



SYNOPSIS

Senate Bills and Joint Resolutions
2023 Maryland General Assembly Session

February 15, 2023
Schedule 23

SENATE BILLS INTRODUCED February 15, 2023

SB 895 **Senators Ready and Klausmeier**

PHARMACY BENEFITS ADMINISTRATION – MARYLAND MEDICAL ASSISTANCE PROGRAM AND PHARMACY BENEFITS MANAGERS

Altering the reimbursement levels for drug products that the Maryland Medical Assistance Program is required to establish and that pharmacy benefits managers that contract with a pharmacy on behalf of a managed care organization are required to reimburse the pharmacy; and altering the definition of “purchaser” for purposes of certain provisions of law regulating pharmacy benefits managers to include certain insurers, nonprofit health services plans, and health maintenance organizations.

EMERGENCY BILL

HG, § 15-118(b) and IN, § 15-1601(s) - amended and HG, § 15-118(f) and IN, § 15-1632 - added

Assigned to: Senate Rules

Department of Legislative Services

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SB 896 **Senators Ready and Klausmeier****PHARMACY BENEFITS MANAGERS – PROHIBITED ACTIONS**

Prohibiting a pharmacy benefits manager from taking certain actions related to pricing, the participation of a pharmacy or pharmacist in a policy or contract with the pharmacy benefits manager, fees, and the use of a mail order pharmacy by beneficiaries; providing that certain provisions of the Act apply to pharmacy benefits managers that contract with managed care organizations in the same manner as they apply to pharmacy benefits managers that contract with carriers; etc.

EFFECTIVE JANUARY 1, 2024

HG, § 15-102.3(k) and IN, § 15-1601(u) - added and IN, §§ 15-1601(s), (u), (v), and (w), 15-1611, and 15-1611.1 - amended

Assigned to: Senate Rules

SB 897 **Carroll County Senators****CARROLL COUNTY – CONTRACTS AND PURCHASING**

Increasing from \$25,000 to \$50,000 the cost of a public work or improvement or the purchase price of supplies or equipment for which the County Commissioners of Carroll County may enter into a contract; and requiring that when the cost of a public work or improvement or the purchase price of supplies or equipment in Carroll County exceeds \$50,000 under certain conditions, the Chief of the Bureau of Purchasing for the County Commissioners shall advertise for bids for at least 1 week in a media accessible to the general public.

EFFECTIVE OCTOBER 1, 2023

PLL of Carroll Co, Art. 7, § 3-401 - amended

Assigned to: Senate Rules

SB 898 **Senators Ready and Klausmeier****PHARMACY BENEFITS MANAGERS – DEFINITIONS OF CARRIER, ERISA, AND PURCHASER**

Repealing the definitions of “carrier” and “ERISA” and altering the definition of “purchaser” for the purpose of applying certain provisions of State insurance law governing pharmacy benefits managers to certain persons that provide prescription drug coverage or benefits in the State through plans or programs subject to ERISA; and repealing a certain provision that restricts applicability of certain provisions of law to pharmacy benefits managers that provide pharmacy benefits management services on behalf of a carrier.

EFFECTIVE JANUARY 1, 2024

IN, Various Sections - amended and § 15-1633 - repealed

Assigned to: Senate Rules

SB 899 **Senator James****CRIMINAL LAW – CHILD PORNOGRAPHY – PROHIBITIONS**

Prohibiting an individual from intentionally retaining 100 or more visual representations of child pornography or child pornography that depicts an individual who is or is indistinguishable from a minor under the age of 5 years.

EFFECTIVE OCTOBER 1, 2023

CR, § 11-208 - amended

Assigned to: Senate Rules

SB 900 **Senator Feldman****MARYLAND CLEAN ENERGY CENTER – CLIMATE TECHNOLOGY FOUNDER’S FUND – ESTABLISHMENT**

Establishing the Climate Technology Founder’s Fund in the Maryland Clean Energy Center to provide early-stage funding for start-up companies focused on qualified projects in climate technologies; requiring the Center to report to the Governor and the General Assembly by October 1, each year, on the use of the Fund and outcomes of investments made from the Fund; and requiring the Governor to include in the annual budget bill for fiscal year 2025, \$500,000 for the Fund.

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

EFFECTIVE JULY 1, 2023

EC, § 10-858 - renumbered and §§ 10-858 through 10-861 - added and SF, Various Sections - amended and added

Assigned to: Senate Rules

SB 901 **Senator McKay****MARYLAND MATERNITY CARE ACCESS PROGRAM, FUND, AND INCOME TAX CHECKOFF – ESTABLISHMENT**

Establishing the Maryland Maternity Care Access Program in the Maryland Department of Health to develop and sustain pregnancy support centers in the State; establishing the Maryland Maternity Care Access Program Fund; requiring the Governor in fiscal year 2025 and each fiscal year thereafter to include \$3,000,000 in the annual budget bill for the Program; requiring a report on the uses of the Fund by October 1 each year beginning in 2024; and establishing an income tax checkoff system for voluntary contributions to the Fund.

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

EFFECTIVE OCTOBER 1, 2023

HG, SF, and TG, Various Sections - added and amended

Assigned to: Senate Rules

SB 902 **Senator Carozza, et al****LABOR AND EMPLOYMENT – MARYLAND HEALTHY WORKING FAMILIES ACT – SEASONAL TEMPORARY WORKERS**

Increasing, from 106 to 120 days, the period during which an employer is not required to allow an employee to use earned sick and safe leave; altering the circumstances under which an employer is required to reinstate certain unused sick and safe leave; and altering the circumstances under which an employer is authorized to require an employee who uses earned sick and safe leave to provide certain verification.

EMERGENCY BILL

LE, §§ 3-1304(c) and (h) and 3-1305(g) - amended

Assigned to: Senate Rules

SB 903 **Senator A. Washington****LAND USE – EXPEDITED DEVELOPMENT REVIEW PROCESSES FOR AFFORDABLE HOUSING – APPLICATION TO RELIGIOUS ORGANIZATIONS**

Requiring, on or after July 1, 2024, a county that uses an expedited development review process for proposed affordable housing developments to consider certain applications from bona fide religious organizations under the expedited development review process; and authorizing a county to opt out of the provisions of the Act by adopting a certain local law on or before June 30, 2024.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2023

LU, § 7-105 - added

Assigned to: Senate Rules

SB 904 **Senator A. Washington****FORECLOSURE PROCEEDINGS – RESIDENTIAL MORTGAGORS AND GRANTORS – ACCESS TO COUNSEL**

Requiring that individuals have access to legal representation in certain foreclosure proceedings; establishing the Access to Counsel in Foreclosure Proceedings Program and Special Fund to provide funding to fully implement access to legal representation in foreclosure proceedings in the State; requiring the Maryland Legal Services Corporation to provide access to legal representation under the Program; requiring the Comptroller to collect a fee on residential property sales to be paid to the Fund; etc.

EFFECTIVE OCTOBER 1, 2023

RP, §§ 7-3A-01 through 7-3A-10 & 10-713 and SF, § 6-226(a)(2)(ii)172. - added and SF, § 6-226(a)(2)(ii)170. and 171. - amended

Assigned to: Senate Rules

SB 905 **Senator Feldman****ELECTRIC COMPANIES, GAS COMPANIES, AND THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT – ENERGY EFFICIENCY AND CONSERVATION PLANS**

Requiring each electric company and gas company and the Department of Housing and Community Development to procure or provide for its customers or certain individuals, beginning September 1, 2023, and every 3 years thereafter, certain energy efficiency, conservation, and greenhouse gas emissions reduction programs and services to encourage and promote the efficient use and conservation of energy in support of certain greenhouse gas emissions reduction goals and targets; etc.

EFFECTIVE JULY 1, 2023

PU, § 7-211 - repealed, PU, §§ 7-220 through 7-226 - added, and PU, § 7-510.3(j)(2) and SG, § 9-20B-05(f)(4) - amended

Assigned to: Senate Rules

SB 906 **Senator Rosapepe****ECONOMIC DEVELOPMENT – INDUSTRY 4.0 TECHNOLOGY GRANT PROGRAM**

Establishing the Industry 4.0 Technology Grant Program in the Department of Commerce to provide grants to certain small and medium-sized manufacturing enterprises to assist those manufacturers with implementing new Industry 4.0 technology or related infrastructure for certain purposes; establishing the Industry 4.0 Technology Grant Fund as a special, nonlapsing fund; and requiring the Governor to include in the annual budget bill an appropriation of \$10,000,000 to the Fund for each of fiscal years 2024 through 2028.

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

EFFECTIVE OCTOBER 1, 2023

EC, §§ 5-2301 through 5-2304 - added

Assigned to: Senate Rules

SB 907 **Senator Salling****MARYLAND FILM OFFICE – ENTERTAINMENT AND FILM FUNDING GRANT PROGRAM – ESTABLISHMENT**

Establishing the Entertainment and Film Funding Grant Program within the Maryland Film Office to provide grants to qualifying production entities to assist with the production costs of entertainment and film projects in the State; prohibiting any grant awarded under the Program from exceeding \$200,000 for one project; and requiring the Governor to include an appropriation in the annual budget bill of \$5,000,000 to the Office for the Program in fiscal year 2025 and each fiscal year thereafter.

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

EFFECTIVE JULY 1, 2023

EC, § 4-306 - added

Assigned to: Senate Rules

SB 908 **Senator Salling**

STATE PROCUREMENT – PREFERENCES – HISTORICALLY UNDERUTILIZED BUSINESS ZONE BUSINESSES

Requiring a unit to structure procurement procedures to try to achieve or exceed a certain overall percentage goal of the unit’s total dollar value of procurement contracts to be made with historically underutilized business zone businesses; providing for the determination of expected historically underutilized business zone business participation for individual solicitations; including certain historically underutilized business zone businesses in the Small Business Reserve Program; etc.

EFFECTIVE OCTOBER 1, 2023

SF, § 14-501 - amended and §§ 14-801 through 14-806 - added

Assigned to: Senate Rules

SB 909 **Senator Simonaire**

PROPERTY TAX CREDIT – PUBLIC SAFETY OFFICER – DEFINITION

Altering the definition of “public safety officer” to include certain public safety officers employed full time by a State public safety agency for purposes of a certain property tax credit against the county or municipal corporation property tax imposed on the dwelling of a public safety officer.

EFFECTIVE JUNE 1, 2023

TP, § 9-260 - amended

Assigned to: Senate Rules

SB 910 **Senator Simonaire**

MARYLAND VETERANS SERVICE ANIMAL PROGRAM – DEFINITIONS – THERAPY HORSE

Altering the definition of a “therapy horse” under the Maryland Veterans Service Animal Program.

EFFECTIVE OCTOBER 1, 2023

SG, § 9-957(a)(10) - amended

Assigned to: Senate Rules

SB 911 **Senator Simonaire****NATURAL RESOURCES – FISHING LICENSES AND STAMPS – EXEMPTIONS**

Authorizing the Department of Natural Resources to issue an annual fishing license and stamp exemption to governmental entities and nonprofit organizations to provide fishing clinics and instructional opportunities to certain individuals; and altering certain reporting requirements for governmental entities and nonprofit organizations that are issued certain fishing license and stamp exemptions.

EFFECTIVE JUNE 1, 2023

NR, § 4-217 - amended

Assigned to: Senate Rules

SB 912 **Senator Hershey****EDUCATION – LOW-DENSITY CALCULATION – MANDATED FUNDING**

Requiring, for each of fiscal years 2025 through 2027, the Governor to include in the annual budget bill an appropriation in an amount equal to the low-density calculation for counties that have a population density amount of less than 100 and a full-time equivalent student enrollment of fewer than 2,000 students.

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

EFFECTIVE JULY 1, 2023

ED, § 5-244 - added

Assigned to: Senate Rules

SB 913 **Senator Guzzone****PUBLICLY FUNDED FULL-DAY PREKINDERGARTEN PROGRAM – TIER I CHILD – ALTERATION OF DEFINITION**

Altering the definition of a “Tier I child” who may be enrolled beginning in the 2022–2023 school year to a full-day prekindergarten program, to include children with a disability, children who are homeless youths, and children who are from homes in which English is not the primary spoken language.

EMERGENCY BILL

ED, §§ 7-1A-01(i), 7-1A-04(a), and 7-1A-06 - amended

Assigned to: Senate Rules

SB 914 **Senators Ellis and Rosapepe****HOSPITALS – OVERDOSES – TESTING FOR FENTANYL**

Requiring the emergency department of a hospital to conduct a rapid urine drug test for fentanyl in patients with a known or suspected drug overdose if a toxicology report is required by a treating health care provider.

EFFECTIVE OCTOBER 1, 2023

HG, § 19-308.9 - added

Assigned to: Senate Rules

SB 915 **Senator Ellis****RAILROAD COMPANY – MOVEMENT OF FREIGHT – REQUIRED CREW**

Prohibiting a train or light engine used in the movement of freight in the same rail corridor as a high-speed passenger or commuter train from being operated in the State unless it has at least two crew members; and establishing a penalty for a first offense of a \$500 fine and for subsequent offenses within a 3-year period, a fine of \$1,000 for each offense.

EFFECTIVE OCTOBER 1, 2023

LE, § 5.5-110(e) - added

Assigned to: Senate Rules

SB 916 **Senator Beidle****ENVIRONMENT – ETHYLENE OXIDE – PROHIBITION**

Prohibiting the use, manufacture, sale, offering for sale, or distribution of ethylene oxide in the State; and providing a civil penalty not to exceed \$1,000 for a first violation of the Act and up to \$5,000 for a second or subsequent violation.

EFFECTIVE JULY 1, 2023

EN, §§ 6-1701 through 6-1703 - added

Assigned to: Senate Rules

SB 917 **Senator Gallion****VEHICLE LAWS – LIGHTING – PRIVATELY OWNED VEHICLES OF VOLUNTEER FIRE COMPANY MEMBERS**

Authorizing certain members of a volunteer fire company to equip their privately owned vehicles with red and white lights or signal devices.

EFFECTIVE OCTOBER 1, 2023

TR, § 22-218(c)(3) - amended

Assigned to: Senate Rules

SB 918 **Senator King****HIGHER EDUCATION – COMMUNITY COLLEGE FACILITIES
RENEWAL GRANT PROGRAM – ALTERATIONS**

Increasing the number of grants, from 8 to 16, that the Maryland Higher Education Commission may make under the Community College Facilities Renewal Grant Program in each fiscal year; repealing certain limitations on the number and amount of grants a community college may receive under the Program; and altering the required appropriation to the Program beginning in fiscal year 2024.

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

EFFECTIVE JULY 1, 2023

ED, § 16-320 - amended

Assigned to: Senate Rules

SB 919 **Senator McCray****REAL PROPERTY – EXPEDITED WRONGFUL DETAINER
PROCEEDINGS – PROPERTY FOR SALE OR LEASE**

Requiring certain expedited proceedings in a wrongful detainer action if the property that is the subject of the action is, at the time of the complaint, advertised or listed for sale or lease by the complainant and requiring that notice of a hearing or appeal be served in person or, under certain circumstances, posted conspicuously on the property; etc.

EFFECTIVE OCTOBER 1, 2023

RP, § 14-132 - amended

Assigned to: Senate Rules

SB 920 **Senator McCray****STATE FINANCE AND PROCUREMENT – RETENTION PROCEEDS**

Requiring that undisputed retention proceeds retained by a unit or a certain contractor under a State procurement contract be paid within 90 days after the date of substantial completion.

EFFECTIVE JUNE 1, 2023

SF, § 13-225 - amended

Assigned to: Senate Rules