Vetoed Bills

and

Messages

from the

Governor of Maryland

A total of 4 bills were vetoed by the Governor following the 2024 Regular Session of the General Assembly. Of these vetoed bills, 3 originated in the Senate and 1 of them originated in the House of Delegates. Pursuant to the provisions of Article II, Section 17 of the Maryland Constitution, these bills will be returned to the General Assembly immediately after the Legislature has organized at the next Regular or Special Session to be reconsidered in order to determine whether the veto is sustained or overridden.

2024 Session

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List of Senate Bills Vetoed

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Vetoed Senate Bills and Messages

May 23, 2024

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

Dear President Ferguson:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 60 – *Motor Home and Recreational Trailer Shows – Out–of–State Dealers.*

Senate Bill 60 sought to temporarily authorize an out–of–state dealer of motor homes or recreational vehicles ("RVs") licensed by another state to participate in Maryland RV shows. While Senate Bill 60 sought to allow RVs to be shown by out–of–state dealers, those dealers would not be permitted to execute a buyer's order or accept a deposit at the show. However, it is unclear that the Maryland Motor Vehicle Administration ("MVA") would be able to enforce that prohibition and it is unlikely that an out–of–state vendor would participate in an RV show without the intention to make a sale. As such, it is to be expected that more Maryland consumers will purchase RVs from out–of–state dealers as a result of this legislation, and purchase less from Maryland dealers.

Maryland's recreational vehicle ("RV") industry is made up of small businesses who employ a total of more than 300 employees statewide. As with many of the small businesses that propel our economy and further opportunities for families in the state, a consistent and reliable marketplace is crucial. Senate Bill 60, as passed, creates a significant and temporary shift in the marketplace for RV dealers with unknown impacts.

Had this bill been enacted, RV dealers from outside of Maryland would not need to become licensed in Maryland to participate in RV shows as long as they have obtained a license in another state. In this way, the bill sought to create license reciprocity for out–of–state vendors. License reciprocity is a powerful tool to expand commerce in Maryland and better align regional goals. However, under the bill, Maryland RV dealers would still need to become licensed in other states in order to participate in RV shows outside of Maryland, meaning that the reciprocity in this case would flow in only a single direction.

This lack of reciprocity is exacerbated by the regulations that Maryland RV dealers are subject to in neighboring states. Both the Commonwealth of Virginia and the State of Delaware require a physical presence in their states for a dealer to participate in their RV shows, except for a few narrow exceptions. The Commonwealth of Pennsylvania prohibits out–of–state vendors from participating in their RV shows unless their state of origin permits Pennsylvanian RV dealers to participate in RV shows under conditions substantially equivalent to those that out–of–state dealers are subject to in Pennsylvania.

Given that Senate Bill 60 prohibits out–of–state dealers from selling in Maryland, it is not clear that the Pennsylvania market would be opened to Maryland vendors.

While well–intentioned to boost the economy in Ocean City during the Fall season, the impact of this bill would have been to give out–of–state vendors access to Maryland's market without affording that same opportunity to Maryland dealers in other states. Given that demand is limited, the anticipated effect of this bill would be to increase business for out–of–state dealers at the expense of in–state dealers. As the Governor of Maryland, my focus is on ensuring that Maryland businesses and employees can thrive in an equitable marketplace. After extensive review, I have concluded that this bill stands to create inequities for Maryland RV dealers that would result in losses.

In contrast to Senate Bill 60, the State often enters into license reciprocity agreements with other states. For example, during the 2024 Legislative Session the General Assembly passed House Bill 383 which creates an interstate cosmetology licensure compact. Through the compact, member states seek to establish a regulatory framework that provides for a new multistate licensing program that provides value and mobility to licensed cosmetologists in those states. This is an equitable and fair way to expand business for both Maryland–based and out–of–state cosmetologists. This is a balanced approach that I hope will serve as a goal for any future legislation impacting RV dealers. Without such a balanced approach, this policy shift would hurt Maryland dealers and the employees that drive them forward.

For these reasons, I have vetoed Senate Bill 60.

Sincerely,

Wes Moore
Governor

Senate Bill 60

AN ACT concerning

~~Worcester County –~~ Motor Home and Recreational Trailer Shows – Out–of–State Dealers

FOR the purpose of authorizing out–of–state motor home or recreational trailer dealers to display motor homes and recreational vehicles at vehicle shows ~~in Worcester County~~; *requiring the Department of Commerce to conduct a study on the perceivable impact of out–of–state dealers of motor homes or recreational trailers displaying or exhibiting at vehicle shows in the State on the Maryland RV Show at the Maryland State Fairgrounds in Timonium and to report its findings to the General Assembly, on or before a certain date;* and generally relating to motor home and recreational trailer shows ~~in Worcester County~~.

BY adding to
Article – Transportation
Section 15–304(g)
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Transportation

15–304.

(G) ~~**(1)**~~ ~~**THIS SUBSECTION APPLIES ONLY IN WORCESTER COUNTY.**~~

~~**(2)**~~ **AN OUT–OF–STATE DEALER OF MOTOR HOMES OR RECREATIONAL TRAILERS THAT IS LICENSED BY THE LICENSING AUTHORITY OF ANOTHER STATE:**

~~**(I)**~~ ***(1)*** **MAY DISPLAY OR EXHIBIT MOTOR HOMES OR RECREATIONAL TRAILERS AT VEHICLE SHOWS FOR MOTOR HOMES OR RECREATIONAL TRAILERS; BUT**

~~**(II)**~~ ***(2)*** **MAY NOT EXECUTE A BUYER'S ORDER OR ACCEPT A DEPOSIT.**

SECTION 2. AND BE IT FURTHER ENACTED, That ~~this Act shall take effect October 1, 2024.~~*:*

(a) On or after October 1, 2026, the Department of Commerce shall conduct a study to determine the perceivable impact of out–of–state dealers of motor homes or recreational trailers displaying or exhibiting at vehicle shows in the State at the Maryland RV Show at the Maryland State Fairgrounds in Timonium.

(b) On or before December 1, 2026, the Department of Commerce shall report the findings of the study conducted under subsection (a) of this section, in accordance with § 2–1257 of the State Government Article, to the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024. It shall remain effective for a period of 2 years and 8 months and, at the end of May 31, 2027, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

May 23, 2024

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

Dear President Ferguson:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 380 – *Police Recruitment and Retention Workgroup*.

This bill establishes a Police Recruitment and Retention Workgroup to study issues and factors contributing to the decline in police officer retention statewide, which is duplicative of a workgroup created under House Bill 597/Senate Bill 470 – *Growing Apprenticeships and the Public Safety Workforce,* also known as the GAPS Act. The latter bill was introduced by the Moore–Miller Administration, passed by the General Assembly, and signed by me. It is not necessary to create two workgroups designed to address the same problem.

Sincerely,

Wes Moore
Governor

Senate Bill 380

AN ACT concerning

Police Recruitment and Retention Workgroup

FOR the purpose of establishing the Police Recruitment and Retention Workgroup to study issues and factors potentially contributing to the decline in police retention statewide; and generally relating to the Police Recruitment and Retention Workgroup.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Police Recruitment and Retention Workgroup.

(b) The Workgroup consists of the following members:

(1) one member of the Senate of Maryland, appointed by the Chair of the Senate Judicial Proceedings Committee;

(2) one member of the House of Delegates, appointed by the Chair of the House Judiciary Committee;

(3) the Secretary of the Department of State Police, or the Secretary's designee;

(4) the Public Defender, or the Public Defender's designee;

(5) the Attorney General, or the Attorney General's designee;

(6) the President of the Maryland State's Attorneys' Association, or the President's designee;

(7) the President of the Maryland Chiefs of Police Association, or the President's designee;

(8) one member with expertise in the field of effective policing, designated by the President of the Fraternal Order of Police;

(9) the Executive Director of the Maryland Commission on Criminal Sentencing Policy, or the Executive Director's designee;

(10) the President of the Maryland chapter of the National Organization of Black Law Enforcement Executives, or the President's designee;

(11) the President of the Hispanic American Law Enforcement Association, or the President's designee;

~~(10)~~ *(12)* the following members, appointed by the Governor:

(i) one representative of the Fraternal Order of Police;

(ii) one representative from the National Association for the Advancement of Colored People; ~~and~~

(iii) *one representative with expertise in human resources;*

(iv) one representative with expertise in police practices;

(v) one representative with expertise in police retention and recruitment; and

(vi) ~~one~~ *two* citizen ~~representative~~ *representatives*;

~~(11)~~ *(13)* the following members, appointed by the Maryland Association of Counties:

(i) one representative of a police department for an urban county; and

(ii) one representative of a sheriff's office for a rural county; and

~~(12)~~ *(14)* the following members, appointed by the Maryland Municipal League:

(i) one representative of a police department for an urban municipality; and

(ii) one representative of a police department for a rural municipality.

(c) The Governor shall designate the chair of the Workgroup.

(d) The Department of State Police 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) A member of the Workgroup serves at the pleasure of the person who appointed the member to the Workgroup.

(g) At the first meeting of the Workgroup, the Workgroup shall vote to adopt a code of conduct providing for the acceptable conduct of Workgroup members.

(h) The Workgroup shall identify and examine issues and factors potentially contributing to recruitment challenges and the decline in police officer retention statewide, including:

(1) the number of police officers retiring annually;

(2) the number of cadets completing police academy training annually;

(3) training hour requirements for police officers;

(4) police training academy acceptance requirements;

(5) recruitment techniques;

(6) requirements for advancement within police departments;

(7) the impact of current State and local laws on policing and police departments;

(8) current salary ranges, health benefits, and retirement benefits for police officers statewide;

(9) to the extent that information is available:

(i) the migration of police officers between departments;

(ii) the attrition rates of newly certified police officers;

(iii) the average length of active service for police officers; and

(iv) the number of actively employed police officers who have retired from another police department in State or local government; and

(10) perceptions of the occupation among potential recruits.

~~(g)~~ (i) The Workgroup shall:

(1) explore recruitment and retention strategies used successfully in other states and countries;

(2) design a statewide joint apprenticeship and training council including multiple departments and unions to operate a police–registered apprenticeship beginning in high school; and

(3) provide recommendations for reviewing the decline in police retention statewide.

~~(h)~~ (j) On or before December 30, 2025, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024. It shall remain effective for a period of 2 years and, at the end of June 30, 2026, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

May 23, 2024

The Honorable Bill Ferguson

President of the Senate of Maryland
H–107 State House
Annapolis, MD 21401

Dear President Ferguson:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 693 – *Carroll County – Public Facilities Bond.*

This bill authorizes the Carroll County Commissioners to issue up to $29.8 million in general obligation bonds for the acquisition, construction, improvement, or renovation of public buildings, facilities, and public works projects.

House Bill 796, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Although both bills are legally sufficient, only one should be signed, as enactment of duplicate bond bills would double the authorized debt.

Sincerely,

Wes Moore
Governor

Senate Bill 693

AN ACT concerning

Carroll County – Public Facilities Bond

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than $29,800,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency–related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State,

County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That, as used herein, the term "County" means the body politic and corporate of the State of Maryland known as the County Commissioners of Carroll County, and the term "construction, improvement, or development of public facilities" means the acquisition, alteration, construction, reconstruction, enlargement, equipping, expansion, extension, improvement, rehabilitation, renovation, upgrading, and repair of public buildings and facilities and public works projects, including, but not limited to, public works projects such as roads, bridges and storm drains, public school buildings and facilities, landfills, Carroll Community College buildings and facilities, public operational buildings and facilities such as buildings and facilities for County administrative use, public safety, health and social services, libraries, refuse disposal buildings and facilities, water and sewer infrastructure facilities, easements or similar or related rights in land that restrict the use of agricultural land or woodland to maintain the character of the land as agricultural land or woodland, and parks and recreation buildings and facilities, together with the costs of acquiring land or interests in land as well as any related architectural, financial, legal, planning, or engineering services.

SECTION 2. AND BE IT FURTHER ENACTED, That the County is hereby authorized to finance any part or all of the costs of the construction, improvements or development of public facilities described in Section 1 of this Act, to make loans to each and every volunteer fire department in the County upon such terms and conditions as may be determined by the County for the purpose of financing certain fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments, and to borrow money and incur indebtedness for those purposes, at one time or from time to time, in an amount not exceeding, in the aggregate, $29,800,000 and to evidence such borrowing by the issuance and sale upon its full faith and credit of general obligation bonds in like par amount, which may be issued at one time or from time to time, in one or more groups or series, as the County may determine.

SECTION 3. AND BE IT FURTHER ENACTED, That the bonds shall be issued in accordance with a resolution of the County, which shall describe generally the construction, improvement, or development of public facilities, including water and sewer projects, the fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments in the County for which the proceeds of the bond sale are intended and the amount needed for those purposes. The County shall have and is hereby granted full and complete authority and discretion in the resolution to fix and determine with respect to the bonds of any issue: the designation, date of issue, denomination or denominations, form or forms, and tenor of the bonds which, without limitation, may be issued in registered form within the meaning of § 19–204 of the Local Government Article, as amended; the rate or rates of interest payable thereon, or the method of determining the same, which may include a variable rate; the date or dates and amount or amounts of maturity, which need not be in equal par amounts or in consecutive annual installments, provided only that no

bond of any issue shall mature later than 30 years from the date of its issue; the manner of selling the bonds, which may be at either public or private sale, for such price or prices as may be determined to be for the best interests of Carroll County; the manner of executing and sealing the bonds, which may be by facsimile; the terms and conditions of any loans made to volunteer fire departments; the terms and conditions, if any, under which bonds may be tendered for payment or purchase prior to their stated maturity; the terms or conditions, if any, under which bonds may or shall be redeemed prior to their stated maturity; the place or places of payment of the principal of and the interest on the bonds, which may be at any bank or trust company within or without the State of Maryland; covenants relating to compliance with applicable requirements of federal income tax law, including (without limitation) covenants regarding the payment of rebate or penalties in lieu of rebate; covenants relating to compliance with applicable requirements of federal or State securities laws; and generally all matters incident to the terms, conditions, issuance, sale, and delivery thereof.

The bonds may be made redeemable before maturity, at the option of the County, at such price or prices and under such terms and conditions as may be fixed by the County prior to the issuance of the bonds, either in the resolution or in subsequent resolutions. The bonds may be issued in registered form, and provision may be made for the registration of the principal only. In case any officer whose signature appears on any bond ceases to be such officer before the delivery thereof, such signature shall nevertheless be valid and sufficient for all purposes as if the officer had remained in office until such delivery. The bonds and the issuance and sale thereof shall be exempt from the provisions of §§ 19–205 and 19–206 of the Local Government Article, as amended.

The borrowing authorized by this Act may also be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring easements or similar or related rights in land that restrict the use of agricultural land or woodland to maintain the character of the land as agricultural or woodland. The form of installment purchase obligations, the manner of accomplishing the acquisition of easements, which may be the direct exchange of installment purchase obligations for easement, and all matters incident to the execution and delivery of the installment purchase obligations and acquisition of the easements by the County shall be determined in the resolution. Except where the provisions of this Act would be inapplicable to installment purchase obligations, the term "bonds" used in this Act shall include installment purchase obligations and matters pertaining to the bonds under this Act, such as the security for the payment of the bonds, the exemption of the bonds from State, County, municipal, or other taxation, and authorization to issue refunding bonds and the limitation on the aggregate principal amount of bonds authorized for issuance, shall be applicable to installment purchase obligations.

The County may enter into agreements with agents, banks, fiduciaries, insurers, or others for the purpose of enhancing the marketability of any security for the bonds and for the purpose of securing any tender option that may be granted to holders of the bonds, all as may be determined and presented in the aforesaid resolution, which may (but need not) state as security for the performance by the County of any monetary obligations under such

agreements the same security given by the County to bondholders for the performance by the County of its monetary obligations under the bonds.

If the County determines in the resolution to offer any of the bonds by solicitation of competitive bids at public sale, the resolution shall fix the terms and conditions of the public sale and shall adopt a form of notice of sale, which shall outline the terms and conditions, and a form of advertisement, which shall be published in one or more daily or weekly newspapers having a general circulation in the County and which may also be published in one or more journals having a circulation primarily among banks and investment bankers. At least one publication of the advertisement shall be made not less than 10 days before the sale of the bonds.

Upon delivery of any bonds to the purchaser or purchasers, payment therefor shall be made to the Comptroller of Carroll County or such other official of Carroll County as may be designated to receive such payment in a resolution passed by the County before such delivery.

SECTION 4. AND BE IT FURTHER ENACTED, That the net proceeds of the sale of bonds shall be used and applied exclusively and solely for the acquisition, construction, improvement, or development of public facilities, including water and sewer projects, to make loans to volunteer fire departments for the financing of fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments in the County for which the bonds are sold. If the amounts borrowed shall prove inadequate to finance the projects described in the resolution, the County may issue additional bonds with the limitations hereof for the purpose of evidencing the borrowing of additional funds for such financing, provided the resolution authorizing the sale of additional bonds shall so recite, but if the net proceeds of the sale of any issue of bonds exceed the amount needed to finance the projects described in the resolution, the excess funds so borrowed and not expended shall be applied to the payment of the next principal maturity of the bonds or to the redemption of any part of the bonds which have been made redeemable or to the purchase and cancellation of bonds, unless the County shall adopt a resolution allocating the excess funds to the acquisition, construction, improvement, or development of other public facilities, including water and sewer projects, or to the making of loans for fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments in the County, as defined and within the limits set forth in this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That the bonds hereby authorized shall constitute, and they shall so recite, an irrevocable pledge of the full faith and credit and unlimited taxing power of the County to the payment of the maturing principal of and interest on the bonds as and when they become payable. In each and every fiscal year that any of the bonds are outstanding, the County shall levy or cause to be levied ad valorem taxes upon all the assessable property within the corporate limits of the County in rate and amount sufficient to provide for or assure the payment, when due, of the principal of and interest on all the bonds maturing in each such fiscal year and, in the event the proceeds from the taxes so levied in any such fiscal year shall prove inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up any such deficiency. The County may apply to the payment of the principal of and interest on any bonds issued

hereunder any funds received by it as loan repayments from volunteer fire departments and any funds received by it from the State of Maryland, the United States of America, any agency or instrumentality thereof, or from any other source, if such funds are granted for the purpose of assisting the County in financing the acquisition, construction, improvement, or development of the public facilities defined in this Act, including the water and sewer projects or the making of loans for the aforementioned fire or emergency–related equipment, buildings, or other facilities for volunteer fire departments in the County and, to the extent of any such funds received or receivable in any fiscal year, the taxes that are required to be levied may be reduced accordingly.

SECTION 6. AND BE IT FURTHER ENACTED, That the County is further authorized and empowered, at any time and from time to time, to issue its bonds in the manner herein above described for the purpose of refunding, by payment at maturity or upon purchase or redemption, any bonds issued hereunder. The validity of any such refunding bonds shall in no way be dependent upon or related to the validity or invalidity of the obligations so refunded. The powers herein granted with respect to the issuance of bonds shall be applicable to the issuance of refunding bonds. Such refunding bonds may be issued by the County for the purpose of providing it with funds to pay any of its outstanding bonds issued hereunder at maturity, for the purpose of providing it with funds to purchase in the open market any of its outstanding bonds issued hereunder, prior to the maturity thereof, or for the purpose of providing it with funds for the redemption prior to maturity of any outstanding bonds issued hereunder which are, by their terms, redeemable, for the purpose of providing it with funds to pay interest on any outstanding bonds issued hereunder prior to their payment at maturity of purchase or redemption in advance of maturity, or for the purpose of providing it with funds to pay any redemption or purchase premium in connection with the refunding of any of its outstanding bonds issued hereunder. The proceeds of the sale of any such refunding bonds shall be segregated and set apart by the County as a separate trust fund to be used solely for the purpose of paying the purchase or redemption prices of the bonds to be refunded.

SECTION 7. AND BE IT FURTHER ENACTED, That the County may, prior to the preparation of definitive bonds, issue interim certificates or temporary bonds, exchangeable for definitive bonds when such bonds have been executed and are available for such delivery, provided, however, that any such interim certificates or temporary bonds shall be issued in all respects subject to the restrictions and requirements set forth in this Act. The County may, by appropriate resolution, provide for the replacement of any bonds issued hereunder which shall have become mutilated or lost or destroyed upon such conditions and after receiving such indemnity as the County may require.

SECTION 8. AND BE IT FURTHER ENACTED, That any and all obligations issued pursuant to the authority of this Act, their transfer, the interest payable thereon, and any income derived therefrom in the hands of the holders thereof from time to time (including any profit made in the sale thereof) shall be and are hereby declared to be at all times exempt from State, County, municipal, or other taxation of every kind and nature whatsoever within the State of Maryland. Nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable

from gross income for federal income tax purposes.

SECTION 9. AND BE IT FURTHER ENACTED, That the authority to borrow money and issue bonds conferred on the County by this Act shall be deemed to provide an additional and alternative authority for borrowing money and shall be regarded as supplemental and additional to powers conferred upon the County by other laws and shall not be regarded as in derogation of any power now existing; and all Acts of the General Assembly of Maryland heretofore passed authorizing the County to borrow money are hereby continued to the extent that the powers contained in such Acts have not been exercised, and nothing contained in this Act may be construed to impair, in any way, the validity of any bonds that may have been issued by the County under the authority of any said Acts, and the validity of the bonds is hereby ratified, confirmed, and approved. This Act, being necessary for the welfare of the inhabitants of Carroll County, shall be liberally construed to effect the purposes hereof. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

SECTION 10. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2024.

Vetoed House Bills and Messages

May 23, 2024

The Honorable Adrienne A. Jones
Speaker of the House of Delegates
H–101 State House
Annapolis, MD 21401

Dear Speaker Jones:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1258 – *Estates and Trusts – Estate Administration – Publication of Notice.*

This legislation is intended to modernize public notice requirements regarding estate administration, and thereby ease burdens on those required to seek publication of such notices. Such public notice requirements exist in multiple parts of Maryland statute, and have historically played an important role in ensuring that the public is aware of vital legal and governmental information. As technology has changed and information has become more widely available through the internet, however, it has increasingly become possible to provide such public notice through non–print means. And existing print public notice requirements do present a financial burden on local and state governments as well as individual citizens. This is the challenge that Delegate Embry was seeking to address, and I commend her and Registers of Wills across the state for their efforts to find a solution to the issue. The cost to families and government of public notice provisions such as those repealed by the House Bill 1258 is an important concern, and one which should be dealt with.

However, there is also a vital public interest in ensuring the existence of thriving independent local media. In fact, democracy can not function effectively in the absence of a free press that provides objective information to the citizenry about crucial events in government and in our communities. The press also plays an important role in public accountability through investigative journalism. Public notice requirements have helped sustain much of the local print media in Maryland as print advertising dollars have dried up and the entire print media industry has consolidated and downsized. Many communities in the state now suffer from a lack of press coverage of local news, undermining public accountability. To so rapidly remove such a large source of advertising revenue as estate notices without considering the impact on the future of local media in Maryland could have severe consequences.

Unfortunately, legislators were not given the opportunity during the 2024 legislative session to balance these two significant public interests, as representatives of the newspaper industry failed entirely to engage in public hearings, testimony, or conversations about the bill. During the legislative session it is imperative that advocates present their arguments for or against a policy to ensure that legislators and members of the public can be fully informed on an issue. The fact that industry

representatives did not engage with House Bill 1258 undermines the legislative process, and is a disservice to all parties involved by not allowing robust conversation and creation of broader policy solutions that address all public interests. The administration hopes that in the future, representatives of the industry will be more actively involved in legislative debates.

This veto should not be seen as the end of the conversation, and in fact the administration believes we need a broader conversation about public notices rather than a conversation focused solely on estate notices. Our administration looks forward to engaging with Del. Embry and all of the advocates on that topic during the interim.

However, in the meantime, as I believe that a broader conversation is necessary and that a hasty transition in public notice requirements should be avoided, I have vetoed House Bill 1258.

Sincerely,

Wes Moore
Governor

House Bill 1258

AN ACT concerning

Estates and Trusts – Estate Administration – Publication of Notice

FOR the purpose of requiring the registers of wills for each county and Baltimore City to coordinate to establish a certain website; altering certain requirements for publication of notice relating to the appointment of a personal representative, a request for judicial probate, and estates administered by a foreign personal representative; repealing the requirement that a foreign personal representative record a certain certification with the register; and generally relating to estate administration and requirements for publication of notice.

BY adding to
Article – Estates and Trusts
Section 2–208(l)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–210, 5–403, 5–503, 7–103, 7–104, and 9–112
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Estates and Trusts

2–208.

(L) THE REGISTER OF EACH COUNTY AND BALTIMORE CITY SHALL COORDINATE TO ESTABLISH AND MAINTAIN A CENTRALIZED WEBSITE FOR USE BY ALL REGISTERS TO PUBLISH NOTICE AS REQUIRED UNDER THIS ARTICLE.

2–210.

Within five days after **[**receiving the text of the first published newspaper notice**]** **THE INITIAL WEBSITE PUBLICATION OF NOTICE** as provided in § 7–103 of this article **[**and the written notice from the personal representative of the names and addresses of the heirs and legatees as provided in § 7–104 of this article**]**, the register shall forward to each **[**such person**]** **HEIR AND LEGATEE** a copy of the **[**newspaper**]** **WEBSITE** notice published according to § 7–104 of this article, in the manner prescribed in § 1–103(a) of this article, directed according to the information received from the personal representative.

5–403.

(a) (1) Notice that judicial probate has been requested shall be given promptly by the register to all interested persons as shown in the documents in the register's file.

(2) The petitioner shall advise the register of the names and addresses of all interested persons of whom the petitioner learns before the granting of judicial probate, and the register shall give notice to the persons in the manner prescribed by § 1–103(a)(1) of this article.

(3) In addition, the register shall publish a notice **[**in a newspaper of general circulation in the county where judicial probate is requested, once a week**]** **ON THE CENTRALIZED WEBSITE ESTABLISHED UNDER § 2–208 OF THIS ARTICLE** for 2 **[**successive**]** weeks.

(b) The notice required by this section shall be in the following form:

IN THE ORPHANS COURT FOR .....
In re:
ESTATE OF
.....
Deceased
TO ALL PERSONS INTERESTED IN THE ESTATE OF .....
..... :
YOU ARE HEREBY NOTIFIED THAT A Petition has been filed in the court by

…… for judicial probate, including the appointment of a personal representative for the estate; and that the Petition will be heard at …… on the …… day of ……, 20…, or at a subsequent time or other place to which the hearing may be adjourned or transferred.

……
Register of Wills

5–503.

(a) As used in this subtitle, "leasehold property" refers only to a leasehold interest in real property.

(b) **[**A foreign personal representative shall:**]**

(1) **[**Publish once a week for 3 successive weeks a notice in a newspaper of general circulation in each county in which real or leasehold property of the decedent was located, containing**]** **THE REGISTER SHALL, FOR 3 WEEKS, PUBLISH ON THE CENTRALIZED WEBSITE ESTABLISHED UNDER § 2–208 OF THIS ARTICLE NOTICE CONTAINING THE FOLLOWING INFORMATION REGARDING A FOREIGN PERSONAL REPRESENTATIVE AND THE ESTATE REPRESENTED**:

(i) The foreign personal representative's appointment;

(ii) The foreign personal representative's name and address;

(iii) The name and address of the foreign personal representative's Maryland agent for service of process on file with the register in each county where real or leasehold property was located;

(iv) The name of the court that appointed the foreign personal representative;

(v) A brief description of all real and leasehold property owned by the decedent in the county;

(vi) The date of the decedent's death; and

(vii) The following statement: All persons having claims against the decedent must present their claims to the undersigned, or file them with the register of wills on or before the earlier of the following dates:

1. 6 months from the date of the decedent's death; or

2. 2 months after the foreign personal representative mails or otherwise delivers to the creditor a copy of this published notice or other written notice,

notifying the creditor that the creditor's claim will be barred unless the creditor presents the claim within 2 months from the mailing or other delivery of the notice**[**;**]**.

(2) **[**Record in each appropriate office of the register a certification that the foreign personal representative has published notice as required; and

(3)**]** Promptly after a proceeding under this subtitle has been instituted, **A FOREIGN PERSONAL REPRESENTATIVE SHALL** comply with the provisions of § 7–103.1 of this article.

(c) (1) Within the time periods provided under subsection (b) of this section, a creditor may file with the register a written statement of the creditor's claim, in the form set forth in § 8–104(c) of this article, and if a foreign personal representative has instituted a proceeding under this subtitle deliver or mail a copy of the statement to the personal representative.

(2) (i) The register shall maintain a book known as the "Claims Against Nonresident Decedents" book in which every claim and release shall be recorded.

(ii) Unless and until a release of a validly recorded claim has been recorded, or the claim has finally been determined in favor of the personal representative, the claim shall constitute a lien against the real and leasehold property owned by the decedent in the county at the time of death for a period of 12 years from date of death.

(iii) If the personal representative is empowered by the will to sell the property the claim shall constitute a lien against the net proceeds from the sale.

7–103.

(a) **[**(1)**]** After the appointment of a personal representative, the register shall **[**have a notice of the appointment published in a newspaper of general circulation in the county of appointment once a week in 3 successive weeks**], FOR 3 WEEKS, PUBLISH NOTICE ON THE CENTRALIZED WEBSITE ESTABLISHED UNDER § 2–208 OF THIS ARTICLE**, announcing the appointment and address of the personal representative, and notifying creditors of the estate to present their claims.

[(2) The personal representative shall file or have filed with the register a certification that a notice has been published.**]**

(b) The notice of appointment shall be substantially in the following form:

"To all persons interested in the estate of .....:

This is to give notice that the undersigned, …… whose address is …… was, on ……, appointed personal representative of the estate of …… who died on …… (with) (without) a will.

All persons having any objection to the appointment (or to the probate of the will of the decedent) shall file the same with the register of wills on or before 6 months from the date of the appointment.

All persons having claims against the decedent must present their claims to the undersigned, or file them with the register of wills on or before the earlier of the following dates:

(1) 6 months from the date of the decedent's death; or

(2) 2 months after the personal representative mails or otherwise delivers to the creditor a copy of this published notice or other written notice, notifying the creditor that the creditor's claim will be barred unless the creditor presents the claim within 2 months from the mailing or other delivery of the notice.

Any claim not filed on or before that date, or any extension provided by law, is unenforceable thereafter.

……
Personal representative

Date of first publication:
……".

7–104.

(a) Not later than 20 days after the appointment of a personal representative, the personal representative shall deliver to the register the text of the first published **[**newspaper**]** **WEBSITE** notice of the appointment and shall advise the register of the names and addresses of the heirs of the decedent and of the legatees to the extent known by the personal representative, so that the register may issue the notices provided in § 2–210 of this article.

(b) The provisions of this section do not apply to a successor personal representative if notice under this section has been given previously, or to a person appointed pursuant to judicial probate.

9–112.

(a) (1) If the personal representative cannot obtain agreement from all interested persons entitled to share in the distribution of the property, the personal representative may apply to the court to make distribution.

(2) The court shall designate a day and direct the giving of notice to all interested persons concerned.

(3) The court may appoint two disinterested individuals, not related to the interested persons to make an appropriate division for distribution, or recommend to the court a sale of part or all of the property, and the court shall direct the distribution it considers appropriate.

(b) If a majority in relation to value fails to appear on the appointed day, or appear and object to the distribution suggested, or if the court considers a sale of part or all of the

property more appropriate and advantageous, the personal representative shall make the sale or sales and divide the proceeds, together with unsold property, as the court directs.

(c) If the personal representative has reason to believe that there may be one or more interested persons whose names or addresses are not known to the personal representative, or if it is not known to the personal representative if an interested person is still surviving, the personal representative may appoint a meeting of all interested persons to be held on a day the court designates.

(d) (1) The personal representative shall give notice to all interested persons known to the personal representative, and **THE REGISTER** shall**, FOR 3 WEEKS,** publish a notice of the meeting **[**once a week in 3 successive weeks, in a newspaper of general circulation in the county of the personal representative's appointment,**]** **ON THE CENTRALIZED WEBSITE ESTABLISHED UNDER § 2–208 OF THIS ARTICLE** stating the time, date, place, and purpose of the meeting which shall be held no sooner than 20 days after the first publication.

(2) The personal representative shall also take other steps and make other efforts to learn the names and addresses of additional interested persons as the court considers appropriate under the circumstances.

(e) (1) On the date of the meeting, distribution of the net estate shall be made under the direction and control of the court.

(2) Distribution by the personal representative in accordance with the direction of the court at the meeting protects and indemnifies the personal representative acting in obedience to it.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.