# **SYNOPSIS**



Senate Bills and Joint Resolutions 2023 Maryland General Assembly Session

> February 2, 2023 Schedule 16

**PLEASE NOTE:** February 6 – Bill introduction deadline.

All bills should be given to the Secretary of the Senate's office by 4:00 P.M. on Monday, February 6.

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

# **SENATE BILLS INTRODUCED February 2, 2023**

#### **SB 415** Senator Klausmeier

GROUP HEALTH INSURANCE – ISSUANCE TO TRUSTEES OF A FUND – MULTIPLE EMPLOYERS

Altering a certain provision of law authorizing the issuance of a policy of group health insurance to allow the issuance of a policy to the trustees of a fund adopted by two or more employers and to the trustees of a fund established by two or more employers regardless of whether the employers are in the same or related industry; and applying the Act to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after January 1, 2024.

EFFECTIVE JANUARY 1, 2024 IN, § 15-302(d) - amended Assigned to: Finance

# SB 416 Senator Salling, et al

INCOME TAX – SUBTRACTION MODIFICATION – MILITARY RETIREMENT INCOME

Phasing in, over a period of 2 years, an increase in a subtraction modification under the Maryland income tax to allow for a subtraction of all military retirement income.

EFFECTIVE JULY 1, 2023

TG, § 10-207(q) - amended

Assigned to: Budget and Taxation

# SB 417 Senator Elfreth, et al

#### ENVIRONMENT - STATE WETLANDS - SHORELINE RESTORATION

Altering the requirements for improvements made to protect a person's property against erosion; requiring the Department of the Environment, in coordination with the Department of Natural Resources, to designate priority shoreline restoration zones where conditions exist that degrade the resilience of the land and the habitat connectivity between the land and water; establishing in a certain Fund a coastal resilience and living shoreline restoration account to provide grants for certain shoreline stabilization replacement projects; etc.

EFFECTIVE OCTOBER 1, 2023

EN, §§ 16-201 and 16-205(e) - amended

Assigned to: Education, Energy, and the Environment

### SB 418 Senator Elfreth, et al

# PROPERTY TAX – AGRICULTURAL LAND AND IMPROVEMENTS – ASSESSMENT

Providing that value—added agricultural activities are a farm or agricultural use of land for assessment purposes; creating a subclass of real property consisting of improvements on an actively used farm that support value—added agricultural activities; requiring improvements on an actively used farm that support value—added agricultural activities to be assessed at the agricultural use rate; etc.

Preliminary analysis: local government mandate

**EMERGENCY BILL** 

TP, §§ 1-101(rr) and 8-209.2 - added and §§ 8-101(b) and 8-209(c) - amended Assigned to: Budget and Taxation

#### SB 419 Senator Hettleman

# NONPUBLIC SCHOOLS – SCHOOL HEALTH SERVICES PROGRAM – ELIGIBILITY FOR PARTICIPATION

Altering the requirements of the school health services program to allow participation by certain nonpublic schools; prohibiting a county board of education from expending more than \$40 per student, adjusted for inflation, to provide school health services to students in certain nonpublic schools; prohibiting a county board from providing adequate school health services in nonpublic schools that discriminate in certain ways; and requiring the Governor to provide \$4,000,000 in the annual budget bill starting in fiscal year 2025 for the program.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2023

ED, § 7-401 - amended

Assigned to: Education, Energy, and the Environment and Budget and Taxation

# **SB 420** Senator Hettleman

# HUMAN SERVICES – TEMPORARY CASH ASSISTANCE – HOUSING ALLOWANCE

Requiring a local department of social services to provide a housing allowance to households that are receiving temporary cash assistance or transitional support services and are not receiving a certain housing subsidy where the tenant's portion of rent is based on a percentage of the tenant's income; and requiring the continuation of a housing allowance for 6 months following the termination of temporary cash assistance if the household is receiving or is eligible to receive Supplemental Nutrition Assistance Program benefits.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2023

HU, § 5-314.1 - added Assigned to: Finance

#### SB 421 Senator Hettleman

STATE PERSONNEL – TELEWORKING PROGRAMS, POLICIES, AND GUIDELINES – REQUIREMENTS

Establishing certain requirements for each teleworking program, policy, and guideline adopted by a certain appropriate official in State government; authorizing certain State employees to initiate a certain grievance; and requiring the University System of Maryland to include in a consolidated memorandum of understanding certain terms relating to teleworking.

EFFECTIVE OCTOBER 1, 2023

SP, §§ 2-308 and 3-602 - amended

Assigned to: Budget and Taxation

### SB 422 Senator Bailey, et al

NATURAL RESOURCES – BLACK BASS CONSERVATION FUND – ESTABLISHMENT

Establishing the Black Bass Conservation Fund in the Department of Natural Resources to further black bass management; requiring the Department to administer the Fund as a special, nonlapsing fund; and requiring the Department to establish a process through which an individual who purchases a certain license online to make a voluntary donation to the Black Bass Conservation Fund.

EFFECTIVE OCTOBER 1, 2023

NR, § 1-403 - amended and § 4-209.1 - added

Assigned to: Education, Energy, and the Environment

#### SB 423 Senator Beidle

STATE BOARD OF COSMETOLOGISTS – LICENSING – EYELASH EXTENSIONS

Authorizing the State Board of Cosmetology to issue a limited license to provide eyelash extension services.

EFFECTIVE OCTOBER 1, 2023

BOP, §§ 5-101(i), (l), (n), & (p) through (r), 5-205(b) & (c), 5-301, 5-305, 5-310, 5-404, 5-501, & 5-605 - amended & § 5-101(p) - added

Assigned to: Finance

#### SB 424 Senators Elfreth and Feldman

PUBLIC PROJECTS – GLOBAL WARMING POTENTIAL OF MATERIALS (BUY CLEAN MARYLAND ACT)

Requiring the Department of General Services to establish a maximum acceptable global warming potential for certain categories of eligible materials, any cement or concrete mixture, used in certain eligible projects; requiring a unit of State government to specify the eligible materials that will be used in an eligible project in the solicitation for an eligible project; requiring a successful bidder or offeror of an eligible project to submit certain information about each eligible material proposed to be used in an eligible project; etc.

VARIOUS EFFECTIVE DATES

SF, §§ 4-901 through 4-905 - added

Assigned to: Budget and Taxation

## SB 425 Senator Elfreth, et al

MARYLAND HISTORIC TRUST – HISTORIC PRESERVATION PARTNERSHIP PROGRAM AND FUND – ESTABLISHED

Establishing the Historic Preservation Partnership Program in the Maryland Historic Trust to implement and encourage the preservation of historic properties in partnership with a qualified cooperating nonprofit organization; establishing the Historic Preservation Partnership Fund as a special, nonlapsing fund; requiring the funds appropriated to the Program for the current fiscal year to be transferred by the Trust to the qualified cooperating nonprofit organization by October 1 each year; etc.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2023

SF, § 5A-327 - repealed and added

Assigned to: Budget and Taxation

# SB 426 Senator King

UNIVERSITY SYSTEM OF MARYLAND – BOARD OF REGENTS – QUASI–ENDOWMENT FUNDS

Authorizing the Board of Regents of the University System of Maryland to make transfers of not more than \$150,000,000 subject to certain conditions to establish quasi—endowment funds; and authorizing the Board to use investment income produced by quasi—endowment funds in accordance with the spending rule to provide student financial aid.

EFFECTIVE JULY 1, 2023

ED, § 12-104(e) - amended

# **SB 427** Senators Corderman and McKay

#### CORRECTIONAL SERVICES - INMATE RELEASE

Requiring the Division of Correction to transport a certain inmate from a certain correctional facility to the county of the inmate's address recorded at the time the inmate entered the correctional facility after the inmate is released from a State correctional facility; and requiring the Division of Parole and Probation to supervise any required probation, parole, or mandatory supervision of a certain inmate in a certain county after the inmate is released from a State correctional facility.

EFFECTIVE OCTOBER 1, 2023

CS, § 9-609.2 - added

Assigned to: Judicial Proceedings

# **SB 428** Washington County Senators

WASHINGTON COUNTY – DEPUTY SHERIFFS AND CORRECTIONAL DEPUTIES – EMPLOYMENT CONDITIONS AND COLLECTIVE BARGAINING

Altering the grounds on which a deputy sheriff having a rank of major or below in Washington County may be discharged after 2 years of continuous employment; providing that a special deputy sheriff in Washington County is not a State employee for certain purposes; authorizing sworn deputy sheriffs at the rank of sergeant and below and correctional deputies at the rank of sergeant and below to engage in collective bargaining with the Washington County Sheriff and the County Administrator; etc.

EFFECTIVE JULY 1, 2023

CJ, § 2-335 - amended

Assigned to: Judicial Proceedings

# SB 429 Senator Corderman

BUSINESS REGULATION – HOME IMPROVEMENT COMMISSION – AWARD LIMITS

Increasing the limit, from \$100,000 to \$200,000, on the amount of money the Maryland Home Improvement Commission may award from the Home Improvement Guaranty Fund to all claimants for the acts or omissions of a single contractor, subject to a certain reimbursement to the Fund.

EFFECTIVE JULY 1, 2023

BR, § 8-405 - amended

Assigned to: Finance

#### SB 430 Senator Corderman, et al

STATE LOTTERY – INSTANT TICKET LOTTERY MACHINES – FRATERNAL ORGANIZATIONS (ITLMS FOR HOMELESS VETERANS ACT)

Authorizing the Director of the State Lottery and Gaming Control Agency to issue certain fraternal organizations a license for not more than five instant ticket lottery machines; providing that proceeds from instant ticket lottery machine sales by a fraternal organization are to be distributed in a certain manner; and declaring the intent of the General Assembly that the Agency solicit proposals from multiple vendors for the lease or purchase of instant ticket lottery machines under the Act.

EFFECTIVE JULY 1, 2023

SG, § 9-112 - amended

Assigned to: Budget and Taxation

# **SB 431** Washington County Senators

ALCOHOLIC BEVERAGES – CLASS 9 LIMITED DISTILLERY LICENSE – SELF–DISTRIBUTION

Authorizing a holder of a Class 9 limited distillery license to sell and deliver alcoholic beverages manufactured under the license in bulk to a person in the State that is authorized to acquire them and to a person outside the State that is authorized to acquire them; and repealing the prohibition against a holder of a Class 9 limited distillery license applying for or possessing a wholesaler's license.

EFFECTIVE JULY 1, 2023

AB, § 2-203 - amended

Assigned to: Finance

#### SB 432 Senator Corderman, et al

INHERITANCE TAX – REPEAL

Repealing the inheritance tax; and applying the Act to decedents dying after June 30, 2023.

EFFECTIVE JULY 1, 2023

TG, §§ 2-701, 2-702, and 7-201 through 7-234 - repealed

#### SB 433 Senator Klausmeier

ECONOMIC DEVELOPMENT – WOMAN– AND MINORITY–OWNED SHELLFISH AQUACULTURE ENTERPRISE FUND

Establishing the Woman— and Minority—Owned Shellfish Aquaculture Enterprise Fund as a special, nonlapsing fund to assist woman— and minority—owned businesses entering into or expanding in the shellfish aquaculture industry; requiring the Maryland Agricultural and Resource—Based Industry Development Corporation to develop partnerships with certain entities to facilitate the award of loans from the Fund and identify potential loan recipients; and requiring interest earnings of the Fund to be credited to the Fund.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE OCTOBER 1, 2023

EC, § 10-526.1 and SF, § 6-226(a)(2)(ii)172. - added and SF, § 6-226(a)(2)(ii)170. and 171. - amended

Assigned to: Finance and Budget and Taxation

#### SB 434 Senator Klausmeier

NATURAL RESOURCES – RESTORATIVE AQUACULTURE PILOT PROGRAM

Requiring the Department of Natural Resources to establish a Restorative Aquaculture Pilot Program to provide financial incentives to holders of aquaculture leases who maintain the lease in accord with certain criteria and maintain the restorative conditions for at least 4 years; and authorizing a holder of an aquaculture lease who is participating in the Pilot Program to meet certain requirements by shellfish seed planting only.

EFFECTIVE OCTOBER 1, 2023

NR, § 4-11A-24 - added

Assigned to: Education, Energy, and the Environment

#### SB 435 Senator Klausmeier

PROPERTY TAX CREDIT – DISABLED LAW ENFORCEMENT OFFICERS AND RESCUE WORKERS – DEFINITION AND ELIGIBILITY

Requiring a county or municipal corporation to define, by law, who is a law enforcement officer or rescue worker; and altering eligibility for the tax credit to include certain disabled law enforcement officers or rescue workers who were domiciled in the State within a certain number of years before the officer or worker died or was determined to be disabled; and applying the Act to all taxable years beginning after June 30, 2023.

EFFECTIVE JUNE 1, 2023

TP, § 9-210 - amended

Assigned to: Budget and Taxation

#### SB 436 Senator Klausmeier

MEDICAL CANNABIS – CONCURRENT GROWER AND PROCESSOR LICENSES

Authorizing the Natalie M. LaPrade Medical Cannabis Commission to award a certain number of medical cannabis grower and processor licenses that may be held concurrently with certain other licenses issued by the Commission; requiring the Commission to publish certain license application forms and review certain license applications on or before certain dates; authorizing a licensed processor to apply for licensure as a medical cannabis grower, subject to certain requirements; etc.

EFFECTIVE OCTOBER 1, 2023

HG, §§ 13-3306.1 and 13-3309.1 - added

Assigned to: Finance

#### **SB 437** Senator Klausmeier

AQUACULTURE – TIDAL FISHERIES ADVISORY COMMISSION, OYSTER ADVISORY COMMISSION, AND LEASES

Altering the composition of the Tidal Fisheries Advisory Commission and the Oyster Advisory Commission; requiring the Department of Natural Resources, in coordination with the Aquaculture Coordinating Council, the Department of the Environment, the Wetlands Administrator for the Board of Public Works, and the Department of General Services, to identify State—owned land that is adjacent to certain waterways; etc.

EFFECTIVE JULY 1, 2023

NR,  $\S\S 4-204(a)(3)$  and (c)(2) and 4-11A-09(g) - amended and  $\S 4-11A-04$  - added

Assigned to: Education, Energy, and the Environment

# **SB 438** Senator Hayes

MINORITY BUSINESS ENTERPRISES – CALCULATION OF PARTICIPATION RATES – PROCUREMENTS FROM MARYLAND CORRECTIONAL ENTERPRISES

Requiring a State procurement unit to include the dollar value of its contracts with Maryland Correctional Enterprises in the total dollar value of its procurements for the purpose of calculating the unit's Minority Business Enterprise Program participation rate.

EFFECTIVE OCTOBER 1, 2023

SF, § 14-302(a)(1)(i) - amended

Assigned to: Budget and Taxation

### SB 439 Senator Hayes

#### ADVANCED PRACTICE REGISTERED NURSE COMPACT

Entering into the Advanced Practice Registered Nurse (APRN) Compact; establishing criteria for participating states; authorizing an advanced practice registered nurse to practice in a party state under certain scope of practice rules; establishing the Interstate Commission of APRN Compact Administrators and its duties and powers; providing for the amendment of and withdrawal from the Compact; providing the Compact is contingent on the enacting of substantially similar legislation in six other states; etc.

CONTINGENT – EFFECTIVE OCTOBER 1, 2023

HO, § 8-7B-01 - added

Assigned to: Finance

# SB 440 Senator Hayes

BALTIMORE CITY – ALCOHOLIC BEVERAGES DISTRICTS – LEGISLATIVE DISTRICTING PLAN REFERENCES

Updating certain provisions of law regarding Baltimore City alcoholic beverages districts to refer to the Legislative Districting Plan of 2022; and requiring the Board of License Commissioners for Baltimore City to grant a certain exemption to certain persons under certain circumstances.

**EMERGENCY BILL** 

AB, §§ 12-903(c)(1), 12-1308(a)(5), 12-1603(a), 12-1604(a), 12-1707(a), and 12-2007(b)(1) - amended

Assigned to: Finance

#### SB 441 Senator Lam

MARYLAND MEDICAL ASSISTANCE PROGRAM – PRESCRIPTION DIGITAL THERAPEUTICS

Requiring the Maryland Medical Assistance Program to provide coverage for prescription digital therapeutics for Program recipients; and defining "prescription digital therapeutic" as a product, a device, an Internet application, or any other technology approved by the federal Food and Drug Administration that has an approved indication for the prevention, management, or treatment of certain medical conditions, primarily uses software to achieve results, and requires a prescription.

EFFECTIVE OCTOBER 1, 2023

HG, §§ 15-101(f-1) and 15-103(a)(2)(xxii) - added and § 15-103(a)(2)(xx) and (xxi) - amended

Assigned to: Finance

#### **SB 442** Senator Corderman

ECONOMIC DEVELOPMENT – SPORTS ENTERTAINMENT FACILITIES – FINANCING AND CONSTRUCTION

Altering the amount of taxable or tax exempt bonds that the Maryland Stadium Authority may issue for certain sports entertainment facilities from \$200,000,000 to \$220,000,000; altering the entities from which the Authority is required to have received a request for financing and construction management services concerning a sports entertainment facility; altering the entities with which the Authority is required to enter into an agreement before issuing bonds to finance a sports entertainment facility; etc.

EFFECTIVE JULY 1, 2023

EC, §§ 10-628(c)(1) and 10-646.3(b), (e), and (f) - amended

Assigned to: Budget and Taxation

#### **SB 443** Senator Brooks

REAL ESTATE BROKERS, SALESPERSONS, AND ASSOCIATE BROKERS – CONTINUING EDUCATION COURSES – ALTERATIONS

Altering the requirements for the subject matter of continuing education courses for licensees issued an initial license by the Real Estate Commission.

EFFECTIVE OCTOBER 1, 2023

BOP, § 17-315(b) - amended

Assigned to: Education, Energy, and the Environment

#### **SB 444** Senator Brooks

STATE BOARD OF ELECTRICIANS – LIMITED ENERGY CONTRACTORS AND LIMITED ENERGY INTEGRATORS – LICENSING

Altering the composition of the State Board of Electricians; and requiring the Board to license limited energy contractors and limited energy integrators as State licenses.

EFFECTIVE JULY 1, 2023

BOP, Various Sections - amended

Assigned to: Education, Energy, and the Environment

### **SB 445** Senator Hayes

APPRAISAL GAP FROM HISTORIC REDLINING FINANCIAL ASSISTANCE PROGRAM – ALTERATIONS

Expanding the forms of financial assistance available under the Appraisal Gap From Historic Redlining Financial Assistance Program; altering eligibility requirements for projects that may receive financial assistance under the Program; altering the time period when applications may be submitted under the Program; repealing certain restrictions on the amount of financial assistance that may be provided under the Program; etc.

EFFECTIVE JULY 1, 2023

HS, §§ 4-2801 through 4-2804 - amended

Assigned to: Education, Energy, and the Environment

#### SB 446 Senator West

ESTATES AND TRUSTS – TRUSTS – DECANTING (MARYLAND TRUST DECANTING ACT)

Establishing rules governing the exercise of the decanting power to distribute the property of a first trust to one or more second trusts or to modify the terms of a first trust.

EFFECTIVE OCTOBER 1, 2023

ET, §§ 14-601 through 14-625 - added

Assigned to: Judicial Proceedings

# SB 447 Senator Carozza, et al

#### ANAEROBIC DIGESTION WORKGROUP

Establishing an Anaerobic Digestion Workgroup to study, identify, examine, and make recommendations on certain aspects of anaerobic digestion; and requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before December 30, 2023.

EFFECTIVE JUNE 1, 2023

Assigned to: Education, Energy, and the Environment

#### **SB 448** Senators Gile and Hester

# ALCOHOLIC BEVERAGES – MANUFACTURER'S LICENSES AND OFF-SITE PERMITS

Extending the termination date for provisions relating to the authorization of holders of certain manufacturer's licenses to sell and deliver and to directly ship their own alcoholic beverages products to certain individuals under certain circumstances to June 30, 2025; and delaying a certain effective date for the authorization of certain manufacturer off—site permits to July 1, 2025.

EFFECTIVE JULY 1, 2023

Chapters 359 and 360 of the Acts of 2021, as amended, § 4 and Chapters 477 and 478 of the Acts of 2022, § 3 - amended

Assigned to: Finance

#### SB 449 Senator Gile, et al

#### HEALTH OCCUPATIONS - PRACTICE AUDIOLOGY - DEFINITION

Altering the definition of "practice audiology" for the purposes of certain provisions of law governing the licensure of audiologists so as to apply certain principles, methods, and procedures related to hearing disorders, vestibular functions, and language and speech disorders to order, evaluate, diagnose, manage, or treat any auditory or vestibular condition in the human ear and to prescribe, order, sell, dispense, or fit hearing aids or osseo—integrated devices. EFFECTIVE OCTOBER 1, 2023

HO, § 2-101(r) through (u) - renumbered and § 2-101(q) - added and amended Assigned to: Finance

# SB 450 Senator Gile, et al

REAL PROPERTY – LIMITATIONS ON SUMMONING LAW ENFORCEMENT OR EMERGENCY SERVICES – PROHIBITION

Prohibiting a landlord from using a lease or form of lease that contains a provision that limits a tenant's ability to summon, or penalizes a tenant or another individual solely for summoning, the assistance of law enforcement or emergency services; prohibiting a landlord from taking certain retaliatory actions because a tenant or another individual summons the assistance of law enforcement or emergency services for certain purposes; prohibiting a local jurisdiction from enacting certain laws; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2023

RP, §§ 8-208(d) and 8-208.1(a) - amended and § 14-126 - added

Assigned to: Judicial Proceedings

#### **SB 451** Senator Griffith

#### PROCUREMENT IMPROVEMENT COUNCIL – MEMBERSHIP

Altering the membership of the Procurement Improvement Council to add the Comptroller; and authorizing the Comptroller to send a designee to attend meetings of the Council if the Comptroller is unable to attend.

EFFECTIVE OCTOBER 1, 2023

SF, § 12-105 - amended

Assigned to: Budget and Taxation

#### SB 452 Senator Griffith, et al

# INCOME TAX – FILM PRODUCTION ACTIVITY TAX CREDIT – ALTERATIONS

Expanding eligibility for the credit against the State income tax for certain film production activities to include documentaries and talk, reality, and game shows; altering the definition of "total direct costs" to include certain compensation for certain individuals; increasing the percentage of total direct costs that qualify for the tax credit; and altering the aggregate amount of tax credit certificates that the Secretary of Commerce may issue for fiscal year 2025 and each fiscal year thereafter.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2023

TG, § 10-730 - amended

# SB 453 Senator Kramer, et al

STATE AND PRIVATE CONSTRUCTION CONTRACTS – PROMPT PAYMENT REQUIREMENTS

Requiring a private construction contract to include a provision requiring the owner to pay the contractor within a certain period of time or, if the owner withholds all or part of an amount invoiced, to send a certain notification to the contractor; requiring a contract between a contractor and a subcontractor on a private or State construction contract to include a provision requiring the contractor to pay the subcontractor within a certain period of time; etc.

EFFECTIVE OCTOBER 1, 2023

BR, § 17-604 and SF, § 13-228 - added

Assigned to: Finance

# SB 454 Senator Elfreth, et al

STATE POLICE RETIREMENT SYSTEM, LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, AND JUDGES' RETIREMENT SYSTEM – SURVIVING SPOUSE BENEFIT – SAME–SEX SPOUSES

Authorizing the correction of the designated beneficiary election for certain retirees of the State Police Retirement System, Law Enforcement Officers' Pension System, or Judges' Retirement System who retired on or before December 31, 2012, if the retiree named an individual of the same sex to be a designated beneficiary and the retiree married the designated beneficiary on or after January 1, 2013.

EFFECTIVE JULY 1, 2023

SP, §§ 24-403, 26-402, and 27-403 - amended