED BENEFIT UNDER A HEALTH INSURANCE POLICY OR CONTRACT WHEN PROVIDED IN PERSON SOLELY BECAUSE THE BEHAVIORAL HEALTH CARE SERVICE MAY ALSO BE PROVIDED THROUGH A COVERED TELEHEALTH BENEFIT**”.

On page 13, in line 8, after “**WHEN**” insert “**A HEALTH CARE SERVICE IS**”; in line 14, after “**INCLUDE**” insert “**:**”

and in line 17, after “SERVICE” insert “; OR”

2. ANY ROOM AND BOARD FEES”.

On page 15, after line 15, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Insurance Administration shall:

(1) (i) study how telehealth can support efforts to ensure health care provider network sufficiency;

(ii) study the impact of changes in access to and coverage of telehealth services under health benefit plans offered by health insurance carriers on the ability of consumers to choose in-person care versus telehealth care as the modality of receiving a covered service; and

(iii) provide any findings and recommendations from its study to the Maryland Health Care Commission for inclusion in the report required under Section 4 of this Act; and

(2) consider the requirements of this Act when proposing any revisions to regulations relating to network adequacy.”;

and in line 16, strike “3.” and substitute “4.”.

On page 17, in line 2, after “Article” insert “, as specified in Section 3 of this Act”; in line 19, strike “4.” and substitute “5.”; and in line 22, strike “3” and substitute “4”.

On page 18, in lines 8 and 9, in each instance, strike “3” and substitute “4”; and in lines 13 and 16, strike “5.” and “6.”, respectively, and substitute “6.” and “7.”, respectively.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 874)

AMENDED IN THE HOUSE

Senate Bill 31 – Senator Washington

AN ACT concerning

Electricity and Gas – Energy Suppliers – Supply Offers

Senator Kelley moved that the Senate concur in the House amendments.

SB0031/443692/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 31

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “third-party supply offers” and substitute “unless the Commission has approved the supply offer, a third-party retail supplier”; strike beginning with the third comma in line 8 down through “offer” in line 9; in line 10, after “commitment” insert “for the entirety of the term of the supply offer”; and strike beginning with “requiring” in line 17 down through the semicolon in line 19.

AMENDMENT NO. 2

On page 2, in line 21, strike “**ENROLL THE HOUSEHOLD**” and substitute “**ARE ENROLLED**”; in line 22, strike “**UNLESS THE COMMISSION APPROVES THE SUPPLY OFFER**”; in line 24, after “**FEE**” insert “**TO HOUSEHOLDS IN THE STATE THAT HAVE RECEIVED ENERGY ASSISTANCE DURING THE PREVIOUS FISCAL YEAR**”; and in line 26, after “**COMMITMENT**” insert “**, FOR THE ENTIRETY OF THE TERM OF THE SUPPLY OFFER,**”.

On page 3, in line 16, strike “**AN APPROVED**” and substitute “**A**”; in line 22, after “**OF**” insert “**SELF-IDENTIFIED**”; and in line 28, strike “**(E)**”.

On pages 3 and 4, strike in their entirety the lines beginning with line 32 on page 3 through line 10 on page 4, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 40 Negative – 6 (See Roll Call No. 875)

AMENDED IN THE HOUSE

Senate Bill 52 – Senator Washington

AN ACT concerning

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

Senator Kelley moved that the Senate concur in the House amendments.

SB0052/746986/1

BY: Health and Government Operations Committee

SUBSTITUTE AMENDMENT TO SENATE BILL 52
(Third Reading File Bill)

On page 3, after line 23, insert:

“Preamble

WHEREAS, Race is a social construct with no biological basis that artificially divides people into distinct groups based on characteristics such as physical appearance, ancestral heritage, cultural affiliation, and the social, economic, and political needs of a society at a given period; and

WHEREAS, Racism is a social system with multiple dimensions that include individual racism that is internalized or interpersonal, systemic racism that is institutional or structural, and a system of structuring opportunity and assigning value based on the social interpretation of how one looks; and

WHEREAS, Racism unfairly disadvantages specific individuals and communities while unfairly giving advantages to other individuals and communities and undermines society as a whole through the waste of human resources necessary to promote prosperity and development in Maryland and elsewhere; and

WHEREAS, Racism is rooted in the foundation of America, from the time chattel slavery began in the 1600s, to the Jim Crow era, to the declaration of the war on drugs that eventually led to the mass incarceration of Black people, and it has remained a presence in American society while subjecting Black, Indigenous, and People of Color to hardships and disadvantages in every aspect of life; and

WHEREAS, The American Public Health Association, National Association of County and City Health Officials, and the American Academy of Pediatrics have declared racism as a public health crisis; and

WHEREAS, Communities of color, working class residents, and individuals with disabilities are more likely to experience poor health outcomes as a consequence of their social determinants of health; and

WHEREAS, Racism causes persistent discrimination and disparate outcomes in many areas of life, including housing, education, employment, criminal justice and incarceration, family stability, economic opportunity, access to health care, public safety, environmental safety, inadequate nutrition, voters' rights, and under-resourced recreational and health care facilities; and

WHEREAS, More than 100 studies have linked racism to worse health outcomes; and

WHEREAS, Racism exacerbates health disparities among Black, Hispanic, and Native American residents, including a greater risk of heart disease, stroke, infant mortality, maternal mortality, lower birth weight, obesity, hypertension, type 2 diabetes, cancers, respiratory diseases, and autoimmune diseases; and

WHEREAS, Specific physical and behavioral health conditions stemming from racism include depression, anxiety, anger, fear, trauma, terror, and long-term physical and mental health impairments; and

WHEREAS, The COVID-19 crisis and ongoing protests against police brutality have helped to highlight now, more than ever, that racism, not race, causes disparities for black and brown Americans; now, therefore.”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 34 Negative – 12 (See Roll Call No. 876)

AMENDED IN THE HOUSE

Senate Bill 135 – Senator Klausmeier

AN ACT concerning

Business Regulation – Battery–Charged Fence Security Systems – Regulation

Senator Kelley moved that the Senate concur in the House amendments.

SB0135/423292/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 135

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, strike “a”; and in the same line, strike “term” and substitute “terms”.

AMENDMENT NO. 2

On page 2, in line 2, strike the comma and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (1)”;

in the same line, strike “BATTERY–CHARGED” and substitute “BATTERY–CHARGED”; in line 8, strike “(2)” and substitute “(II)”; in line 9, after “INCLUDE” insert “:

1. DEER FENCING;

2. LIVESTOCK FENCING; OR

3.”;

and after line 9, insert:

“(3) “DEER FENCING” MEANS FENCING THAT IS ENGINEERED TO EXCLUDE OR CONTAIN DEER OR ELK.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 877)

AMENDED IN THE HOUSE

Senate Bill 204 – Senator Beidle

AN ACT concerning

Health Care Facilities – Assisted Living Programs – ~~Memory Care and Alzheimer’s Disease Unit~~ Regulations

Senator Kelley moved that the Senate concur in the House amendments.

SB0204/536981/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 204

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Programs –**” insert “**Requirements for Alzheimer’s Special Care Units and**”; strike beginning with “adopt” in line 4 down through “and” in line 5 and substitute “establish certain training and staffing requirements for”; in line 6, strike “disease” and substitute “special care”; strike beginning with “and” in line 8 down through “standards” in line 9; in line 10, strike “defining a certain term.”; in the same line, after “to” insert “convene certain stakeholders to make revisions to certain regulations and”; after line 11, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–1805(a)(8) and (9)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)”;

and in line 14, strike “19–1805(c)” and substitute “19–1805(a)(10)”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“(a) The Department shall:

(8) Establish a “resident bill of rights” for residents of assisted living program facilities; [and]

(9) Define which, if any, assisted living programs may be exempt from the requirements of § 19–311 of this title; AND

(10) FOR ALZHEIMER’S SPECIAL CARE UNITS:

(I) ESTABLISH THE NUMBER OF DEMENTIA–SPECIFIC TRAINING HOURS TO BE COMPLETED FOR THOSE STAFF WORKING IN ALZHEIMER’S SPECIAL CARE UNITS;

(II) DETERMINE THE TOPIC CONTENT FOR DEMENTIA–SPECIFIC TRAINING REQUIRED FOR THOSE STAFF WORKING IN ALZHEIMER’S SPECIAL CARE UNITS; AND

(III) REQUIRE STAFF SUFFICIENT TO MEET THE NEEDS OF RESIDENTS IN ALZHEIMER’S SPECIAL CARE UNITS.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 1 on page 2 through line 19 on page 3, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2022, the Maryland Department of Health shall:

(1) convene interested stakeholders to make revisions to the regulations for Assisted Living Programs (COMAR 10.07.14) using the draft dated September 30, 2016, as the starting point for discussion; and

(2) adopt revised regulations for assisted living programs that incorporate the requirements for Alzheimer’s special care units as enacted under Section 1 of this Act.”.

On page 3, in line 21, strike “October” and substitute “July”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 878)

AMENDED IN THE HOUSE

Senate Bill 638 – ~~Senator Augustine~~ Senators Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Klausmeier, Kramer, and Ready

EMERGENCY BILL

AN ACT concerning

Maryland Insurance Commissioner – Specialty Mental Health Services and Payment of Claims – Enforcement

Senator Kelley moved that the Senate concur in the House amendments.

SB0638/186087/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 638

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “organization;” insert “prohibiting a certain administrative services organization from using certain funds or otherwise passing certain expenses onto the State;”; in line 12, after “examinations;” insert “prohibiting the Commissioner from requiring the payment of certain interest or imposing certain fines if a certain determination is made; requiring the Commissioner to turn over certain findings to the Maryland Department of Health; requiring the Commissioner to submit certain reports to certain committees of the General Assembly; providing for the termination of this Act;”; and in line 22, after “2-108” insert “, 2-208,”.

AMENDMENT NO. 2

On page 2, after line 30, insert:

“2–208.

(A) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE expense incurred in an examination made under § 2–205 of this subtitle, § 2–206 of this subtitle for surplus lines brokers and insurance holding corporations, § 23–207 of this article for premium finance companies, § 15–10B–19 of this article for private review agents, § 15–10B–20 of this article, or § 14–610 of this article for discount medical plan organizations and discount drug plan organizations shall be paid by the person examined in the following manner:

(1) the person examined shall pay to the Commissioner the travel expenses, a living expense allowance, and a per diem as compensation for examiners, actuaries, and typists:

(i) to the extent incurred for the examination; and

(ii) at reasonable rates set by the Commissioner;

(2) the Commissioner may present a detailed account of expenses incurred to the person examined periodically during the examination or at the end of the examination, as the Commissioner considers proper; and

(3) a person may not pay and an examiner may not accept any compensation for an examination in addition to the compensation under paragraph (1) of this section.

(B) IF THE COMMISSIONER CONDUCTS AN EXAMINATION OF AN ADMINISTRATIVE SERVICES ORGANIZATION THAT ADMINISTERS THE DELIVERY SYSTEM FOR SPECIALTY MENTAL HEALTH SERVICES ESTABLISHED UNDER § 15–103(B)(21) OF THE HEALTH – GENERAL ARTICLE, THE ADMINISTRATIVE SERVICES ORGANIZATION MAY NOT USE STATE FUNDS OR OTHERWISE PASS ONTO THE STATE THE EXPENSES DESCRIBED IN SUBSECTION (A) OF THIS SECTION.”

AMENDMENT NO. 3

On page 3, after line 29, insert:

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

(a) When determining whether or not to require the payment of interest or impose a fine or other monetary penalty on an administrative services organization that administers the delivery system for specialty mental health services established under § 15–103(b)(21) of the Health – General Article in accordance with the authorization provided

in § 15–1005(j) of the Insurance Article, as enacted by Section 1 of this Act, the Maryland Insurance Commissioner:

(1) shall consider whether the administrative services organization will use State funds or otherwise pass on the cost of the penalty to the State; and

(2) may not require the payment of interest or impose a fine or other monetary penalty if the Commissioner determines that the administrative services organization will use State funds or otherwise pass on the cost of the interest or penalty to the State.

(b) If the Maryland Insurance Commissioner investigates a complaint that an administrative services organization that administers the delivery system for specialty mental health services established under § 15–103(b)(21) of the Health – General Article violated § 15–103(b)(21)(vi) of the Health – General Article, the Commissioner shall turn over any findings of the investigation to the Maryland Department of Health.

(c) If the Maryland Insurance Commissioner conducts an examination of an administrative services organization that administers the delivery system for specialty mental health services established under § 15–103(b)(21) of the Health – General Article in accordance with the authorization provided under § 15–1005(j) of the Insurance Article, as enacted by Section 1 of this Act, the Commissioner shall submit the examination report to the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health and Government Operations Committee, and the House Appropriations Committee, in accordance with § 2–1257 of the State Government Article.”;

in line 30, strike “2.” and substitute “3.”; and in line 34, after “enacted.” insert “It shall remain effective for a period of 2 years from the date it is enacted and, at the end of the 2–year period, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 879)

AMENDED IN THE HOUSE

Senate Bill 783 – Senator Hayes

AN ACT concerning

Baltimore City – West North Avenue Development Authority

Senator Kelley moved that the Senate concur in the House amendments.

SB0783/360912/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 783

(Third Reading File Bill)

On page 3, in line 10, strike “AND”; and in line 12, after “DESIGNEE” insert “;AND”

(14) TWO MEMBERS WHO ARE RESIDENTS OF COMMUNITIES IMPACTED BY THE TARGET AREA OR BUFFER ZONE, SELECTED BY THE MAJORITY VOTE OF THE LEADERSHIP OF THE FOLLOWING ORGANIZATIONS:

(I) ALLIANCE OF ROSEMONT COMMUNITY ASSOCIATIONS;

(II) BOLTON HILL COMMUNITY ASSOCIATION;

(III) COPPIN HEIGHTS COMMUNITY DEVELOPMENT CORPORATION;

(IV) DRUID HEIGHTS COMMUNITY DEVELOPMENT CORPORATION;

(V) GREATER MONDAWMIN COORDINATING COUNCIL;

(VI) PENN NORTH COMMUNITY ASSOCIATION; AND

(VII) COLLECTIVELY, THE LEADERSHIP OF THE RESERVOIR HILL IMPROVEMENT COUNCIL, THE RESERVOIR HILL ASSOCIATION, AND THE UPPER EUTAW MADISON NEIGHBORHOOD ASSOCIATION”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 880)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 14**

AMENDED IN THE HOUSE

Senate Bill 432 – Senator King

AN ACT concerning

Public Libraries – Electronic Book Licenses – Access

Senator Pinsky moved that the Senate concur in the House amendments.

SB0432/125169/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 432
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Book**” and substitute “**Literary Product**”; in lines 3, 4, 6, 7, 9, and 12, in each instance, strike “book” and substitute “literary product”; in line 6, strike “requiring” and substitute “authorizing”; in line 12, after “terms;” insert “providing for a delayed effective date;”; and in line 16, strike “Book” and substitute “Literary Product”.

AMENDMENT NO. 2

On page 2, in line 1, strike “**BOOK**” and substitute “**LITERARY PRODUCT**”.

On page 2 in lines 5, 19, 20, 22, 26, and 28 and on page 3 in lines 1, 4, 6, and 7, in each instance, strike “**BOOK**” and substitute “**LITERARY PRODUCT**”.

On page 2, in line 5, strike “**A TEXT DOCUMENT THAT HAS BEEN**”; in line 7, strike “**CONVERTED**” and substitute “**A TEXT DOCUMENT THAT HAS BEEN CONVERTED**”; in

line 9, strike “READ ALOUD AND RECORDED” and substitute “AN AUDIO RECORDING OF A TEXT DOCUMENT, READ OUT LOUD”; in line 12, after “BOOKS,” insert “AUDIO BOOKS,”; in line 14, strike “OR BOTH” and substitute “AUDIO RECORDINGS, OR ANY COMBINATION OF TEXT, IMAGE, AND AUDIO RECORDING”; and in line 24, strike “SHALL” and substitute “MAY”.

On page 3, in lines 12 and 13, strike “July 1, 2021” and substitute “January 1, 2022”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 881)

AMENDED IN THE HOUSE

Senate Bill 448 – Senator Edwards

AN ACT concerning

County Boards of Education – Student Transportation – Vehicles and Report

Senator Pinsky moved that the Senate concur in the House amendments.

SB0448/455961/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 448

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “date;” insert “altering the definition of “contracting agency” used for a certain application requirement to include an entity providing transportation in accordance with this Act;”; after line 17, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 6–113.2(a)(1)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

and in line 20, after “Section” insert “6-113.2(a)(3) and”.

AMENDMENT NO. 2

On page 3, after line 6, insert:

“6-113.2.

(a) (1) In this section the following words have the meanings indicated.

(3) (I) “Contracting agency” means an entity that contracts with a county board or nonpublic school to provide a service to a school or the students of a school.

(II) “CONTRACTING AGENCY” INCLUDES AN ENTITY THAT PROVIDES TRANSPORTATION TO AND FROM A SCHOOL USING A VEHICLE OTHER THAN A TYPE I OR TYPE II SCHOOL VEHICLE, IN ACCORDANCE WITH § 7-801 OF THIS ARTICLE.”.

On page 5, in line 2, strike “2023” and substitute “2025”; in line 6, strike “5-year” and substitute “7-year”; in the same line, strike “2022-2023” and substitute “2024-2025”; in line 18, strike “2023” and substitute “2025”; in line 25, strike “3” and substitute “5”; and in line 26, strike “2024” and substitute “2026”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 882)

AMENDED IN THE HOUSE

Senate Bill 749 – Senator Ellis

AN ACT concerning

Charles County – Board of Education – Membership Alterations

Senator Pinsky moved that the Senate concur in the House amendments.

SB0749/925162/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 749

(Third Reading File Bill)

On page 7, in line 15, strike “members” and substitute “member”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 883)

MESSAGE TO THE SENATE

BILL: **SB0202**
SPONSOR: Senator Kelley, et al
SUBJECT: Correctional Services – Parole – Life Imprisonment

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Carter, Chairman
Senator Waldstreicher
Senator Hough.

The House appoints:

Delegate Clippinger, Chair
Delegate Williams
Delegate Malone

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **HB0006**
SPONSOR: Delegate Feldmark
SUBJECT: Economic Development – Maryland Technology Development Corporation – Alterations

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate D. Barnes, Chair
Delegate Feldmark
Delegate Long

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0006**
SPONSOR: Delegate Feldmark
SUBJECT: Economic Development – Maryland Technology Development Corporation – Alterations

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate D. Barnes, Chairman
Delegate Feldmark
Delegate Long.

The Senate appoints:

Senator Hayes, Chair
Senator Augustine
Senator Ready

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

SENATE THIRD READING CALENDAR NO. 60 (GENERAL SENATE BILLS)

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 – 32 Negative – 15 (See Roll Call No. 884)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 885)

The Bill was then sent to the House of Delegates.

FINANCE COMMITTEE REPORT NO. 42

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 577 – Senators McCray and Edwards

AN ACT concerning

Economic Development – Makerspace Initiative Pilot Program

SB0577/357972/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 577

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “, after consulting with the Secretary of Commerce,”; and in line 29, strike “9–101(a) and (e) and”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 26 through 28, inclusive.

On page 3, in line 26, strike “**AFTER CONSULTING WITH THE SECRETARY, THE**” and substitute “**THE**”.

AMENDMENT NO. 3

On page 4, in line 7, after “(C)” insert “**(1) IN FISCAL YEAR 2023, THE CORPORATION MAY AWARD FINANCIAL ASSISTANCE AS FOLLOWS:**”

(I) \$50,000 TO ESTABLISH MAKERSPACE PROGRAMS WITH WESTERN MARYLAND WORKS; AND

(II) \$125,000 TO ESTABLISH OR EXPAND MAKERSPACES IN UP TO FOUR COUNTIES NOT SERVED BY WESTERN MARYLAND WORKS.

(2);

in the same line, strike “2023, 2024,” and substitute “2024”; and in lines 9 and 11, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively.

On page 5, in line 12, after “(2)” insert “**(I) FOR FISCAL YEAR 2023, REIMBURSEMENT, NOT EXCEEDING \$50,000, FOR TECHNICAL ASSISTANCE PROVIDED BY THE OPEN WORKS CENTER FOR ADVANCED FABRICATION TECHNOLOGIES IN BALTIMORE CITY; AND**

(II);

in the same line, strike “EACH”; in line 13, strike “YEAR” and substitute “YEARS 2024 AND 2025”; in line 17, after “(F)” insert “**(1) FOR FISCAL YEAR 2023, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$275,000 TO THE FUND.**

(2);

and in the same line, strike “2023, 2024,” and substitute “2024”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 37

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 334 – Senator Carter

AN ACT concerning

Water Pollution Control – Intervention in Civil Actions – Rights and Authority

SB0334/378272/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 334

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “brings” and substitute “initiates”; and in line 6, after the semicolon insert “requiring a person exercising a certain right of intervention to intervene in accordance with the applicable practices, procedures, and laws in the State;”.

AMENDMENT NO. 2

On page 1, in line 19, strike “A” and substitute “SUBJECT TO SUBSECTION (B) OF THIS SECTION, A”; and in line 21, strike “BRINGS” and substitute “INITIATES”.

On page 2, in line 5, after “(B)” insert “A PERSON SHALL EXERCISE THE RIGHT TO INTERVENE UNDER SUBSECTION (A) OF THIS SECTION IN ACCORDANCE WITH THE APPLICABLE PRACTICES, PROCEDURES, AND LAWS IN THE STATE.”

(C)”;

and in line 8, strike “REVIEW AND”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

LAI D OVER CALENDAR NO. 29

Senate Bill 460 – Senator Feldman

AN ACT concerning

**Economic Development – Advanced Clean Energy and Clean Energy Innovation
Investments and Initiatives**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0460/937874/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 460
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after “Fund;” insert “clarifying the amount of certain funding provided in a certain fiscal year;”.

AMENDMENT NO. 2

On page 4, after line 3, insert:

“**(7) RENEWABLE CHEMICAL PRODUCTION;**”;

and in lines 4, 6, 8, 10, 11, 12, 13, 16, 18, 19, 21, 23, 25, and 26, strike “**(7)**”, “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, “**(12)**”, “**(13)**”, “**(14)**”, “**(15)**”, “**(16)**”, “**(17)**”, “**(18)**”, “**(19)**”, and “**(20)**”, respectively, and substitute “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, “**(12)**”, “**(13)**”, “**(14)**”, “**(15)**”, “**(16)**”, “**(17)**”, “**(18)**”, “**(19)**”, “**(20)**”, and “**(21)**”, respectively.

On page 5, in line 4, strike “**(21)**” and substitute “**(22)**”; and in line 5, strike “**(20)**” and substitute “**(21)**”.

On page 7, in line 21, after “AS” insert “**A GREEN BANK FOR**”; in line 22, strike “**GREEN BANK**”; in the same line, strike “**AND**”; and in line 23, after “**(6)**” insert “**ENCOURAGE THE CENTER TO WORK IN CONJUNCTION WITH OTHER LOCAL AND PRIVATE GREEN BANKS; AND**”.

“**(7)**”.

On page 8, strike line 22 in its entirety and substitute:

“(6) WORK AS A GREEN BANK AND IN CONJUNCTION WITH LOCAL AND PRIVATE GREEN BANKS.”

On page 13, in line 15, strike “AND”; and in the same line, after “COMPANIES” insert **“, AND PILOT PROJECTS FOCUSED ON ON-SITE CLEAN ENERGY GENERATION FOR BUILDINGS”**.

AMENDMENT NO. 3

On page 17, in line 10, after “4.” insert **“AND BE IT FURTHER ENACTED, That, for fiscal year 2022 only, the funding provided to the Maryland Energy Innovation Fund from the Maryland Strategic Energy Investment Fund under § 9–20B–05(f)(11) and (f–4) of the State Government Article, as enacted by this Act, shall be reduced proportionally by the amount of any actual transfers made to the Maryland Energy Innovation Fund from the Maryland Strategic Energy Investment Fund under Chapters 364 and 365 of the Acts of the General Assembly of 2017 for fiscal year 2022.”**

SECTION 5.”

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER CALENDAR NO. 23

House Bill 391 – Delegates Hartman, Boyce, Arentz, Feldmark, Kerr, Lisanti, and Love

AN ACT concerning

Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

HB0391/194539/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 391

(Third Reading File Bill)

On page 3, in line 5, strike “**\$250**” and substitute “**\$100**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0391/903328/1

BY: Senator Lam

AMENDMENTS TO HOUSE BILL 391

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “, or organizing the release of,”; in line 6, after “atmosphere;” insert “prohibiting a person from organizing or participating in a mass balloon release;”; in line 10, strike the first “a”; in the same line, strike “penalty” and substitute “penalties”; and after line 10, insert “requiring the Department to select, procure, or develop a certain video;”.

AMENDMENT NO. 2

On page 2, in line 7, after “**(3)**” insert “**“MASS BALLOON RELEASE” MEANS AN EVENT WHERE A PERSON OR PERSONS KNOWINGLY AND INTENTIONALLY RELEASE OR CAUSE TO BE RELEASED 10 OR MORE BALLOONS INTO THE ATMOSPHERE.**”

(4)”;

and in line 10, strike “**(4)**” and substitute “**(5)**”.

On page 3, in line 1, after “**(C)**” insert “**(1)**”; in line 2, strike “, OR ORGANIZE THE RELEASE OF,”; after line 3, insert:

“(2) A PERSON MAY NOT ORGANIZE OR PARTICIPATE IN A MASS BALLOON RELEASE.”;

in line 4, after “(1)” insert “A PERSON WHO VIOLATES SUBSECTION (C)(1) OF THIS SECTION SHALL PERFORM 6 HOURS OF COMMUNITY SERVICE OR WATCH AN EDUCATIONAL VIDEO ON ENVIRONMENTAL DAMAGE CAUSED BY HUMAN POLLUTION OR BOTH.”

(2)”;

in the same line, after “(C)” insert “(2)”; and after line 15, insert:

“(4) THE DEPARTMENT SHALL SELECT, PROCURE, OR DEVELOP AN EDUCATIONAL VIDEO THAT DOES NOT EXCEED 1 HOUR IN DURATION ON ENVIRONMENTAL DAMAGE CAUSED BY HUMAN POLLUTION THAT A PERSON WHO VIOLATES SUBSECTION (C)(1) OF THIS SECTION MAY VIEW IN ACCORDANCE WITH SUBSECTION (D)(1) OF THIS SECTION.”

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER CALENDAR NO. 25

House Bill 1210 – The Speaker

AN ACT concerning

Corporate Diversity – Board, Executive Leadership, and Mission

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

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 adopted.

Senator Cassilly moved the Bill be recommitted.

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

Affirmative – 15 Negative – 32 (See Roll Call No. 886)

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1210/823225/1

BY: Senator Cassilly

AMENDMENT TO HOUSE BILL 1210

(Third Reading File Bill)

On page 3, in line 12, after “**ENTITY**” insert “**THAT RECEIVES A STATE BENEFIT**”.

The preceding amendment was read only.

Senator Beidle moved to make the Bill and Amendment a Special Order for April 6, 2021.

The motion was adopted.

LAID OVER CALENDAR NO. 28

House Bill 1060 – Delegate Patterson

AN ACT concerning

Charles County – Board of Education – Membership Alterations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB1060/514034/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1060

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 25, strike “Seven” and substitute “NINE”; in line 27, strike “SEVEN” and substitute “NINE”; and in line 28, strike “ONE MEMBER” and substitute “TWO MEMBERS”.

On page 3, in line 3, strike “THREE MEMBERS” and substitute “ONE MEMBER”.

On page 4, in line 5, after “All” insert “ELECTED”; and in the same line, strike “, EXCEPT THE STUDENT MEMBER,”.

AMENDMENT NO. 2

On page 7, in line 15, strike “members” and substitute “member”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 29

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 497 – Delegate Boyce

AN ACT concerning

Property Tax Credit – Urban Agricultural Property – Repeal of Repayment Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1209 – Delegate Luedtke

AN ACT concerning

Sales and Use Tax – Peer-to-Peer Car Sharing – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1279 – Delegate Luedtke

AN ACT concerning

Regional Institution Strategic Enterprise Zone Program – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 28

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 114 – Delegates Lierman, Bagnall, Feldmark, Healey, Kerr, R. Lewis, Smith, Solomon, Stein, and Terrasa

AN ACT concerning

**Maryland Transit Administration – Funding
(Transit Safety and Investment Act)**

HB0114/149430/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 114
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Maryland**” insert “Transportation –”; and in the same line, strike “– **Funding**” and substitute “Funding and MARC Rail Extension Study”.

On page 2, in line 5, after “Assembly;” insert “requiring the Department of Transportation to conduct a study on extending Maryland Area Regional Commuter (MARC) rail service to western Maryland; requiring the Department of Transportation to study and make recommendations regarding certain matters; requiring the Administration to incorporate certain recommendations into the Statewide Transit Plan; requiring the Department of Transportation to complete the study notwithstanding any alteration or postponement of the Statewide Transit Plan; requiring the Department of Transportation to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; and in line 7, after “Administration” insert “, the Statewide Transit Plan, and a study on extending MARC rail service to western Maryland”.

AMENDMENT NO. 2

On page 4, in lines 21 and 22, strike “MARYLAND TRANSIT ADMINISTRATION” and substitute “DEPARTMENT OF COMMERCE”.

AMENDMENT NO. 3

On page 9, after line 37, insert:

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

(a) (1) In this section the following words have the meanings indicated.

(2) “Department” means the Department of Transportation.

(3) “Statewide Transit Plan” means a framework developed by the Maryland Transit Administration that provides a 50–year vision of coordinated local, regional, and intercity transit across the State, including defined public transportation goals and strategies for rural, suburban, and urban regions.

(b) The Department shall conduct a study on the feasibility, including the cost, of extending MARC rail service to western Maryland.

(c) In conducting the study, the Department shall:

(1) Examine existing commuter rail facilities in the State and current transportation options in western Maryland;

(2) Explore up to three potential routes for expanding rail service to western Maryland;

(3) Identify the possibilities and challenges related to establishing and operating MARC rail service in western Maryland;

(4) Study the public transportation needs of Allegany County and Washington County in the vicinity of interstates 70 and 81;

(5) Confer with the following stakeholders:

(i) The Washington County Board of County Commissioners;

(ii) The City of Hagerstown;

(iii) Washington County residents;

(iv) Public transit advocates;

(v) Representatives of the local business community;

(vi) The Allegany County Board of County Commissioners;

(vii) The City of Cumberland;

(viii) Allegany County residents; and

(ix) The Town of Hancock;

(6) Identify infrastructure needs;

(7) Perform a cost analysis of the capital and operating costs of extending MARC rail service to western Maryland;

(8) Identify all potential stops and estimate the potential ridership for each stop;

(9) Study and compare the potential ridership for rush-hour-only service and all-day service;

(10) Develop recommendations on the potential start and end points of a MARC extension; and

(11) Explore the potential effect that extending MARC rail service to western Maryland would have on CSX.

(d) The Department shall develop recommendations on the feasibility of planning, financing, constructing, and operating a MARC line that extends commuter rail service to western Maryland.

(e) On or before July 1, 2023, the Department shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(f) (1) The Maryland Transit Administration shall incorporate the recommendations of the study into the Statewide Transit Plan.

(2) Notwithstanding any alteration or postponement of the Statewide Transit Plan, the Department shall conduct the study in accordance with this section.”.

On page 10, in line 1, strike “3.” and substitute “4.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 173 – Delegates Feldmark, Ebersole, Kerr, Hill, and Hornberger

AN ACT concerning

Community Colleges – State Funding – Revision

HB0173/839936/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 173
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Community Colleges**” and substitute “**Institutions of Higher Education**”; in line 3, after “of” insert “requiring the University of Maryland School of Medicine to provide certain clinical care at the University of Maryland Capital Region Medical Center and certain rural hospitals by assigning certain faculty to the Center and certain rural hospitals who specialize in certain areas; requiring the Governor, for certain fiscal years, to include in the annual budget bill an appropriation to implement certain requirements regarding the provision of certain clinical care; providing that certain funding is supplemental and may not supplant existing funds;”; in line 4, strike “and” and substitute a comma; in line 5, after “College” insert “, and a certain appropriation for certain private nonprofit institutions of higher education”; in line 7, strike “community colleges” and substitute “institutions of higher education”; after line 7, insert:

“BY adding to

Article – Education

Section 12–120 and 12–121

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

in line 15, strike “and” and substitute a comma; and in the same line, after “16–512(a)(2)” insert “, and 17–104(d)”.

AMENDMENT NO. 2

On page 3, after line 24, insert:

“17–104.

(d) For purposes of this section, the State’s General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State for a fiscal year shall include [noncapital]:

(1) NONCAPITAL appropriations from the Higher Education Investment Fund; AND

(2) APPROPRIATIONS, REGARDLESS OF WHERE THEY ARE BUDGETED, DESIGNATED FOR THE GENERAL OPERATION OF 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE, INCLUDING PERSONNEL-RELATED APPROPRIATIONS.”.

AMENDMENT NO. 3

On page 1, after line 20, insert:

“12-120.

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

- (1) NEUROSCIENCE;
- (2) OBSTETRICS AND GYNECOLOGY;
- (3) ONCOLOGY; AND
- (4) VASCULAR NEUROLOGY.

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

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

12-121.

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

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

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

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 421 – Delegate Rosenberg

AN ACT concerning

Income Tax Distribution – Tax Clinics for Low-Income Marylanders

HB0421/279132/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 421

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “appropriation” insert “of a certain amount”; and in line 13, after “term;” insert “providing for the termination of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 3, in lines 11, 12, and 14, strike “40%”, “40%”, and “20%”, respectively, and substitute “ONE-THIRD”, “ONE-THIRD”, and “ONE-THIRD”, respectively; in line 16, after “APPROPRIATION” insert “OF \$250,000”; and after line 28, insert:

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

Article – Tax – General”.

On page 4, in line 3, strike “\$100,000” and substitute “\$250,000”; in line 11, strike “2.” and substitute “3.”; and in line 12, after “2021.” insert “Section 2 of this Act shall remain effective for a period of 1 year and 6 months and, at the end of December 31, 2022, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 441 – Delegate McKay

AN ACT concerning

**Department of Assessments and Taxation – Identification Number for Business
– Task Force**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 528 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Repeal of Impact Fee – Authorization of Building Excise Tax

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 530 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Gaming – Administration of Bingo Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 571 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Property Tax Abatement

MC 20–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 711 – Delegate D. Jones

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 813 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Facilities Bond

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 852 – Delegate Kaiser

AN ACT concerning

Property Tax – Tax Sales – Homeowner Protection Program

HB0852/449532/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 852

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 15, after “date;” insert “requiring a certain report issued by the Department each year to include certain information and recommendations concerning the Program;”; and in line 32, after “14–812(b)” insert “and 14–880”.

AMENDMENT NO. 2

On page 6, after line 16, insert:

“14–880.

(a) Each year, the Department shall issue a report that includes:

(1) an analysis and summary of the information collected through the survey under § 14–879 of this part; and

(2) the following information concerning the activities of the State Tax Sale Ombudsman established under § 2–112 of this article in the preceding taxable year:

(i) the number of homeowners who contacted the Ombudsman;

(ii) the number of homeowners assisted by the Ombudsman to apply for each of the tax credits under § 9–104 or § 9–105 of this article;

(iii) the number of homeowners assisted by the Ombudsman to apply for other discount programs or public benefits and a brief summary of those programs and benefits;

(iv) the number of homeowners referred by the Ombudsman to legal services, housing counseling, and other social services, and a brief summary of those services; [and]

(V) THE NUMBER OF HOMEOWNERS ENROLLED IN THE HOMEOWNER PROTECTION PROGRAM UNDER PART VII OF THIS SUBTITLE;

(VI) A SUMMARY OF THE IMPLEMENTATION OF THE HOMEOWNER PROTECTION PROGRAM UNDER PART VII OF THIS SUBTITLE;

(VII) ANY STATUTORY OR ADMINISTRATIVE CHANGES THE OMBUDSMAN RECOMMENDS TO IMPROVE THE ADMINISTRATION OF THE HOMEOWNER PROTECTION PROGRAM UNDER PART VII OF THIS SUBTITLE; AND

~~[(v)]~~ **(VIII) any other relevant information.**

(b) On or before November 15 each year, the Department shall:

(1) publish the report required under subsection (a) of this section on the Department’s website; and

(2) submit the report required under subsection (a) of this section, in accordance with § 2–1257 of the State Government Article, to the Senate Budget and Taxation Committee and the House Committee on Ways and Means.”.

On page 18, after line 25, insert:

“(1) TAX AND INTEREST PAYMENTS MADE TO THE DEPARTMENT BY HOMEOWNERS ENROLLED IN THE PROGRAM;”.

On page 19, in lines 1, 3, and 4, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 862 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County and Metropolitan Commission – Debt Limitations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 901 – Delegate Bartlett (By Request – Anne Arundel County Administration)

AN ACT concerning

Anne Arundel County – Hotel Tax Alterations – Distribution of Revenue

HB0901/649237/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 901

(Third Reading File Bill)

On page 3, in line 32, strike “The” and substitute “ON OR BEFORE NOVEMBER 1 EACH YEAR, THE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 933 – Delegate Bartlett

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 937 – Delegate McIntosh

AN ACT concerning

State Lottery Fund – Maryland Humanities Council – Funding

HB0937/259833/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 937

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert “making certain technical corrections;”; and after lines 12 and 17, in each instance, insert “(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)”.

AMENDMENT NO. 2

On page 2, in line 4, strike the colon; in line 5, strike “(i)”; in line 6, after “title” insert an opening bracket; in the same line, strike “AND” and substitute “and”; strike beginning with “\$350,000” in line 7 down through “(iii)” in line 10; in line 35, strike “[and]”; and after line 35, insert:

“(v) after June 30, 2020, into the Michael Erin Busch Sports Fund established under § 10–612.2 of the Economic Development Article from the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i)[, (ii), and (iii)] THROUGH (IV) of this paragraph, an amount equal to \$1,000,000 in each fiscal year; [and]”.

On page 3, in line 1, strike “(v)” and substitute “(VI)”; in lines 4 and 5, strike “(I), (II), (III), AND (IV)” and substitute “(I) THROUGH (V)”; in line 7, strike “(v)” and substitute “[~~(vi)~~] (VII)”; and in line 9, strike “(i), (ii), (iii), [and] (iv), AND (V)” and substitute “(I) THROUGH (VI)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1010 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Payment in Lieu of Taxes Agreements – Low-Income Housing

PG 415–21

HB1010/779039/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1010
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “constructed” and substitute “acquired, constructed,”.

AMENDMENT NO. 2

On page 2, in line 15, strike “CONSTRUCTED” and substitute “ACQUIRED, CONSTRUCTED,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1173 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bond

HB1173/329839/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1173

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “\$20,000,000” and substitute “\$26,453,345”.

AMENDMENT NO. 2

On page 2, in line 12, strike “\$20,000,000” and substitute “\$26,453,345”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1178 – Delegate Brooks

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1182 – Delegate Kipke

AN ACT concerning

Tax – Property – Tax Sales

HB1182/189435/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1182

(Third Reading File Bill)

On page 3, in line 29, strike “6” and substitute “15”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 35

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 9 – Delegate Shetty

AN ACT concerning

Family Law – Mandatory Reporter Training

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 39 – Delegate Shetty

AN ACT concerning

Action for Change of Name – Waiver of Publication Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 248 – Delegate Shetty

AN ACT concerning

**Condominiums and Homeowners Associations – Rights and Restrictions –
Composting**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 250 – Delegate Fraser–Hidalgo

AN ACT concerning

Commercial Motor Vehicles – Inspections

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 297 – Delegate Pena–Melnyk

AN ACT concerning

**Maryland Lynching Truth and Reconciliation ~~Committee~~ Commission
– Reporting and Sunset Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 322 – Delegates Hill and Feldmark

AN ACT concerning

Real Property – Restrictions on Use – Low-Impact Landscaping

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 356 – Delegate Qi

AN ACT concerning

Corporations and Associations – Filing Fee Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 744 – Delegate Dumais

AN ACT concerning

Courts – Counsel Appearance Fees – Domestic Violence

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 781 – Delegate Dumais

AN ACT concerning

Corporations and Real Estate Investment Trusts – Miscellaneous

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 861 – Delegate Palakovich Carr

AN ACT concerning

Real Property – Landlord and Tenant – Reusable Tenant Screening Reports

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1347 – Delegate Barve

AN ACT concerning

Real Property – Impermissible Restrictions on Use – Portable Basketball Apparatuses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 43

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 643 – Delegate Palakovich Carr

AN ACT concerning

Public Health – Cosmetic Products – Ingredient Prohibition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 768 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Community Choice Energy – Pilot Program

HB0768/197777/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 768

(Third Reading File Bill)

AMENDMENT NO. 1

On page 4, strike beginning with “INCLUDING” in line 5 down through “RESIDENCES” in line 6 and substitute “WHICH INCLUDE MASTER-METERED MULTIPLE OCCUPANCY RESIDENCES”.

On page 7, in line 3, after “KILOWATTS” insert “AND INCLUDES MASTER-METERED MULTIPLE OCCUPANCY RESIDENCES THAT HAVE A PEAK ELECTRIC LOAD OF NOT MORE THAN 25 KILOWATTS”.

AMENDMENT NO. 2

On page 7, in line 7, strike “APRIL 1” and substitute “DECEMBER 31”.

On page 16, in line 31, strike “JULY 1, 2023” and substitute “APRIL 1, 2024”.

On page 17, in line 2, strike “JUNE 30, 2030” and substitute “APRIL 1, 2031”; in line 3, strike “JUNE 30” and substitute “APRIL 1”; and in line 26, strike “APRIL 1” and substitute “DECEMBER 31”.

AMENDMENT NO. 3

On page 19, after line 11, insert:

“(W) THE MONTGOMERY COUNTY GOVERNMENT SHALL:

(1) BE SOLELY RESPONSIBLE FOR THE COSTS ASSOCIATED WITH ANY STRANDED COSTS FOR:

(I) CONTRACTS ENTERED INTO BY THE COMMUNITY CHOICE AGGREGATOR FOR ELECTRIC SUPPLY; OR

(II) GENERATION OWNED BY A COMMUNITY CHOICE AGGREGATOR; AND

(2) PAY FOR ANY COSTS THE MONTGOMERY COUNTY GOVERNMENT IS RESPONSIBLE FOR UNDER ITEM (1) OF THIS SUBSECTION.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE SENATE

BILL: **SB0107**
SPONSOR: Senator Hayes
SUBJECT: Labor and Employment – Secure Maryland Wage Act

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Hayes, Chairman
Senator Beidle
Senator Augustine.

The House appoints:

Delegate Dumais, Chair
Delegate Valderrama
Delegate Qi

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0205**
SPONSOR: Senator Hettleman
SUBJECT: Alcoholic Beverages – Sale or Delivery for Off-Premises
Consumption

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Simonaire, Chairman
Senator Pinsky
Senator Washington.

The House appoints:

Delegate D.E. Davis, Chair
Delegate T. Branch
Delegate C. Watson

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0762**
SPONSOR: Senator McCray
SUBJECT: Maryland Electricians Act – Revisions

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Pinsky, Chairman
Senator Washington
Senator Reilly.

The House appoints:

Delegate Crosby, Chair
Delegate Rogers
Delegate Adams

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 887)

ADJOURNMENT

At 9:40 P.M. on motion of Senator King the Senate adjourned until 11:00 A.M. on Legislative Day March 14, 2021, Calendar Day, Tuesday, April 6, 2021.

Annapolis, Maryland
Legislative Day: March 14, 2021
Calendar Day: Tuesday, April 6, 2021
11:00 A.M. Session

The Senate met at 11:18 A.M.

Prayer by Rabbi Deborah Wechsler, Chizuk Amuno Congregation and School, guest of Senator Hettleman.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 888)

The Journal of April 5, 2021 was read and approved.

MESSAGE FROM THE HOUSE OF DELEGATES NO. 6
SENATE BILLS PASSED BY YEAS AND NAYS

BILL NO.	SPONSOR	CONTENT
SB 30	Sen. Elfreth	State Finance and Procurement – Appropriation Reductions (Board of Public Works Budget Reduction Clarification Act)
SB 60	Sen. Peters	State Debt – Annuity Bond Fund – Use of Bond Premiums
SB 140	Sen. Peters	Vehicle Laws – Commercial Motor Carriers – Safety, Inspection, Performance, and Insurance Information (James Cohran’s Law)

BILL NO.	SPONSOR	CONTENT
SB 247	Chair, Education, Health, and Environmental Affairs Committee	State Board of Podiatric Medical Examiners – Sunset Extension
SB 438	Sen. Washington	Public Schools – Pregnant and Parenting Students – Policies and Reports
SB 455	Sen. Sydnor	Employment Discrimination – Time for Filing Complaints
SB 517	Sen. Klausmeier	State Board of Physical Therapy Examiners – Temporary Licenses to Practice Physical Therapy and Limited Physical Therapy
SB 537	Sen. Hershey	Pharmacists – Required Notification and Authorized Substitution – Lower-Cost Drug or Device Product
SB 542 (Emerg)	Sen. Eckardt	State Health Care Facilities – Employees – Alternative Workweeks
SB 564	Sen. Griffith	Consolidation of the Procurement Improvement Council and the Council for the Procurement of Health, Educational, and Social Services
SB 658	Sen. Kagan	Maryland Department of Emergency Management – Establishment and Transfer of Maryland 9–1–1 Board
SB 714	Sen. Kagan	Public Safety – 9–1–1 Emergency Telephone System – Alterations
SB 789	Sen. McCray	Baltimore City – Visit Baltimore – Appropriation Calculation

By Order,
Nicole M. Xander, Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 33**

House Bill 310 – Delegate Lierman

AN ACT concerning

Maryland Arts Capital Grant Program

FOR the purpose of establishing the Maryland Arts Capital Grant Program; requiring the Maryland State Arts Council to administer the Program and hire a certain coordinator; requiring the Governor, for certain fiscal years, to include in the State operating or capital budget an annual appropriation of at least a certain amount for the Program; authorizing certain organizations to apply for certain grants; prohibiting certain organizations from receiving from the Council, in any fiscal year, a grant for a single project that exceeds a certain amount; ~~requiring certain organizations, under certain circumstances, to match a certain amount of the grant awarded;~~ authorizing the Council, under certain circumstances, to waive the match requirement; requiring the Council to establish a competitive application process for the Program; providing for the contents of the application; requiring the Department of Commerce to establish, by regulation, a quantitative system to evaluate each application that takes into account certain information; requiring the Council and a grant recipient to execute a certain program agreement; stating the intent of the General Assembly; and generally relating to the Maryland Arts Capital Grant Program.

BY adding to

Article – Economic Development

Section 4–514

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

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

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 41**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 98 – Delegate Washington

AN ACT concerning

**Maryland Higher Education Outreach and College Access Pilot Program –
Alterations
(Maryland College Access Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1268 – Delegate Henson

AN ACT concerning

Legal Education Success Collaborative – Established

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 36

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 260 – Delegate W. Fisher

AN ACT concerning

Courts – Jury Service – Disqualification

HB0260/408672/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 260

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “specifying” in line 4 down through “crime” in line 6 and substitute “made obsolete by this Act”.

AMENDMENT NO. 2

On page 2, in line 12, strike “OR”; in line 13, strike the bracket; strike beginning with “received” in line 14 down through “year” in line 15 and substitute “IS CURRENTLY SERVING THE SENTENCE IMPOSED FOR THE CONVICTION, INCLUDING A TERM OF PROBATION”; strike beginning with the bracket in line 17 down through “PROBATION” in line 19; and strike in their entirety lines 20 and 21.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 562 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Speed Limits – Establishment

MC 02–21

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 931 – Delegate Arikan

AN ACT concerning

**Child Care Providers – Notice of Allegations of Child Abuse or Neglect
(Aiden’s Law)**

HB0931/548075/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 931

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Child Care Providers – Notice of Allegations of**”; in the same line, after “**Neglect**” insert “**– Notice and Preventing or Interfering With Report**”; in lines 11 and 12, strike “child care providers and”; and after line 12, insert:

“BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 5–106(b)

Annotated Code of Maryland

(2020 Replacement Volume)”.

On page 2, in line 3, after “5–705(a),” insert “5–705.1(c)(1) and (2).”; and after line 5, insert:

“BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–705.2

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 7, insert:

“Article – Courts and Judicial Proceedings

5–106.

(b) Notwithstanding § 9–103(a)(3) of the Correctional Services Article or any other provision of the Code, if a statute provides that a misdemeanor is punishable by imprisonment in the penitentiary or that a person is subject to this subsection:

(1) The State may institute a prosecution for the misdemeanor at any time;
and

(2) For purposes of the Maryland Constitution, the person:

(i) Shall be deemed to have committed a misdemeanor whose punishment is confinement in the penitentiary; and

(ii) May reserve a point or question for in banc review as provided under Article IV, § 22 of the Maryland Constitution.”

On page 7, after line 11, insert:

“5–705.1.

(c) (1) If suspected abuse or neglect is alleged to have occurred outside of this State and the victim is currently a child who lives outside of this State, a person who would be required to report suspected abuse or neglect under the provisions of § 5–704 or § 5–705 of this subtitle shall report the suspected abuse or neglect to any local department in accordance with paragraph (2) of this subsection.

(2) A person described in § 5–704 of this subtitle shall make:

(i) an oral report, by telephone or direct communication, as soon as possible; and

(ii) a written report not later than 48 hours after the contact, examination, attention, or treatment that caused the person to believe that the child had been subjected to abuse or neglect.

5–705.2.

(a) An individual may not intentionally prevent or interfere with the making of a report of suspected abuse or neglect required by § 5–704 or § 5–705.1(c)(2) of this subtitle.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$10,000 or both.

(C) A PERSON WHO VIOLATES THIS SECTION WITH RESPECT TO A REPORT OF SUSPECTED SEXUAL ABUSE OF A CHILD IS SUBJECT TO § 5-106(B) OF THE COURTS ARTICLE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1061 – Charles County Delegation

AN ACT concerning

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

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 38

Senator Smith, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 76 – Delegate Love

AN ACT concerning

Water Pollution Control – Intervention in Civil Actions – Rights and Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 889)

MESSAGE FROM THE HOUSE SENATE BILLS AMENDED IN THE HOUSE NO. 15

Senate Bill 500 – Senators Lam and Hettleman

AN ACT concerning

Psychology Interjurisdictional Compact

Senator Pinsky moved that the Senate concur in the House amendments.

SB0500/346481/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 500

(Third Reading File Bill)

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

On page 2, in line 8, after "terms;" insert "making this Act an emergency measure;".

On page 32, strike in their entirety lines 17 and 18 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a 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 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 – 47 Negative – 0 (See Roll Call No. 890)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 16**

Senate Bill 265 – Senator Waldstreicher

AN ACT concerning

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

Senator Smith moved that the Senate concur in the House amendments.

SB0265/736188/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 265

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “authorizing a person who chooses to be an organ donor on or after a certain date to designate if the anatomical gift is to be used for certain purposes; requiring the Organ Procurement Organization or its designee to produce and provide to each Motor Vehicle Administration location educational materials that include certain information; requiring each Motor Vehicle Administration location to prominently display and make available to prospective donors on request the educational materials; requiring the Motor Vehicle Administration to adopt regulations to carry out certain provisions of this Act;”; in the same line, after “used;” insert “requiring that a certain gift registered before a certain date be used only for certain purposes;”; in line 8, after “circumstances;” insert “providing for a delayed effective date;”; in line 12, after “Section” insert “4–503(a) and (b) and”; and after line 14, insert:

“BY adding to

Article – Estates and Trusts

Section 4–503(f), (g), and (h)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

“4–503.

(a) Subject to § 4–506 of this subtitle, an anatomical gift may be made during the life of a donor for the purpose of transplantation, therapy, research, or education by:

(1) (i) A donor who is an adult; or

(ii) A donor who is a minor, if the minor is:

1. Emancipated; or

2. Authorized under State law to apply for a driver's license because the donor is at least 15 years and 9 months old;

(2) An agent of a donor, unless a power of attorney for health care or other record prohibits the agent from making an anatomical gift;

(3) A parent of a donor, if the donor is an unemancipated minor; or

(4) A guardian of a donor.

(b) A donor may make an anatomical gift:

(1) By authorizing a statement or symbol indicating that the donor has made an anatomical gift to be imprinted on the donor's driver's license or identification card;

(2) By will;

(3) During a terminal illness or an injury of the donor, by any form of communication addressed to at least two adults, at least one of whom is a disinterested witness; or

(4) As provided in subsection (c) of this section.

(F) ON OR AFTER JULY 1, 2022, A PERSON WHO ELECTS TO BE A DONOR MAY DESIGNATE ANY OF THE FOLLOWING PURPOSES FOR THE ANATOMICAL GIFT:

(1) RESEARCH AND EDUCATION; AND

(2) TRANSPLANTATION AND THERAPY.

(G) (1) BY JULY 1, 2022, THE ORGAN PROCUREMENT ORGANIZATION OR ITS DESIGNATED AFFILIATE SHALL PRODUCE AND PROVIDE TO EACH MOTOR VEHICLE ADMINISTRATION LOCATION EDUCATIONAL MATERIALS THAT INCLUDE DEFINITIONS OF:

(I) ANATOMICAL GIFT;

(II) RESEARCH AND EDUCATION; AND

(III) TRANSPLANTATION AND THERAPY.

(2) EACH MOTOR VEHICLE ADMINISTRATION LOCATION SHALL PROMINENTLY DISPLAY THE EDUCATIONAL MATERIALS AND MAKE AVAILABLE THE EDUCATIONAL MATERIALS TO PROSPECTIVE DONORS ON REQUEST.

(H) THE MOTOR VEHICLE ADMINISTRATION SHALL ADOPT REGULATIONS BY JULY 1, 2022, TO CARRY OUT SUBSECTIONS (F) AND (G) OF THIS SECTION.”;

in line 20, after “(f)” insert “**(1)**”; in the same line, strike “If” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF**”; and after line 23, insert:

“(2) IF A DONOR REGISTERED A DOCUMENT OF GIFT DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION BEFORE JULY 1, 2022, THE GIFT MAY ONLY BE USED FOR TRANSPLANTATION OR THERAPY.”.

On page 3, in line 20, strike “October 1, 2021” and substitute “January 1, 2022”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 891)

AMENDED IN THE HOUSE

Senate Bill 686 – Senator Smith

AN ACT concerning

Real Property – Condominiums, Homeowners Associations, and Cooperative Housing Corporations – Virtual Meetings

Senator Smith moved that the Senate concur in the House amendments.

SB0686/510611/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 686

(Third Reading File Bill)

On page 6, in line 26, strike “October” and substitute “June”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 892)

SENATE THIRD READING CALENDAR NO. 61 (GENERAL SENATE BILLS)

Senate Bill 334 – Senator Carter

AN ACT concerning

Water Pollution Control – Intervention in Civil Actions – Rights and Authority

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

Affirmative – 37 Negative – 10 (See Roll Call No. 893)

The Bill was then sent to the House of Delegates.

Senate Bill 460 – Senator Feldman

AN ACT concerning

**Economic Development – Advanced Clean Energy and Clean Energy Innovation
Investments and Initiatives**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 894)

The Bill was then sent to the House of Delegates.

Senate Bill 577 – Senators McCray and Edwards

AN ACT concerning

Economic Development – Makerspace Initiative Pilot Program

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

Affirmative – 47 Negative – 0 (See Roll Call No. 895)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 20 (GENERAL HOUSE BILLS)**House Bill 860 – Delegate Gilchrist**

AN ACT concerning

State Planning – Preservation of Agricultural Land – Goal

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

Affirmative – 47 Negative – 0 (See Roll Call No. 896)

The Bill was then returned to the House of Delegates.

House Bill 878 – Delegate Chang

AN ACT concerning

**Bay Restoration Fund – Authorized Uses and County Authority to Incur
Indebtedness**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 897)

The Bill was then returned to the House of Delegates.

House Bill 881 – Delegate Valentino-Smith

AN ACT concerning

**Mental Health Facilities – Sexual Abuse and Harassment – Reporting and
Prevention**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 898)

The Bill was then returned to the House of Delegates.

House Bill 891 – Delegate D.M. Davis

AN ACT concerning

Higher Education – Hunger-Free Campus Grant Program – Established

Senator Smith moved to make the Bill a Special Order for April 7, 2021.

The motion was adopted.

House Bill 904 – Delegate Bridges

AN ACT concerning

**State Personnel – Collective Bargaining – Exclusive Representative Access to
New Employees**

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

Affirmative – 32 Negative – 15 (See Roll Call No. 899)

The Bill was then returned to the House of Delegates.

House Bill 905 – Delegate Bridges

AN ACT concerning

Education – Workforce Development Sequence Scholarships – Eligibility

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

Affirmative – 47 Negative – 0 (See Roll Call No. 900)

The Bill was then returned to the House of Delegates.

House Bill 1048 – Delegate Wilkins

AN ACT concerning

Election Law – Permanent Absentee Ballot List

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

Affirmative – 32 Negative – 15 (See Roll Call No. 901)

The Bill was then returned to the House of Delegates.

House Bill 1136 – Delegate Chisholm

AN ACT concerning

Anne Arundel County – Alcoholic Beverages Licenses – Annual Fees

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

Affirmative – 47 Negative – 0 (See Roll Call No. 902)

The Bill was then returned to the House of Delegates.

House Bill 1317 – Delegate Smith

AN ACT concerning

Barbers – Employment of Apprentice Barbers – Alterations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 903)

The Bill was then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 21 (GENERAL HOUSE BILLS)
CONSENT NO. 9**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 115	Del. Moon	Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties	JPR
HB 193	Del. Guyton	Criminal Procedure – Victims of Crime – Private Room	JPR
HB 519	Del. Barve	Vehicle Equipment – Safety Glass – Replacement Standards	JPR

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 730	The Speaker	Driver's Licenses, Learner's Instructional Permits, and Identification Cards – Applications and Renewals	JPR
HB 742	Del. Dumais	Compensation to Individual Erroneously Convicted, Sentenced, and Confined (The Walter Lomax Act)	JPR
HB 1072	Charles County Delegation	Charles County – Community Service and Pretrial Release Programs – Authorization	JPR
HB 1074	Del. R. Watson	Vehicle Laws – Commercial Motor Carriers – Safety, Inspection, Performance, and Insurance Information (James Cohran's Law)	JPR
HB 1266	Del. W. Fisher	Estates and Trusts – Wills – Custodianship	JPR
HB 1315	Del. Fraser-Hidalgo	Motor Vehicles – Inspection Certificates – Exception	JPR

By Order,
Nicole M. Xander, Secretary

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 904)

The Bills were then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 22 (GENERAL HOUSE BILLS)
CONSENT NO. 10**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 186	Del. Malone	Courts – Court Dog Program – Veterans Treatment Courts	JPR
HB 257	Del. Qi	Maryland Commission on Civil Rights – Employment Discrimination – Reporting	JPR
HB 290	Del. Hill	Employment Discrimination – Time for Filing Complaints	JPR
HB 321	Del. Ebersole	Public Buildings – Changing Facilities – Requirements	JPR
HB 384	Del. Sample–Hughes	Real Property – Sale of Mobile Home Parks – Notice Requirements	JPR
HB 449	Del. Bartlett	Family Law – Marriage – Licenses and Records	JPR
HB 593	Del. Fraser–Hidalgo	Condominiums and Homeowners Associations – Meeting Requirements	JPR
HB 646	Del. Valentino–Smith	Child Abuse and Neglect – Memorandum of Understanding With Military Family Advocacy Program	JPR
HB 794	Carroll County Delegation	Carroll County – Sheriff – Salary	JPR

By Order,
Nicole M. Xander, Secretary

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 905)

The Bills were then returned to the House of Delegates.

**THE FOLLOWING BILL WAS REMOVED FROM THE TABLE BELOW: HB 128
SENATE THIRD READING CALENDAR NO. 23 (GENERAL HOUSE BILLS)
CONSENT NO. 11**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 128	Del. Stewart	Criminal Law – Hate Crimes – Protected Groups and Penalties	JPR
HB 277	Del. Atterbeary	Criminal Law – First–Degree Child Abuse – Continuing Course of Conduct	JPR
HB 445	Del. Dumais	Criminal Procedure – Charging Procedures – Citations	JPR
HB 882 (Emerg)	Del. Barron	Workgroup to Study Partial Expungement	JPR

By Order,
Nicole M. Xander, Secretary

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows, with the exception of House Bill 128.

Affirmative – 47 Negative – 0 (See Roll Call No. 906)

The Bills were then returned to the House of Delegates.

House Bill 128 – Delegate Stewart

AN ACT concerning

Criminal Law – Hate Crimes – Protected Groups and Penalties

FLOOR AMENDMENT

HB0128/373820/1

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 128

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “identity” insert “and political affiliation”.

AMENDMENT NO. 2

On page 3, in lines 3, 22, and 26, in each instance, after “disability,” insert “POLITICAL AFFILIATION,”.

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

Affirmative – 16 Negative – 31 (See Roll Call No. 907)

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

Affirmative – 47 Negative – 0 (See Roll Call No. 908)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 24 (GENERAL HOUSE BILLS)**House Bill 48 – Delegates Bhandari and C. Jackson****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 – 47 Negative – 0 (See Roll Call No. 909)

The Bill was then returned to the House of Delegates.

House Bill 110 – Delegate Korman

AN ACT concerning

Electric Vehicle Recharging Equipment for Multifamily Units Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 910)

The Bill was then returned to the House of Delegates.

House Bill 118 – Delegates Stein and Malone

AN ACT concerning

Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties

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

Affirmative – 47 Negative – 0 (See Roll Call No. 911)

The Bill was then returned to the House of Delegates.

House Bill 127 – Delegate Boyce

AN ACT concerning

Maryland Paint Stewardship

FLOOR AMENDMENT

HB0127/204837/1

BY: Senator Hester

AMENDMENTS TO HOUSE BILL 127

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “Program;” insert “authorizing the Department to require a producer or producer representative organization to alter a certain paint stewardship assessment, under certain circumstances;”.

AMENDMENT NO. 2

On page 9, in line 15, after “(3)” insert “(1)”; and after line 18, insert:

“(1) THE DEPARTMENT MAY REQUIRE A PRODUCER OR PRODUCER REPRESENTATIVE ORGANIZATION TO ALTER THE PAINT STEWARDSHIP ASSESSMENT PROPOSED UNDER A PAINT STEWARDSHIP PROGRAM PLAN BASED ON

THE EVALUATION OF THE INDEPENDENT FINANCIAL AUDITOR UNDER SUBSECTION (A)(7) OF THIS SECTION.”.

On page 11, in line 27, after “(2)” insert “(I)”; and after line 30, insert:

“(II) THE DEPARTMENT MAY REQUIRE A PRODUCER OR PRODUCER REPRESENTATIVE ORGANIZATION TO ALTER A PAINT STEWARDSHIP ASSESSMENT BASED ON THE EVALUATION OF THE INDEPENDENT FINANCIAL AUDITOR UNDER SUBSECTION (H)(1)(IV) OF THIS SECTION.”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB0127/473923/1

BY: Senator Ready

AMENDMENT TO HOUSE BILL 127

(Third Reading File Bill)

On page 1, strike beginning with “requiring” in line 21 down through “date;” in line 23.

On page 9, in line 26, strike the colon and substitute a comma; and in line 27, strike “(I) A” and substitute “A”.

On pages 9 and 10, strike beginning with the semicolon in line 31 on page 9 down through “STATE” in line 5 on page 10.

The preceding amendment was read only.

Senator Pinsky moved to make the Bill and Amendment a Special Order for April 7, 2021.

The motion was adopted.

House Bill 231 – Delegate Palakovich Carr

AN ACT concerning

Crimes – Mitigation and Defense – Race, Color, National Origin, Sex, Gender Identity, or Sexual Orientation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 912)

The Bill was then returned to the House of Delegates.

House Bill 258 – Delegate Guyton

AN ACT concerning

State Child Welfare System – Reporting

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

Affirmative – 47 Negative – 0 (See Roll Call No. 913)

The Bill was then returned to the House of Delegates.

House Bill 301 – Delegates Shetty and R. Lewis

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 914)

The Bill was then returned to the House of Delegates.

House Bill 407 – Delegate Stein

AN ACT concerning

On-Site Sewage Disposal Systems – Inspection – Licensing

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

Affirmative – 37 Negative – 10 (See Roll Call No. 915)

The Bill was then returned to the House of Delegates.

House Bill 885 – Delegate R. Watson

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Courts of Appeals and Special Appeals – Renaming

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

Affirmative – 40 Negative – 7 (See Roll Call No. 916)

The Bill was then returned to the House of Delegates.

House Bill 1000 – Delegate Pippy

AN ACT concerning

**Estates and Trusts – Guardian of Property of Minor or Disabled Person –
Prohibition on Distribution or Disbursement**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 917)

The Bill was then returned to the House of Delegates.

House Bill 1023 – Delegate Holmes

AN ACT concerning

**Real Property – Condominiums, Homeowners Associations, and Cooperative
Housing Corporations – Virtual Meetings**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 918)

The Bill was then returned to the House of Delegates.

House Bill 1261 – Delegate W. Fisher

AN ACT concerning

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

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

Affirmative – 46 Negative – 1 (See Roll Call No. 919)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 26 (GENERAL HOUSE BILLS)

House Bill 9 – Delegate Shetty

AN ACT concerning

Family Law – Mandatory Reporter Training

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

Affirmative – 47 Negative – 0 (See Roll Call No. 920)

The Bill was then returned to the House of Delegates.

House Bill 39 – Delegate Shetty

AN ACT concerning

Action for Change of Name – Waiver of Publication Requirement

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

Affirmative – 35 Negative – 12 (See Roll Call No. 921)

The Bill was then returned to the House of Delegates.

House Bill 114 – Delegates Lierman, Bagnall, Feldmark, Healey, Kerr, R. Lewis, Smith, Solomon, Stein, and Terrasa

AN ACT concerning

**Maryland Transit Administration – Funding
(Transit Safety and Investment Act)**

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

Affirmative – 36 Negative – 11 (See Roll Call No. 922)

The Bill was then returned to the House of Delegates.

House Bill 173 – Delegates Feldmark, Ebersole, Kerr, Hill, and Hornberger

AN ACT concerning

Community Colleges – State Funding – Revision

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

Affirmative – 47 Negative – 0 (See Roll Call No. 923)

The Bill was then returned to the House of Delegates.

House Bill 248 – Delegate Shetty

AN ACT concerning

**Condominiums and Homeowners Associations – Rights and Restrictions –
Composting**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 924)

The Bill was then returned to the House of Delegates.

House Bill 250 – Delegate Fraser-Hidalgo

AN ACT concerning

Commercial Motor Vehicles – Inspections

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

Affirmative – 47 Negative – 0 (See Roll Call No. 925)

The Bill was then returned to the House of Delegates.

House Bill 297 – Delegate Pena-Melnyk

AN ACT concerning

**Maryland Lynching Truth and Reconciliation ~~Committee~~ Commission
– Reporting and Sunset Extension**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 926)

The Bill was then returned to the House of Delegates.

House Bill 322 – Delegates Hill and Feldmark

AN ACT concerning

Real Property – Restrictions on Use – Low-Impact Landscaping

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

Affirmative – 47 Negative – 0 (See Roll Call No. 927)

The Bill was then returned to the House of Delegates.

House Bill 356 – Delegate Qi

AN ACT concerning

Corporations and Associations – Filing Fee Study

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

Affirmative – 47 Negative – 0 (See Roll Call No. 928)

The Bill was then returned to the House of Delegates.

House Bill 391 – Delegates Hartman, Boyce, Arentz, Feldmark, Kerr, Lisanti, and Love

AN ACT concerning

Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere

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

Affirmative – 41 Negative – 6 (See Roll Call No. 929)

The Bill was then returned to the House of Delegates.

House Bill 421 – Delegate Rosenberg

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 – 47 Negative – 0 (See Roll Call No. 930)

The Bill was then returned to the House of Delegates.

House Bill 441 – Delegate McKay

AN ACT concerning

**Department of Assessments and Taxation – Identification Number for Business
– Task Force**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 931)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 27 (GENERAL HOUSE BILLS)

House Bill 497 – Delegate Boyce

AN ACT concerning

**Property Tax Credit – Urban Agricultural Property – Repeal of Repayment
Requirement**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 932)

The Bill was then returned to the House of Delegates.

House Bill 528 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Repeal of Impact Fee – Authorization of Building Excise Tax

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

Affirmative – 47 Negative – 0 (See Roll Call No. 933)

The Bill was then returned to the House of Delegates.

House Bill 530 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Gaming – Administration of Bingo Licenses

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

Affirmative – 47 Negative – 0 (See Roll Call No. 934)

The Bill was then returned to the House of Delegates.

House Bill 571 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Property Tax Abatement

MC 20–21

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

Affirmative – 47 Negative – 0 (See Roll Call No. 935)

The Bill was then returned to the House of Delegates.

House Bill 643 – Delegate Palakovich Carr

AN ACT concerning

Public Health – Cosmetic Products – Ingredient Prohibition

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

Affirmative – 47 Negative – 0 (See Roll Call No. 936)

The Bill was then returned to the House of Delegates.

House Bill 711 – Delegate D. Jones

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 – 47 Negative – 0 (See Roll Call No. 937)

The Bill was then returned to the House of Delegates.

House Bill 744 – Delegate Dumais

AN ACT concerning

Courts – Counsel Appearance Fees – Domestic Violence

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

Affirmative – 47 Negative – 0 (See Roll Call No. 938)

The Bill was then returned to the House of Delegates.

House Bill 768 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Community Choice Energy – Pilot Program

MC 17–21

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

Affirmative – 46 Negative – 0 (See Roll Call No. 939)

The Bill was then returned to the House of Delegates.

House Bill 781 – Delegate Dumais

AN ACT concerning

Corporations and Real Estate Investment Trusts – Miscellaneous

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

Affirmative – 46 Negative – 0 (See Roll Call No. 940)

The Bill was then returned to the House of Delegates.

House Bill 813 – St. Mary’s County Delegation

AN ACT concerning

St. Mary's County – Public Facilities Bond

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

Affirmative – 46 Negative – 0 (See Roll Call No. 941)

The Bill was then returned to the House of Delegates.

House Bill 852 – Delegate Kaiser

AN ACT concerning

Property Tax – Tax Sales – Homeowner Protection Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 942)

The Bill was then returned to the House of Delegates.

House Bill 861 – Delegate Palakovich Carr

AN ACT concerning

Real Property – Landlord and Tenant – Reusable Tenant Screening Reports

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

Affirmative – 33 Negative – 13 (See Roll Call No. 943)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 28 (GENERAL HOUSE BILLS)

House Bill 862 – St. Mary's County Delegation

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 944)

The Bill was then returned to the House of Delegates.

House Bill 901 – Delegate Bartlett (By Request – Anne Arundel County Administration)

AN ACT concerning

Anne Arundel County – Hotel Tax Alterations – Distribution of Revenue

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

Affirmative – 47 Negative – 0 (See Roll Call No. 945)

The Bill was then returned to the House of Delegates.

House Bill 933 – Delegate Bartlett

AN ACT concerning

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

Senator Simonaire moved to make the Bill a Special Order for April 7, 2021.

The motion was adopted.

House Bill 937 – Delegate McIntosh

AN ACT concerning

State Lottery Fund – Maryland Humanities Council – Funding

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

Affirmative – 47 Negative – 0 (See Roll Call No. 946)

The Bill was then returned to the House of Delegates.

House Bill 1010 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Payment in Lieu of Taxes Agreements – Low-Income Housing

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

Affirmative – 47 Negative – 0 (See Roll Call No. 947)

The Bill was then returned to the House of Delegates.

House Bill 1060 – Delegate Patterson

AN ACT concerning

Charles County – Board of Education – Membership Alterations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 948)

The Bill was then returned to the House of Delegates.

House Bill 1173 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bond

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

Affirmative – 47 Negative – 0 (See Roll Call No. 949)

The Bill was then returned to the House of Delegates.

House Bill 1178 – Delegate Brooks

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 950)

The Bill was then returned to the House of Delegates.

House Bill 1182 – Delegate Kipke

AN ACT concerning

Tax – Property – Tax Sales

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

Affirmative – 47 Negative – 0 (See Roll Call No. 951)

The Bill was then returned to the House of Delegates.

House Bill 1209 – Delegate Luedtke

AN ACT concerning

Sales and Use Tax – Peer-to-Peer Car Sharing – Alterations

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

Affirmative – 37 Negative – 10 (See Roll Call No. 952)

The Bill was then returned to the House of Delegates.

House Bill 1279 – Delegate Luedtke

AN ACT concerning

Regional Institution Strategic Enterprise Zone Program – Alterations

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

Affirmative – 46 Negative – 0 (See Roll Call No. 953)

The Bill was then returned to the House of Delegates.

MESSAGE TO THE SENATE

BILL: **HB0670**
SPONSOR: Speaker
SUBJECT: Police Reform and Accountability Act of 2021

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Clippinger, Chair
Delegate Atterbeary
Delegate Moon

In addition, the House has appointed in advisory capacity: Delegate Kipke.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0670**
SPONSOR: Speaker
SUBJECT: Police Reform and Accountability Act of 2021

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Clippinger, Chairman
Delegate Atterbeary
Delegate Moon.

In addition, the House has appointed in advisory capacity: Delegate Kipke.

The Senate appoints:

Senator Smith, Chair
Senator Carter
Senator Jackson

In addition, the Senate has appointed in advisory capacity: Senator Hough.

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

FINANCE COMMITTEE REPORT NO. 39

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 45 – Delegate Forbes

AN ACT concerning

Education – Baltimore County Public Library – Collective Bargaining

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 554 – Delegate Pena–Melnyk

AN ACT concerning

Division of Consumer Protection – Assisted Living Programs

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1004 – Delegate Crosby

AN ACT concerning

**Financial Institutions – Commissioner of Financial Regulation – Credit Union
Power**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1154 – Delegate C. Jackson

AN ACT concerning

Labor and Employment – Economic Stabilization Act – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1213 – Delegate Queen

AN ACT concerning

**Financial Institutions – Determination of Creditworthiness – Evaluation Rules
and Alternative Methods**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1280 – Delegate Pena–Melnyk

AN ACT concerning

Health – Maryland ~~Community~~ Behavioral Health and Public Safety Center of Excellence – Establishment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1342 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

Economic Development – Partnership for Workforce Quality Program – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 41

Senator Kelley, Chair, for the Committee on Finance reported favorably:

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

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 419 – Delegate Qi

AN ACT concerning

Economic Development – Advanced Clean Energy and Clean Energy Innovation Investments and Initiatives

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 457 – Delegate Dumais

AN ACT concerning

**Insurance – Application of Premium Tax – Continued Exclusion of Maryland
Automobile Insurance Fund**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 565 – Delegate Charkoudian

AN ACT concerning

Health Facilities – Hospitals – Medical Debt Protection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 601 – Delegate Kipke

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 606 – Delegate D.E. Davis

EMERGENCY BILL

AN ACT concerning

Electricity and Gas – Limited-Income Mechanisms and Assistance

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 718 – Delegate Guyton

AN ACT concerning

**State Coordinator for Autism Strategy and Advisory Stakeholder Group on
Autism-Related Needs – ~~Mandated Appropriation~~ Location and Funding**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 872 – Delegate Charles

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.

SPECIAL ORDER CALENDAR NO. 45

House Bill 319 – Delegate Palakovich Carr

AN ACT concerning

Local Tax Relief for Working Families Act of 2021

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

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)(ii) 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 adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0319/223726/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 319

(Third Reading File Bill)

On page 1, in line 2, after “**Local**” insert “**Income**”; and in the same line, strike “**Relief for Working Families**” and substitute “**Bracket**”.

The preceding amendment was read and rejected.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 954)

ADJOURNMENT

At 1:42 P.M. on motion of Senator King the Senate adjourned until 10:30 A.M. on Legislative Day March 15, 2021, Calendar Day, Wednesday, April 7, 2021 in Memory of Brunswick Police Chief, Milton Frech, Jr.

Annapolis, Maryland
Legislative Day: March 15, 2021
Calendar Day: Wednesday, April 7, 2021
10:30 A.M. Session

The Senate met at 10:39 A.M.

Prayer by Bishop Antonio Palmer, Kingdom Celebration Center, guest of Senator Beidle.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 955)

On motion of Senator King it was ordered that Senator Waldstreicher be excused from today's session.

The Journal of April 6, 2021 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 201 – Senator Cheryl C. Kagan:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Kojo Nnamdi
in recognition of
your passionate commitment to our region as a public radio host discussing regional
politics for 23 years, which made your show on WAMU–FM so educational and
entertaining.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of April 2021.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 956)

INTRODUCTION OF RESOLUTIONS

Senate Resolution in honor of Tim Baker, retiring

State Archivist of Maryland

April 7, 2021

President William C. Ferguson IV Remarks

Tim Baker has devoted almost his entire 36-year career to the city and state governments of Maryland. Born into a family of public servants, Tim grew up in the environment of Washington D.C. and spent summers working for the committee on House administration on Capitol Hill. Shortly out of college he began working as an aide to Mayor William Donald Schaefer in Baltimore, serving as staff to the City Council and as a constituent advocate. He followed Governor Schaefer to Annapolis where he served first as constituent affairs coordinator, and as director of governmental relations in the office of the Secretary of State, then staying on into the next administration as Information Services Director at the Department of Planning, where he honed his deep knowledge of information technology—a skill-set that served the Maryland State Archives very well when he joined its staff as deputy state archivist in 2002.

In that role, Tim oversaw the development of the largest digital depository of land records in the country, mdlandrec.net, which continues, in coordination with the Maryland Judiciary, to make publicly available images of all verified land record instruments in Maryland. Appointed State Archivist by Governor Hogan in 2015, during his tenure, the Archives has become a national leader in the digitization of records, making them widely accessible to the public both remotely and in person.

Tim also oversaw the acquisition of a secondary Archives facility in Woodlawn that has allowed for the consolidation of multiple rented locations into one, state-of-the-art storage location that includes climate controlled and secure housing for the state's artistic property.

In July, he will finish his long career of service when he retires from the Archives. Through five gubernatorial administrations he has held positions crucial to the everyday smooth running of the wheels of Maryland government, and ultimately, as State Archivist, has preserved the permanent records through which future generations will understand how that government worked.

Today we thank Tim, and honor his good work through this Senate Resolution...

Senate Resolution No. 204 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Timothy D. Baker
in recognition of
his retirement after 34 years of dedicated and exemplary service to the State of Maryland,
serving most recently as State Archivist and Commissioner of Land Patents.
Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of April 2021.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 957)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 202 – Senator Cory V. McCray:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Dr. Taiisha Swinton–Buck
in recognition of
being named the 2021 Maryland State Principal of the Year
by the Maryland Association of Secondary Schools.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of April 2021.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 958)

**MESSAGE FROM THE HOUSE OF DELEGATES NO. 7
SENATE BILLS PASSED BY YEAS AND NAYS**

BILL NO.	SPONSOR	CONTENT
SB 144	Sen. Guzzone	Electric Vehicle Recharging Equipment for Multifamily Units Act
SB 156	Sen. Kramer	Public Safety – Law Enforcement – Veterinary Care of Retired Law Enforcement K–9s Act
SB 314	Sen. McCray	Board of Revenue Estimates and Bureau of Revenue Estimates – Organization and Operations
SB 365	Sen. McCray	Neighborhood Business Development Program – Food Desert Projects – Business Retention
SB 581	Sen. Hettleman	Action for Change of Name – Waiver of Publication Requirement
SB 591	Sen. Zucker	Bureau of Revenue Estimates – Tax Incidence Study – Scope and Intergovernmental Assistance
SB 596	Sen. Washington	Election Law – Early Voting Centers – Hours of Operation
SB 623	Sen. Lee	Criminal Law – Crimes Involving Computers
SB 752	Sen. Hayes	Baltimore City – Police Officers – Promotional Appointments
SB 862	Sen. Waldstreicher	Arrest Warrants Issued by District Court Commissioners – Recall by Judge
SB 914	Sen. McCray	Sheriff of Baltimore City

By Order,
Nicole M. Xander, Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 17**

Senate Bill 9 – Senator Kramer

AN ACT concerning

**State Employees – Collective Bargaining – Applicability, Bargaining Processes,
and Memorandums of Understanding**

Senator Kelley moved that the Senate concur in the House amendments.

SB0009/494064/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 9
(Third Reading File Bill)**AMENDMENT NO. 1**

On page 1, strike beginning with “altering” in line 6 down through the “board;” in line 9; in line 15, strike “providing for the negotiation of” and substitute “requiring the Chancellor and the exclusive representative to negotiate the terms of”; in line 16, strike “between a certain exclusive representative and the Chancellor”; and in line 17, after the semicolon insert “requiring that a certain consolidated memorandum of understanding include terms relating to certain matters; authorizing the president of a system institution, or the president’s designee, and the exclusive representative to negotiate and enter into a separate agreement regarding certain matters; prohibiting a certain consolidated memorandum of understanding from including certain terms; requiring that certain matters, on mutual agreement and in writing, be negotiated by certain parties or as part of a certain consolidated memorandum of understanding under certain circumstances;”.

On page 2, in line 2, strike “3–102(b)(11) through (13).”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 2 through 16, inclusive.

On page 7, in line 23, strike “**WITH**” and substitute “**SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, WITH**”; in lines 26 and 27, strike “**: (1)**” and substitute a comma; in line 30, strike “**; AND**” and substitute a period; strike beginning with “**(2)**” in line 31 down through “**DESIGNATE**” in line 32 and substitute:

“(B) (1) A CONSOLIDATED MEMORANDUM OF UNDERSTANDING SHALL INCLUDE TERMS RELATING TO:

(I) CONTRACTING OUT OR SUPPLEMENTING BARGAINING UNIT WORK;

(II) DURATION OF THE CONSOLIDATED MEMORANDUM OF UNDERSTANDING;

(III) EMPLOYEE RIGHTS;

(IV) GRIEVANCE AND APPEALS OF DISCIPLINE;

(V) HEALTH, SAFETY, AND WELFARE, INCLUDING PERSONAL PROTECTIVE EQUIPMENT;

(VI) INSURANCE RELATED TO HEALTH AND OTHER BENEFITS;

(VII) UNION STEWARDS;

(VIII) LABOR MANAGEMENT COMMITTEES;

(IX) LAYOFFS AND RECALL;

(X) LEAVE;

(XI) MAINTENANCE OF MEMBERSHIP;

(XII) MANAGEMENT RIGHTS;

(XIII) NONDISCRIMINATION;

(XIV) PERFORMANCE EVALUATIONS;

(XV) PERSONNEL FILES;

- (XVI) PROBATIONARY PERIODS;
- (XVII) RECOGNITION AND SCOPE;
- (XVIII) RETIREMENT BENEFITS;
- (XIX) TUITION REMISSION;
- (XX) RIGHTS AND RESPONSIBILITIES OF ESSENTIAL WORKERS;
- (XXI) UNION RIGHTS; AND
- (XXII) WAGES AND SALARIES.

(2) (I) A PRESIDENT OF A SYSTEM INSTITUTION, OR THE PRESIDENT'S DESIGNEE, AND THE EXCLUSIVE REPRESENTATIVE SHALL NEGOTIATE AND ENTER INTO A SEPARATE AGREEMENT REGARDING THE FOLLOWING MATTERS:

- 1. DESIGNATION OF ESSENTIAL EMPLOYEES;
- 2. STUDENT BREAKS AND HOLIDAYS;
- 3. HOURS OF WORK;
- 4. OTHER COMPENSATION THAT DOES NOT DIRECTLY IMPACT WAGES OR SALARY;
- 5. SHIFT DIFFERENTIALS;
- 6. TELEWORKING; AND
- 7. UNIFORMS AND EQUIPMENT.

(II) A CONSOLIDATED MEMORANDUM OF UNDERSTANDING MAY NOT INCLUDE TERMS RELATING TO THE MATTERS LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(3) FOR;

in line 32, strike “TO BE NEGOTIATED” and substitute “THAT IS NOT LISTED IN PARAGRAPH (1) OR (2) OF THIS SUBSECTION, THE MATTER SHALL BE NEGOTIATED:”

(I) ON MUTUAL AGREEMENT AND IN WRITING,;

and in line 34, after “DESIGNEE” insert “; **OR**”

(II) IF THE PARTIES IN ITEM (I) OF THIS PARAGRAPH CANNOT MUTUALLY AGREE, AS PART OF THE CONSOLIDATED MEMORANDUM OF UNDERSTANDING”.

On page 8, in line 1, strike “(B)” and substitute “(C)”; in the same line, strike “SUBSECTION (A) OF”; strike beginning with “, INCLUDING” in line 2 down through “SUBSECTION” in line 3 and substitute “REGARDING MATTERS LISTED IN SUBSECTION”; in line 3, strike “(A)(2)” and substitute “(B)(1) AND (B)(3)”; in the same line, strike the comma; and in line 5, strike “(C)” and substitute “(D)”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 959)

AMENDED IN THE HOUSE

Senate Bill 80 – Senator Kagan

AN ACT concerning

Economic Development – Maryland Technology Development Corporation – Alterations

Senator Kelley moved that the Senate concur in the House amendments.

SB0080/285769/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 80
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “Act;” insert “providing for the application of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 3, in line 13, strike “HISTORICALLY BLACK”.

On page 6, in line 17, after “That” insert “the two term limit on a member of the Board of Directors appointed under § 10–403(b)(2)(iv) of the Economic Development Article, as enacted by Section 1 of this Act, may be applied only prospectively to any term being served on or after the effective date of this Act.”

SECTION 5. AND BE IT FURTHER ENACTED, That”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 960)

AMENDED IN THE HOUSE

Senate Bill 359 – Senator Rosapepe

AN ACT concerning

~~Department of Transportation and Department of the Environment – Purple Line Tree Replacement Plan~~ – Urban Tree Program – Establishment

Senator Kelley moved that the Senate concur in the House amendments.

SB0359/420811/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 359
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “Act;” insert “providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 3, in line 11, after “**RESOURCES**” insert “**FOREST SERVICE**”.

On page 4, after line 7, insert:

“(E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO ABROGATE OR LIMIT THE APPLICABILITY OF ANY REQUIREMENTS OR OTHER PROVISIONS IN THE NATURAL RESOURCES ARTICLE THAT APPLY TO THE REPLACEMENT OF TREES THAT ARE REMOVED DURING THE CONSTRUCTION OF A TRANSPORTATION FACILITY PROJECT.”

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 961)

MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 18

Senate Bill 323 – ~~Senator Elfreth~~ Senators Elfreth, Griffith, Guzzone, King, McCray, Peters, Rosapepe, Young, and Zucker

AN ACT concerning

Maryland Arts Capital Grant Program

Senator Guzzone moved that the Senate concur in the House amendments.

SB0323/594663/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 323

(Third Reading File Bill)

On page 2, in line 12, strike “**2023**” and substitute “**2024**”; and in the same line, strike “**2028**” and substitute “**2029**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 962)

AMENDED IN THE HOUSE

Senate Bill 366 – Senator McCray

AN ACT concerning

**Department of Assessments and Taxation – Identification Number for Business
– Task Force**

Senator Guzzone moved that the Senate concur in the House amendments.

SB0366/245167/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 366

(Third Reading File Bill)

On page 2, strike line 2 in its entirety; and in lines 3, 4, 5, and 6, strike “(iii)”, “(iv)”, “(v)”, and “(vi)”, respectively, and substitute “(ii)”, “(iii)”, “(iv)”, and “(v)”, respectively.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 963)

AMENDED IN THE HOUSE

Senate Bill 778 – ~~Senator Elfreth~~ Senators Elfreth, Eckardt, Griffith, Guzzone, King, Rosapepe, and Zucker

AN ACT concerning

Regional Institution Strategic Enterprise Zone Program – Alterations

Senator Guzzone moved that the Senate concur in the House amendments.

SB0778/985667/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 778

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “zone;” insert “prohibiting a business entity from receiving rental assistance under a certain program for more than a certain number of years;”; and in line 22, after “circumstances;” insert “requiring a certain rental assistance program that receives a distribution of certain funds to submit an annual report to the Department on certain matters and to be subject to a certain audit; authorizing the Department, based on the findings of a certain audit, to make a certain assessment to recapture certain funds;”.

AMENDMENT NO. 2

On page 6, in line 5, after “**(1)**” insert “**(I)**”; in lines 9 and 11, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**3.**”, respectively; in line 10, strike “**AND**” and substitute:

“2. HAS NEXUS WITH A QUALIFIED INSTITUTION LOCATED IN THE RISE ZONE; AND”;

after line 11, insert:

“(II)** A BUSINESS ENTITY MAY NOT RECEIVE RENTAL ASSISTANCE UNDER A RENTAL ASSISTANCE PROGRAM ESTABLISHED IN ACCORDANCE WITH SUBPARAGRAPH **(I)** OF THIS PARAGRAPH FOR MORE THAN 3 YEARS.”;**

and after line 26, insert:

“(III) THE APPLICANT SHALL SUBMIT THE APPLICATION ON OR BEFORE THE DATE THAT THE DEPARTMENT SPECIFIES.”

On page 7, after line 21, insert:

“(D) (1) ON OR BEFORE SEPTEMBER 15 EACH YEAR, A RENTAL ASSISTANCE PROGRAM THAT HAS RECEIVED A DISTRIBUTION OF FUNDS FROM THE FUND SHALL SUBMIT TO THE DEPARTMENT AN ANNUAL REPORT IN THE FORM AND CONTAINING THE INFORMATION REQUIRED BY THE SECRETARY.

(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL DETAIL THE USE OF FUNDS RECEIVED UNDER THIS SECTION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR AND PROVIDE AN UPDATE ON ANY FUNDS THAT WERE NOT DISBURSED DURING THAT FISCAL YEAR.

(3) THE DEPARTMENT MAY NOT DISTRIBUTE MATCHING FUNDS FROM THE FUND TO A RENTAL ASSISTANCE PROGRAM UNDER THIS SECTION IF THE RENTAL ASSISTANCE PROGRAM HAS FAILED TO SUBMIT THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(E) A RENTAL ASSISTANCE PROGRAM THAT RECEIVES A DISTRIBUTION OF MATCHING FUNDS FROM THE FUND SHALL BE SUBJECT TO AN AUDIT AT LEAST ONCE EVERY 3 YEARS BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT THAT THE APPLICANT AND THE DEPARTMENT SELECT.

(F) BASED ON THE FINDINGS OF AN AUDIT CONDUCTED UNDER SUBSECTION (E) OF THIS SECTION, THE DEPARTMENT MAY MAKE AN ASSESSMENT AGAINST A QUALIFIED INSTITUTION, A COUNTY, A MUNICIPAL CORPORATION, OR AN ECONOMIC DEVELOPMENT AGENCY TO RECAPTURE ANY MISUSED OR UNDISTRIBUTED FUNDS.”

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 964)

FINANCE COMMITTEE REPORT NO. 44

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 397 – Delegate Lierman

AN ACT concerning

Electricity and Gas – Energy Suppliers – Supply Offers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 42**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 189 – Delegate Qi

AN ACT concerning

Mobile Laundry for the Homeless Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 307 – Delegate Rosenberg

AN ACT concerning

**Maryland Technology Internship Program – Qualifications for Participation –
Alterations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 320 – Delegate Smith

AN ACT concerning

Maryland Longitudinal Data System – Transfer of Student Data – Modifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 980 – Prince George’s County Delegation

AN ACT concerning

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

PG 416–21

HB0980/724335/1

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1142 – Howard County Delegation

AN ACT concerning

Howard County – School Redistricting – Public Testimony

Ho. Co. 07–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1190 – Howard County Delegation

AN ACT concerning

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

Ho. Co. 05–21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1207 – Delegate Bridges

AN ACT concerning

Environment – Commission on Environmental Justice and Sustainable Communities – Reform

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE SENATE

BILL: **HB0135**
SPONSOR: Delegate Young, K.
SUBJECT: Pharmacists – Admin of Self-Administered Medications and Maintenance Injectable Medications (Christopher King Access to Treatment Act)

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Kelly, Chair
Delegate Cullison
Delegate Kipke

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

Senator Pinsky moved to reconsider the vote by which **House Bill 135** passed Third Reading.

The motion was adopted.

Senator Pinsky moved to reconsider the Amendments.

The motion was adopted.

Senator Pinsky moved to withdraw the Amendments.

The motion was adopted.

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

Affirmative – 45 Negative – 1 (See Roll Call No. 965)

The Bill was then returned to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0135**
SPONSOR: Delegate Young, K.
SUBJECT: Pharmacists – Admin of Self-Administered Medications and
Maintenance Injectable Medications (Christopher King Access to
Treatment Act)

The Senate recedes from its position on HB0135.

Said Bill is returned herewith.

By Order,

Nicole Xander
Secretary

Read and adopted.

Senate recessed and the amendment was removed.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 44**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1091 – Delegate Reznik

AN ACT concerning

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

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 517

SPONSOR: Delegate Watson, C.

AN ACT concerning

Mail-In Voting Enhancement Act

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 30

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 2 – Delegate Korman

EMERGENCY BILL

AN ACT concerning

Maryland Environmental Service Reform Act of 2021

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 981 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Tax Sales – Limited Auction

PG 413-21

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1131 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bond

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1219 – Delegate Conaway

AN ACT concerning

Baltimore City – Tax Sales – Notice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Guzzone, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1222 – Delegate Conaway

AN ACT concerning

Baltimore City – Tax Sales – Notice Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER CALENDAR NO. 26

House Bill 89 – Delegate Wilkins

AN ACT concerning

Correctional Services – Diminution Credits – Education

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2)
OFFERED FROM THE FLOOR BY SENATOR HOUGH.

FLOOR AMENDMENT

HB0089/493529/1

BY: Senator Hough

AMENDMENTS TO HOUSE BILL 89

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “Act;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 3, in line 18, strike “2021” and substitute “2022”.

The preceding 2 amendments were withdrawn.

Read the second time and ordered prepared for Third Reading.

LAID OVER CALENDAR NO. 27

House Bill 289 – Delegate Atterbeary

AN ACT concerning

Peace Orders – Workplace Violence

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 49

House Bill 891 – Delegate D.M. Davis

AN ACT concerning

Higher Education – Hunger-Free Campus Grant Program – Established

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

THIRD READING

Senator Hough moved to make the Bill a Special Order for April 8, 2021.

The motion was adopted.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 20**

AMENDED IN THE HOUSE

Senate Bill 227 – Senators Elfreth, Hester, and Pinsky

AN ACT concerning

**Water Pollution – Stormwater Management Regulations and Watershed
Implementation Plans – Review and Update**

Senator Pinsky moved that the Senate concur in the House amendments.

SB0227/790311/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 227

(Third Reading File Bill)

On page 7, after line 9, insert:

**“E. THE MARYLAND ASSOCIATION OF SOIL
CONSERVATION DISTRICTS;”;**

in lines 10 and 11, strike “**E.**” and “**F.**”, respectively, and substitute “**F.**” and “**G.**”, respectively; in line 10, strike “**AND**”; and in line 12, after “**EXPERIENCE**” insert “**; AND**”

**H. AN ASSOCIATION THAT HAS EXPERTISE IN
STORMWATER RESTORATION PROJECTS”.**

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 967)

AMENDED IN THE HOUSE

Senate Bill 283 – Senator Elfreth

AN ACT concerning

Student and Military Voter Empowerment Act

Senator Pinsky moved that the Senate concur in the House amendments.

SB0283/475261/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 283

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “application;” insert “providing that a certain process may allow the use of a common access card only for certain purposes; prohibiting a certain process from allowing an individual to apply to register to vote solely using the card;”.

AMENDMENT NO. 2

On page 4, after line 32, insert:

“(C) THE PROCESS REQUIRED TO BE ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION:

(1) MAY ALLOW THE USE OF A COMMON ACCESS CARD ONLY FOR THE PURPOSE OF VERIFYING IDENTITY AND ALLOWING AN INDIVIDUAL TO FULFILL THE SIGNATURE REQUIREMENT ON THE FEDERAL POST CARD APPLICATION; AND

(2) MAY NOT ALLOW AN INDIVIDUAL TO APPLY TO REGISTER TO VOTE SOLELY USING THE COMMON ACCESS CARD.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 968)

AMENDED IN THE HOUSE

**Senate Bill 350 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Natural Resources)**

AN ACT concerning

Natural Resources – Aquaculture – Leases

Senator Pinsky moved that the Senate concur in the House amendments.

SB0350/780010/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 350

(Third Reading File Bill)

On page 2, in line 33, after “SPECIES” insert “, AS THOSE TERMS ARE DEFINED IN § 4-205.1 OF THIS TITLE,”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 969)

AMENDED IN THE HOUSE

Senate Bill 442 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

~~Aquaculture Leases and Shellfish Nursery Operations – Wetlands~~
Aquaculture Coordinating Council – Application of Tidal Wetlands Permit
Requirements to Aquaculture Operations – Study

Senator Pinsky moved that the Senate concur in the House amendments.

SB0442/460713/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 442
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after the second “of” insert “State or”; and in line 20, after “wetlands” insert “license and”.

AMENDMENT NO. 2

On page 2, in line 27, after “of” insert “State or”; and in the same line, after “wetlands” insert “license and”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 970)

AMENDED IN THE HOUSE

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

AN ACT concerning

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

Senator Pinsky moved that the Senate concur in the House amendments.

SB0483/640111/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 483

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “procedures;” insert “requiring the Department of the Environment to issue a warning under certain circumstances;”.

AMENDMENT NO. 2

On page 5, in line 27, strike “A” and substitute “THE DEPARTMENT SHALL ISSUE A WARNING TO A”; in line 28, after “SECTION” insert “.

(2) AFTER RECEIVING A WARNING ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PERSON WHO SUBSEQUENTLY VIOLATES THIS SECTION, OR ANY RULE OR REGULATION ADOPTED UNDER THIS SECTION,”.

in line 31, strike “FIRST” and substitute “SECOND”; and in line 32, strike “SECOND” and substitute “THIRD”.

On page 6, in line 1, strike “THIRD” and substitute “FOURTH”; and in lines 2 and 4, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 971)

AMENDED IN THE HOUSE**Senate Bill 684 – Senator Lam**

AN ACT concerning

Maryland Licensure of Certified Midwives Act

Senator Pinsky moved that the Senate concur in the House amendments.

SB0684/946086/1

BY: Delegate Cullison

AMENDMENT TO SENATE BILL 684

(Third Reading File Bill)

On page 16, in line 16, after “BOARD” insert “IN REGULATIONS”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 972)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 19**

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

Senator Smith moved that the Senate concur in the House amendments.

Senator Ready moved to make the Bill a Special Order for next session.

The motion was rejected.

Affirmative – 16 Negative – 29 (See Roll Call No. 973)

Senator Smith moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

AMENDED IN THE HOUSE

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)

Senator Smith moved that the Senate concur in the House amendments.

SB0178/562718/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 178
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “**Personnel**” in line 5 down through “**Law**” in line 7 and substitute “**Search Warrants and Inspection of Records Relating to Police Misconduct (Anton’s Law)**”; strike beginning with “establishing” in line 8 down through “officer;” in line 12 and substitute “requiring that an application for a certain no-knock search warrant be approved in writing by a police supervisor and the State’s Attorney; repealing a certain ground for issuance of a certain no-knock search warrant; requiring that an application for a certain no-knock search warrant contain certain items; requiring that a certain no-knock search warrant be executed between certain times under certain circumstances; altering the number of days within which a certain search and seizure shall be made; imposing certain restrictions on a police officer when executing a search warrant; requiring a certain custodian to allow inspection of certain records by the United States Attorney, the Attorney General, the State Prosecutor, and a certain State’s Attorney; providing that a certain record is not a personnel record for a certain purpose, with a certain exception; authorizing a certain custodian to deny inspection of certain records; requiring a certain custodian to deny inspection of a certain record under certain circumstances; requiring a custodian to notify a certain person in interest when a certain record is inspected; prohibiting a certain custodian from disclosing the identity of a certain requestor to a certain person in interest; requiring a law enforcement agency that maintains a SWAT team to report certain information to the Governor’s Office of Crime Prevention, Youth, and Victim Services using a certain format; requiring the Maryland Police Training and Standards Commission, in consultation with the Office, to develop a standardized format that certain law enforcement agencies shall use in reporting certain data relating to the”

activation and deployment of certain SWAT teams to the Office; requiring a law enforcement agency to compile certain information as a report in a certain format and to submit the report to the Office not later than a certain date following the period that is the subject of the report; requiring the Office to analyze and summarize certain reports of law enforcement agencies and to submit a report of the analyses and summaries to the Governor, the General Assembly, and each law enforcement agency before a certain date each year and publish the report on its website; providing that, if a law enforcement agency fails to comply with certain reporting requirements, the Office shall report the noncompliance to the Commission; providing that the Commission shall contact a certain law enforcement agency and request that the agency comply with certain reporting requirements under certain circumstances; providing that, if a certain law enforcement agency fails to comply with certain reporting requirements within a certain period after being contacted by the Commission, the Office and the Commission jointly shall make a certain report to the Governor and the Legislative Policy Committee of the General Assembly;” and strike beginning with “personnel” in line 13 down through “Act” in line 14 and substitute “search warrants and inspection of records relating to police misconduct”.

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 13 on page 2, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 1-203(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – General Provisions

Section 4-101(a) and (c)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – General Provisions

Section 4-101(i) and (l)

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions
Section 4–101(i) and (j), 4–311, and 4–351
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety
Section 3–523
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)”.

On page 2, strike beginning with “That” in line 15 down through “ENACTED,” in line 18.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“Article – Criminal Procedure

1–203.

(a) (1) IN THIS SUBSECTION, “NO–KNOCK SEARCH WARRANT” MEANS A SEARCH WARRANT THAT AUTHORIZES THE EXECUTING LAW ENFORCEMENT OFFICER TO ENTER A BUILDING, APARTMENT, PREMISES, PLACE, OR THING TO BE SEARCHED WITHOUT GIVING NOTICE OF THE OFFICER’S AUTHORITY OR PURPOSE.

(2) A circuit court judge or District Court judge may issue forthwith a search warrant whenever it is made to appear to the judge, by application as described in paragraph [(2)](3) of this subsection, that there is probable cause to believe that:

(i) a misdemeanor or felony is being committed by a person or in a building, apartment, premises, place, or thing within the territorial jurisdiction of the judge; or

(ii) property subject to seizure under the criminal laws of the State is on the person or in or on the building, apartment, premises, place, or thing.

[(2)] (3) (i) An application for a search warrant shall be:

1. in writing;
2. signed, dated, and sworn to by the applicant; and
3. accompanied by an affidavit that:

A. sets forth the basis for probable cause as described in paragraph (1) of this subsection; and

B. contains facts within the personal knowledge of the affiant that there is probable cause.

(ii) An application for a search warrant may be submitted to a judge:

1. by in-person delivery of the application, the affidavit, and a proposed search warrant;

2. by secure fax, if a complete and printable image of the application, the affidavit, and a proposed search warrant are submitted; or

3. by secure electronic mail, if a complete and printable image of the application, the affidavit, and a proposed search warrant are submitted.

(iii) The applicant and the judge may converse about the search warrant application:

1. in person;
2. via telephone; or
3. via video.

(iv) The judge may issue the search warrant:

1. by signing the search warrant, indicating the date and time of issuance on the search warrant, and physically delivering the signed and dated search warrant, the application, and the affidavit to the applicant;

2. by signing the search warrant, writing the date and time of issuance on the search warrant, and sending complete and printable images of the signed and dated search warrant, the application, and the affidavit to the applicant by secure fax;
or

3. by signing the search warrant, either electronically or in writing, indicating the date and time of issuance on the search warrant, and sending complete and printable images of the signed and dated search warrant, the application, and the affidavit to the applicant by secure electronic mail.

(v) The judge shall file a copy of the signed and dated search warrant, the application, and the affidavit with the court.

(vi) 1. [An] IF APPROVED IN WRITING BY A POLICE SUPERVISOR AND THE STATE’S ATTORNEY, AN application for a search warrant may contain a request that the search warrant [authorize the executing law enforcement officer to enter the building, apartment, premises, place, or thing to be searched without giving notice of the officer’s authority or purpose] BE A NO-KNOCK SEARCH WARRANT, on the [grounds] GROUND that there is reasonable suspicion to believe that, without the authorization[:

1. the property subject to seizure may be destroyed, disposed of, or secreted; or

2.] the life or safety of the executing officer or another person may be endangered.

2. AN APPLICATION FOR A NO-KNOCK SEARCH WARRANT UNDER THIS SUBPARAGRAPH SHALL CONTAIN:

A. A DESCRIPTION OF THE EVIDENCE IN SUPPORT OF THE APPLICATION;

B. AN EXPLANATION OF THE INVESTIGATIVE ACTIVITIES THAT HAVE BEEN UNDERTAKEN AND THE INFORMATION THAT HAS BEEN GATHERED TO SUPPORT THE REQUEST FOR A NO-KNOCK SEARCH WARRANT;

C. AN EXPLANATION OF WHY THE AFFIANT IS UNABLE TO DETAIN THE SUSPECT OR SEARCH THE PREMISES USING OTHER, LESS INVASIVE METHODS;

D. ACKNOWLEDGMENT THAT ANY POLICE OFFICERS WHO WILL EXECUTE THE SEARCH WARRANT HAVE SUCCESSFULLY COMPLETED THE SAME TRAINING IN BREACH AND CALL-OUT ENTRY PROCEDURES AS SWAT TEAM MEMBERS;

E. A STATEMENT AS TO WHETHER THE SEARCH WARRANT CAN EFFECTIVELY BE EXECUTED DURING DAYLIGHT HOURS AND, IF NOT, WHAT FACTS OR CIRCUMSTANCES PRECLUDE EFFECTIVE EXECUTION IN DAYLIGHT HOURS; AND

F. A LIST OF ANY ADDITIONAL OCCUPANTS OF THE PREMISES BY AGE AND GENDER, AS WELL AS AN INDICATION AS TO WHETHER ANY INDIVIDUALS WITH COGNITIVE OR PHYSICAL DISABILITIES OR PETS RESIDE AT THE PREMISES, IF KNOWN.

3. A NO-KNOCK SEARCH WARRANT SHALL BE EXECUTED BETWEEN 8:00 A.M. AND 7:00 P.M., ABSENT EXIGENT CIRCUMSTANCES.

[(3)] (4) The search warrant shall:

(i) be directed to a duly constituted police officer, the State Fire Marshal, or a full-time investigative and inspection assistant of the Office of the State Fire Marshal and authorize the police officer, the State Fire Marshal, or a full-time investigative and inspection assistant of the Office of the State Fire Marshal to search the suspected person, building, apartment, premises, place, or thing and to seize any property found subject to seizure under the criminal laws of the State;

(ii) name or describe, with reasonable particularity:

1. the person, building, apartment, premises, place, or thing to be searched;

2. the grounds for the search; and

3. the name of the applicant on whose application the search warrant was issued; and

(iii) if warranted by application as described in paragraph [(2)](3) of this subsection, authorize the executing law enforcement officer to enter the building, apartment, premises, place, or thing to be searched without giving notice of the officer's authority or purpose.

[(4)] (5) (i) The search and seizure under the authority of a search warrant shall be made within [15] 10 calendar days after the day that the search warrant is issued.

(ii) After the expiration of the [15-day] 10-DAY period, the search warrant is void.

[(5)] (6) The executing law enforcement officer shall give a copy of the search warrant, the application, and the affidavit to an authorized occupant of the premises searched or leave a copy of the search warrant, the application, and the affidavit at the premises searched.

[(6)] (7) (i) The executing law enforcement officer shall prepare a detailed search warrant return which shall include the date and time of the execution of the search warrant.

(ii) The executing law enforcement officer shall:

1. give a copy of the search warrant return to an authorized occupant of the premises searched or leave a copy of the return at the premises searched; and

2. file a copy of the search warrant return with the court in person, by secure fax, or by secure electronic mail.

(8) (1) IN THIS PARAGRAPH, "EXIGENT CIRCUMSTANCES" RETAINS ITS JUDICIALLY DETERMINED MEANING.

(II) WHILE EXECUTING A SEARCH WARRANT, A POLICE OFFICER SHALL BE CLEARLY RECOGNIZABLE AND IDENTIFIABLE AS A POLICE OFFICER, WEARING A UNIFORM, BADGE, AND TAG BEARING THE NAME AND IDENTIFICATION NUMBER OF THE POLICE OFFICER.

(III) 1. THIS SUBPARAGRAPH APPLIES TO A POLICE OFFICER WHOSE LAW ENFORCEMENT AGENCY REQUIRES THE USE OF BODY-WORN CAMERAS.

2. A POLICE OFFICER EXECUTING A SEARCH WARRANT SHALL USE A BODY-WORN CAMERA DURING THE COURSE OF THE SEARCH IN ACCORDANCE WITH THE POLICIES ESTABLISHED BY THE POLICE OFFICER'S LAW ENFORCEMENT AGENCY.

(IV) UNLESS EXECUTING A NO-KNOCK SEARCH WARRANT, A POLICE OFFICER SHALL ALLOW A MINIMUM OF 20 SECONDS FOR THE OCCUPANTS OF A RESIDENCE TO RESPOND AND OPEN THE DOOR BEFORE THE POLICE OFFICER ATTEMPTS TO ENTER THE RESIDENCE, ABSENT EXIGENT CIRCUMSTANCES.

(V) A POLICE OFFICER MAY NOT USE FLASHBANG, STUN, DISTRACTION, OR OTHER SIMILAR MILITARY-STYLE DEVICES WHEN EXECUTING A SEARCH WARRANT, ABSENT EXIGENT CIRCUMSTANCES.”.

AMENDMENT NO. 3

On pages 2 through 4, strike in their entirety the lines beginning with line 21 on page 2 through line 14 on page 4, inclusive, and substitute:

“4-101.

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

(c) “Board” means the State Public Information Act Compliance Board.

(I) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE.

[i] (J) “Political subdivision” means:

- (1) a county;
- (2) a municipal corporation;
- (3) an unincorporated town;
- (4) a school district; or
- (5) a special district.

[(i)] (K) (1) “Public record” means the original or any copy of any documentary material that:

(i) is made by a unit or an instrumentality of the State or of a political subdivision or received by the unit or instrumentality in connection with the transaction of public business; and

(ii) is in any form, including:

1. a card;
2. a computerized record;
3. correspondence;
4. a drawing;
5. film or microfilm;
6. a form;
7. a map;
8. a photograph or photostat;
9. a recording; or
10. a tape.

(2) “Public record” includes a document that lists the salary of an employee of a unit or an instrumentality of the State or of a political subdivision.

(3) “Public record” does not include a digital photographic image or signature of an individual, or the actual stored data of the image or signature, recorded by the Motor Vehicle Administration.

(L) “TECHNICAL INFRACTION” MEANS A MINOR RULE VIOLATION BY AN INDIVIDUAL SOLELY RELATED TO THE ENFORCEMENT OF ADMINISTRATIVE RULES THAT:

(1) DOES NOT INVOLVE AN INTERACTION BETWEEN A MEMBER OF THE PUBLIC AND THE INDIVIDUAL;

(2) DOES NOT RELATE TO THE INDIVIDUAL’S INVESTIGATIVE, ENFORCEMENT, TRAINING, SUPERVISION, OR REPORTING RESPONSIBILITIES; AND

(3) IS NOT OTHERWISE A MATTER OF PUBLIC CONCERN.

4-311.

(a) Subject to subsection (b) of this section, a custodian shall deny inspection of a personnel record of an individual, including an application, a performance rating, or scholastic achievement information.

(b) A custodian shall allow inspection by:

(1) the person in interest;

(2) an elected or appointed official who supervises the work of the individual; or

(3) an employee organization described in Title 6 of the Education Article of the portion of the personnel record that contains the individual’s:

(i) home address;

(ii) home telephone number; and

(iii) personal cell phone number.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A RECORD RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER, INCLUDING AN INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS RELATING TO A DISCIPLINARY DECISION, IS NOT A PERSONNEL RECORD FOR PURPOSES OF THIS SECTION.

(2) A RECORD OF A TECHNICAL INFRACTION IS A PERSONNEL RECORD FOR THE PURPOSES OF THIS SECTION.

4-351.

(a) Subject to [subsection (b)] SUBSECTIONS (B), (C), AND (D) of this section, a custodian may deny inspection of:

(1) records of investigations conducted by the Attorney General, a State's Attorney, a municipal or county attorney, a police department, or a sheriff;

(2) an investigatory file compiled for any other law enforcement, judicial, correctional, or prosecution purpose; [or]

(3) records that contain intelligence information or security procedures of the Attorney General, a State's Attorney, a municipal or county attorney, a police department, a State or local correctional facility, or a sheriff; OR

(4) RECORDS, OTHER THAN A RECORD OF A TECHNICAL INFRACTION, RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER, INCLUDING AN INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS RELATING TO A DISCIPLINARY DECISION.

(b) A custodian may deny inspection by a person in interest only to the extent that the inspection would:

(1) interfere with a valid and proper law enforcement proceeding;

(2) deprive another person of a right to a fair trial or an impartial adjudication;

(3) constitute an unwarranted invasion of personal privacy;

(4) disclose the identity of a confidential source;

(5) disclose an investigative technique or procedure;

(6) prejudice an investigation; or

(7) endanger the life or physical safety of an individual.

(C) A CUSTODIAN SHALL ALLOW INSPECTION OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION BY:

(1) THE UNITED STATES ATTORNEY;

(2) THE ATTORNEY GENERAL;

(3) THE STATE PROSECUTOR; OR

(4) THE STATE'S ATTORNEY FOR THE JURISDICTION RELEVANT TO THE RECORD.

(D) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A CUSTODIAN SHALL DENY INSPECTION OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION:

(1) IF THE RECORD RELATES TO AN ACTIVE INVESTIGATION; OR

(2) TO THE EXTENT THAT THE RECORD REFLECTS:

(I) MEDICAL INFORMATION;

(II) PERSONAL CONTACT INFORMATION OF THE PERSON IN INTEREST;

(III) INFORMATION RELATING TO THE FAMILY OF THE PERSON IN INTEREST; OR

(IV) WITNESS INFORMATION.

(E) A CUSTODIAN SHALL NOTIFY THE PERSON IN INTEREST OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION WHEN THE RECORD IS INSPECTED, BUT MAY NOT DISCLOSE THE IDENTITY OF THE REQUESTOR TO THE PERSON IN INTEREST.

Article – Public Safety

3-523.

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

(2) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(3) “NO-KNOCK SEARCH WARRANT” MEANS A SEARCH WARRANT AUTHORIZING ENTRY INTO A BUILDING, AN APARTMENT, A PREMISES, A PLACE, OR A THING TO BE SEARCHED WITHOUT GIVING NOTICE OF THE OFFICER’S AUTHORITY OR PURPOSE.

(4) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(5) “SWAT TEAM” MEANS A SPECIAL UNIT COMPOSED OF TWO OR MORE POLICE OFFICERS WITHIN A LAW ENFORCEMENT AGENCY TRAINED TO DEAL WITH UNUSUALLY DANGEROUS OR VIOLENT SITUATIONS AND HAVING SPECIAL EQUIPMENT AND WEAPONS, INCLUDING RIFLES MORE POWERFUL THAN THOSE CARRIED BY REGULAR POLICE OFFICERS.

(B) A LAW ENFORCEMENT AGENCY SHALL REPORT THE FOLLOWING INFORMATION RELATING TO SEARCH WARRANTS EXECUTED BY THE LAW ENFORCEMENT AGENCY DURING THE PRIOR CALENDAR YEAR TO THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES USING THE FORMAT DEVELOPED UNDER SUBSECTION (C) OF THIS SECTION:

(1) THE NUMBER OF TIMES A NO-KNOCK SEARCH WARRANT WAS EXECUTED IN THE PREVIOUS YEAR;

(2) THE NAME OF THE COUNTY AND MUNICIPAL CORPORATION AND THE ZIP CODE OF THE LOCATION WHERE EACH NO-KNOCK SEARCH WARRANT WAS EXECUTED;

(3) FOR EACH SEARCH WARRANT EXECUTED, THE NUMBER OF DAYS FROM THE ISSUANCE UNTIL THE EXECUTION OF THE SEARCH WARRANT, DISAGGREGATED BY WHETHER THE SEARCH WARRANT WAS A NO-KNOCK SEARCH WARRANT;

(4) THE LEGAL BASIS FOR EACH NO-KNOCK SEARCH WARRANT ISSUED;

(5) THE NUMBER OF TIMES A SEARCH WARRANT WAS EXECUTED UNDER CIRCUMSTANCES IN WHICH A POLICE OFFICER MADE FORCIBLE ENTRY INTO THE BUILDING, APARTMENT, PREMISES, PLACE, OR THING TO BE SEARCHED SPECIFIED IN THE WARRANT;

(6) THE NUMBER OF TIMES A SWAT TEAM WAS DEPLOYED TO EXECUTE A SEARCH WARRANT;

(7) THE NUMBER OF ARRESTS MADE, IF ANY, DURING THE EXECUTION OF A SEARCH WARRANT;

(8) THE NUMBER OF TIMES PROPERTY WAS SEIZED DURING THE EXECUTION OF A SEARCH WARRANT;

(9) THE NUMBER OF TIMES A WEAPON WAS DISCHARGED BY A POLICE OFFICER DURING THE EXECUTION OF A SEARCH WARRANT; AND

(10) THE NUMBER OF TIMES A PERSON OR DOMESTIC ANIMAL WAS INJURED OR KILLED DURING THE EXECUTION OF A SEARCH WARRANT, DISAGGREGATED BY WHETHER THE PERSON OR ANIMAL WAS INJURED OR KILLED BY A POLICE OFFICER.

(C) THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION, IN CONSULTATION WITH THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES, SHALL DEVELOP A STANDARDIZED FORMAT FOR EACH LAW ENFORCEMENT AGENCY TO USE IN REPORTING DATA TO THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES UNDER SUBSECTION (B) OF THIS SECTION.

(D) A LAW ENFORCEMENT AGENCY SHALL:

(1) COMPILE THE DATA DESCRIBED IN SUBSECTION (B) OF THIS SECTION FOR EACH 1-YEAR PERIOD AS A REPORT IN THE FORMAT REQUIRED UNDER SUBSECTION (C) OF THIS SECTION; AND

(2) NOT LATER THAN JANUARY 15 EACH YEAR, SUBMIT THE REPORT TO:

(I) THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES; AND

(II) 1. THE LOCAL GOVERNING BODY OF THE JURISDICTION SERVED BY THE LAW ENFORCEMENT AGENCY THAT IS THE SUBJECT OF THE REPORT; OR

2. IF THE JURISDICTION SERVED BY THE LAW ENFORCEMENT AGENCY IS A MUNICIPAL CORPORATION, THE CHIEF EXECUTIVE OFFICER OF THE JURISDICTION.

(E) (1) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES SHALL ANALYZE AND SUMMARIZE THE REPORTS OF LAW ENFORCEMENT AGENCIES SUBMITTED UNDER SUBSECTION (D) OF THIS SECTION.

(2) BEFORE SEPTEMBER 1 EACH YEAR, THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES SHALL:

(I) SUBMIT A REPORT OF THE ANALYSES AND SUMMARIES OF THE REPORTS OF LAW ENFORCEMENT AGENCIES DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION TO THE GOVERNOR, EACH LAW ENFORCEMENT AGENCY, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY; AND

(II) PUBLISH THE REPORT ON ITS WEBSITE.

(F) (1) IF A LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE REPORTING PROVISIONS OF THIS SECTION, THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES SHALL REPORT THE NONCOMPLIANCE TO THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION.

(2) ON RECEIPT OF A REPORT OF NONCOMPLIANCE, THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL CONTACT THE LAW ENFORCEMENT AGENCY AND REQUEST THAT THE AGENCY COMPLY WITH THE REQUIRED REPORTING PROVISIONS.

(3) IF THE LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE REQUIRED REPORTING PROVISIONS OF THIS SECTION WITHIN 30 DAYS AFTER BEING CONTACTED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION WITH A REQUEST TO COMPLY, THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES AND THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION JOINTLY SHALL REPORT THE NONCOMPLIANCE TO THE GOVERNOR AND THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY."

On page 4, in lines 15 and 18, strike “3.” and “4.”, respectively, and substitute “2.” and “3.”, respectively.

The preceding 3 amendments were read and concurred in.

SB0178/423520/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 178, AS AMENDED

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0178/562718/1), in lines 15 and 16 of Amendment No. 1, strike “deny inspection of” and substitute “redact”; and in line 16, after “record” insert “in a certain manner under certain circumstances; authorizing a custodian to redact a certain record in a certain manner”.

AMENDMENT NO. 2

On page 15, in Amendment No. 3, strike in their entirety lines 8 through 18, inclusive, and substitute:

“(D) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A CUSTODIAN:

(1) SHALL REDACT THE PORTIONS OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION TO THE EXTENT THAT THE RECORD REFLECTS:

(I) MEDICAL INFORMATION OF THE PERSON IN INTEREST;

(II) PERSONAL CONTACT INFORMATION OF THE PERSON IN INTEREST OR A WITNESS; OR

(III) INFORMATION RELATING TO THE FAMILY OF THE PERSON IN INTEREST; AND

(2) MAY REDACT THE PORTION OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION TO THE EXTENT THAT THE RECORD REFLECTS WITNESS INFORMATION OTHER THAN PERSONAL CONTACT INFORMATION.”

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 30 Negative – 17 (See Roll Call No. 974)

AMENDED IN THE HOUSE

Senate Bill 600 – Senator Smith

AN ACT concerning

~~**Office of the Attorney General**~~ **Maryland Police Accountability Act of 2021 –
Office of the State Prosecutor – Investigation and Prosecution of Deaths Caused
by Police Officers**

Senator Smith moved that the Senate concur in the House amendments.

SB0600/602810/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 600

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Office of the State Prosecutor –” and substitute “Surplus Military Equipment and”; in the same line, strike “and Prosecution”; in line 5, after “of” insert “prohibiting a law enforcement agency from receiving certain equipment from a certain surplus program;”; and strike beginning with “certain” in line 13 down through “of” in line 25 and substitute “certain law enforcement agency to notify the Independent Investigative Unit within the Office of the Attorney General of a certain incident involving the death of a person caused by a police officer at a certain time; requiring a law enforcement agency to cooperate with the Independent Investigative Unit in connection with a certain investigation; establishing the Independent Investigative Unit within the Office of the Attorney General; requiring the Independent Investigative Unit to investigate certain incidents involving the death of a person caused by a police officer; requiring the Independent Investigative Unit to transmit a certain report to a certain State’s Attorney at a certain time; authorizing the Independent Investigative Unit to detail certain police officers and employ certain personnel for a certain purpose; requiring the Governor to annually include certain funding in the State budget; providing that certain”

funds shall supplement and may not supplant certain other funding; defining certain terms”.

On page 2, in line 1, strike “a certain provision”; and strike beginning with the first “the” in line 1 down through “Prosecutor.” in line 2 and substitute “surplus military equipment and investigation of deaths caused by police officers.”

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–521

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety

Section 3–523

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 26, insert:

“Article – Public Safety

3–521.

(a) (1) In this section the following words have the meanings indicated.

(2) “DESTRUCTIVE DEVICE” HAS THE MEANING STATED IN § 4–501 OF THE CRIMINAL LAW ARTICLE.

(3) “FIREARM SILENCER” HAS THE MEANING STATED IN § 5–621 OF THE CRIMINAL LAW ARTICLE.

[(2)] (4) “Law enforcement agency” has the meaning stated in § 3–201 of this title.

[(3)] (5) “Surplus program” means a program operated by the federal government for the transfer of surplus military equipment to a law enforcement agency.

(b) On or before February 1 each year, the Department of State Police shall submit a report on the acquisition of equipment by law enforcement agencies through surplus programs within the preceding calendar year to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(c) The Department of State Police shall include in a prominent location on its public website a link to the Defense Logistics Agency's report listing excess Department of Defense property transfers to law enforcement agencies through the Law Enforcement Support Office.

(D) A LAW ENFORCEMENT AGENCY MAY NOT RECEIVE THE FOLLOWING EQUIPMENT FROM A SURPLUS PROGRAM:

(1) A WEAPONIZED:

(I) AIRCRAFT;

(II) DRONE; OR

(III) VEHICLE;

(2) A DESTRUCTIVE DEVICE;

(3) A FIREARM SILENCER; OR

(4) A GRENADE LAUNCHER.

3-523.

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

(2) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(3) “POLICE OFFICER” HAS THE MEANING STATED IN § 3–201 OF THIS TITLE.

(B) A LAW ENFORCEMENT AGENCY SHALL NOTIFY THE INDEPENDENT INVESTIGATIVE UNIT WITHIN THE OFFICE OF THE ATTORNEY GENERAL OF ANY ALLEGED OR POTENTIAL INCIDENT INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER AS SOON AS THE LAW ENFORCEMENT AGENCY BECOMES AWARE OF THE INCIDENT.

(C) A LAW ENFORCEMENT AGENCY SHALL COOPERATE WITH THE INDEPENDENT INVESTIGATIVE UNIT IN CONNECTION WITH THE INVESTIGATION OF AN INCIDENT INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER.”.

AMENDMENT NO. 3

On page 3, after line 15, insert:

“(B) THERE IS AN INDEPENDENT INVESTIGATIVE UNIT WITHIN THE OFFICE OF THE ATTORNEY GENERAL.

(C) THE INDEPENDENT INVESTIGATIVE UNIT SHALL INVESTIGATE ALL ALLEGED OR POTENTIAL INCIDENTS INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER.

(D) WITHIN 15 DAYS AFTER COMPLETING AN INVESTIGATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE INDEPENDENT INVESTIGATIVE UNIT SHALL TRANSMIT A CONFIDENTIAL REPORT TO THE STATE’S ATTORNEY OF THE COUNTY THAT HAS JURISDICTION TO PROSECUTE THE MATTER THAT:

(1) CONTAINS DETAILED INVESTIGATIVE FINDINGS; AND

(2) INDICATES THAT:

(i) THE INDEPENDENT INVESTIGATIVE UNIT FINDS THAT A CRIME HAS BEEN COMMITTED AND THAT PROSECUTION OF THE MATTER IS RECOMMENDED;

(II) THE INDEPENDENT INVESTIGATIVE UNIT FINDS THAT A CRIME HAS NOT BEEN COMMITTED; OR

(III) THE INDEPENDENT INVESTIGATIVE UNIT DOES NOT RECOMMEND PROSECUTION.

(E) TO INVESTIGATE AND ASSIST WITH THE INVESTIGATION OF ALLEGED CRIMINAL OFFENSES COMMITTED BY POLICE OFFICERS, THE INDEPENDENT INVESTIGATIVE UNIT MAY:

(1) DETAIL ONE OR MORE POLICE OFFICERS EMPLOYED BY THE DEPARTMENT OF STATE POLICE; AND

(2) EMPLOY OTHER CIVILIAN PERSONNEL AS NEEDED.

(F) (1) THE GOVERNOR ANNUALLY SHALL INCLUDE FUNDING IN THE STATE BUDGET SUFFICIENT TO PROVIDE FOR THE FULL AND PROPER OPERATION OF THE INDEPENDENT INVESTIGATIVE UNIT.

(2) FUNDS PROVIDED IN ACCORDANCE WITH THIS SUBSECTION SHALL SUPPLEMENT AND MAY NOT SUPPLANT ANY OTHER FUNDING PROVIDED TO THE INDEPENDENT INVESTIGATIVE UNIT.”.

On pages 3 through 5, strike in their entirety the lines beginning with line 25 on page 3 through line 12 on page 5, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.”.

The preceding 6 amendments were read and concurred in.

SB0600/603029/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 600, AS AMENDED

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0600/602810/1), in line 7 of Amendment No. 1, strike “incident involving the death of a person caused by a police officer” and substitute “police-involved death of a civilian”; in lines 11 and 12, strike “incidents involving the death of a person caused by a police officer” and substitute “police-involved deaths of civilians; authorizing the Independent Investigative Unit to investigate certain crimes related to police misconduct; providing that the Independent Investigative Unit shall have the authority to act in a certain manner when conducting a certain investigation”; and in line 13, after “time;” insert “requiring, subject to a certain exception, that a certain report remain confidential through the adjudication of a certain criminal case;”.

AMENDMENT NO. 2

On page 4 of the House Judiciary Committee Amendments, in lines 7 and 8 and 12 and 13 of Amendment No. 2, in each instance, strike “INCIDENT INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER” and substitute “POLICE-INVOLVED DEATH OF A CIVILIAN”; and in line 12, strike “AN” and substitute “A”.

On page 4 of the House Judiciary Committee Amendments, in line 4 of Amendment No. 3, after “(C)” insert “(1)”; in lines 5 and 6, strike “INCIDENTS INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER.” and substitute “POLICE-INVOLVED DEATHS OF CIVILIANS.”

(2) THE INDEPENDENT INVESTIGATIVE UNIT MAY INVESTIGATE ANY OTHER CRIMES RELATED TO POLICE MISCONDUCT THAT ARE DISCOVERED DURING AN INVESTIGATION UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(D) IN CONDUCTING AN INVESTIGATION UNDER SUBSECTION (C) OF THIS SECTION, THE INDEPENDENT INVESTIGATIVE UNIT MAY ACT WITH THE FULL POWERS, RIGHTS, PRIVILEGES, AND DUTIES OF A STATE’S ATTORNEY, INCLUDING THE USE OF A GRAND JURY IN ANY COUNTY.;

and in line 7, strike “(D)” and substitute “(E) (1)”.

On page 5 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 3, strike “CONFIDENTIAL”; in the same line, after “REPORT” insert “CONTAINING DETAILED INVESTIGATIVE FINDINGS”; in line 2, strike “THAT:” and substitute a period; strike in their entirety lines 3 through 11, inclusive, and substitute:

“(2) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE REPORT UNDER THIS SUBSECTION SHALL REMAIN CONFIDENTIAL THROUGH ADJUDICATION OF ANY ASSOCIATED CRIMINAL CASE AT THE TRIAL COURT LEVEL.”;

and in line 12, strike “**(E)**” and substitute “**(F)**”.

On page 6 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 3, strike “**(F)**” and substitute “**(G)**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 31 Negative – 16 (See Roll Call No. 975)

AMENDED IN THE HOUSE

Senate Bill 786 – Senator McCray (By Request – Baltimore City Administration)

AN ACT concerning

Maryland Police Accountability Act of 2021 – Baltimore City – Control of the Police Department of Baltimore City

Senator Smith moved that the Senate concur in the House amendments.

SB0786/672016/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 786

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “amendment;” insert “stating the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 3, in line 24, after “City” insert “and subject to confirmation by the Baltimore City Council”; and in line 29, after “City” insert “and subject to confirmation by the Baltimore City Council”.

On page 4, in line 4, strike “Community Oversight Taskforce” and substitute “Citizens Advisory Commission for Public Safety”; after line 23, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that enactment of the transfer of control of the Police Department of Baltimore City will not remove the right to collectively bargain currently afforded to Baltimore City police officers under State and local law.”;

and in line 24, strike “4.” and substitute “5.”.

On page 5, in line 13, strike “5.” and substitute “6.”; and in line 14, strike “4” and substitute “5”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 976)

SPECIAL ORDER

AMENDED IN THE HOUSE

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

Senator Smith moved that the Senate concur in the House amendments.

SB0071/952415/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 71

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Cameras” insert “, Employee Programs, and Use of Force”; strike beginning with “providing” in line 5 down through “showing;” in line 8; strike beginning with “establishing” in line 13 down through “date;” in line 20 and substitute “requiring a certain body-worn camera to automatically record and save a certain amount of video footage at a certain time; prohibiting a law enforcement agency from negating or altering certain requirements or policies through collective bargaining; altering a certain provision of law requiring each law enforcement agency to establish a certain early intervention policy to instead require a system to identify police officers who are at risk of engaging in certain behavior; requiring each law enforcement agency to provide access to a certain employee assistance program for certain police officers; establishing certain requirements for a certain program; requiring each law enforcement agency to develop a policy to provide access to certain services at no cost to a police officer; requiring each police officer to sign a certain pledge; establishing certain use of force standards; requiring a police officer to take certain steps to gain compliance and de-escalate conflict under certain circumstances; requiring a police officer to intervene to prevent or terminate the use of certain force by a certain police officer; requiring a police officer to render certain first aid to a certain subject and request certain assistance at a certain time; requiring a police supervisor to respond to the scene of a certain incident and gather and review certain recordings; requiring a law enforcement agency to adopt a certain policy; requiring a police officer to undergo certain training; requiring a police officer to sign a certain training completion document; prohibiting a police officer from intentionally violating a certain provision of law, resulting in serious physical injury or death to a person; establishing certain penalties; providing that a certain sentence may be separate from and consecutive to or concurrent with a certain other sentence; altering the termination date for the Law Enforcement Body Camera Task Force; altering the duties of the Task Force; requiring the Task Force to submit an additional report of its findings and recommendations on or before a certain date; providing for a delayed effective date for certain provisions of this Act;”; in line 20, strike “providing for the application of this Act;”; strike beginning with “providing” in line 20 down through “Act;” in line 21; and in line 22, after “cameras” insert “, employee programs, and use of force”.

On page 2, strike in their entirety lines 1 through 5, inclusive; in line 8, after “3-511” insert “and 3-516”; and after line 10, insert:

“BY adding to

Article – Public Safety

Section 3–523 and 3–524

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Chapter 309 of the Acts of the General Assembly of 2020

Section 1(f) and (g) and 2”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 9 on page 3, inclusive.

AMENDMENT NO. 3

On pages 5 and 6, strike in their entirety the lines beginning with line 10 on page 5 through line 20 on page 6, inclusive, and substitute:

“(E) A BODY-WORN CAMERA THAT POSSESSES THE REQUISITE TECHNOLOGICAL CAPABILITY SHALL AUTOMATICALLY RECORD AND SAVE AT LEAST 60 SECONDS OF VIDEO FOOTAGE IMMEDIATELY PRIOR TO THE OFFICER ACTIVATING THE RECORD BUTTON ON THE DEVICE.

(F) A LAW ENFORCEMENT AGENCY MAY NOT NEGATE OR ALTER ANY OF THE REQUIREMENTS OR POLICIES ESTABLISHED IN ACCORDANCE WITH THIS SECTION THROUGH COLLECTIVE BARGAINING.

3–516.

(a) Each law enforcement agency shall establish a confidential and nonpunitive early intervention [policy for counseling officers who receive three or more citizen complaints within a 12-month period] SYSTEM TO IDENTIFY POLICE OFFICERS WHO ARE AT RISK OF ENGAGING IN THE USE OF EXCESSIVE FORCE AND TO PROVIDE THE OFFICERS WITH TRAINING, BEHAVIORAL INTERVENTIONS, REASSIGNMENTS, OR OTHER APPROPRIATE RESPONSES TO REDUCE THE RISK OF THE USE OF EXCESSIVE FORCE.

(b) A [policy] SYSTEM described in this section may not prevent the investigation of or imposition of discipline for any particular complaint.

3-523.

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

(2) “EMPLOYEE ASSISTANCE PROGRAM” MEANS A WORK-BASED PROGRAM OFFERED TO ALL POLICE OFFICERS THAT PROVIDES ACCESS TO VOLUNTARY AND CONFIDENTIAL SERVICES TO ADDRESS THE MENTAL HEALTH ISSUES OF A POLICE OFFICER STEMMING FROM PERSONAL AND WORK-RELATED CONCERNS, INCLUDING STRESS, FINANCIAL ISSUES, LEGAL ISSUES, FAMILY PROBLEMS, OFFICE CONFLICTS, AND ALCOHOL AND SUBSTANCE ABUSE DISORDERS.

(3) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(4) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(B) EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE ACCESS TO AN EMPLOYEE ASSISTANCE PROGRAM FOR ALL POLICE OFFICERS WHOM THE LAW ENFORCEMENT AGENCY EMPLOYS.

(C) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION SHALL PROVIDE POLICE OFFICERS ACCESS TO CONFIDENTIAL MENTAL HEALTH SERVICES, INCLUDING:

- (1) COUNSELING SERVICES;**
- (2) CRISIS COUNSELING;**
- (3) STRESS MANAGEMENT COUNSELING;**
- (4) RESILIENCY SESSIONS; AND**

(5) PEER SUPPORT SERVICES FOR POLICE OFFICERS.

(D) (1) IN ADDITION TO THE REQUIREMENTS OF § 3-516 OF THIS SUBTITLE AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AS PART OF THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION, BEFORE A POLICE OFFICER RETURNS TO FULL DUTY, A LAW ENFORCEMENT AGENCY SHALL PROVIDE:

(I) A VOLUNTARY MENTAL HEALTH CONSULTATION AND VOLUNTARY COUNSELING SERVICES TO THE POLICE OFFICER IF THE POLICE OFFICER IS INVOLVED IN AN INCIDENT INVOLVING AN ACCIDENT RESULTING IN A FATALITY; AND

(II) A MANDATORY MENTAL HEALTH CONSULTATION AND VOLUNTARY COUNSELING SERVICES TO THE POLICE OFFICER IF THE POLICE OFFICER IS INVOLVED IN AN INCIDENT INVOLVING:

- 1. A SERIOUS INJURY TO THE POLICE OFFICER;**
- 2. AN OFFICER-INVOLVED SHOOTING; OR**
- 3. ANY USE OF FORCE RESULTING IN A FATALITY OR SERIOUS INJURY.**

(2) A MENTAL HEALTH CONSULTATION AND COUNSELING SERVICE PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONFIDENTIAL.

(E) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION SHALL INCLUDE A COMPONENT DESIGNED TO PROTECT THE MENTAL HEALTH OF POLICE OFFICERS DURING PERIODS OF PUBLIC DEMONSTRATIONS AND UNREST.

(F) EACH LAW ENFORCEMENT AGENCY SHALL DEVELOP A POLICY TO PROVIDE ACCESS TO THE SERVICES REQUIRED BY THIS SECTION AT NO COST TO A POLICE OFFICER.

(A) THIS SECTION SHALL BE KNOWN AS THE MARYLAND USE OF FORCE STATUTE.

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

(2) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(3) "POLICE OFFICER" MEANS:

(I) A POLICE OFFICER AS DEFINED IN § 3-201 OF THIS TITLE;
OR

(II) A SPECIAL POLICE OFFICER AS DEFINED IN § 3-301 OF THIS TITLE.

(4) "SERIOUS PHYSICAL INJURY" HAS THE MEANING STATED IN § 3-201 OF THE CRIMINAL LAW ARTICLE.

(C) EACH POLICE OFFICER SHALL SIGN AN AFFIRMATIVE WRITTEN SANCTITY OF LIFE PLEDGE TO RESPECT EVERY HUMAN LIFE AND ACT WITH COMPASSION TOWARD OTHERS.

(D) (1) A POLICE OFFICER MAY NOT USE FORCE AGAINST A PERSON UNLESS A POLICE OFFICER UNDER SIMILAR CIRCUMSTANCES WOULD BELIEVE THAT THE FORCE IS NECESSARY AND PROPORTIONAL TO:

(I) PREVENT AN IMMINENT THREAT OF PHYSICAL INJURY TO A PERSON; OR

(II) EFFECTUATE A LEGITIMATE LAW ENFORCEMENT OBJECTIVE.

(2) A POLICE OFFICER SHALL CEASE THE USE OF FORCE AS SOON AS:

(I) THE PERSON ON WHOM THE FORCE IS USED:

- 1. IS UNDER THE POLICE OFFICER’S CONTROL; OR**
- 2. NO LONGER POSES AN IMMINENT THREAT OF PHYSICAL INJURY OR DEATH TO THE POLICE OFFICER OR TO ANOTHER PERSON; OR**

(II) THE POLICE OFFICER DETERMINES THAT FORCE WILL NO LONGER ACCOMPLISH A LEGITIMATE LAW ENFORCEMENT OBJECTIVE.

(E) A POLICE OFFICER SHALL:

(1) WHEN TIME, CIRCUMSTANCES, AND SAFETY ALLOW, TAKE STEPS TO GAIN COMPLIANCE AND DE-ESCALATE CONFLICT WITHOUT USING PHYSICAL FORCE;

(2) INTERVENE TO PREVENT OR TERMINATE THE USE OF FORCE BY ANOTHER POLICE OFFICER BEYOND WHAT IS AUTHORIZED UNDER SUBSECTION (D) OF THIS SECTION;

(3) RENDER BASIC FIRST AID TO A PERSON INJURED AS A RESULT OF POLICE ACTION AND PROMPTLY REQUEST APPROPRIATE MEDICAL ASSISTANCE; AND

(4) FULLY DOCUMENT ALL USE OF FORCE INCIDENTS THAT THE OFFICER OBSERVED OR WAS INVOLVED IN.

(F) A POLICE SUPERVISOR SHALL:

(1) RESPOND TO THE SCENE OF ANY INCIDENT DURING WHICH A POLICE OFFICER USED PHYSICAL FORCE AND CAUSED SERIOUS PHYSICAL INJURY; AND

(2) GATHER AND REVIEW ALL KNOWN VIDEO RECORDINGS OF A USE OF FORCE INCIDENT.

(G) A LAW ENFORCEMENT AGENCY SHALL:

(1) HAVE A WRITTEN DE-ESCALATION OF FORCE POLICY; AND

(2) ADOPT A WRITTEN POLICY REQUIRING SUPERVISORY AND COMMAND-LEVEL REVIEW OF ALL USE OF FORCE INCIDENTS.

(H) A POLICE OFFICER SHALL:

(1) UNDERGO TRAINING ON WHEN A POLICE OFFICER MAY OR MAY NOT DRAW A FIREARM OR POINT A FIREARM AT A PERSON AND ENFORCEMENT OPTIONS THAT ARE LESS LIKELY TO CAUSE DEATH OR SERIOUS PHYSICAL INJURY, INCLUDING SCENARIO-BASED TRAINING, DE-ESCALATION TACTICS AND TECHNIQUES, AND REASONABLE ALTERNATIVES TO DECREASE PHYSICAL INJURY; AND

(2) SIGN A TRAINING COMPLETION DOCUMENT STATING THAT THE OFFICER UNDERSTANDS AND SHALL COMPLY WITH THE MARYLAND USE OF FORCE STATUTE.

(I) (1) A POLICE OFFICER MAY NOT INTENTIONALLY VIOLATE SUBSECTION (D) OF THIS SECTION, RESULTING IN SERIOUS PHYSICAL INJURY OR DEATH TO A PERSON.

(2) A POLICE OFFICER WHO VIOLATES PARAGRAPH (1) OF THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS.

(3) A SENTENCE IMPOSED UNDER THIS SUBSECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING A VIOLATION OF THIS SUBSECTION.

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

Chapter 309 of the Acts of 2020SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.That:

(f) The Task Force shall:

(1) study options for the economical storage of audio and video recordings made by law enforcement body-worn cameras; [and]

(2) make recommendations for storage considering the budgets of State, county, local, and campus law enforcement jurisdictions;

(3) STUDY AND MAKE FINDINGS ON THE IMPLEMENTATION AND FEASIBILITY OF REQUIRING THE USE OF BODY-WORN CAMERAS BY POLICE OFFICERS IN COUNTIES AND MUNICIPALITIES THROUGHOUT THE STATE; AND

(4) MAKE RECOMMENDATIONS REGARDING REQUIRING THE USE OF BODY-WORN CAMERAS BY COUNTIES AND MUNICIPALITIES BASED ON ITS FINDINGS.

(g) On or before December 1, 2020, AND DECEMBER 1, 2022, the Task Force shall report its findings and recommendations to the General Assembly, in accordance with § 2-1257 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020. It shall remain effective for a period of [1 year] 3 YEARS and, at the end of June 30, [2021] 2023, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

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

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2021.”

The preceding 3 amendments were read and concurred in.

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 71, AS AMENDED

On page 6 of the House Judiciary Committee Amendments (SB0071/952415/1), in the first and second lines from the bottom of Amendment No. 3, strike “**A POLICE OFFICER UNDER SIMILAR CIRCUMSTANCES WOULD BELIEVE THAT**” and substitute “**, UNDER THE TOTALITY OF THE CIRCUMSTANCES,**”.

The preceding amendment was read and concurred in.

Affirmative – 29 Negative – 17 (See Roll Call No. 977)

Senate Bill 71 – Senator Sydnor

AN ACT concerning

**Police Officers – Testimony – Presumption of Inadmissibility
(Maryland Police Accountability Act of 2021)**

Senator King moved to limit the debate on **Senate Bill 71**.

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

Affirmative – 32 Negative – 15 (See Roll Call No. 978)

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

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

Affirmative – 31 Negative – 16 (See Roll Call No. 979)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

HB0670/183422/1

BILL NO.: HB 670 SPONSOR: Speaker
SUBJECT: Police Reform and Accountability Act of 2021

THIRD READING CALENDAR

HOUSE NO. 39

SENATE NO. 18

Hon. William C. Ferguson, IV, President of the Senate
Hon. Adrienne A. Jones, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

- (1) That the Judicial Proceedings Committee Amendments (HB0670/668370/1) be rejected.
- (2) That Senator Carter's Amendments (HB0670/663420/1) be rejected.
- (3) That Senator Young's Amendments (HB0670/663123/1) be rejected.
- (4) That Senator West's Amendments (HB0670/703522/1) be rejected.
- (5) That Senator West's Amendments (HB0670/323826/1) be rejected.
- (6) That Senator West's Amendments (HB0670/663127/1) be rejected.
- (7) That Senator Cassilly's Amendments (HB0670/273821/1) be rejected.
- (8) That Senator Hettleman's Amendments (HB0670/583724/1) be rejected.
- (9) That the attached Conference Committee Amendments (HB0670/513722/1) be adopted.

HB0670/513722/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 670

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "**Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures**"; strike beginning with "requiring" in line 6 down through "warrant;" in line 15; in line 17, after "exception;" insert "providing that a police officer's failure to comply with a certain requirement may be grounds for a certain disciplinary action against the officer and may not serve as the basis for the exclusion of certain evidence under a certain rule;"; and in line 19, after "lawfully" insert "and safely".

On page 2, in line 16, after "omissions" insert "or violations of constitutional rights"; strike beginning with "requiring" in line 17 down through "interest;" in line 27; in line 29, after "administer" insert "certain test and"; strike beginning with "on" in line 29 down through "Commission;" in line 32; strike beginning with "requiring" in line 33 down through "times;" in line 36 and substitute "requiring the Commission to revoke the certification of a police officer under certain circumstances; requiring the Commission to create a certain

database;” and in line 45, after “officer;” insert “establishing certain requirements for an individual who applies for a position as a police officer;”.

On page 3, strike beginning with “requiring” in line 18 down through “footage;” in line 20 and substitute “requiring law enforcement agencies to submit certain reports to the Commission; requiring the Commission to post certain information on its website; prohibiting the Governor’s Office of Crime Prevention, Youth, and Victim Services from making certain funds available under certain circumstances;” and strike beginning with “altering” in line 22 down through “undergo” in line 47.

On page 4, strike beginning with “less” in line 1 down through “Assembly;” in line 19; in line 25, strike “and policies;” in line 34, after “membership” insert “staffing, budget, and procedures;” and strike beginning with “establishing” in line 34 down through “board” in line 35 and substitute “requiring a police accountability board to make a certain report and recommendations annually”.

On page 5, in line 5, strike “requiring” and substitute “authorizing”; in line 6, after “circumstances;” insert “requiring a police officer to be provided certain items and notified of certain information before a trial board proceeding begins;”; in line 14, after “exceptions;” insert “providing that a law enforcement agency has the burden of proof by a preponderance of the evidence in certain proceedings; providing that a police officer may be disciplined only for cause;”; in line 16, strike “and requiring”; in line 17, after “requiring” insert “and authorizing”; strike beginning with “providing” in line 25 down through “circumstances;” in line 26; strike beginning with “requiring” in line 29 down through “period;” in line 33 and substitute “requiring the Maryland Police Training and Standards Commission to adopt certain regulations;”; strike beginning with “and” in line 33 down through “representation” in line 34 and substitute “may have the assistance of a representative”; in line 39, after “officers;” insert “prohibiting certain records from being expunged or destroyed;” and strike beginning with “authorizing” in line 40 down through “order to” in line 47.

On page 6, strike in their entirety lines 1 through 3, inclusive; strike beginning with “providing” in line 5 down through “Act;” in line 6; strike beginning with “for” in line 10 down through “providing” in line 11; in line 11, after “provisions of this Act;” insert “making certain provisions of this Act contingent on the taking effect of another Act;” and strike in their entirety lines 30 through 34, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 37 on page 7 through line 11 on page 8, inclusive.

On page 8, in line 14, strike “3-113” and substitute “3-114”; in line 15, strike “, 3-508, 3-523, and 3-524” and substitute “and 3-508”; in lines 20 and 21, strike “3-511, 3-514, 3-515, and 3-516” and substitute “3-514, and 3-515”; and strike in their entirety lines 24 through 28, inclusive.

On page 65, in lines 19, 24, and 32, strike “7.”, “8.”, and “10.”, respectively, and substitute “6.”, “7.”, and “8.”, respectively.

On page 66, in lines 6 and 15, strike “11.” and “12.”, respectively, and substitute “9.” and “10.”, respectively.

AMENDMENT NO. 2

On pages 9 through 14, strike in their entirety the lines beginning with line 33 on page 9 through line 3 on page 14, inclusive, and substitute:

“Article – Criminal Procedure”.

AMENDMENT NO. 3

On page 14, in line 12, strike “BADGE NUMBER” and substitute “IDENTIFICATION NUMBER ISSUED BY THE LAW ENFORCEMENT AGENCY THE OFFICER IS REPRESENTING”; in line 16, after “(B)” insert “A POLICE OFFICER’S FAILURE TO COMPLY WITH SUBSECTION (A) OF THIS SECTION:

(1) MAY BE GROUNDS FOR ADMINISTRATIVE DISCIPLINARY ACTION AGAINST THE OFFICER; AND

(2) MAY NOT SERVE AS THE BASIS FOR THE EXCLUSION OF EVIDENCE UNDER THE EXCLUSIONARY RULE.

(C);

and in line 18, after “LAWFULLY” insert “AND SAFELY”.

AMENDMENT NO. 4

On page 17, in line 16, strike “4-YEAR”; strike beginning with “IN” in line 16 down through “JUSTICE” in line 17 and substitute “THAT WOULD FURTHER THE STUDENT’S CAREER IN LAW ENFORCEMENT”; in line 19, strike “4-YEAR”; and in line 20, strike “IN

CRIMINAL LAW, CRIMINOLOGY, OR CRIMINAL JUSTICE” and substitute “THAT WOULD FURTHER THE POLICE OFFICER’S CAREER IN LAW ENFORCEMENT”.

On page 18, strike beginning with “IN” in line 5 down through “JUSTICE” in line 6 and substitute “THAT WOULD FURTHER THE RECIPIENT’S CAREER IN LAW ENFORCEMENT”.

AMENDMENT NO. 5

On pages 19 and 20, strike in their entirety the lines beginning with line 12 on page 19 through line 24 on page 20, inclusive.

AMENDMENT NO. 6

On page 21, in line 5, after “FROM” insert “INTENTIONAL”; in line 6, after “OMISSIONS” insert “OR A VIOLATION OF A CONSTITUTIONAL RIGHT”; in line 8, strike “1.”; in the same line, strike “ITEM 2 OF THIS ITEM AND”; in line 10, after “\$890,000” insert “FOR ALL CLAIMS ARISING OUT OF THE SAME INCIDENT OR OCCURRENCE, REGARDLESS OF THE NUMBER OF CLAIMANTS OR BENEFICIARIES WHO SHARE IN THE AWARD”; strike in their entirety lines 11 through 20, inclusive; and in line 21, strike “2.” and substitute “(II)”.

On page 22, in line 1, after “FROM” insert “INTENTIONAL”; in line 2, after “OMISSIONS” insert “OR A VIOLATION OF A CONSTITUTIONAL RIGHT”; in line 4, strike “A.”; in the same line, strike “ITEM B OF THIS ITEM AND”; in line 6, strike “SHALL” and substitute “MAY”; in the same line, after “\$890,000” insert “FOR ALL CLAIMS ARISING OUT OF THE SAME INCIDENT OR OCCURRENCE, REGARDLESS OF THE NUMBER OF CLAIMANTS OR BENEFICIARIES WHO SHARE IN THE AWARD”; in the same line, after the semicolon, insert “AND”; strike in their entirety lines 7 through 16, inclusive; and in line 17, strike “B.” and substitute “2.”.

AMENDMENT NO. 7

On pages 22 through 28, strike in their entirety the lines beginning with line 22 on page 22 through line 2 on page 28, inclusive.

On page 65, strike in their entirety lines 28 through 31, inclusive.

AMENDMENT NO. 8

On page 28, strike in their entirety lines 15 and 16.

On pages 29 and 30, strike in their entirety the lines beginning with line 9 on page 29 through line 4 on page 30, inclusive.

AMENDMENT NO. 9

On page 41, before line 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety”;

in lines 13, 16, 17, and 27, in each instance, strike the bracket; strike line 15 in its entirety; in lines 16, 17, 19, and 25, strike “(10)”, “(11)”, “(12)”, and “(9)”, respectively, and substitute “(9)”, “(10)”, “(11)”, and “(12)”, respectively; in line 19, after “a” insert “CIVILIAN”; in line 20, after “Justice;” insert “AND”; and strike in their entirety lines 21 through 24, inclusive.

On page 42, in lines 1, 2, and 3 in each instance, strike the bracket; in lines 1, 2, and 3, in each instance, strike “individual” and substitute “CIVILIAN”; in line 1, after “policing” insert “WHO DOES NOT HAVE RELATIONSHIPS TO LAW ENFORCEMENT”; in line 2, after “standards” insert “WHO DOES NOT HAVE RELATIONSHIPS TO LAW ENFORCEMENT”; in lines 2, 3, and 5, strike “(II)”, “(III)”, and “(IV)”, respectively; in line 3, strike “WITHOUT” and substitute “WHO DOES NOT HAVE”; in line 5, strike the first set of brackets; in the same line, strike “NINE” and substitute “THREE”; in the same line, strike “without” and substitute “WHO REPRESENT DIFFERENT GEOGRAPHIC AREAS OF THE STATE AND DO NOT HAVE”.

On page 46, after line 4, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety”.

AMENDMENT NO. 10

On pages 49 and 50, strike in their entirety the lines beginning with line 21 on page 49 through line 23 on page 50, inclusive.

AMENDMENT NO. 11

On pages 51 and 52, strike in their entirety the lines beginning with line 34 on page 51 through line 12 on page 52, inclusive.

AMENDMENT NO. 12

On pages 53 through 57, strike in their entirety the lines beginning with line 16 on page 53 through line 26 on page 57, inclusive.

On pages 58 and 59, strike in their entirety the lines beginning with line 26 on page 58 through line 20 on page 59, inclusive.

AMENDMENT NO. 13

On page 58, strike in their entirety lines 6 through 15, inclusive.

AMENDMENT NO. 14

On page 28, in lines 17, 19, 22, and 29, strike “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(E)”, “(F)”, “(G)”, and “(H)”, respectively.

On page 29, in lines 2, 4, and 6, strike “(J)”, “(K)”, and “(L)”, respectively, and substitute “(I)”, “(J)”, and “(K)”, respectively.

On page 30, in line 13, after “(4)” insert “(I)”; in line 14, after “COMMITTEES” insert “; AND”

(II) ON OR BEFORE DECEMBER 31 EACH YEAR, SUBMIT A REPORT TO THE GOVERNING BODY OF THE COUNTY THAT:

1. IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS OF POLICE OFFICERS IN THE COUNTY; AND

2. MAKES RECOMMENDATIONS ON CHANGES TO POLICY THAT WOULD IMPROVE POLICE ACCOUNTABILITY IN THE COUNTY;

strike beginning with “THE” in line 15 down through “BY” in line 16; and in line 17, strike “LEGISLATIVE BODY” and substitute “GOVERNING BODY SHALL:”

1. ESTABLISH THE MEMBERSHIP OF A POLICE ACCOUNTABILITY BOARD;

2. ESTABLISH THE BUDGET AND STAFF FOR A POLICE ACCOUNTABILITY BOARD;

3. APPOINT A CHAIR OF THE POLICE ACCOUNTABILITY BOARD WHO HAS RELEVANT EXPERIENCE TO THE POSITION; AND

4. ESTABLISH THE PROCEDURES FOR RECORD KEEPING BY A POLICE ACCOUNTABILITY BOARD".

On page 31, strike beginning with the colon in line 2 down through "**(II)**" in line 5; strike beginning with "**OR**" in line 5 down through "**PERJURY**" in line 6; after line 6, insert:

"(D) A COMPLAINT OF POLICE MISCONDUCT FILED WITH A POLICE ACCOUNTABILITY BOARD SHALL BE FORWARDED TO THE APPROPRIATE LAW ENFORCEMENT AGENCY WITHIN 3 DAYS AFTER RECEIPT BY THE BOARD.";

in lines 7 and 25, strike "**3-104.**" and "**3-105.**", respectively, and substitute "**3-103.**" and "**3-104.**", respectively; strike beginning with the colon in line 20 down through "**(II)**" in line 23; and strike beginning with "**OR**" in line 23 down through "**PERJURY**" in line 24.

On page 32, in line 3, after "**BOARD**" insert "**, OR ANOTHER MEMBER OF THE ACCOUNTABILITY BOARD DESIGNATED BY THE CHAIR OF THE ACCOUNTABILITY BOARD**"; strike in their entirety lines 4 through 16, inclusive; in line 17, strike "**(IV)**" and substitute "**(II)**"; in the same line, strike "**ONE CIVILIAN**" and substitute "**TWO CIVILIAN MEMBERS**"; in line 19, strike "**(V)**" and substitute "**(III)**"; strike beginning with the first "**THE**" in line 19 down through "**COUNTY**" in line 20 and substitute "**TWO CIVILIAN MEMBERS SELECTED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNTY**"; in line 22, after "**STATEWIDE**" insert "**AND BI-COUNTY**"; and strike in their entirety lines 25 through 29, inclusive, and substitute:

"(I) THREE CIVILIAN MEMBERS APPOINTED BY THE GOVERNOR;

(II) ONE CIVILIAN MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(III) ONE CIVILIAN MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE.

On page 33, strike in their entirety lines 1 through 4, inclusive; in lines 24 and 26, strike “**(4)**”, and “**(5)**”, respectively, and substitute “**(6)**”, and “**(7)**”, respectively; in line 23, strike “**3-106**” and substitute “**3-105**”; after line 23, insert:

“(4) REVIEW ANY BODY CAMERA FOOTAGE THAT MAY BE RELEVANT TO THE MATTERS COVERED IN THE COMPLAINT OF MISCONDUCT;

(5) AUTHORIZE A POLICE OFFICER CALLED TO APPEAR BEFORE AN ADMINISTRATIVE CHARGING COMMITTEE TO BE ACCOMPANIED BY A REPRESENTATIVE;

and in line 27, after “**AGENCY**” insert “**, THE POLICE OFFICER,**”.

On page 34, in line 8, strike “**A**” and substitute “**ANY**”; in line 11, strike “**AND ADDITIONALLY**” and substitute “**OR**”; in line 14, after “**UNTIL**” insert “**FINAL**”; and in line 15, strike “**3-106.**” and substitute “**3-105.**”.

On page 35, after line 2, insert:

“(5) AT LEAST 30 DAYS BEFORE A TRIAL BOARD PROCEEDING BEGINS, THE POLICE OFFICER SHALL BE:

(I) PROVIDED A COPY OF THE INVESTIGATORY RECORD;

(II) NOTIFIED OF THE CHARGES AGAINST THE POLICE OFFICER;

AND

(III) NOTIFIED OF THE DISCIPLINARY ACTION BEING RECOMMENDED.

in line 3, strike “**3-107.**” and substitute “**3-106.**”; in line 6, after “**SECTION**” insert “**TO ADJUDICATE MATTERS FOR WHICH A POLICE OFFICER IS SUBJECT TO DISCIPLINE**”; in line 11, after “**COURT**” insert “**, APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNTY;**”; in line 12, after “**A CIVILIAN**” insert “**WHO IS NOT A MEMBER OF AN**”.

ADMINISTRATIVE CHARGING COMMITTEE,”; and in line 15, after “MISCONDUCT” insert “APPOINTED BY THE HEAD OF THE LAW ENFORCEMENT AGENCY”.

On page 36, after line 11, insert:

“(G) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A LAW ENFORCEMENT AGENCY HAS THE BURDEN OF PROOF BY A PREPONDERANCE OF THE EVIDENCE IN ANY PROCEEDING UNDER THIS SUBTITLE.

“(H) A POLICE OFFICER MAY BE DISCIPLINED ONLY FOR CAUSE.”;

in lines 12 and 21, strike “(G)” and “(H)”, respectively, and substitute “(I)” and “(J)”, respectively; in line 17, after “STATEWIDE” insert “OR BI-COUNTY”; and in line 22, strike “3-108.” and substitute “3-107.”.

On page 37, strike in their entirety lines 4 through 13, inclusive, and substitute:

“(B) (1) A CHIEF OR A CHIEF’S DESIGNEE MAY SUSPEND A POLICE OFFICER WITHOUT PAY AND SUSPEND THE POLICE OFFICER’S POLICE POWERS ON AN EMERGENCY BASIS IF THE POLICE OFFICER IS CHARGED WITH:

(I) A DISQUALIFYING CRIME, AS DEFINED IN § 5-101 OF THIS ARTICLE;

(II) A MISDEMEANOR COMMITTED IN THE PERFORMANCE OF DUTIES AS A POLICE OFFICER; OR

(III) A MISDEMEANOR INVOLVING DISHONESTY, FRAUD, THEFT, OR MISREPRESENTATION.”;

strike beginning with “POLICE” in line 15 down through “BASED” in line 17 and substitute “CRIMINAL CHARGE OR CHARGES AGAINST THE POLICE OFFICER RESULT IN:

(I) A FINDING OF NOT GUILTY;

(II) AN ACQUITTAL;

(III) A DISMISSAL; OR

(IV) A NOLLE PROSEQUI”;

in line 18, after “**(C)**” insert “**(1)**”; in line 19, strike “**OR**” and substitute “**A FELONY.**”

(2) THE CHIEF MAY TERMINATE THE EMPLOYMENT OF A POLICE OFFICER WHO:

(I)”;

in the same line, strike the “**FOR:**” and substitute “**FOR**”; in line 20, strike “**(1)**”; in the same line, after “**FELONY;**” insert “**OR**”; in line 21, strike “**(2)**” and substitute “**(II)**”; in the same line, strike “**A**” and substitute “**IS CONVICTED OF:**”

1. A”;

strike line 23 in its entirety and substitute:

2. MISDEMEANOR SECOND DEGREE ASSAULT; OR”;

and in line 24, strike “**(4)**” and substitute “**3.**”.

On page 38, in lines 1 and 6, in each instance, strike “**DESCRIBED IN**” and substitute “**UNDER**”; in line 5, after “**(3)**” insert “**(I)**”; after line 9, insert:

“(II) IF A POLICE OFFICER IS REQUIRED TO SUBMIT TO A POLYGRAPH EXAMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE RESULTS OF THE POLYGRAPH EXAMINATION ARE NOT ADMISSIBLE OR DISCOVERABLE IN A CRIMINAL OR CIVIL PROCEEDING AGAINST THE POLICE OFFICER.”;

strike in their entirety lines 10 through 13, inclusive; in line 14, strike “**3-109.**” and substitute “**3-108.**”; and in line 28, after “**STATEMENT**” insert “**, IF ANY,**”.

On page 39, strike in their entirety lines 12 through 21, inclusive; in lines 22 and 26, strike “**3-110.**” and “**3-111.**”, respectively, and substitute “**3-109.**” and “**3-110.**”,

respectively; and in line 24, strike “HAVE THE RIGHT TO REPRESENTATION” and substitute “MAY HAVE THE ASSISTANCE OF A REPRESENTATIVE”.

On page 40, in lines 20 and 23, strike “3-112.” and “3-113.”, respectively, and substitute “3-111.” and “3-112.”, respectively; and strike in their entirety lines 24 through 28, inclusive.

On page 41, strike line 1 in its entirety and substitute:

“A RECORD RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER, INCLUDING AN INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS RELATING TO A DISCIPLINARY DECISION, MAY NOT BE:

(1) EXPUNGED; OR

(2) DESTROYED BY A LAW ENFORCEMENT AGENCY.

3-113.

(A) THE INVESTIGATING UNIT OF A LAW ENFORCEMENT AGENCY SHALL IMMEDIATELY REVIEW A COMPLAINT BY A MEMBER OF THE PUBLIC ALLEGING POLICE OFFICER MISCONDUCT.

(B) AN ADMINISTRATIVE CHARGING COMMITTEE SHALL REVIEW AND MAKE A DETERMINATION OR ASK FOR FURTHER REVIEW WITHIN 30 DAYS AFTER COMPLETION OF THE INVESTIGATING UNIT’S REVIEW.

(C) THE PROCESS OF REVIEW BY THE INVESTIGATING UNIT THROUGH DISPOSITION BY THE ADMINISTRATIVE CHARGING COMMITTEE SHALL BE COMPLETED WITHIN 1 YEAR AND 1 DAY AFTER THE FILING OF A COMPLAINT BY A CITIZEN.

3-114.

THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.”

On page 45, in line 6, strike “ANNUALLY”; in the same line, after “ASSESSMENT” insert “EVERY TWO YEARS”; and in the same line, strike the second “A” and substitute “AN ANNUAL”.

AMENDMENT NO. 15

On pages 63 through 65, strike in their entirety the lines beginning with line 12 on page 63 through line 18 on page 65, inclusive.

AMENDMENT NO. 16

On page 65, in line 20, strike “2021” and substitute “2022”; in line 24, strike “Section 4 of this Act” and substitute “§ 5–303 of the Courts and Judicial Proceedings Article, as enacted by Section 3 of this Act, and § 12–103 of the State Government Article, as enacted by Section 3 of this Act.”; in line 26, after “omission” insert “or violation of a constitutional right”; in line 27, strike “September 30, 2021” and substitute “June 30, 2022”; and strike beginning with “Section” in line 32 down through “shall” in line 33 and substitute “Title 3, Subtitle 1 of the Public Safety Article, as enacted by Section 3 of this Act, shall”.

On page 66, strike in their entirety lines 21 through 24, inclusive, and substitute:

“SECTION 11. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect July 1, 2022, contingent on the taking effect of Chapter _____ (S.B. 71) of the Acts of the General Assembly of 2021, and if Chapter _____ (S.B. 71) does not take effect, Section 4 of this Act, with no further action required by the General Assembly, shall be null and void.

SECTION 12. AND BE IT FURTHER ENACTED, That, except as provided in Section 11 of this Act, this Act shall take effect July 1, 2022.”.

Senate Members:

House Members:

Chair, **William C. Smith, Jr.**

Chair, **Luke Clippinger**

Jill P. Carter

Vanessa E. Atterbeary

Michael A. Jackson

David Moon

On page 1, in line 11, after “Act;” insert “providing for the application of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 3, in line 13, after “UNIVERSITY” insert “, EXCEPT THAT ANY SINGLE COLLEGE OR UNIVERSITY MAY NOT BE REPRESENTED FOR MORE THAN TWO CONSECUTIVE TERMS”.

On page 6, in line 17, after “That” insert “the two term limit on a member of the Board of Directors appointed under § 10–403(b)(2)(iv) of the Economic Development Article, as enacted by Section 1 of this Act, may be applied only prospectively to any term being served on or after the effective date of this Act.”

SECTION 5. AND BE IT FURTHER ENACTED, That”.

Senate Members:

House Members:

Chair, **Antonio Hayes**

Chair, **Darryl Barnes**

Malcolm Augustine

Jessica Feldmark

Justin Ready

Robert B. Long

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to: (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 – 45 Negative – 0 (See Roll Call No. 981)

The Bill was then returned to the House of Delegates.

House Bill 1210 – The Speaker

AN ACT concerning

Corporate Diversity – Board, Executive Leadership, and Mission

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR CASSILLY.

FLOOR AMENDMENT

HB1210/823225/1

BY: Senator Cassilly

AMENDMENT TO HOUSE BILL 1210

(Third Reading File Bill)

On page 3, in line 12, after “ENTITY” insert “THAT RECEIVES A STATE BENEFIT”.

The preceding amendment was withdrawn.

FLOOR AMENDMENT

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 adopted.

FLOOR AMENDMENT

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 adopted.

Read the second time and ordered prepared for Third Reading.

RULES COMMITTEE REPORT NO. 8

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

House Bill 310 – Delegate Lierman

AN ACT concerning

Maryland Arts Capital Grant Program

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 799 – Delegate Clark

EMERGENCY BILL

AN ACT concerning

~~**Aquaculture Leases and Shellfish Nursery Operations – Wetlands**~~
Aquaculture Coordinating Council – Application of Tidal Wetlands Permit Requirements to Aquaculture Operations – Study

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 1003 – Delegate Lierman

AN ACT concerning

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

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

House Bill 1027 – Delegate Wells (By Request – Baltimore City Administration)

AN ACT concerning

**Maryland Police Accountability Act of 2021 – Baltimore City – Control of the
Police Department of Baltimore City**

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 1134 – Delegate Carey

AN ACT concerning

Natural Resources – Fishing and Hunting Rights

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

House Bill 1328 – Delegate Feldmark

AN ACT concerning

**Economic Development – Broadband Providers – Joint Trenching and Fee
(Building Out Broadband Act of 2021)**

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

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 21**

Senate Bill 200 – Senators Young, Waldstreicher, and Washington

AN ACT concerning

Natural Resources – Organized Killing Contests – Restriction

Senator Pinsky moved that the Senate not concur in the House amendments.

SB0200/790313/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 200
(Third Reading File Bill)

On page 2, in line 8, strike “**\$100**” and substitute “**\$25**”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

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 adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 982)

ADJOURNMENT

At 5:24 P.M. on motion of Senator King the Senate adjourned until 10:30 A.M. on Legislative Day March 17, 2021, Calendar Day, Thursday, April 8, 2021.