



SYNOPSIS

Senate Bills and Joint Resolutions
2022 Maryland General Assembly Session

January 20, 2022
Schedule 7

PLEASE NOTE: February 7 – Bill introduction deadline.

All bills should be given to the Secretary of the Senate's office by 5:00 P.M. on Monday, February 7.

As required by Senate Rule 32(b), bills introduced after this date will be referred to the Senate Rules Committee.

SENATE BILL INTRODUCED *January 19, 2022*

SB 291 The President (By Request – Administration)

CREATION OF A STATE DEBT – MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2022, AND THE MARYLAND CONSOLIDATED CAPITAL BOND LOANS OF 2014, 2015, 2016, 2017, 2018, 2019, 2020, AND 2021

Authorizing the creation of a State Debt in the amount of \$1,204,361,000, 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; etc.

VARIOUS EFFECTIVE DATES

Various Chapters of the Acts of Various Years, Various Sections - amended and repealed

Assigned to: Budget and Taxation

Department of Legislative Services

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

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SENATE BILLS INTRODUCED January 20, 2022**SB 302 Senator Lam****LEGIONNAIRES' DISEASE PREVENTION ACT**

Requiring the Department of the Environment to adopt regulations requiring an owner or operator of a public building to establish and implement a water management program to prevent the growth and spread of Legionella pneumophila in a building water system to reduce the risk for Legionnaires' disease; requiring the regulations to be consistent with the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) standard 188 (Legionellosis: Risk Management for Building Water Systems); etc.

EFFECTIVE OCTOBER 1, 2022

EN, § 9-405.1 - added

Assigned to: Education, Health, and Environmental Affairs

SB 303 Senator Lam**PUBLIC HEALTH – NONCONSENSUAL CONDOM REMOVAL – PROHIBITION**

Prohibiting an individual from causing certain sexual contact involving nonconsensual condom removal.

EFFECTIVE OCTOBER 1, 2022

HG, § 20-2201 - added

Assigned to: Finance

SB 304 Senators Lam and Lee**EDUCATION – PUBLIC SCHOOLS – ASIAN AMERICAN HISTORY CURRICULUM REQUIREMENT**

Requiring the State Board of Education to develop curriculum for a unit of instruction on Asian American history in public schools in the State; requiring each county board of education to implement the Asian American history curriculum content standards, beginning in the 2023–2024 school year; requiring each board to ensure that a unit of instruction on Asian American history is taught at least once during elementary school, middle school, and once in a history course required to graduate from high school; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2022

ED, § 7-205.5 - added

Assigned to: Education, Health, and Environmental Affairs

SB 305 Senator Lam

STATE BOARD OF PHYSICIANS – DISPENSING PERMITS

Transferring oversight of the inspection of the offices of dispensing physicians from the Office of Controlled Substances Administration to the State Board of Physicians; and altering the circumstances under which a physician may dispense drugs, devices, or topical medications.

EFFECTIVE OCTOBER 1, 2022

HO, §§ 12-102(a) and (c), 12-102.1, 12-102.2, and 14-509 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 306 Senator Lam

DENTAL HYGIENISTS – CONSULTATION REQUIREMENTS – HEALTH CARE PRACTITIONERS

Altering the types of health care practitioners with whom a dental hygienist must consult before providing certain treatment to a dental patient to include a patient’s registered nurse practitioner, certified nurse midwife, or licensed certified midwife.

EFFECTIVE OCTOBER 1, 2022

HO, § 4-308(k)(4)(vi) and (m)(1) and (5) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 307 Senator Lam

PUBLIC RECORDS – RETENTION AND INSPECTION – COMMUNICATIONS (TRANSPARENCY IN PUBLIC RECORDS ACT OF 2022)

Altering the definition of “public record” and defining “record” for the purposes of the Public Information Act and the State records management program to include certain written, electronic, and recorded audio or video communications made in connection with the transaction of public business made or received by an employee or public official of the State; and defining “unit” for the purposes of the State records management program to include the Office of the Governor.

EFFECTIVE JULY 1, 2022

GP, § 4-101 and SG, § 10-608 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 308 **Senator Lam****ENVIRONMENT – STATEWIDE GREEN BUSINESS CERTIFICATION PROGRAM**

Requiring the Department of the Environment to establish and administer a statewide green business certification program to recognize businesses operating in a manner that reduces their environmental footprint and provide consumers with information on how to identify those businesses; and requiring the Department to update and enhance the statewide green business certification program in consultation with the Montgomery County Green Business Certification Program.

EFFECTIVE JULY 1, 2022

EN, § 1-901 - added

Assigned to: Education, Health, and Environmental Affairs

SB 309 **Senator Carter****BALTIMORE CITY – CIVILIAN REVIEW BOARD – POLICE ACCOUNTABILITY BOARD**

Providing that the Civilian Review Board of Baltimore City is established to provide a permanent, statutory agency in Baltimore City to fulfill the functions of a certain police accountability board; providing that the provisions of Title 3, Subtitle 1 of the Public Safety Article of the Annotated Code of Maryland govern all matters relating to police accountability and discipline in Baltimore City and supersede any inconsistent laws; etc.

EFFECTIVE JULY 1, 2022

PLL of Baltimore City, Art. 4, §§ 16-41 and 16-42 - amended and §§ 16-44 through 16-54 - repealed

Assigned to: Judicial Proceedings

SB 310 **Senator Elfreth, et al****SMALL, MINORITY, AND WOMEN–OWNED BUSINESSES ACCOUNT – LOCAL STATE OF EMERGENCY**

Expanding the eligible uses of the Small, Minority, and Women–Owned Businesses Account to include the provision of grants and the conversion of certain loan amounts into grants in areas declared a local state of emergency; and limiting to \$50,000 the amount of certain grants and loan amounts converted to grants that may be provided to a single business or nonprofit organization.

EFFECTIVE JULY 1, 2022

EC, § 5-1501 - amended

Assigned to: Budget and Taxation

SB 311 Senator Reilly

HEALTH OCCUPATIONS – PODIATRIC PHYSICIANS

Altering the term “podiatrist” to be “podiatric physician”.

EFFECTIVE OCTOBER 1, 2022

CL, CA, CJ, CR, ED, ET, HG, HO, IN, SP, and TR, Various Sections - amended

Assigned to: Education, Health, and Environmental Affairs

SB 312 Senator Reilly

HEALTH OCCUPATIONS – NURSE ANESTHETISTS – DRUG AUTHORITY AND COLLABORATION

Authorizing a nurse anesthetist to prescribe, order, and administer drugs, including controlled dangerous substances, without obtaining approval from a practitioner with whom the nurse anesthetist collaborates, subject to certain limitations; and authorizing a nurse anesthetist to collaborate with a podiatrist.

EFFECTIVE OCTOBER 1, 2022

HO, §§ 8-513, 12-101(b), and 12-102(e) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 313 Senators Watson and Carter

CIVIL ACTIONS – DAMAGES – USE OF RACE, ETHNICITY, AND GENDER DATA

Prohibiting a calculation of damages for loss of earnings resulting from personal injury or wrongful death from being reduced based on race, ethnicity, or gender; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2022

CJ, § 11-109.1 - added

Assigned to: Judicial Proceedings

SB 314 **Senator Rosapepe****INCOME TAX – MECHANICAL INSULATION INSTALLATION TAX CREDIT**

Allowing a credit against the State income tax for certain qualified expenses paid or incurred by a taxpayer for the installation of certain mechanical insulation in a certain manner on certain types of property; requiring the taxpayer to obtain a tax credit certificate from the Maryland Energy Administration; prohibiting the Administration from issuing tax credit certificated amounts in the aggregate totaling more than \$5,000,000; applying the Act to all taxable years beginning after December 31, 2021; etc.

EFFECTIVE JULY 1, 2022

TG, § 10-754 - added

Assigned to: Budget and Taxation

SB 315 **Senator Hettleman, et al****COURTS – STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION**

Altering the conditions under which a lawsuit is considered a strategic lawsuit against public participation (SLAPP suit); altering the conditions under which a defendant in a SLAPP suit is not civilly liable for certain communications; establishing certain standards and requirements relating to a motion to dismiss an alleged SLAPP suit; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2022

CJ, § 5-807 - amended

Assigned to: Judicial Proceedings

SB 316 **Senator Elfreth, et al****SALES AND USE TAX – DIAPERS – EXEMPTION**

Exempting the sale of diapers from the sales and use tax.

EFFECTIVE JULY 1, 2022

TG, § 11-211(c) - amended

Assigned to: Budget and Taxation

SB 317 **Senators West and Waldstreicher**

STATE GOVERNMENT – NOTARIAL ACTS – FEES AND USE OF COMMUNICATION TECHNOLOGY

Increasing the maximum fees from \$4 to \$25 for an original notarial act and, subject to certain regulations, to \$50 for performance of a notarial act using communication technology; repealing a certain prohibition on performing a notarial act using communication technology with respect to a will or a trust; authorizing a notary public to use communication technology to take an acknowledgement of a signature remotely under certain circumstances; establishing certain requirements for a notary public to confirm a record remotely; etc.

EFFECTIVE JUNE 1, 2022

SG, §§ 18-107, 18-214, 18-222(a), and 18-223(b) through (f) - amended

Assigned to: Judicial Proceedings

SB 318 **Senator Rosapepe, et al**

MORE OPPORTUNITIES FOR CAREER-FOCUSED STUDENTS ACT OF 2022

Requiring certain county boards of education to consider the pursuit of certain certificates, certifications, or apprenticeships as the equivalent of pursuing postsecondary education; requiring certain county boards to provide a method for certain individuals to not authorize the release of a student's personal information and certain results to certain apprenticeship sponsors and employers; requiring a county board to pay for a student to take an apprenticeship or industrial certification exam under certain circumstances; etc.

EFFECTIVE JULY 1, 2022

ED, § 4-141 - added and § 7-203.1 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 319 **Senator McCray****PUBLIC SAFETY – MARYLAND SWIMMING POOL AND SPA STANDARDS – ADOPTION**

Requiring the Maryland Department of Labor to adopt by regulation the International Swimming Pool and Spa Code as the Maryland Swimming Pool and Spa Standards; providing for the implementation of the Standards by local jurisdictions, counties, and municipalities; and requiring the Department to consult with the Maryland Department of Health on the implementation of the Standards in relation to the regulation of the operation and maintenance of swimming pools and spas.

EFFECTIVE OCTOBER 1, 2022

PS, §§ 12-1201 through 12-1207 - added

Assigned to: Judicial Proceedings

SB 320 **Senator Patterson****MOLD INSPECTIONS AND REMEDIATION – STANDARDS, REPORTING, PENALTIES, AND TAX CREDIT**

Requiring the Department of the Environment, in consultation with the Maryland Department of Health, the Department of Housing and Community Development, and the Department of General Services, to adopt certain regulations on or before June 1, 2024, establishing uniform standards for mold assessment and remediation; authorizing a tenant to deposit the tenant's rent in an escrow account under certain circumstances; authorizing a tax credit for taxpayers of certain residential properties who incur mold remediation costs; etc.

EFFECTIVE JULY 1, 2022

EN, §§ 6-1701 and 6-1702, RP, § 8-211.2, and TG, § 10-754 - added

Assigned to: Education, Health, and Environmental Affairs

SB 321 **Senator Kagan****ENVIRONMENT – SYNTHETIC TURF AND TURF INFILL – CHAIN OF CUSTODY**

Requiring a producer of synthetic turf and turf infill sold or distributed in the State to establish a system to track the chain of custody of the synthetic turf and turf infill and report the chain of custody to the Department of the Environment; requiring a certain owner of synthetic turf and turf infill to report certain information to the Department; requiring the Department to develop and maintain a website that displays certain chain of custody information; and making a violation of the Act a civil offense.

EFFECTIVE OCTOBER 1, 2022

EN, §§ 9-2401 through 9-2404 - added

Assigned to: Education, Health, and Environmental Affairs

SB 322 **Senator Kagan, et al****GAS PRICE GOUGING ACT**

Altering the information about a certain measurement of certain gasoline that must be stated on a sign on the premises of a retail service station dealer to require that the highest price, or the cash price and the credit price, be stated in a clear and visible manner; and authorizing a certain sign to state the highest price for a certain measurement of certain other motor fuel products.

EFFECTIVE OCTOBER 1, 2022

BR, § 10-315 - amended

Assigned to: Finance

SB 323 **Senator Augustine****MARYLAND MEDICAL ASSISTANCE PROGRAM – PRIOR AUTHORIZATION FOR DRUG PRODUCTS TO TREAT AN OPIOID USE DISORDER – PROHIBITION**

Prohibiting the Maryland Medical Assistance Program from applying a prior authorization requirement for certain drug products when used to treat an opioid use disorder.

EFFECTIVE OCTOBER 1, 2022

HG, § 15-150 - added

Assigned to: Finance

SB 324 **Senator Lee****INTERCEPTED COMMUNICATIONS – PENALTY**

Reclassifying, as a misdemeanor instead of a felony, a certain offense relating to the prohibition against intercepting and disclosing any wire, oral, or electronic communications.

EFFECTIVE OCTOBER 1, 2022

CJ, § 10-402(b) - amended

Assigned to: Judicial Proceedings

SB 325 **Senator Lee****STUDENT DATA PRIVACY – PROTECTIONS, DIGITAL TOOLS, AND STUDENT DATA PRIVACY COUNCIL**

Altering the definitions of “covered information”, “operator”, “persistent unique identifier”, and “targeted advertising” to provide increased protections for certain student data; requiring each county board of education to provide a list of digital tools to the State Department of Education on or before July 1 each year; requiring the Department to publish information on digital tools provided by each county board on or before September 1 each year; and establishing the Student Data Privacy Council.

EFFECTIVE JUNE 1, 2022

ED, § 4-131(a) - amended and § 4-131(p) - added

Assigned to: Education, Health, and Environmental Affairs

SB 326 **Senator Lee****CRIMINAL LAW – VISUAL SURVEILLANCE WITH PRURIENT INTENT – MINOR VICTIM**

Altering the penalties for the crime of visual surveillance with prurient intent if the victim was a minor at the time of the offense and the offender is at least 4 years older than the victim; and providing penalties for a violation of the Act of imprisonment of up to 10 years or a fine of \$5,000 or both.

EFFECTIVE OCTOBER 1, 2022

CR, § 3-902 - amended

Assigned to: Judicial Proceedings

SB 327 **Senator Ready, et al****PUBLIC SAFETY – PERMIT TO CARRY, WEAR, OR TRANSPORT A HANDGUN – QUALIFICATIONS**

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

EFFECTIVE OCTOBER 1, 2022

PS, § 5-306(a) - amended

Assigned to: Judicial Proceedings

SB 328 **Senator Waldstreicher, et al****CRIMINAL LAW – STALKING – DEFINITION**

Altering the definition of stalking to include conduct which occurs in person, through electronic communication, or through the use of a device that can pinpoint or track the location of another without the person’s knowledge or consent.

EFFECTIVE OCTOBER 1, 2022

CR, § 3-802 - amended

Assigned to: Judicial Proceedings

SB 329 **Senators Waldstreicher and Ferguson****ELECTION LAW – POLLING SITES – FIREARMS PROHIBITIONS**

Prohibiting a person from carrying or displaying a firearm on the premises of a privately or publicly owned building being used as a polling site during an election, including a parking lot, or carrying or possessing a firearm within 100 feet of a polling site during an election, subject to certain exceptions.

EMERGENCY BILL

EL, §§ 16-903 and 16-1002 - amended and § 16-904 - added

Assigned to: Education, Health, and Environmental Affairs

SB 330 Senator Ready**COUNTY BOARDS OF HEALTH AND BALTIMORE CITY HEALTH DEPARTMENT – PROCEDURES AND APPEALS PROCESS**

Requiring each county board of health and the Baltimore City Health Department to establish certain requirements and a certain appeals process regarding inspections, issuances of a citation, or issuances of an order to cease operation; requiring each county board of health and the Baltimore City Health Department to publish the requirements and the appeals process on their websites; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2022

HG, § 3-101 - amended and §§ 3-203 and 3-204 - added

Assigned to: Finance

SB 331 Senator King**PROGRAM FOR PREVENTING HIV INFECTION FOR RAPE VICTIMS – ALTERATIONS AND REPEAL OF SUNSET**

Repealing the termination date of the Pilot Program for Preventing HIV Infection for Rape Victims; repealing the limit on the total annual amount physicians, qualified health care providers, and hospitals are entitled to be paid for providing certain treatment or follow-up care; and altering the requirement that the Governor's Office of Crime Prevention, Youth, and Victim Services report to the Governor and General Assembly on the operation and results of the program.

EFFECTIVE JULY 1, 2022

CP, § 11-1008 and Chapter 431 of the Acts of 2019, § 2 - amended

Assigned to: Judicial Proceedings

SB 332 Senator King**HIGHER EDUCATION – ST. MARY'S COLLEGE OF MARYLAND – COST-OF-LIVING ADJUSTMENT**

Altering the percentage of the cost-of-living adjustment provided to State-supported employees of St. Mary's College of Maryland from 50% to 100% for the fiscal years in which the State provides a cost-of-living adjustment for State employees.

EFFECTIVE JULY 1, 2022

ED, § 14-405(b)(3) - amended

Assigned to: Budget and Taxation

SB 333 Senator Young**INCOME TAX – SUBTRACTION MODIFICATION – EXPENSES OF MEDICAL CANNABIS GROWER, PROCESSOR, DISPENSARY, OR INDEPENDENT TESTING LABORATORY**

Allowing a subtraction modification under the Maryland income tax for certain expenses paid or incurred during the taxable year in carrying on a trade or business as a certain medical cannabis grower, processor, dispensary, or independent testing laboratory; and applying the Act to all taxable years beginning after December 31, 2021.

EFFECTIVE JULY 1, 2022

TG, § 10-208(bb) - added and § 10-308(b) - amended

Assigned to: Budget and Taxation

SB 334 Senator Feldman**ELECTRICITY – STANDARD OFFER SERVICE – RENEWABLE ENERGY**

Requiring an electric company to contract for renewable energy credits and electricity generated from certain Tier 1 renewable sources to meet a portion of the renewable energy portfolio standard for the electric company starting in 2023; authorizing an electric company to receive annual remuneration for contracts; authorizing an electric company to account for the purchase of contracts as a regulatory asset, but prohibiting the collection of an additional return on the regulatory asset; etc.

EFFECTIVE OCTOBER 1, 2022

PU, § 7-703.1 - added

Assigned to: Finance

SB 335 Senator Feldman, et al**COMMERCIAL LAW – CONSUMER PROTECTION – BIOMETRIC IDENTIFIERS PRIVACY**

Regulating the use of biometric identifiers by private entities, including by requiring certain private entities in possession of biometric identifiers to develop a policy, made available to the public, establishing a retention schedule and destruction guidelines for biometric identifiers; and authorizing an individual alleging a violation of the Act to bring a civil action against the offending private entity.

EFFECTIVE OCTOBER 1, 2022

CL, §§ 14-4401 through 14-4405 - added

Assigned to: Finance

SB 336 **Senator Carozza, et al****FAMILY LAW – CUSTODY EVALUATORS – QUALIFICATIONS AND TRAINING**

Requiring that an individual meet certain educational and experiential requirements in order to be appointed or approved by a court as a custody evaluator; requiring that, beginning October 1, 2023, an individual complete 20 hours of initial training in certain areas in order to be appointed or approved by a court as a custody evaluator; requiring that an individual receive 5 hours of ongoing education and training every 2 years in order to continue to be appointed or approved by a court as a custody evaluator; etc.

EFFECTIVE JULY 1, 2022

FL, § 9-109 - added

Assigned to: Judicial Proceedings

SB 337 **Senator Hough, et al****MOTOR FUEL TAX RATES – CONSUMER PRICE INDEX ADJUSTMENT – REPEAL**

Repealing a requirement that certain motor fuel tax rates be adjusted in future years based on growth in the Consumer Price Index for All Urban Consumers.

EFFECTIVE JUNE 1, 2022

TG, § 9-305 - amended

Assigned to: Budget and Taxation

SB 338 **Senator Hough, et al****HANDGUN PERMIT – PRELIMINARY APPROVAL**

Authorizing a person to apply for preliminary approval of a permit to wear, carry, or transport a handgun without completing a certified firearms training course; and requiring the Secretary of State Police to investigate an application for preliminary approval of a handgun permit, issue preliminary approval if the applicant meets certain requirements, and revoke preliminary approval and deny a handgun permit if an applicant does not complete a firearms training course within 120 days after receipt of preliminary approval.

EFFECTIVE OCTOBER 1, 2022

PS, § 5-306 - amended

Assigned to: Judicial Proceedings

SB 339 **Senator Hough, et al**

CRIMES – PENALTIES AND PROCEDURES (VIOLENT FIREARMS OFFENDER ACT OF 2022)

Requiring the Commissioner of Correction to provide an inmate with a reentry kit and assistance in obtaining Medicaid benefits; expanding the types of cases in which the State may appeal from a decision of a trial court; authorizing a court to release a defendant charged with a certain crime on certain terms or conditions or to order the defendant remanded to custody pending a certain appeal; prohibiting a dealer or other person from selling, renting, loaning, or transferring a regulated firearm under certain circumstances; etc.

EMERGENCY BILL

CS, CJ, CR, and PS, Various Sections - amended and added

Assigned to: Judicial Proceedings