



SYNOPSIS

Senate Bills and Joint Resolutions
2023 Maryland General Assembly Session

January 23, 2023
Schedule 8

PLEASE NOTE: February 6 – Bill introduction deadline.

All bills should be given to the Secretary of the Senate's office by 5:00 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 January 23, 2023

SB 208 **Senator Bailey**

CRIMINAL LAW – INDECENT EXPOSURE WITHIN THE SIGHT OF A MINOR

Prohibiting a person from committing the common law crime of indecent exposure; providing a penalty of imprisonment of up to three years or a fine of up to \$1,000 or both; prohibiting a person from, with prurient intent, committing the common law crime of indecent exposure within the sight of a minor who is at least 2 years old and is more than 4 years younger than the person; and providing a penalty of up to five years imprisonment and a fine of up to \$10,000 or both for a violation of this section of the Act.

EFFECTIVE OCTOBER 1, 2023

CR, § 11-107 - amended

Assigned to: Judicial Proceedings

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

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

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SB 209 **Senator West, et al****TASK FORCE TO STUDY CRIME CLASSIFICATION AND PENALTIES**

Establishing the Task Force to Study Crime Classification and Penalties to review the penalties for all criminal and civil violations in the Maryland Code, study the history and legislative intent of the classifications, study criminal classifications and penalty schemes in other states, and make recommendations regarding the current statutory scheme for criminal and civil violation in the State; and requiring the Task Force to report its findings to the Governor and the General Assembly by December 31, 2024.

EFFECTIVE JUNE 1, 2023

Assigned to: Judicial Proceedings

SB 210 **Senator West****ORPHANS' COURT JUDGES – RESTRICTION ON PRACTICING LAW**

Altering a prohibition on judges of the orphans' court acting as attorneys to prohibit a judge of the orphans' court from acting as an attorney in matters related to the administration of an estate or a guardianship of a minor.

EFFECTIVE OCTOBER 1, 2023

ET, § 2-109 - amended

Assigned to: Judicial Proceedings

SB 211 **Senators West and Smith****PROBATION BEFORE JUDGMENT – PROBATION AGREEMENTS**

Authorizing a court to stay the entering of judgment, defer further proceedings, and place a certain defendant on probation subject to reasonable conditions if the court finds facts justifying a finding of guilt; authorizing the court and a certain defendant to enter into a probation agreement under certain circumstances; providing that the entry of a probation agreement under the Act shall be considered as a probation before judgment for all other purposes under State law; etc.

EFFECTIVE OCTOBER 1, 2023

CP, § 6-220(b) and (e) - amended

Assigned to: Judicial Proceedings

SB 212 **Senator Klausmeier**

GENETIC TESTING – PROHIBITIONS ON DISABILITY, LIFE, AND LONG-TERM CARE INSURANCE AND EDUCATIONAL MATERIALS (GENETIC TESTING PROTECTION ACT OF 2023)

Prohibiting carriers that offer life insurance, long-term care insurance, and disability insurance policies or contracts from taking certain action regarding coverage based on whether an applicant or policy or contract holder has requested or undergone genetic testing or the results of the genetic testing; and requiring the Maryland Department of Health to review and update certain materials relating to genetic testing on or before April 1, 2024.

EFFECTIVE OCTOBER 1, 2023

IN, § 27-909.1 - added

Assigned to: Finance

SB 213 **Senator Ellis**

HEALTH OCCUPATIONS – CLINICAL NURSE SPECIALISTS – PRESCRIBING

Defining “clinical nurse specialist” and “practice as a clinical nurse specialist” for the purpose of authorizing clinical nurse specialists to prescribe drugs and durable medical equipment under regulations adopted by the State Board of Nursing; designating a clinical nurse specialist as an “authorized prescriber” under the Maryland Pharmacy Act; and authorizing a licensed physician to personally prepare and dispense a prescription written by a clinical nurse specialist.

EFFECTIVE OCTOBER 1, 2023

HO, §§ 12-101(b) and 12-102(c)(2)(iv)2. - amended and § 8-514 - added

Assigned to: Finance

SB 214 **Senator Ellis****EMPLOYMENT – HARASSMENT AND INTIMIDATION – REPORTING
(WORKPLACE PSYCHOLOGICAL SAFETY ACT)**

Establishing requirements related to the reporting of incidents of employee harassment and intimidation, including provisions regarding the reporting of incidents by employers to the Commissioner of Labor and Industry and the creation of a reporting form; authorizing the Commissioner to establish an electronic tip program allowing persons to report incidents of alleged harassment or intimidation; requiring the Commissioner to submit an annual report summarizing the information included on the victim reporting forms; etc.
EFFECTIVE OCTOBER 1, 2023

LE, § 5-801 - amended and §§ 5-1301 through 5-1305 - added

Assigned to: Finance

SB 215 **Senators Ellis and Augustine****MASSAGE THERAPY – DEFINITION AND DISCIPLINE**

Altering the definition of “practice massage therapy” for purposes of the Maryland Massage Therapy Act to include the professional practice of massage therapy without compensation; altering the grounds for disciplining massage therapists and procedures related to the discipline of massage therapists, including appeals procedures and reinstatement procedures; etc.

EFFECTIVE JULY 1, 2023

HO, §§ 6-101(g), 6-308(a)(21) and (22), 6-310, 6-502, and 6-504 - amended, §§ 6-308(a)(23) and 6-312 - added, and § 6-308(d) - repealed

Assigned to: Finance

SB 216 **Senators Ellis and Augustine****MASSAGE THERAPY – DEFINITION AND REIMBURSEMENT**

Altering the definition of “massage therapy”; and repealing a provision of law that provides that certain provisions of law do not require a nonprofit health insurance plan, an insurer, a health maintenance organization, or a person acting as a third party administrator to reimburse a licensed massage therapist or registered massage practitioner for any services rendered.

EFFECTIVE JULY 1, 2023

HO, § 6-101(f)(3) - amended and § 6-403 - repealed

Assigned to: Finance

SB 217 **Senator McCray****TRANSIT – COMMUTER BUS SERVICE – PROCUREMENT**

Requiring the Maryland Transit Administration, in selecting a commuter bus service provider, to use the competitive sealed proposal method of procurement and to conduct the procurement in accordance with the provisions of and the regulations adopted under Division II of the State Finance and Procurement Article and regulations adopted under Division II of that article; and applying the Act prospectively.

EFFECTIVE JULY 1, 2023

TR, § 7-504.1 - added

Assigned to: Budget and Taxation

SB 218 **Senator McCray, et al****ARBITRATION REFORM FOR STATE EMPLOYEES ACT OF 2023**

Altering the collective bargaining process for State employees, including by requiring the selection of a neutral arbitrator to oversee all aspects of collective bargaining, establishing a process of arbitration in the event of impasse, and providing that certain decisions of a neutral arbitrator are advisory; requiring that each budget bill contain the appropriations necessary to implement all terms and conditions of employment in certain memoranda of understanding for the next ensuing fiscal year; etc.

CONSTITUTIONAL AMENDMENT – CONTINGENT – VARIOUS EFFECTIVE DATES

SF, § 7-108, SP, §§ 3-103, 3-501, 3-502, and 3-603, and Maryland Constitution, Art. III, § 52 - amended and SP, § 3-503 - added

Assigned to: Budget and Taxation and Finance

SB 219 **Senator Jackson****SALES AND USE TAX – SECONDHAND APPAREL – EXEMPTION**

Providing an exemption from the sales and use tax for the sale of secondhand apparel if the taxable price of the secondhand apparel is \$20 or less.

EFFECTIVE JULY 1, 2023

TG, § 11-245 - added

Assigned to: Budget and Taxation

SB 220 Senator Smith (By Request – Maryland Judicial Conference)**JUVENILES – TRUANCY REDUCTION PILOT PROGRAM – EXPANSION**

Expanding, renaming, and altering certain provisions relating to a certain truancy reduction programs in certain juvenile courts; authorizing a county or circuit administrative judge to establish a certain Truancy Reduction and School Reengagement Program in certain juvenile courts in accordance with rules adopted by the Supreme Court of Maryland; and requiring the Chief Justice of the Supreme Court of Maryland to annually report on the participation rate, the outcomes and recommendations for program improvements to the General Assembly.

EFFECTIVE OCTOBER 1, 2023

CJ, § 3-8C-01 - added and CJ, §§ 3-8C-01, 3-8C-02, 3-8C-06, 3-8C-10, and 3-8C-12 and ED, § 7-301(e-1) - amended

Assigned to: Judicial Proceedings

SB 221 Senator Smith (By Request – Maryland Judicial Conference)**COURT OFFICIALS – PUBLIC DISCLOSURE OF PERSONAL INFORMATION**

Authorizing certain judges and prosecutors and certain immediate family members to make a written request that certain personal information be removed from the Internet or from certain other publications; requiring a person who receives a request under the Act to remove the information within 72 hours; and prohibiting the inspection without permission of public records containing the home address or telephone number of certain current and former judges and prosecutors.

EFFECTIVE OCTOBER 1, 2023

CJ, §§ 3-2301 and 3-2302 and GP, § 4-357 - added

Assigned to: Judicial Proceedings

SB 222 **Senator Augustine, et al**ENVIRONMENT – REDUCING PACKAGING MATERIALS –
PRODUCER RESPONSIBILITY

Requiring the Department of the Environment to conduct a statewide recycling needs assessment every 10 years; requiring, by April 1, 2026, producers of certain packaging materials to individually or as part of a producer responsibility organization submit a producer responsibility plan to the Department for approval; prohibiting, on or after a certain date, a producer of certain packaging materials from selling or distributing the packaging materials unless the producer has an approved producer responsibility plan; etc.

EFFECTIVE OCTOBER 1, 2023

EN, §§ 9-1702 and 9-1707(f) - amended and §§ 9-1702.2 and 9-2501 through 9-2510 - added

Assigned to: Education, Energy, and the Environment

SB 223 **Senator Augustine, et al**STATE GOVERNMENT – STATE FACILITIES CHANGES AND
CLOSURES – PROCEDURES

Requiring a principal department of the Executive Branch to give certain notice to the public, the General Assembly and any exclusive representative with certain bargaining unit employees and hold a public hearing before changing the use, purpose, or function of a State facility or closing a State facility.

EFFECTIVE OCTOBER 1, 2023

SG, § 8-306 - amended

Assigned to: Education, Energy, and the Environment

SB 224 **Senator Augustine, et al**DEPARTMENT OF THE ENVIRONMENT – ZERO-EMISSION
MEDIUM- AND HEAVY-DUTY VEHICLES – REGULATIONS (CLEAN
TRUCKS ACT OF 2023)

Requiring the Department of the Environment to adopt regulations on or before December 1, 2023, establishing requirements for the sale of new zero-emission medium- and heavy-duty vehicles in the State.

EFFECTIVE JUNE 1, 2023

EN, § 2-1103.1 - added

Assigned to: Education, Energy, and the Environment

SB 225 Senator Elfreth**ENVIRONMENT – PUBLICLY OWNED TREATMENT WORKS – PFAS MONITORING**

Requiring the owner or operator of a publicly owned treatment works to monitor and report the levels of certain per- and polyfluoroalkyl substances (PFAS) in effluent, influent, and biosolids.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2023

EN, § 9-331.2 - added

Assigned to: Education, Energy, and the Environment

SB 226 Senator Salling**CRIMINAL LAW – CHILD PORNOGRAPHY – ACCESSING WITH INTENT TO VIEW**

Prohibiting a person from knowingly or intentionally accessing a certain visual representation of a child under the age of 16 years with intent to view the visual representation.

EFFECTIVE OCTOBER 1, 2023

CR, § 11-208 - amended

Assigned to: Judicial Proceedings

SB 227 Anne Arundel County Senators**ANNE ARUNDEL COUNTY – ABANDONED VEHICLES**

Adding Anne Arundel County and municipal corporations in the county to the jurisdictions subject to certain provisions of law relating to abandoned vehicles, including provisions governing the time period for reclamation by an owner or secured party, cost recovery by a police department for impoundment, storage, and sale of an abandoned vehicle and certain other vehicles, failure of the owner or secured party to reclaim an abandoned vehicle within the required time period, and registration renewal.

EFFECTIVE OCTOBER 1, 2023

TR, §§ 25-201(e), 25-204, 25-206, 25-206.1, and 25-206.2 - amended

Assigned to: Judicial Proceedings

SB 228 **Senator Beidle****DEPARTMENT OF AGING – DEMENTIA CARE COORDINATOR AND DEMENTIA CARE NAVIGATION PROGRAMS**

Establishing the position of Dementia Care Coordinator in the Department of Aging to oversee dementia care navigation programs; requiring the Coordinator to train the staff of dementia care navigation programs, disseminate best practices and submit a report, by October 1, 2024 and each year thereafter, to the Governor, the Speaker of the House and President of the Senate on the services provided; and requiring the Department to publish a certain report on its website.

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

EFFECTIVE JULY 1, 2023

HU, §§ 10-1301 through 10-1303 - added

Assigned to: Finance

SB 229 **Senator Beidle****VEHICLE LAWS – NOISE ABATEMENT MONITORING SYSTEMS – AUTHORIZATION, USE, AND PENALTIES**

Authorizing a local government to use noise abatement monitoring systems, if authorized by local law; providing that the owner or driver of a motor vehicle recorded in violation of certain motor vehicle noise requirements is subject to a citation and a certain civil penalty under certain circumstances; establishing certain defenses to a charge of an alleged violation recorded by a noise abatement monitoring system; etc.

EFFECTIVE OCTOBER 1, 2023

CJ, §§ 4-401(13), 7-302(e)(1) through (3) and (4)(i), and 10-311 - amended and TR, § 22-612 - added

Assigned to: Judicial Proceedings

SB 230 **Senator Beidle****RESIDENTIAL SERVICE AGENCIES – EMPLOYEE REGISTRY**

Requiring the Maryland Department of Health to establish and maintain a registry of each employee of a residential service agency who provides home health care; requiring each residential service agency to submit certain information to the Department; and requiring the Department to disclose certain information to a labor union or similar employee organization on request.

EFFECTIVE OCTOBER 1, 2023

HG, § 19-4A-12 - added

Assigned to: Finance

SB 231 **Senator Beidle**MARYLAND MEDICAL ASSISTANCE PROGRAM – AUTISM WAIVER
– MILITARY FAMILIES

Requiring, unless the child’s family requests that the child be removed, that a child on the registry for the Autism Waiver remain on the registry if the child’s family relocates out of the State for military service.

EFFECTIVE OCTOBER 1, 2023

HG, § 15-151 - added

Assigned to: Finance

SB 232 **Senator Beidle, et al**HEALTH OCCUPATIONS – LICENSED ATHLETIC TRAINERS – DRY
NEEDLING APPROVAL

Authorizing the State Board of Physicians to approve licensed athletic trainers to perform dry needling, a certain type of intramuscular manual therapy involving the insertion of one or more solid needles or a mechanical device into the muscle and related tissues to effect change in the muscle and related tissues, as a specialized task.

EFFECTIVE OCTOBER 1, 2023

HO, §§ 14-5D-01(e-1), 14-5D-11.4, and 14-5D-14(a)(30) - added and § 14-5D-14(a)(28) and (29) - amended

Assigned to: Finance

SB 233 **Senator Klausmeier**

CONDOMINIUMS – PROPERTY INSURANCE – REPAIR OF DAMAGE

Providing that a requirement that the council of unit owners of a condominium repair or replace certain damage or loss applies in the event of a covered loss; and specifying that, in the case of a covered loss, the owner of the condominium unit where the cause of certain damage or destruction originated is responsible for a certain insurance deductible for the cost of certain repairs or replacements.

EFFECTIVE OCTOBER 1, 2023

RP, § 11-114(g) - amended

Assigned to: Finance

SB 234 **Senator Klausmeier****HEALTH SERVICES COST REVIEW COMMISSION – HOSPITAL RATES
– ALL-PAYER MODEL CONTRACT**

Requiring that the Health Services Cost Review Commission exercise its authority to consider certain standards when determining the reasonableness of certain rates in a manner that is consistent with the all-payer model contract.

EFFECTIVE OCTOBER 1, 2023

HG, § 19-219 - amended

Assigned to: Finance

SB 235 **Senator West****SCHOOL BUILDINGS – SOLAR TECHNOLOGY – SOLAR PANELS ON
SCHOOLS**

Requiring local school systems, from July 1, 2025, through June 30, 2034, to consider whether to construct schools with solar panels on the roofs of the schools; and requiring local school systems to provide to the Interagency Commission on School Construction an explanation for a decision not to include solar panels as part of the construction of a school.

Preliminary analysis: local government mandate

EFFECTIVE JUNE 1, 2023

ED, § 5-319 - amended

Assigned to: Budget and Taxation

SB 236 **Senator West****EVIDENCE – WITNESS CREDIBILITY – FORGERY CONVICTION**

Requiring that evidence that a witness has been convicted of forgery be admitted in court for the purpose of attacking the credibility of the witness under certain circumstances.

EFFECTIVE OCTOBER 1, 2023

CJ, § 10-905 - amended

Assigned to: Judicial Proceedings

SB 237 **Senator Klausmeier****PUBLIC HEALTH – DENTAL SERVICES – ACCESS**

Requiring parents and guardians of children enrolled in the Maryland Public School System, a family child care home, a large child care home, or a child care center to provide to the system or facility certain evidence that the child has received a dental screening within certain time periods; establishing prohibitions and requirements regarding the eligibility for dental services and the reimbursement of dental-related services under the Maryland Medical Assistance Program; etc.

EFFECTIVE JULY 1, 2023

ED and HG, Various Sections - added and amended and HO, § 4-205(c) - amended

Assigned to: Finance

SB 238 **Senator Klausmeier, et al****PUBLIC HIGH SCHOOLS – FINANCIAL LITERACY – CURRICULUM, GRADUATION REQUIREMENT, AND PROFESSIONAL DEVELOPMENT**

Requiring the State Board of Education, with the assistance of the Maryland Council on Economic Education, to develop curriculum content for a certain course in financial literacy; requiring each county board of education to require implementation of the curriculum in every public high school beginning in the 2026–2027 school year; requiring the completion of a certain financial literacy course to graduate from high school beginning in 2030; etc.

EFFECTIVE JULY 1, 2023

ED, § 7-205.5 - added

Assigned to: Education, Energy, and the Environment