Laws

of the

State of Maryland

At the Session of the General Assembly Begun and Held in the
City of Annapolis on the Eighth Day of January 2025
and Ending on the Seventh Day of April 2025

Bills vetoed by the Governor appear after the Laws

VOLUME VII

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Chapter 833

(Senate Bill 869)

AN ACT concerning

Dorchester County – Alcoholic Beverages Licenses – Fees

FOR the purpose of altering licensing fees for certain alcoholic beverages licenses in Dorchester County; authorizing the Board of License Commissioners for Dorchester County to charge an application or transfer fee under certain circumstances; and generally relating to alcoholic beverages license, application, and transfer fees in Dorchester County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 19–102, 19–601(a), 19–603(a), 19–802(a), 19–803(a), 19–804(a), 19–805(a), 19–902(a), 19–1201(a), 19–1309(a), and 19–1310(a)
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 19–601(c), 19–603(c), 19–802(c), 19–803(c), 19–804(c), 19–805(d), 19–902(d), 19–1201(f), 19–1309(c), and 19–1310(c)
Annotated Code of Maryland
(2024 Replacement Volume)

BY adding to
Article – Alcoholic Beverages and Cannabis
Section 19–1408
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

19–102.

This title applies only in Dorchester County.

19–601.

(a) There is a Class A beer license.

(c) The annual license fee is **[**$200**]** **$250**.

19–603.

(a) There is a Class C beer license.

(c) The annual license fee is **[**$250**]** **$150**.

19–802.

(a) There is a Class A beer and wine license.

(c) The annual license fee is **[**$250**]** **$350**.

19–803.

(a) There is a Class B beer and wine license.

(c) The annual license fee is **[**$300**]** **$350**.

19–804.

(a) There is a Class C beer and wine license.

(c) The annual license fee is **[**$150**]** **$250**.

19–805.

(a) There is a Class D beer and wine license.

(d) The annual license fee is **[**$275**]** **$350**.

19–902.

(a) There is a Class B beer, wine, and liquor license.

(d) The annual license fee is **[**$1,000**]** **$1,250**.

19–1201.

(a) There is a Class B caterer's license.

(f) The annual license fee is **[**$150**]** **$200**.

19–1309.

(a) There is a Class C per diem beer and a Class C per diem beer and wine license.

(c) The fee for a Class C per diem beer license or Class C per diem beer and wine license is **[**$15**] $25** per day.

19–1310.

(a) There is a Class C per diem beer, wine, and liquor license.

(c) The fee for the license is **[**$25**] $35** per day.

19–1408.

(A) (1) IN ADDITION TO ANY OTHER FEE REQUIRED FOR A LICENSE, THE BOARD MAY CHARGE AN APPLICATION FEE FOR A NEW LICENSE IN THE AMOUNT OF:

(I) $150 FOR AN APPLICATION FOR A CLASS A, CLASS B, CLASS C, OR CLASS D BEER AND WINE LICENSE; AND

(II) $200 FOR AN APPLICATION FOR A CLASS A, CLASS B, CLASS C, OR CLASS D BEER, WINE, AND LIQUOR LICENSE.

(2) THE APPLICATION FEE UNDER THIS SUBSECTION IS NONREFUNDABLE WHETHER THE LICENSE IS ISSUED OR DENIED.

(3) THE APPLICATION FEE DOES NOT APPLY TO THE RENEWAL OR TRANSFER OF A LICENSE FOR THE SAME PREMISES.

(B) IN ADDITION TO ANY OTHER FEE REQUIRED FOR A LICENSE, THE BOARD MAY CHARGE A TRANSFER FEE OF $50 PER LICENSE TRANSFER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 834

(House Bill 512)

AN ACT concerning

Frederick County – Barbershop and Beauty Salon Beer and Wine License – Alterations

FOR the purpose of altering a certain limitation on the amount of wine that a holder of a barbershop or beauty salon beer and wine license in Frederick County may provide to a certain customer for on–premises consumption; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 20–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 20–1001.3 and 20–1002
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

20–102.

This title applies only in Frederick County.

20–1001.3.

(a) There is a barbershop beer and wine license.

(b) The Board may issue the license to a holder of a barbershop permit under § 4–501 of the Business Occupations and Professions Article.

(c) The license authorizes the license holder to provide no more than **[**5**]** **6.5** ounces of wine by the glass or 12 ounces of beer for on–premises consumption by a barbershop customer:

(1) when the customer is provided a service described in § 4–101(l) of the Business Occupations and Professions Article; or

(2) while the customer is attending a fund–raising event at the barbershop for which the Department of Permits and Inspections, if required, has issued a permit.

(d) The license may not be transferred to another location.

(e) The license holder may provide beer and wine for on–premises consumption during normal business hours but not later than 9 p.m.

(f) The annual license fee is $100.

20–1002.

(a) There is a beauty salon beer and wine license.

(b) The Board may issue the license to a holder of a beauty salon permit under § 5–501 of the Business Occupations and Professions Article.

(c) The license authorizes the license holder to provide no more than **[**5**]** **6.5** ounces of wine by the glass or 12 ounces of beer for on–premises consumption by a beauty salon customer:

(1) when the customer is provided a cosmetology service described in § 5–101(n)(1) of the Business Occupations and Professions Article; or

(2) while the customer is attending a fund–raising event at the beauty salon for which the Department of Permits and Inspections, if required, has issued a permit.

(d) The license may not be transferred to another location.

(e) The license holder may provide beer and wine for on–premises consumption during normal business hours but not later than 9 p.m.

(f) The annual license fee is $100.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 835

(Senate Bill 738)

AN ACT concerning

Frederick County – Barbershop and Beauty Salon Beer and Wine License – Alterations

FOR the purpose of altering a certain limitation on the amount of wine that a holder of a barbershop or beauty salon beer and wine license in Frederick County may provide to a certain customer for on–premises consumption; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 20–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 20–1001.3 and 20–1002
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

20–102.

This title applies only in Frederick County.

20–1001.3.

(a) There is a barbershop beer and wine license.

(b) The Board may issue the license to a holder of a barbershop permit under § 4–501 of the Business Occupations and Professions Article.

(c) The license authorizes the license holder to provide no more than **[**5**]** **6.5** ounces of wine by the glass or 12 ounces of beer for on–premises consumption by a barbershop customer:

(1) when the customer is provided a service described in § 4–101(l) of the Business Occupations and Professions Article; or

(2) while the customer is attending a fund–raising event at the barbershop for which the Department of Permits and Inspections, if required, has issued a permit.

(d) The license may not be transferred to another location.

(e) The license holder may provide beer and wine for on–premises consumption during normal business hours but not later than 9 p.m.

(f) The annual license fee is $100.

20–1002.

(a) There is a beauty salon beer and wine license.

(b) The Board may issue the license to a holder of a beauty salon permit under § 5–501 of the Business Occupations and Professions Article.

(c) The license authorizes the license holder to provide no more than **[**5**]** **6.5** ounces of wine by the glass or 12 ounces of beer for on–premises consumption by a beauty salon customer:

(1) when the customer is provided a cosmetology service described in § 5–101(n)(1) of the Business Occupations and Professions Article; or

(2) while the customer is attending a fund–raising event at the beauty salon for which the Department of Permits and Inspections, if required, has issued a permit.

(d) The license may not be transferred to another location.

(e) The license holder may provide beer and wine for on–premises consumption during normal business hours but not later than 9 p.m.

(f) The annual license fee is $100.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 836

(House Bill 1095)

AN ACT concerning

Montgomery County – Alcoholic Beverages – Beauty Salon and Barbershop License

MC 3–25

FOR the purpose of expanding eligibility for a certain beauty salon license in Montgomery County to include a holder of a certain barbershop permit; authorizing a holder of ~~a~~

~~beauty salon license in Montgomery County~~ the license to provide a certain amount of liquor for on–premises consumption in addition to beer and wine; altering the amount of beer the holder may provide for on–premises consumption; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 25–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 25–1002
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

25–102.

This title applies only in Montgomery County.

25–1002.

(a) There is a beauty salon **AND BARBERSHOP** beer **[**and**],** wine**, AND LIQUOR** license.

(b) The Board may issue the license to a holder of**:**

(1) a beauty salon permit issued under § 5–501 of the Business Occupations and Professions Article**; OR**

(2) A BARBERSHOP PERMIT ISSUED UNDER § 4–501 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

(c) The license authorizes the license holder to provide not more than **12 OUNCES OF BEER,** 5 ounces of **[**beer or**]** wine **[**by the glass**], OR 1.7 OUNCES OF LIQUOR** for on–premises consumption by a beauty salon **OR BARBERSHOP** customer:

(1) when the customer is provided a cosmetology service under ~~§ 5–101(n)~~ **TITLE 5** of the Business Occupations and Professions Article **OR A BARBERING SERVICE UNDER TITLE 4 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE**; or

(2) while the customer is attending a fund–raising event at the beauty salon **OR BARBERSHOP** for which the County Department of Permitting Services has issued a permit.

(d) The license may not be transferred to another location.

(e) The license holder may provide beer **[**and**],** wine**, AND LIQUOR** during normal business hours but not later than 9 p.m.

(f) An establishment for which the license is issued is subject to the alcohol awareness training requirements under § 4–505 of this article.

(g) The annual license fee is $100.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 837

(House Bill 1174)

AN ACT concerning

Montgomery County – Alcoholic Beverages – Class BD–BWL Licenses – Multiple Licenses

MC 18–25

FOR the purpose of increasing the number of Class BD–BWL alcoholic beverages licenses in Montgomery County that the same person may hold; *specifying that the establishment for which a second Class BD–BWL license is issued shall have average daily receipts from the sale of food that exceed the average daily receipts from the sale of alcoholic beverages;* ~~specifying that a second Class BD–BWL license issued to the same person authorizes the holder of the license to sell only certain beverages for off–premises consumption;~~ and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 25–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 25–903, 25–1503, and 25–1614
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

25–102.

This title applies only in Montgomery County.

25–903.

(a) There is a Class BD–BWL license.

(b) The license authorizes the license holder to sell:

(1) beer and wine for on– or off–premises consumption; and

(2) liquor for on–premises consumption.

(c) As a prerequisite for the initial issuance of the license, the owner of the establishment shall attest in a sworn statement that food will be available for sale for on–premises consumption during the hours that alcoholic beverages are permitted to be served.

(d) As a prerequisite for each renewal of the license, the owner of the establishment shall attest in a sworn statement that food will be available for sale for on–premises consumption during the hours that alcoholic beverages are permitted to be served.

(e) The Board by regulation shall specify the type of food that is required to be available for sale for on–premises consumption during the hours that alcoholic beverages are permitted to be served.

(f) ~~(1)~~ A holder of a Class BD–BWL license:

[(1)**]** ~~(I)~~ may also hold a Class 7 micro–brewery license issued for a location in the county; but

[(2)**]** ~~(II)~~ may not hold more than **[**one**]** **TWO** Class BD–BWL **[**license**]** **LICENSES**.

~~(2) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, IF A PERSON HOLDS MORE THAN ONE CLASS BD–BWL LICENSE, THE SECOND CLASS BD–BWL LICENSE THAT IS ISSUED TO THE HOLDER AUTHORIZES THE HOLDER TO SELL, ON THE PREMISES DESCRIBED IN THE SECOND LICENSE:~~

~~(I) BEER, WINE, AND LIQUOR FOR ON–PREMISES CONSUMPTION; AND~~

~~(II) ONLY PRIVATE–LABEL PRODUCTS MANUFACTURED EXCLUSIVELY FOR THE HOLDER FOR OFF–PREMISES CONSUMPTION.~~

(g) ***IF A PERSON HOLDS TWO CLASS BD–BWL LICENSES UNDER SUBSECTION (F)(2) OF THIS SECTION, THE ESTABLISHMENT FOR WHICH THE SECOND CLASS BD–BWL LICENSE IS ISSUED SHALL HAVE AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT EXCEED THE AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES.***

(H) The annual license fee is $3,500.

25–1503.

Multiple licenses may be issued for the same premises or to an individual for the use of that individual, a partnership, a corporation, an unincorporated association, or a limited liability company if:

(1) **(I)** the licenses are Class H beer and wine licenses; and

[(2)**]** **(II)** each premises is a restaurant in a bowling establishment that has at least 30 lanes with automatic pinsetters**; OR**

(2) THE LICENSES ARE CLASS BD–BWL LICENSES.

25–1614.

(a) Except as provided in § 25–1615 of this subtitle, the Board may not authorize the same license holder to hold more than 10 licenses.

(b) The 10 licenses that may be held by the same license holder:

(1) may include:

(i) one or more Class H–BW licenses; and

(ii) one or more Class B–K licenses; and

(2) may not include more than **[**one**]** **TWO** Class BD–BWL **[**license**]** **LICENSES**.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 838

(Senate Bill 888)

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – License and Permit Distance Requirements

FOR the purpose of authorizing, rather than prohibiting, the Board of Liquor Commissioners for Anne Arundel County to issue a certain dancing permit to the holder of a Class H beer and wine (on–sale) license or Class H beer, wine, and liquor (on–sale) license for a licensed premises located within a certain distance of a certain school; and authorizing, rather than prohibiting, the Board from issuing a new Class B beer and wine (on–sale) license or Class B beer, wine, and liquor (on–sale) license if the establishment is located within a certain distance of a certain school; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 11–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 11–1102(d) and 11–1603
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

11–102.

This title applies only in Anne Arundel County.

11–1102.

(d) (1) There is a dancing permit.

(2) The Board may issue the permit to a holder of:

(i) a Class B license;

(ii) except as provided in paragraph (4) of this subsection, a Class BLX license;

(iii) a Class C license;

(iv) a Class D license; or

(v) except as provided in paragraph (4) of this subsection, a Class H license.

(3) The permit authorizes the holder to provide music, dancing, and other legal forms of entertainment.

(4) **(I)** The Board may not issue the permit to a holder of a Class BLX license or a Class H license if the premises for which the Class BLX license or Class H license is issued is within 1,000 feet in a straight line from entry to entry from a place of worship or school.

(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD MAY ISSUE THE PERMIT TO THE HOLDER OF A CLASS H LICENSE IF THE LICENSED PREMISES IS LOCATED WITHIN 1,000 FEET IN A STRAIGHT LINE FROM ENTRY TO ENTRY FROM A SCHOOL LOCATED AT THE ANNAPOLIS MALL.

(5) The annual permit fees are:

(i) $200 for a holder of a beer and wine license;

(ii) $400 for a holder of a beer, wine, and liquor license; and

(iii) no charge for a holder of a Class C license.

11–1603.

(a) Except as provided in subsection (b) of this section, the Board may not issue a new license for an establishment whose entry is within 1,000 feet in a straight line from the entry of a place of worship or school.

(b) The prohibition against issuing a license in subsection (a) of this section does not apply to:

(1) the transfer of a license from the current license holder to a new license holder, unless the transfer would allow the sale of alcoholic beverages by another establishment within the 1,000–foot restriction;

(2) a nonprofit club or nonprofit organization;

(3) a restaurant that held a license at the time the restaurant was destroyed by fire, flood, windstorm, or other act of God, if a new place of worship or school has not been constructed within the 1,000–foot restriction;

(4) the issuance of a Class H beer and wine (on–sale) license or beer, wine, and liquor (on–sale) license;

(5) the issuance of a motel–restaurant complex or hotel–restaurant complex beer, wine, and liquor (on–sale) license;

(6) the issuance of a Class BLX (deluxe restaurant) (on–sale) beer, wine, and liquor license; **[**or**]**

(7) the issuance of a gift basket permit**; OR**

(8) THE ISSUANCE OF A CLASS B BEER AND WINE (ON–SALE) LICENSE OR CLASS B BEER, WINE, AND LIQUOR (ON–SALE) LICENSE FOR AN ESTABLISHMENT LOCATED WITHIN 1,000 FEET OF A SCHOOL LOCATED AT THE ANNAPOLIS MALL.

(c) For an establishment that is within 1,000 feet of the grounds of a place of worship or school, the Board:

(1) may renew a license;

(2) may extend the area of the licensed premises; but

(3) may not change the operational classification of an existing license, unless the change is from a Class B, Class C, or Class D license to a Class H license.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 839

(House Bill 1259)

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – License and Permit Distance Requirements

FOR the purpose of authorizing, rather than prohibiting, the Board of Liquor Commissioners for Anne Arundel County to issue a certain dancing permit to the holder of a Class H beer and wine (on–sale) license or Class H beer, wine, and liquor (on–sale) license for a licensed premises located within a certain distance of a certain school; and authorizing, rather than prohibiting, the Board from issuing a new Class B beer and wine (on–sale) license or Class B beer, wine, and liquor (on–sale) license if the establishment is located within a certain distance of a certain school; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 11–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 11–1102(d) and 11–1603
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

11–102.

This title applies only in Anne Arundel County.

11–1102.

(d) (1) There is a dancing permit.

(2) The Board may issue the permit to a holder of:

(i) a Class B license;

(ii) except as provided in paragraph (4) of this subsection, a Class BLX license;

(iii) a Class C license;

(iv) a Class D license; or

(v) except as provided in paragraph (4) of this subsection, a Class H license.

(3) The permit authorizes the holder to provide music, dancing, and other legal forms of entertainment.

(4) **(I)** The Board may not issue the permit to a holder of a Class BLX license or a Class H license if the premises for which the Class BLX license or Class H license is issued is within 1,000 feet in a straight line from entry to entry from a place of worship or school.

(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD MAY ISSUE THE PERMIT TO THE HOLDER OF A CLASS H LICENSE IF THE LICENSED PREMISES IS LOCATED WITHIN 1,000 FEET IN A STRAIGHT LINE FROM ENTRY TO ENTRY FROM A SCHOOL LOCATED AT THE ANNAPOLIS MALL.

(5) The annual permit fees are:

(i) $200 for a holder of a beer and wine license;

(ii) $400 for a holder of a beer, wine, and liquor license; and

(iii) no charge for a holder of a Class C license.

11–1603.

(a) Except as provided in subsection (b) of this section, the Board may not issue a new license for an establishment whose entry is within 1,000 feet in a straight line from the entry of a place of worship or school.

(b) The prohibition against issuing a license in subsection (a) of this section does not apply to:

(1) the transfer of a license from the current license holder to a new license holder, unless the transfer would allow the sale of alcoholic beverages by another establishment within the 1,000–foot restriction;

(2) a nonprofit club or nonprofit organization;

(3) a restaurant that held a license at the time the restaurant was destroyed by fire, flood, windstorm, or other act of God, if a new place of worship or school has not been constructed within the 1,000–foot restriction;

(4) the issuance of a Class H beer and wine (on–sale) license or beer, wine, and liquor (on–sale) license;

(5) the issuance of a motel–restaurant complex or hotel–restaurant complex beer, wine, and liquor (on–sale) license;

(6) the issuance of a Class BLX (deluxe restaurant) (on–sale) beer, wine, and liquor license; **[**or**]**

(7) the issuance of a gift basket permit**; OR**

(8) THE ISSUANCE OF A CLASS B BEER AND WINE (ON–SALE) LICENSE OR CLASS B BEER, WINE, AND LIQUOR (ON–SALE) LICENSE FOR AN ESTABLISHMENT LOCATED WITHIN 1,000 FEET OF A SCHOOL LOCATED AT THE ANNAPOLIS MALL.

(c) For an establishment that is within 1,000 feet of the grounds of a place of worship or school, the Board:

(1) may renew a license;

(2) may extend the area of the licensed premises; but

(3) may not change the operational classification of an existing license, unless the change is from a Class B, Class C, or Class D license to a Class H license.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 840

(House Bill 574)

AN ACT concerning

St. Mary's County – Alcoholic Beverages Licenses – Multiple Licensing Plans

FOR the purpose of authorizing the Board of License Commissioners for St. Mary's County to issue not more than a certain number of Class B beer, wine, and liquor restaurant licenses to a person under certain circumstances; prohibiting a person from having a direct or indirect interest in more than a certain number of Class B beer, wine, and liquor restaurant licenses; and generally relating to alcoholic beverages licenses in St. Mary's County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 28–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY adding to
Article – Alcoholic Beverages and Cannabis
Section 28–1606
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

28–102.

This title applies only in St. Mary's County.

28–1606.

(A) (1) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, THE BOARD MAY ISSUE TO AN INDIVIDUAL OR FOR THE USE OF A PERSON NOT MORE THAN THREE CLASS B BEER, WINE, AND LIQUOR RESTAURANT LICENSES.

(2) THE LICENSES SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION ARE FOR SEPARATE PREMISES.

(3) ONLY ONE OF THE LICENSES SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION MAY AUTHORIZE THE SALE OF ALCOHOL FOR OFF–PREMISES CONSUMPTION.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A PERSON MAY NOT HAVE A DIRECT OR INDIRECT INTEREST IN MORE THAN THREE CLASS B BEER, WINE, AND LIQUOR RESTAURANT LICENSES.

(2) A PERSON MAY NOT HAVE A DIRECT OR INDIRECT INTEREST IN MORE THAN ONE CLASS B BEER, WINE, AND LIQUOR RESTAURANT LICENSE ~~IF THE LICENSE~~ THAT AUTHORIZES THE SALE OF ALCOHOL FOR OFF–PREMISES CONSUMPTION.

(C) AN INDIRECT INTEREST IS PRESUMED TO EXIST BETWEEN ANY COMBINATION OF PERSONS IF ANY OF THE FOLLOWING CONDITIONS EXIST BETWEEN THEM:

(1) A COMMON PARENT COMPANY;

(2) A FRANCHISE AGREEMENT;

(3) A LICENSING AGREEMENT;

(4) A CONCESSION AGREEMENT;

(5) DUAL MEMBERSHIP IN A CHAIN OF BUSINESSES COMMONLY OWNED AND OPERATED;

(6) (I) A SHARING OF DIRECTORS, STOCKHOLDERS, PARTNERS, OR MEMBERS; OR

(II) A SHARING OF DIRECTORS, STOCKHOLDERS, PARTNERS, OR MEMBERS OF PARENTS OR SUBSIDIARIES;

(7) COMMON DIRECT OR INDIRECT SHARING OF PROFIT FROM THE SALE OF ALCOHOLIC BEVERAGES; OR

(8) A SHARING OF A COMMON TRADE NAME, TRADEMARK, LOGO, OR THEME OR MODE OF OPERATION IDENTIFIABLE BY THE PUBLIC.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 841

(House Bill 1145)

AN ACT concerning

Baltimore County – Alcoholic Beverages – Waiting Period After License Denial

FOR the purpose of establishing in Baltimore County certain waiting periods for the application for or issuance of an alcoholic beverages license if an application for a license at that location has previously been denied; and generally relating to alcoholic beverages in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 4–214 and 13–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 13–1501(b)
Annotated Code of Maryland
(2024 Replacement Volume)

BY adding to
Article – Alcoholic Beverages and Cannabis
Section 13–1506
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

4–214.

(a) Except as provided in subsection (b) of this section:

(1) if a license is denied, another license application may not be considered from the same applicant or for the same location for 6 months after the denial; and

(2) if a subsequent application by the same applicant or for the same location is denied within a 2–year period immediately after the first denial, another application may not be considered from that applicant or for that location until the 2–year period expires.

(b) This section does not apply to:

(1) an applicant, if the license was denied because it was not necessary to accommodate the public or the location was not suitable for the sale of alcoholic beverages; or

(2) the location, if the license was denied because the local licensing board determined that the applicant was not a proper person to be issued the license.

13–102.

This title applies only in Baltimore County.

13–1501.

(b) The following sections of Title 4, Subtitle 2 ("Issuance or Denial of Local Licenses") of Division I of this article apply in the county:

(1) § 4–202 ("Authority of local licensing boards"), subject to § 13–1502 of this subtitle;

(2) § 4–203 ("Prohibition against issuing multiple licenses to individual or for use of entity"), subject to § 13–1503 of this subtitle and Subtitle 13, Part III of this title;

(3) § 4–204 ("Prohibition against issuing multiple licenses for same premises"), subject to Subtitle 13, Part III and Subtitle 16, Part II of this title;

(4) § 4–208 ("Notice of license application required"), subject to § 13–1504 of this subtitle; and

(5) § 4–214 ("Waiting periods after denial of license applications"), subject to **[**§ 13–1505**] §§ 13–1505 AND 13–1506** of this subtitle.

13–1506.

(A) IF A LICENSE APPLICATION IS DENIED, ANOTHER LICENSE APPLICATION FOR THE SAME LOCATION MAY NOT BE MADE FOR 1 YEAR AFTER THE DENIAL.

(B) IF A LICENSE APPLICATION FOR A LOCATION IS DENIED TWICE, A LICENSE MAY NOT BE ISSUED FOR THE SAME LOCATION FOR 2 YEARS AFTER THE SECOND DENIAL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 842

(House Bill 1281)

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Limited ~~Cultural~~ Special Event Permit

FOR the purpose of authorizing the Board of License Commissioners for Anne Arundel County to issue a limited ~~cultural~~ special event permit to holders of certain alcoholic beverages licenses; authorizing a permit holder to provide ~~cultural~~ music, ~~cultural~~ dancing, and other legal forms of ~~cultural~~ entertainment ~~on a specific date stated in the permit application~~; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 11–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 11–1102
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

11–102.

This title applies only in Anne Arundel County.

11–1102.

(a) (1) On the premises, or on adjacent property over which a license holder has ownership or control, a license holder:

(i) may allow piped–in background music or one television screen; but

(ii) unless issued a permit described in this section that authorizes the activity, may not allow:

1. the playing of music, including live music;

2. the operation of a karaoke machine;

3. the playing of music by a disc jockey; or

4. dancing, floor shows, or any other similar type of entertainment.

(2) The Board may issue a permit described in this section only if the Board finds that:

(i) the applicant can control the individuals using the licensed premises;

(ii) the operation of the premises under the permit will not unduly disturb the peace of the residents of the neighborhood in which the place of business is located; and

(iii) the issuing of the permit:

1. is necessary to accommodate the public;

2. will not be detrimental to the public welfare; and

3. will not violate a county fire, health, or building regulation.

(b) (1) There is a music permit.

(2) The Board may issue the permit to a holder of a Class B license, a Class BLX license, a Class D license, or a Class H license.

(3) The permit authorizes the playing of recorded music or live music with not more than two musicians.

(4) The permit holder may not allow dancing, floor shows, or similar live entertainment.

(5) The annual permit fee is $100.

(c) (1) There is an entertainment permit.

(2) The Board may issue the permit to a holder of a Class B license, a Class BLX license, a Class D license, or a Class H license.

(3) The permit authorizes:

(i) live music with not more than four musicians; and

(ii) the playing of:

1. more than one television;

2. a karaoke machine; and

3. music by a disc jockey.

(4) The permit holder may not allow dancing, floor shows, or similar live entertainment.

(5) The annual permit fees are:

(i) $200 for a holder of a beer and wine license; and

(ii) $300 for a holder of a beer, wine, and liquor license.

(d) (1) There is a dancing permit.

(2) The Board may issue the permit to a holder of:

(i) a Class B license;

(ii) except as provided in paragraph (4) of this subsection, a Class BLX license;

(iii) a Class C license;

(iv) a Class D license; or

(v) except as provided in paragraph (4) of this subsection, a Class H license.

(3) The permit authorizes the holder to provide music, dancing, and other legal forms of entertainment.

(4) The Board may not issue the permit to a holder of a Class BLX license or a Class H license if the premises for which the Class BLX license or Class H license is issued is within 1,000 feet in a straight line from entry to entry from a place of worship or school.

(5) The annual permit fees are:

(i) $200 for a holder of a beer and wine license;

(ii) $400 for a holder of a beer, wine, and liquor license; and

(iii) no charge for a holder of a Class C license.

(E) (1) THERE IS A LIMITED ~~CULTURAL~~ SPECIAL EVENT PERMIT.

(2) THE BOARD, IN ITS SOLE DISCRETION, MAY ISSUE THE PERMIT TO A HOLDER OF:

(I) A CLASS B LICENSE;

(II) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, A CLASS BLX LICENSE;

(III) A CLASS C LICENSE;

(IV) A CLASS D LICENSE; OR

(V) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, A CLASS H LICENSE.

(3) THE PERMIT AUTHORIZES THE HOLDER TO PROVIDE ~~CULTURAL~~ MUSIC, ~~CULTURAL~~ DANCING, AND OTHER LEGAL FORMS OF ~~CULTURAL~~ ENTERTAINMENT ~~FOR 1 DAY ON A SPECIFIC DATE STATED IN THE PERMIT APPLICATION~~.

(4) THE BOARD MAY NOT ISSUE THE PERMIT TO A HOLDER OF A CLASS BLX LICENSE OR A CLASS H LICENSE IF THE PREMISES FOR WHICH THE CLASS BLX LICENSE OR CLASS H LICENSE IS ISSUED IS WITHIN 1,000 FEET IN A STRAIGHT LINE FROM ENTRY TO ENTRY FROM A PLACE OF WORSHIP OR SCHOOL.

(5) BEFORE ISSUING A PERMIT, THE BOARD MAY REQUIRE A LICENSE HOLDER TO PROVIDE INFORMATION ON THE PLANNED ~~CULTURAL~~ EVENT FOR WHICH THE PERMIT IS REQUESTED~~, INCLUDING:~~

~~(I) THE DATE OF THE EVENT; AND~~

~~(II) THE TYPE OF CULTURAL ENTERTAINMENT PLANNED.~~

~~(6) THE PERMIT FEES FOR EACH CULTURAL EVENT ARE:~~

~~(I) $15 PER DAY FOR A HOLDER OF A BEER AND WINE LICENSE;~~

~~(II) $25 PER DAY FOR A HOLDER OF A BEER, WINE, AND LIQUOR LICENSE; AND~~

~~(III) NO CHARGE FOR A HOLDER OF A CLASS C LICENSE~~**.**

[(e)**] (F)** (1) There is an outdoor permit.

(2) The Board may issue the permit to a holder of a Class B license, a Class BLX license, a Class C license, a Class D license, or a Class H license.

(3) The permit authorizes the holder to provide outdoor table service to customers on the grounds of the licensed establishment.

(4) The annual permit fee is $100.

(5) Before the permit may be renewed, a holder shall obtain approval from the Board.

[(f)**] (G)** (1) There is an outdoor entertainment permit.

(2) The Board may issue the permit to a holder of a Class B license, a Class BLX license, a Class C license, a Class D license, or a Class H license who also holds a music permit, an entertainment permit, or a dancing permit under this section.

(3) The permit authorizes the holder to provide:

(i) the same form of entertainment outdoors that the holder is allowed to provide indoors under the holder's music permit, entertainment permit, or dancing permit; and

(ii) outdoor table service or cafe service.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 843

(House Bill 1108)

AN ACT concerning

Allegany County – Alcoholic Beverages – Minimum Age for Employment of Underage Individuals

FOR the purpose of altering the minimum age for employment in Allegany County for alcoholic beverages license holders that do not derive a certain percentage of revenues from the sale of food; and generally relating to alcoholic beverages in Allegany County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 9–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 9–1902
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

9–102.

This title applies only in Allegany County.

9–1902.

(a) **(1) [**A**]** **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A** license holder may employ an individual between the ages of **[**16**]** **18** and 21 years.

(2) A LICENSE HOLDER THAT DERIVES MORE THAN HALF OF ITS REVENUES FROM THE SALE OF FOOD MAY EMPLOY AN INDIVIDUAL BETWEEN THE AGES OF 16 AND 21 YEARS.

(b) To be allowed to sell or serve beer, light wine, and liquor, an individual shall be at least 18 years old.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 20, 2025.

Chapter 844

(House Bill 49)

AN ACT concerning

Environment – Building Energy Performance Standards – ~~Compliance and Reporting~~ Alterations *and Analysis*

FOR the purpose of ~~altering an alternative compliance fee paid by certain owners of covered buildings under certain circumstances to include the energy use attributable to the building's failure to meet certain energy targets; requiring certain regulations to include a certain annual reporting fee to cover certain costs; requiring the Department of the Environment to deposit alternative compliance fees into the Maryland Strategic Energy Investment Fund; and generally relating to compliance and reporting for Building Energy Performance Standards~~ altering the requirements for certain regulations adopted by the Department of the Environment relating to building energy performance standards to include certain ~~crediting,~~ exclusions, ~~and~~ considerations, ~~a certain alternative compliance pathway fee for energy use attributable to a building's failure to meet energy use intensity targets, certain waivers from certain alternative compliance pathway fees, and a certain annual reporting fee to cover certain costs; requiring the Department to offer certain training to help certain energy auditors understand the requirements under the building energy performance standards and publish a list of energy auditors that have completed the training~~ *and a certain annual reporting fee to cover certain costs*; ~~authorizing~~ *requiring* the Department to certify a *certain* building energy performance standards program adopted by a county under certain circumstances; requiring the Department to ~~deposit alternative compliance pathway payments into the Maryland Strategic Energy Investment Fund~~ *conduct a certain analysis*; and generally relating to building energy performance standards.

BY repealing and reacting, with amendments,
Article – Environment
Section 2–1601 and 2–1602(c)
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

~~BY adding to~~
~~Article – Environment~~
~~Section 2–1602(f)~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2024 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–1602(c)

Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)
(As enacted by Chapter 38 of the Acts of the General Assembly of 2022)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 3–201(a) and (d)
Annotated Code of Maryland
(2024 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 2–1202(a) and (h)
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 1–101(a) and (h–1)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article – State Government~~
~~Section 9–20B–05(a) and (b)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – State Government~~
~~Section 9–20B–05(e)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – State Government~~
~~Section 9–20B–05(g–2)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

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

Article – Environment

2–1602.

(c) (1) On or before June 1, 2023, the Department shall adopt regulations to implement this section.

(2) Regulations adopted under this section shall:

(i) Subject to items (ii) ~~and (iii)~~**, (III), (IV), AND (V)** of this paragraph, include energy use intensity targets by building type;

(ii) As necessary, include special provisions or exceptions to account for:

1. Building age;

2. Regional differences;

3. The unique needs of particular building or occupancy types, including health care facilities, laboratories, assisted living and nursing facilities, military buildings, critical infrastructure, and buildings used in life sciences ***AS DEFINED IN § 3–201 OF THE ECONOMIC DEVELOPMENT ARTICLE*** ~~as defined in § 3–201 of the Economic Development Article~~; ~~and~~

4. The use of district energy systems and biofuels by covered buildings;

5. CREDITING THE GENERATION OF ON–SITE RENEWABLE ENERGY BY COVERED BUILDINGS TOWARD THEIR ENERGY USE INTENSITY TARGETS;

6. CREDITING THE GREENHOUSE GAS REDUCTION IMPACT OF THE ON–SITE USE OF BIOMETHANE;

7. EXCLUDING THE ENERGY USE AND GREENHOUSE GAS EMISSIONS RELATED TO THE PRODUCTION OF STEAM FOR STERILIZATION IN A HEALTH CARE FACILITY, LABORATORY, ASSISTED LIVING AND NURSING FACILITY, MILITARY BUILDING, OR BUILDING USED IN LIFE SCIENCES; ***AND***

8. EXCLUDING THE ENERGY USE AND GREENHOUSE GAS EMISSIONS RELATED TO THE GENERATION OF EMERGENCY BACKUP POWER AT A HEALTH CARE FACILITY, LABORATORY, ASSISTED LIVING AND NURSING FACILITY, MILITARY BUILDING, CRITICAL INFRASTRUCTURE, ~~***EXCEPT FOR ANY CRITICAL INFRASTRUCTURE IDENTIFIED UNDER § 1–101(H–1)(2)(II) OF THE PUBLIC UTILITIES ARTICLE,***~~ **OR BUILDING USED IN LIFE SCIENCES;** ~~**AND**~~

~~**9. OPERATIONAL NEEDS, INCLUDING SCALING FACTORS TO ADJUST FOR DIFFERENT OPERATING HOURS;**~~

(iii) Consider the needs of the owners of covered buildings who:

1. Are not responsible for the design, modification, fixtures, or equipment of commercial tenants;

2. Do not have access to or control over building energy systems that are used or controlled by commercial tenants; or

3. Own buildings occupied by commercial tenants who are responsible for all maintenance of and repairs to the buildings;

(iv) **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EXEMPT FROM ENERGY USE INTENSITY TARGETS A COVERED BUILDING THAT CONTAINS AN AREA DESIGNED, BUILT, AND OPERATED AS A PERMANENT SENSITIVE COMPARTMENTED INFORMATION FACILITY AND IS OPERATED BY AN AGENCY OR CONTRACTOR OF:**

1. THE U.S. GENERAL SERVICES ADMINISTRATION;

2. A. THE U.S. DEPARTMENT OF DEFENSE;

B. THE NATIONAL SECURITY AGENCY;

C. THE U.S. DEPARTMENT OF HOMELAND SECURITY; OR

D. ANY OTHER U.S. INTELLIGENCE AGENCY; OR

3. THE STATE;

(V) EXEMPT AN OWNER OF A COVERED BUILDING FROM ENERGY USE INTENSITY REPORTING REQUIREMENTS IF:

1. THE COVERED BUILDING MEETS THE CRITERIA UNDER ITEM (IV) OF THIS PARAGRAPH; AND

2. ~~THE~~ *IN CIRCUMSTANCES WHERE TENANT AUTHORIZATION IS REQUIRED, THE* TENANT OR OCCUPANT DOES NOT PROVIDE ENERGY USE INFORMATION TO THE OWNER OF THE COVERED BUILDING DUE TO CONCERNS ABOUT THE CONFIDENTIALITY OF THE BUILDING'S SECURE AREA;

(VI) Provide maximum flexibility to the owners of covered buildings to comply with building energy performance standards;

~~(v)~~ **(VII)** Subject to paragraph ~~(3)~~ ***(4)*** ***(3)*** of this subsection ~~AND SUBSECTION (F) OF THIS SECTION~~, include an alternative compliance pathway allowing the owner of a covered building to pay a fee for ~~[~~greenhouse~~]~~:

~~1.~~ ~~GREENHOUSE~~ gas emissions attributable to the building's failure to meet direct greenhouse gas emissions reduction targets; ~~and~~

~~2. ENERGY USE ATTRIBUTABLE TO THE BUILDING'S FAILURE TO MEET ENERGY USE INTENSITY TARGETS;~~

~~(VIII)~~ ~~SUBJECT TO PARAGRAPH (4)(II) OF THIS SUBSECTION AND SUBSECTION (F) OF THIS SECTION, INCLUDE AN ALTERNATIVE COMPLIANCE PATHWAY ALLOWING THE OWNER OF A COVERED BUILDING TO PAY A FEE OF 5 CENTS PER THOUSAND BRITISH THERMAL UNITS OF ENERGY, ADJUSTED FOR INFLATION USING 2020 AS THE BASELINE YEAR FOR CALCULATING THE ADJUSTMENT, FOR ENERGY USE ATTRIBUTABLE TO THE BUILDING'S FAILURE TO MEET ENERGY USE INTENSITY TARGETS;~~

~~(IX)~~ ~~ALLOW THE OWNER OF A COVERED BUILDING TO REQUEST A ONE–TIME WAIVER, FOR THE ENTIRE BUILDING, FROM PAYING AN ALTERNATIVE COMPLIANCE PATHWAY FEE UNDER ITEMS (VII) AND (VIII) OF THIS PARAGRAPH THROUGH NOT LATER THAN 2039 FOR ENERGY OR EMISSIONS ATTRIBUTABLE TO CONTINUED OPERATION OF EQUIPMENT INSTALLED BEFORE 2025 FOR THE EXPECTED AVERAGE REMAINING LIFESPAN OF THAT EQUIPMENT, AS IDENTIFIED BY A PUBLICLY AVAILABLE DATABASE SELECTED BY THE DEPARTMENT, BY:~~

~~1. SUBMITTING TO THE DEPARTMENT, AT LEAST 1 YEAR BEFORE THE REQUESTED WAIVER WOULD TAKE EFFECT:~~

~~A. AN INVENTORY OF DESCRIPTIONS, SERIAL NUMBERS, AND INSTALLATION DATES OF THE EQUIPMENT THAT PROVIDES THE BASIS OF THE WAIVER APPLICATIONS; AND~~

~~B. A PLAN PREPARED BY AN ENERGY AUDITOR THAT COMPLETED THE TRAINING REQUIRED UNDER PARAGRAPH (7) OF THIS SUBSECTION DETAILING THE DATES THAT SPECIFIC PROJECTS WILL BE COMPLETED AND THE ENERGY USE INTENSITY AND GREENHOUSE GAS EMISSIONS SAVINGS THAT WILL RESULT FROM THE PROJECTS;~~

~~2. DEMONSTRATING IN THE PLAN PREPARED UNDER ITEM 1B OF THIS ITEM HOW THE BUILDING WILL COME INTO COMPLIANCE WITH THE FINAL TARGETS BEFORE 2040 WITH MINIMAL RELIANCE ON ALTERNATIVE COMPLIANCE PATHWAY PAYMENTS;~~

~~3. CERTIFYING THAT THE PROJECTS WILL BE COMPLETED BY THE DATES DETAILED UNDER ITEM 1B OF THIS ITEM, OR THAT THE EXEMPTED ALTERNATIVE COMPLIANCE PATHWAY FEES WILL BE PAID IF THE PROJECTS ARE NOT COMPLETED BY THOSE DATES; AND~~

~~4. PAYING A FEE TO COVER THE COST FOR THE DEPARTMENT OR ITS CONTRACTOR TO REVIEW THE PLAN;~~

~~(X) SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, ALLOW THE OWNER OF A COVERED BUILDING TO REQUEST A WAIVER FROM PAYING ALTERNATIVE COMPLIANCE PATHWAY FEES FOR ENERGY USE OR GREENHOUSE GAS EMISSIONS ASSOCIATED WITH ENERGY OR EMISSIONS REDUCTION MEASURES THAT THE DEPARTMENT DETERMINES TO BE IMPRACTICABLE OR ECONOMICALLY INFEASIBLE BY:~~

~~1. SUBMITTING TO THE DEPARTMENT, AT LEAST 1 YEAR BEFORE THE REQUESTED WAIVER WOULD TAKE EFFECT, AN ENGINEERING STUDY PREPARED BY AN ENERGY AUDITOR THAT COMPLETED THE TRAINING REQUIRED UNDER PARAGRAPH (7) OF THIS SUBSECTION DETAILING THE PRACTICABILITY OR IMPRACTICABILITY OR ECONOMIC FEASIBILITY OR INFEASIBILITY OF ENERGY OR EMISSIONS REDUCTION MEASURES THAT WOULD BE NEEDED TO ACHIEVE THE ENERGY USE INTENSITY AND DIRECT GREENHOUSE GAS EMISSIONS REDUCTION TARGETS;~~

~~2. DETAILING THE ENERGY USE INTENSITY OR DIRECT GREENHOUSE GAS EMISSIONS ABOVE TARGET LEVELS THAT WOULD OCCUR IF THE OWNER OF THE COVERED BUILDING DOES NOT IMPLEMENT THE IMPRACTICABLE OR ECONOMICALLY INFEASIBLE MEASURES; AND~~

~~3. PAYING A FEE TO COVER THE COST FOR THE DEPARTMENT OR ITS CONTRACTOR TO REVIEW THE STUDY;~~

~~(VI)~~ ~~(XI)~~ *(VIII)* To the extent authorized by law, include financial incentives recommended by the Building Energy Transition Implementation Task Force**; AND**

~~(VII)~~ ~~(XII)~~ *(IX)* **INCLUDE AN ANNUAL REPORTING FEE OF $100 PER COVERED BUILDING, ADJUSTED FOR INFLATION, TO COVER THE ADMINISTRATIVE COSTS** ~~UNDER THIS SECTION~~ **OF THE PROGRAM**.

(3) ~~(I)~~ ~~AN OWNER OF A COVERED BUILDING THAT IS EXEMPT FROM ENERGY USE INTENSITY TARGETS UNDER PARAGRAPH (2)(IV) OF THIS SUBSECTION SHALL PROVIDE AN AFFIDAVIT SIGNED BY AN OFFICER OR PRINCIPAL~~

~~CONTROLLING MEMBER, SHAREHOLDER, OR PARTNER OF THE OWNER OF THE COVERED BUILDING THAT PROVIDES:~~

~~1. THE ADDRESS OF EACH BUILDING FOR WHICH THE EXEMPTION APPLIES; AND~~

~~2. A STATEMENT CONFIRMING THAT AS OF THE DATE OF THE AFFIDAVIT THE BUILDING MEETS THE STANDARDS SET FORTH IN PARAGRAPH (2)(IV) OF THIS SUBSECTION.~~

~~(II) INFORMATION SUBMITTED TO THE DEPARTMENT UNDER PARAGRAPH (2)(IV) OF THIS SUBSECTION AND THIS PARAGRAPH IS EXEMPT FROM DISCLOSURE IN ACCORDANCE WITH § 4–301(A)(2) OF THE GENERAL PROVISIONS ARTICLE.~~

~~(4) (I)~~ The Department may not set an alternative compliance fee that is less than the social cost of greenhouse gases adopted by the Department or the U.S. Environmental Protection Agency ~~THAT IS IN THE AMOUNT OF $190 PER METRIC TON OF EXCESS CARBON DIOXIDE EQUIVALENT, ADJUSTED FOR INFLATION USING 2020 AS THE BASELINE YEAR FOR CALCULATING THE ADJUSTMENT~~.

~~(II) IF A COVERED BUILDING EXERCISES THE ALTERNATIVE COMPLIANCE FEE OPTION FOR BOTH DIRECT GREENHOUSE GAS EMISSIONS TARGETS AND ENERGY USE INTENSITY TARGETS, THE DEPARTMENT SHALL COLLECT ONLY THE HIGHER OF THE TWO FEES.~~

~~(5) (I) A WAIVER GRANTED UNDER PARAGRAPH (2)(X) OF THIS SUBSECTION:~~

~~1. SHALL REMAIN IN EFFECT FOR A PERIOD OF 5 YEARS; AND~~

~~2. MAY BE RENEWED.~~

~~(II) IN MAKING A DETERMINATION ON A WAIVER REQUEST SUBMITTED UNDER PARAGRAPH (2)(X) OF THIS SUBSECTION, THE DEPARTMENT SHALL:~~

~~1. IF A COVERED BUILDING EXERCISES THE ALTERNATIVE COMPLIANCE FEE OPTION FOR BOTH DIRECT GREENHOUSE GAS EMISSIONS TARGETS AND ENERGY USE INTENSITY TARGETS, CONSIDER ONLY THE HIGHER OF THE TWO FEES WHEN CALCULATING AVOIDED COMPLIANCE PATHWAY PAYMENTS; AND~~

~~2. CONSIDER THE AVAILABILITY OF CAPITAL.~~

~~(4)~~ ~~(6)~~ ~~THE DEPARTMENT SHALL DEPOSIT AN ALTERNATIVE COMPLIANCE FEE COLLECTED UNDER THIS SUBSECTION INTO THE MARYLAND STRATEGIC ENERGY INVESTMENT FUND UNDER § 9–20B–05 OF THE STATE GOVERNMENT ARTICLE.~~

~~(7)~~ ~~(I)~~ ~~THE DEPARTMENT SHALL:~~

~~1. OFFER TRAINING TO HELP ENERGY AUDITORS THAT POSSESS, IN GOOD STANDING, A PROFESSIONAL LICENSE OR CREDENTIAL RECOGNIZED BY THE DEPARTMENT UNDERSTAND THE REGULATIONS ADOPTED UNDER THIS SECTION, INCLUDING REQUIREMENTS FOR ALTERNATIVE COMPLIANCE PLANS AND ENGINEERING STUDIES;~~

~~2. PUBLISH A LIST OF ENERGY AUDITORS THAT HAVE COMPLETED THE TRAINING OFFERED UNDER ITEM 1 OF THIS SUBPARAGRAPH; AND~~

~~3. INCLUDE A FEE TO COVER THE COST FOR THE DEPARTMENT OR ITS CONTRACTOR TO PROVIDE THE TRAINING.~~

~~(II) AN OWNER OF A COVERED BUILDING SHALL CONTRACT WITH AN ENERGY AUDITOR THAT COMPLETED THE TRAINING REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO SUBMIT AN ENGINEERING PLAN OR STUDY SEEKING A WAIVER UNDER PARAGRAPH (2)(IX) AND (X) OF THIS SUBSECTION.~~

~~(8)~~ *(4)* (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT ~~MAY~~ *SHALL* CERTIFY A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM ADOPTED BY A COUNTY *ADMINISTERING A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM ON OR BEFORE MARCH 1, 2025,* AND WAIVE THE REQUIREMENT FOR ~~A~~ COVERED ~~BUILDING~~ *BUILDINGS IN THE COUNTY* TO COMPLY WITH THE STATEWIDE PROGRAM ADOPTED UNDER THIS SECTION ~~WHEN:~~

~~1. THE DEPARTMENT DETERMINES, BASED ON A DEMONSTRATION PROVIDED BY THE COUNTY, THAT THE COUNTY HAS ADOPTED A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM THAT IS AT LEAST AS STRINGENT AS THE STATEWIDE PROGRAM ADOPTED UNDER THIS SECTION; AND~~

~~2. THE COUNTY ANNUALLY SUBMITS TO THE DEPARTMENT A COMPLETE LIST OF COVERED BUILDINGS, INCLUDING THEIR ENERGY USE INTENSITY, DIRECT GREENHOUSE GAS EMISSIONS, AND COMPLIANCE STATUS WITH THE COUNTY PROGRAM.~~

(II) A COUNTY ADMINISTERING A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM CERTIFIED BY THE DEPARTMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY TAKE APPROPRIATE ACTIONS TO ENFORCE THE STANDARDS, INCLUDING:

1. ESTABLISHING ALTERNATIVE COMPLIANCE PATHWAYS FOR COMPLYING WITH ENERGY USE INTENSITY AND DIRECT GREENHOUSE GAS EMISSIONS REQUIREMENTS ESTABLISHED IN THE STANDARDS;

2. IMPOSING AND COLLECTING ALTERNATIVE COMPLIANCE FEES ~~IN~~ *UP TO* THE SAME AMOUNT AND *IN THE SAME* MANNER ALLOWED BY THE DEPARTMENT UNDER THIS SECTION; AND

3. IMPOSING AND COLLECTING PENALTIES ~~IN~~ *UP TO* THE SAME AMOUNT AND *IN THE SAME* MANNER ALLOWED BY THE DEPARTMENT UNDER § 2–610 OF THIS TITLE.

~~(9)~~ *(5)* NOTHING IN THIS SECTION SHALL PRECLUDE A COUNTY *ADMINISTERING A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM CERTIFIED BY THE DEPARTMENT UNDER PARAGRAPH (4)(I) OF THIS SUBSECTION* FROM ~~ADOPTING~~*:*

(I) ADOPTING* BUILDING ENERGY PERFORMANCE STANDARDS FOR BUILDINGS THAT ARE NOT COVERED BUILDINGS UNDER THE STATEWIDE PROGRAM ADOPTED UNDER THIS SECTION*; OR

(II) MODIFYING AN ADOPTED BUILDING PERFORMANCE STANDARDS PROGRAM.

~~(10) THE DEPARTMENT SHALL MAKE THE NECESSARY APPLICATION AND FORMS FOR A WAIVER UNDER THIS SECTION AVAILABLE ON THE DEPARTMENT'S WEBSITE.~~

~~(F) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT MAY NOT:~~

~~(I) IMPOSE AND COLLECT ALTERNATIVE COMPLIANCE FEES UNDER THIS SECTION UNTIL 2032; OR~~

~~(II) IMPOSE AND COLLECT PENALTIES FOR FAILURE TO ACHIEVE BUILDING ENERGY PERFORMANCE STANDARDS UNDER THIS SECTION UNTIL 2032.~~

~~(2) THE PROHIBITION UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION DOES NOT APPLY TO THE IMPOSITION AND COLLECTION OF PENALTIES FOR FAILURE TO MEET ANY REPORTING REQUIREMENTS UNDER THIS SECTION.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

2–1602.

(c) (1) On or before June 1, 2023, the Department shall adopt regulations to implement this section.

(2) Regulations adopted under this section shall:

(i) Subject to items (ii) ~~AND (III)~~**, (III), (IV), AND (V)** of this paragraph, include energy use intensity targets by building type;

(ii) As necessary, include special provisions or exceptions to account for:

1. Building age;

2. Regional differences;

3. The unique needs of particular building or occupancy types, including health care facilities, laboratories, assisted living and nursing facilities, military buildings, critical infrastructure, and buildings used in life sciences ***AS DEFINED IN § 3–201 OF THE ECONOMIC DEVELOPMENT ARTICLE*** ~~as defined in § 3–201 of the Economic Development Article~~; ~~and~~

4. The use of district energy systems and biofuels by covered buildings;

5. CREDITING THE GENERATION OF ON–SITE RENEWABLE ENERGY BY COVERED BUILDINGS TOWARD THEIR ENERGY USE INTENSITY TARGETS;

6. CREDITING THE GREENHOUSE GAS REDUCTION IMPACT OF THE ON–SITE USE OF BIOMETHANE;

7. EXCLUDING THE ENERGY USE AND GREENHOUSE GAS EMISSIONS RELATED TO THE PRODUCTION OF STEAM FOR STERILIZATION IN A HEALTH CARE FACILITY, LABORATORY, ASSISTED LIVING AND NURSING FACILITY, MILITARY BUILDING, OR BUILDING USED IN LIFE SCIENCES; ***AND***

8. EXCLUDING THE ENERGY USE AND GREENHOUSE GAS EMISSIONS RELATED TO THE GENERATION OF EMERGENCY BACKUP POWER AT A HEALTH CARE FACILITY, LABORATORY, ASSISTED LIVING AND NURSING FACILITY, MILITARY BUILDING, CRITICAL INFRASTRUCTURE, *~~EXCEPT FOR ANY CRITICAL INFRASTRUCTURE IDENTIFIED UNDER § 1–101(H–1)(2)(II) OF THE PUBLIC UTILITIES ARTICLE,~~* OR BUILDING USED IN LIFE SCIENCES; ~~AND~~

~~**9. OPERATIONAL NEEDS, INCLUDING SCALING FACTORS TO ADJUST FOR DIFFERENT OPERATING HOURS;**~~

(iii) Consider the needs of the owners of covered buildings who:

1. Are not responsible for the design, modification, fixtures, or equipment of commercial tenants;

2. Do not have access to or control over building energy systems that are used or controlled by commercial tenants; or

3. Own buildings occupied by commercial tenants who are responsible for all maintenance of and repairs to the buildings;

(iv) **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EXEMPT FROM ENERGY USE INTENSITY TARGETS A COVERED BUILDING THAT CONTAINS AN AREA DESIGNED, BUILT, AND OPERATED AS A PERMANENT SENSITIVE COMPARTMENTED INFORMATION FACILITY AND IS OPERATED BY AN AGENCY OR CONTRACTOR OF:**

1. THE U.S. GENERAL SERVICES ADMINISTRATION;

2. A. THE U.S. DEPARTMENT OF DEFENSE;

B. THE NATIONAL SECURITY AGENCY;

C. THE U.S. DEPARTMENT OF HOMELAND SECURITY; OR

D. ANY OTHER U.S. INTELLIGENCE AGENCY; OR

3. THE STATE;

(V) EXEMPT AN OWNER OF A COVERED BUILDING FROM ENERGY USE INTENSITY REPORTING REQUIREMENTS IF:

1. THE COVERED BUILDING MEETS THE CRITERIA UNDER ITEM (IV) OF THIS PARAGRAPH; AND

2. ~~THE~~ *IN CIRCUMSTANCES WHERE TENANT AUTHORIZATION IS REQUIRED, THE* TENANT OR OCCUPANT DOES NOT PROVIDE ENERGY USE INFORMATION TO THE OWNER OF THE COVERED BUILDING DUE TO CONCERNS ABOUT THE CONFIDENTIALITY OF THE BUILDING'S SECURE AREA;

(VI) Provide maximum flexibility to the owners of covered buildings to comply with building energy performance standards;

~~(v)~~ **(VII)** Subject to paragraph ~~(3)~~ **~~(4)~~** ***(3)*** of this subsection ~~AND SUBSECTION (F) OF THIS SECTION~~, include an alternative compliance pathway allowing the owner of a covered building to pay a fee for ~~[~~greenhouse~~]:~~

~~1.~~ ~~GREENHOUSE~~ gas emissions attributable to the building's failure to meet direct greenhouse gas emissions reduction targets; ~~and~~

~~2. ENERGY USE ATTRIBUTABLE TO THE BUILDING'S FAILURE TO MEET ENERGY USE INTENSITY TARGETS;~~

~~(VIII) SUBJECT TO PARAGRAPH (4)(II) OF THIS SUBSECTION AND SUBSECTION (F) OF THIS SECTION, INCLUDE AN ALTERNATIVE COMPLIANCE PATHWAY ALLOWING THE OWNER OF A COVERED BUILDING TO PAY A FEE OF 5 CENTS PER THOUSAND BRITISH THERMAL UNITS OF ENERGY, ADJUSTED FOR INFLATION USING 2020 AS THE BASELINE YEAR FOR CALCULATING THE ADJUSTMENT, FOR ENERGY USE ATTRIBUTABLE TO THE BUILDING'S FAILURE TO MEET ENERGY USE INTENSITY TARGETS;~~

~~(IX) ALLOW THE OWNER OF A COVERED BUILDING TO REQUEST A ONE-TIME WAIVER, FOR THE ENTIRE BUILDING, FROM PAYING AN ALTERNATIVE COMPLIANCE PATHWAY FEE UNDER ITEMS (VII) AND (VIII) OF THIS PARAGRAPH THROUGH NOT LATER THAN 2039 FOR ENERGY OR EMISSIONS ATTRIBUTABLE TO CONTINUED OPERATION OF EQUIPMENT INSTALLED BEFORE 2025 FOR THE EXPECTED AVERAGE REMAINING LIFESPAN OF THAT EQUIPMENT, AS IDENTIFIED BY A PUBLICLY AVAILABLE DATABASE SELECTED BY THE DEPARTMENT, BY:~~

~~1. SUBMITTING TO THE DEPARTMENT, AT LEAST 1 YEAR BEFORE THE REQUESTED WAIVER WOULD TAKE EFFECT:~~

~~A. AN INVENTORY OF DESCRIPTIONS, SERIAL NUMBERS, AND INSTALLATION DATES OF THE EQUIPMENT THAT PROVIDES THE BASIS OF THE WAIVER APPLICATIONS; AND~~

~~B. A PLAN PREPARED BY AN ENERGY AUDITOR THAT COMPLETED THE TRAINING REQUIRED UNDER PARAGRAPH (7) OF THIS SUBSECTION DETAILING THE DATES THAT SPECIFIC PROJECTS WILL BE COMPLETED AND THE ENERGY USE INTENSITY AND GREENHOUSE GAS EMISSIONS SAVINGS THAT WILL RESULT FROM THE PROJECTS;~~

~~2. DEMONSTRATING IN THE PLAN PREPARED UNDER ITEM 1B OF THIS ITEM HOW THE BUILDING WILL COME INTO COMPLIANCE WITH THE FINAL TARGETS BEFORE 2040 WITH MINIMAL RELIANCE ON ALTERNATIVE COMPLIANCE PATHWAY PAYMENTS;~~

~~3. CERTIFYING THAT THE PROJECTS WILL BE COMPLETED BY THE DATES DETAILED UNDER ITEM 1B OF THIS ITEM, OR THAT THE EXEMPTED ALTERNATIVE COMPLIANCE PATHWAY FEES WILL BE PAID IF THE PROJECTS ARE NOT COMPLETED BY THOSE DATES; AND~~

~~4. PAYING A FEE TO COVER THE COST FOR THE DEPARTMENT OR ITS CONTRACTOR TO REVIEW THE PLAN;~~

~~(X) SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, ALLOW THE OWNER OF A COVERED BUILDING TO REQUEST A WAIVER FROM PAYING ALTERNATIVE COMPLIANCE PATHWAY FEES FOR ENERGY USE OR GREENHOUSE GAS EMISSIONS ASSOCIATED WITH ENERGY OR EMISSIONS REDUCTION MEASURES THAT THE DEPARTMENT DETERMINES TO BE IMPRACTICABLE OR ECONOMICALLY INFEASIBLE BY:~~

~~1. SUBMITTING TO THE DEPARTMENT, AT LEAST 1 YEAR BEFORE THE REQUESTED WAIVER WOULD TAKE EFFECT, AN ENGINEERING STUDY PREPARED BY AN ENERGY AUDITOR THAT COMPLETED THE TRAINING REQUIRED UNDER PARAGRAPH (7) OF THIS SUBSECTION DETAILING THE PRACTICABILITY OR IMPRACTICABILITY OR ECONOMIC FEASIBILITY OR INFEASIBILITY OF ENERGY OR EMISSIONS REDUCTION MEASURES THAT WOULD BE NEEDED TO ACHIEVE THE ENERGY USE INTENSITY AND DIRECT GREENHOUSE GAS EMISSIONS REDUCTION TARGETS;~~

~~2. DETAILING THE ENERGY USE INTENSITY OR DIRECT GREENHOUSE GAS EMISSIONS ABOVE TARGET LEVELS THAT WOULD OCCUR IF THE OWNER OF THE COVERED BUILDING DOES NOT IMPLEMENT THE IMPRACTICABLE OR ECONOMICALLY INFEASIBLE MEASURES; AND~~

~~3. PAYING A FEE TO COVER THE COST FOR THE DEPARTMENT OR ITS CONTRACTOR TO REVIEW THE STUDY;~~

~~(vi)~~ ~~(XI)~~ *(VIII)* To the extent authorized by law, include financial incentives recommended by the Building Energy Transition Implementation Task Force**; AND**

~~(VII)~~ ~~(XII)~~ *(IX)* **INCLUDE AN ANNUAL REPORTING FEE OF $100 PER COVERED BUILDING, ADJUSTED FOR INFLATION, TO COVER THE ADMINISTRATIVE COSTS ~~UNDER THIS SECTION~~ OF THE PROGRAM**.

(3) ~~(I) AN OWNER OF A COVERED BUILDING THAT IS EXEMPT FROM ENERGY USE INTENSITY TARGETS UNDER PARAGRAPH (2)(IV) OF THIS SUBSECTION SHALL PROVIDE AN AFFIDAVIT SIGNED BY AN OFFICER OR PRINCIPAL CONTROLLING MEMBER, SHAREHOLDER, OR PARTNER OF THE OWNER OF THE COVERED BUILDING THAT PROVIDES:~~

~~1. THE ADDRESS OF EACH BUILDING FOR WHICH THE EXEMPTION APPLIES; AND~~

~~2. A STATEMENT CONFIRMING THAT AS OF THE DATE OF THE AFFIDAVIT THE BUILDING MEETS THE STANDARDS SET FORTH IN PARAGRAPH (2)(IV) OF THIS SUBSECTION.~~

~~(II) INFORMATION SUBMITTED TO THE DEPARTMENT UNDER PARAGRAPH (2)(IV) OF THIS SUBSECTION AND THIS PARAGRAPH IS EXEMPT FROM DISCLOSURE IN ACCORDANCE WITH § 4–301(A)(2) OF THE GENERAL PROVISIONS ARTICLE.~~

~~(4)~~ ~~(II)~~ The Department may not set an alternative compliance fee that is less than the social cost of greenhouse gases adopted by the Department or the U.S. Environmental Protection Agency ~~THAT IS IN THE AMOUNT OF $190 PER METRIC TON OF EXCESS CARBON DIOXIDE EQUIVALENT, ADJUSTED FOR INFLATION USING 2020 AS THE BASELINE YEAR FOR CALCULATING THE ADJUSTMENT~~.

~~(II) IF A COVERED BUILDING EXERCISES THE ALTERNATIVE COMPLIANCE FEE OPTION FOR BOTH DIRECT GREENHOUSE GAS EMISSIONS TARGETS AND ENERGY USE INTENSITY TARGETS, THE DEPARTMENT SHALL COLLECT ONLY THE HIGHER OF THE TWO FEES.~~

~~(5)~~ ~~(I) A WAIVER GRANTED UNDER PARAGRAPH (2)(X) OF THIS SUBSECTION:~~

~~1. SHALL REMAIN IN EFFECT FOR A PERIOD OF 5 YEARS; AND~~

~~2. MAY BE RENEWED.~~

~~(II) IN MAKING A DETERMINATION ON A WAIVER REQUEST SUBMITTED UNDER PARAGRAPH (2)(X) OF THIS SUBSECTION, THE DEPARTMENT SHALL:~~

~~1. IF A COVERED BUILDING EXERCISES THE ALTERNATIVE COMPLIANCE FEE OPTION FOR BOTH DIRECT GREENHOUSE GAS EMISSIONS TARGETS AND ENERGY USE INTENSITY TARGETS, CONSIDER ONLY THE HIGHER OF THE TWO FEES WHEN CALCULATING AVOIDED COMPLIANCE PATHWAY PAYMENTS; AND~~

~~2. CONSIDER THE AVAILABILITY OF CAPITAL.~~

~~(4)~~ (6) ~~THE DEPARTMENT SHALL DEPOSIT AN ALTERNATIVE COMPLIANCE FEE COLLECTED UNDER THIS SUBSECTION INTO THE MARYLAND STRATEGIC ENERGY INVESTMENT FUND UNDER § 9–20B–05 OF THE STATE GOVERNMENT ARTICLE.~~

~~(7)~~ ~~(I)~~ ~~THE DEPARTMENT SHALL:~~

~~1. OFFER TRAINING TO HELP ENERGY AUDITORS THAT POSSESS, IN GOOD STANDING, A PROFESSIONAL LICENSE OR CREDENTIAL RECOGNIZED BY THE DEPARTMENT UNDERSTAND THE REGULATIONS ADOPTED UNDER THIS SECTION, INCLUDING REQUIREMENTS FOR ALTERNATIVE COMPLIANCE PLANS AND ENGINEERING STUDIES;~~

~~2. PUBLISH A LIST OF ENERGY AUDITORS THAT HAVE COMPLETED THE TRAINING OFFERED UNDER ITEM 1 OF THIS SUBPARAGRAPH; AND~~

~~3. INCLUDE A FEE TO COVER THE COST FOR THE DEPARTMENT OR ITS CONTRACTOR TO PROVIDE THE TRAINING.~~

~~(II) AN OWNER OF A COVERED BUILDING SHALL CONTRACT WITH AN ENERGY AUDITOR THAT COMPLETED THE TRAINING REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO SUBMIT AN ENGINEERING PLAN OR STUDY SEEKING A WAIVER UNDER PARAGRAPHS (2)(IX) AND (X) OF THIS SUBSECTION.~~

~~(8)~~ *(4)* (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT ~~MAY~~ *SHALL* CERTIFY A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM ADOPTED BY A COUNTY *ADMINISTERING A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM ON OR BEFORE MARCH 1, 2025,* AND WAIVE THE REQUIREMENT FOR ~~A~~ COVERED ~~BUILDING~~ *BUILDINGS IN THE*

COUNTY **TO COMPLY WITH THE STATEWIDE PROGRAM ADOPTED UNDER THIS SECTION ~~WHEN:~~**

~~**1. THE DEPARTMENT DETERMINES, BASED ON A DEMONSTRATION PROVIDED BY THE COUNTY, THAT THE COUNTY HAS ADOPTED A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM THAT IS AT LEAST AS STRINGENT AS THE STATEWIDE PROGRAM ADOPTED UNDER THIS SECTION; AND**~~

~~**2. THE COUNTY ANNUALLY SUBMITS TO THE DEPARTMENT A COMPLETE LIST OF COVERED BUILDINGS, INCLUDING THEIR ENERGY USE INTENSITY, DIRECT GREENHOUSE GAS EMISSIONS, AND COMPLIANCE STATUS WITH THE COUNTY PROGRAM.**~~

(II) A COUNTY ADMINISTERING A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM CERTIFIED BY THE DEPARTMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY TAKE APPROPRIATE ACTIONS TO ENFORCE THE STANDARDS, INCLUDING:

1. ESTABLISHING ALTERNATIVE COMPLIANCE PATHWAYS FOR COMPLYING WITH ENERGY USE INTENSITY AND DIRECT GREENHOUSE GAS EMISSIONS REQUIREMENTS ESTABLISHED IN THE STANDARDS;

2. IMPOSING AND COLLECTING ALTERNATIVE COMPLIANCE FEES ~~IN~~ *UP TO* THE SAME AMOUNT AND *IN THE SAME* MANNER ALLOWED BY THE DEPARTMENT UNDER THIS SECTION; AND

3. IMPOSING AND COLLECTING PENALTIES ~~IN~~ *UP TO* THE SAME AMOUNT AND *IN THE SAME* MANNER ALLOWED BY THE DEPARTMENT UNDER § 2–610 OF THIS TITLE.

~~(9)~~ *(5)* NOTHING IN THIS SECTION SHALL PRECLUDE A COUNTY *ADMINISTERING A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM CERTIFIED BY THE DEPARTMENT UNDER PARAGRAPH (4)(I) OF THIS SUBSECTION* FROM ~~ADOPTING~~*:*

(I) ADOPTING* BUILDING ENERGY PERFORMANCE STANDARDS FOR BUILDINGS THAT ARE NOT COVERED BUILDINGS UNDER THE STATEWIDE PROGRAM ADOPTED UNDER THIS SECTION*; OR

(II) MODIFYING AN ADOPTED BUILDING PERFORMANCE STANDARDS PROGRAM.

~~**(10) THE DEPARTMENT SHALL MAKE THE NECESSARY APPLICATION AND FORMS FOR A WAIVER UNDER THIS SECTION AVAILABLE ON THE DEPARTMENT'S WEBSITE.**~~

~~**(F) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT MAY NOT:**~~

~~**(I) IMPOSE AND COLLECT ALTERNATIVE COMPLIANCE FEES UNDER THIS SECTION UNTIL 2032; OR**~~

~~**(II) IMPOSE AND COLLECT PENALTIES FOR FAILURE TO ACHIEVE BUILDING ENERGY PERFORMANCE STANDARDS UNDER THIS SECTION UNTIL 2032.**~~

~~**(2) THE PROHIBITION UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION DOES NOT APPLY TO THE IMPOSITION AND COLLECTION OF PENALTIES FOR FAILURE TO MEET ANY REPORTING REQUIREMENTS UNDER THIS SECTION.**~~

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Economic Development

3–201.

(a) In this subtitle the following words have the meanings indicated.

(d) "Life sciences" includes the fields of biotechnology, pharmaceuticals, biomedical technologies, life systems technologies, food sciences, environmental sciences, and biomedical devices.

Article – Environment

2–1202.

(a) In this subtitle the following words have the meanings indicated.

(h) (1) "Manufacturing" means the process of substantially transforming, or a substantial step in the process of substantially transforming, tangible personal property into a new and different article of tangible personal property by the use of labor or machinery.

(2) "Manufacturing", when performed by companies primarily engaged in the activities described in paragraph (1) of this subsection, includes:

(i) The operation of saw mills, grain mills, or feed mills;

(ii) The operation of machinery and equipment used to extract and process minerals, metals, or earthen materials or by–products that result from the extracting or processing; and

(iii) Research and development activities.

(3) "Manufacturing" does not include:

(i) Activities that are primarily a service;

(ii) Activities that are intellectual, artistic, or clerical in nature;

(iii) Public utility services, including gas, electric, water, and steam production services;

(iv) The production of cement; or

(v) Any other activity that would not commonly be considered as manufacturing.

2–1601.

(a) In this subtitle the following words have the meanings indicated.

(b) (1) "Agricultural building" means a structure that is used primarily to cultivate, manufacture, process, or produce agricultural crops, raw materials, products, or commodities.

(2) "Agricultural building" includes a greenhouse.

(c) "Building" has the meaning stated in the International Building Code.

(d) "Commercial building" means a building that is subject to the commercial provisions of the International Energy Conservation Code.

(e) (1) "Covered building" means a building that:

(i) 1. Is a commercial or multifamily residential building in the State; or

2. Is owned by the State; and

(ii) Has a gross floor area of 35,000 square feet or more, excluding the parking garage area.

(2) "Covered building" does not include:

(i) A building designated as a historic property under federal, State, or local law;

(ii) A public or nonpublic elementary or secondary school building;

(iii) **A HOSPITAL;**

(IV) A **[**manufacturing**]** building ~~**IN WHICH 50% OR MORE OF THE BUILDING'S GROSS FLOOR AREA IS USED FOR MANUFACTURING, AS DEFINED IN § 2–1202 OF THIS ARTICLE**~~; or

[(iv)**] (V)** An agricultural building.

(f) **"CRITICAL INFRASTRUCTURE" HAS THE MEANING STATED IN § 1–101 OF THE PUBLIC UTILITIES ARTICLE.**

(G) "Direct greenhouse gas emissions" means greenhouse gas emissions produced on–site by covered buildings.

[(g)**] (H)** "District energy" means thermal energy generated at one or more central facilities that produce hot water, steam, or chilled water that then flows through a network of insulated underground pipes to provide hot water, space heating, air conditioning, or chilled water to nearby buildings.

~~**(I) "ECONOMICALLY INFEASIBLE" MEANS:**~~

~~**(1) FOR A COVERED BUILDING THAT IS A MULTIFAMILY RESIDENTIAL BUILDING, THE EXPECTED PAYBACK PERIOD FOR AN ENERGY OR EMISSIONS REDUCTION MEASURE IS MORE THAN 10 YEARS, AS OF THE DATE OF SUBMITTAL OF A WAIVER REQUEST TO THE DEPARTMENT UNDER § 2–1602(C)(2)(X) OF THIS SUBTITLE, ACCOUNTING FOR ALL AVAILABLE INCENTIVES AND AVOIDED ALTERNATIVE COMPLIANCE PATHWAY PAYMENTS; AND**~~

~~**(2) FOR A COVERED BUILDING THAT IS NOT A MULTIFAMILY RESIDENTIAL BUILDING, THE EXPECTED PAYBACK PERIOD FOR AN ENERGY OR EMISSIONS REDUCTION MEASURE IS MORE THAN 25 YEARS, AS OF THE DATE OF SUBMITTAL OF A WAIVER REQUEST TO THE DEPARTMENT UNDER § 2–1602(C)(2)(X) OF THIS SUBTITLE, ACCOUNTING FOR ALL AVAILABLE INCENTIVES AND AVOIDED ALTERNATIVE COMPLIANCE PATHWAY PAYMENTS.**~~

~~**(J) "ENERGY OR EMISSIONS REDUCTION MEASURE" MEANS A PHYSICAL CHANGE TO A BUILDING OR A CONNECTION TO A DISTRICT ENERGY SYSTEM THAT REDUCES THE BUILDING'S ENERGY USE OR GREENHOUSE GAS EMISSIONS AT THE LOWEST PRACTICABLE COST.**~~

~~(K) "IMPRACTICABLE" INCLUDES THAT AN ENERGY OR EMISSIONS REDUCTION MEASURE NECESSARY TO COMPLY WITH THIS SUBTITLE CANNOT BE REASONABLY IMPLEMENTED, INCLUDING DUE TO LACK OF EXISTING TECHNOLOGY.~~

~~(L) "LIFE SCIENCES" HAS THE MEANING STATED IN § 3–201 OF THE ECONOMIC DEVELOPMENT ARTICLE.~~

(I) "MANUFACTURING BUILDING" MEANS A FACILITY IN WHICH MANUFACTURING, AS DEFINED IN § 2–1202 OF THIS ARTICLE, TAKES PLACE.

Article – Public Utilities

1–101.

(a) In this division the following words have the meanings indicated.

(h–1) (1) "Critical infrastructure" means assets, systems, and networks, whether physical or virtual, considered by the U.S. Department of Homeland Security to be so vital to the United States that their incapacitation or destruction would have a debilitating effect on one or more of the following:

(i) security;

(ii) national economic security;

(iii) national public health; or

(iv) safety.

(2) "Critical infrastructure" includes:

(i) a hospital or health care facility; and

(ii) a data center as defined in § 11–239 of the Tax – General Article.

~~**Article – State Government**~~

~~9–20B–05.~~

~~(a) There is a Maryland Strategic Energy Investment Fund.~~

~~(b) The purpose of the Fund is to implement the Strategic Energy Investment Program.~~

~~(c) The Fund consists of:~~

~~(1) all of the proceeds from the sale of allowances under § 2–1002(g) of the Environment Article;~~

~~(2) money appropriated in the State budget to the Program;~~

~~(3) repayments and prepayments of principal and interest on loans made from the Fund;~~

~~(4) interest and investment earnings on the Fund;~~

~~(5) compliance fees paid under § 7–705 of the Public Utilities Article;~~

~~(6) money received from any public or private source for the benefit of the Fund;~~

~~(7) money transferred from the Public Service Commission under § 7–207.2(e)(3) of the Public Utilities Article;~~ **[**~~and~~**]**

~~(8) money distributed under § 2–614.1 of the Tax – General Article~~**; AND**

~~(9) ALTERNATIVE COMPLIANCE FEES PAID PATHWAY PAYMENTS UNDER § 2–1602(C)(2)(V) 2–1602(C)(2)(VII) OF THE ENVIRONMENT ARTICLE.~~

~~(G–2) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, PROCEEDS RECEIVED BY THE FUND FROM ALTERNATIVE COMPLIANCE PATHWAY PAYMENTS UNDER § 2–1602 OF THE ENVIRONMENT ARTICLE SHALL BE USED TO PROVIDE GRANTS AND LOANS TO HELP OWNERS OF COVERED BUILDINGS COMPLY WITH REGULATIONS ADOPTED UNDER § 2–1602 OF THE ENVIRONMENT ARTICLE.~~

~~(2) UP TO 10% OF ALTERNATIVE COMPLIANCE PATHWAY PAYMENTS UNDER § 2–1602 OF THE ENVIRONMENT ARTICLE MAY BE USED FOR ADMINISTRATION OF THE GRANTS AND LOANS DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The Department of the Environment shall conduct an analysis of the potential costs and benefits of building energy performance standards policy options featuring direct emissions reduction requirements, energy use intensity requirements, and a combination of both requirements that describes, for each scenario:

(1) program design considerations;

(2) greenhouse gas emissions reduction potential;

(3) direct emissions reduction potential;

(4) overall energy savings potential;

(5) peak energy savings potential;

(6) implementation costs to building owners and the Department;

(7) lifecycle costs of the building and equipment and cost–effectiveness for building owners; and

(8) program implementation cost and complexity.

(b) In conducting the analysis required under subsection (a) of this section, the Department shall:

(1) identify policy considerations and recommendations, including potential scenarios, including:

(i) a recommendation for calculating an alternative compliance fee for energy use intensity on covered building owners based on a simple payback period that takes into account any financial incentives offered to the building owners;

(ii) recommendations on how to address covered buildings that, despite all available incentives including the avoidance of penalties and fees, would not achieve compliance greenhouse gas emissions reductions and targets; and

(iii) recommendations on how to consider county–owned buildings, community colleges, emergency facilities, manufacturing buildings, and residential buildings, including considerations of tenants and condominium unit owners; and

(2) calculate building benchmarks based on benchmarking data reported to the Department in accordance with § 2–1602(b) of the Environment Article.

(c) On or before December 31, 2026, the Department shall submit the analysis and recommendations required under this section to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

SECTION ~~4.~~ *5.* AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of the termination provision specified in Section 17 of Chapter 38 of the Acts of the General Assembly of 2022. If that termination provision takes effect, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.

SECTION ~~5.~~ *6.* AND BE IT FURTHER ENACTED, That, subject to the provisions of Section ~~4~~ *5* of this Act, this Act shall take effect October 1, 2025.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2025.

Chapter 845

(House Bill 738)

AN ACT concerning

Department of Information Technology – ~~Reporting Guidelines~~ Major Information Technology Development Projects – Oversight

FOR the purpose of ~~altering the content of certain reports by the Department of Information Technology relating to the Information Technology Investment Fund; requiring the reports to be written and structured in a certain manner and made publicly available on the Department's website; and generally relating to reporting by the Department of Information Technology~~ providing that a unit of State government may not purchase, lease, contract for, or rent an information technology service or product under certain circumstances; providing that the Secretary of Information Technology is responsible for overseeing the implementation of major information technology development projects in the State; authorizing the Secretary of Information Technology and the Secretary of Budget and Management to withhold or reallocate major information technology development project funds under certain circumstances; altering the reporting requirements for allocations from the Information Technology Investment Fund; requiring the Department of Information Technology to publish a public dashboard with certain information about major information technology projects using the Information Technology Investment Fund; requiring Chief Information Officers for a unit of State government with a planned or ongoing major information technology development project to meet with the Secretary of Information Technology on a certain basis to discuss certain aspects of the projects; establishing the Maryland Office of Digital Experience within the Department to provide oversight, leadership, intervention, and strategic modernization for major information technology development projects; authorizing the Office to require units to provide certain reimbursement for services under certain circumstances; establishing the Maryland Digital Service Unit within the Maryland Office of Digital Experience to collaborate with units of State government to improve digital services; establishing the Major Information Technology Development Project Oversight Division to standardize, monitor, and support the implementation of major information technology development projects and expedited projects in the State; establishing the Information Technology Advisory Board to advise the Legislative Policy Committee; repealing a requirement that the Joint Audit and Evaluation Committee conduct a certain study and report certain recommendations to certain committees of the General Assembly; repealing the Modernize Maryland Commission; and generally relating to major information technology development projects and the Department of Information Technology.

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~
~~Section 3.5–309(a)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~3.5–309(n) and (o)~~ 3.5–101, 3.5–307(a) and (d)(1), 3.5–308, and 3.5–309(o) and (p)
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3.5–309(a)
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY repealing
Article – State Finance and Procurement
Section 3.5–309(n) and 3.5–316
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3.5–309(o), (p), and (r); and 3.5–901 through 3.5–907 to be under the new subtitle "Subtitle 9. Maryland Office of Digital Experience"
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY adding to
Article – State Government
Section 2–411
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY repealing
Chapter 497 of the Acts of the General Assembly of 2024
Section 4

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

Article – State Finance and Procurement

3.5–101.

(a) In this title the following words have the meanings indicated.

(b) "Cloud computing" means a service that enables on–demand self–service network access to a shared pool of configurable computer resources, including data storage, analytics, commerce, streaming, e–mail, document sharing, and document editing.

(c) "Department" means the Department of Information Technology.

(D) (1) "OVERSIGHT OF IMPLEMENTATION" MEANS MANAGEMENT OF THE PROCESS TO IMPLEMENT A NEW TECHNOLOGY, SYSTEM, OR PRODUCT INTO PRACTICE AND USE BY A UNIT.

(2) "OVERSIGHT OF IMPLEMENTATION" INCLUDES:

(I) PLANNING AND PREPARATION TO IMPLEMENT THE PRODUCT OR PRACTICE; AND

(II) ONGOING MONITORING AND SUPPORT OF THE IMPLEMENTATION TEAM TO ENSURE SUCCESSFUL EXECUTION AND THAT THE PROJECT GOALS ARE MET.

(3) "OVERSIGHT OF IMPLEMENTATION" DOES NOT INCLUDE:

(I) RESPONSIBILITY FOR DAY–TO–DAY MANAGEMENT OF ANY INDIVIDUAL PROJECTS OR PRODUCTS; OR

(II) RESPONSIBILITY FOR IMPLEMENTING INDIVIDUAL–LEVEL PROCESS REQUIREMENTS FOR A PROJECT OR PRODUCT.

[(d)**] (E)** "Secretary" means the Secretary of Information Technology.

[(e)**] (F)** "Telecommunication" means the transmission of information, images, pictures, voice, or data by radio, video, or other electronic or impulse means.

[(f)**] (G)** "Unit of State government" means an agency or unit of the Executive Branch of State government.

3.5–307.

(a) (1) A unit of State government may not purchase, lease, **CONTRACT FOR,** or rent **AN** information technology **SERVICE OR PRODUCT** unless consistent with the master plan, as determined by the Secretary.

(2) A unit of State government other than a public institution of higher education may not make expenditures for major information technology development projects or cybersecurity projects except as provided in § 3.5–308 of this subtitle.

(d) (1) The Department **[**of General Services**]**, in consultation with the Department **OF GENERAL SERVICES**, shall **[**hire a consultant to**]** assess the procurement process for information technology projects involving modernization and make recommendations to increase the State's ability to proceed with a modernization project in a rapid and responsive manner.

3.5–308.

(a) This section does not apply to a public institution of higher education.

(b) Before submitting its information technology project requests, a unit of State government shall submit information in support of the request required by the Secretary for review and determination consistent with § 3.5–301(k) of this subtitle.

(c) In reviewing information technology project requests, the Secretary may change a unit's designation of a major information technology development project.

(d) The Secretary shall review and, with the advice of the Secretary of Budget and Management, approve major information technology development projects and specifications for consistency with all statewide plans, policies, and standards, including a systems development life cycle plan.

(e) **(1)** **[**The**]** **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE** Secretary shall be responsible for overseeing the implementation of major information technology development projects, regardless of fund source.

(2) AS PART OF THE SECRETARY'S RESPONSIBILITIES UNDER THIS SECTION, THE SECRETARY SHALL ENSURE THAT NO FUNDING IS PROVIDED FOR THE IMPLEMENTATION OF A MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT UNLESS:

(I) THE SECRETARY DETERMINES THAT THE UNIT HAS THE INTERNAL CAPACITY TO ADEQUATELY SUPPORT THE PROJECT, PROGRAM MANAGEMENT, AND RESPONSIBILITY OVER PROGRAM ACTIVITIES, INCLUDING:

1. HUMAN CAPITAL;

2. SUBJECT MATTER EXPERTISE; AND

3. TECHNICAL INFRASTRUCTURE;

(II) WITHIN 30 DAYS OF AWARDING A CONTRACT, THE MANAGING UNIT SENDS TO THE BOARD OF PUBLIC WORKS AND THE LEGISLATIVE POLICY COMMITTEE, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, NOTICE THAT:

1. IDENTIFIES THE PROJECT MANAGEMENT TEAM;

2. AFFIRMS THAT THE DEPARTMENT HAS REVIEWED AND APPROVED THE CONTRACT; AND

3. IS SIGNED BY THE HEAD OF THE UNIT ACKNOWLEDGING AND ACCEPTING THE ACCOUNTABILITY FOR THE IMPLEMENTATION OF THE INFORMATION TECHNOLOGY PROJECT OR PRODUCT; AND

(III) WHILE A UNIT IS MANAGING AN ACTIVE PROJECT OR PRODUCT, THE UNIT AGREES TO REPORT TO THE DEPARTMENT EVERY 3 MONTHS ON THE PROJECT STATUS IN A MANNER REQUESTED BY THE DEPARTMENT.

(f) (1) With the advice of the Secretary of Budget and Management, expenditures for major information technology development projects shall be subject to the approval of the Secretary who shall approve expenditures only when those projects are consistent with statewide plans, policies, and standards.

(2) **(I)** The Secretary shall make a recommendation to the Secretary of Budget and Management **[**that**]** **TO WITHHOLD** project funds, regardless of fund source, **[**be withheld**]** if:

[(i)**]** **1.** a unit of State government is not consistently reporting on the status of a project or projects to the Department in the form and manner required by the Department; or

[(ii)**]** **2.** the Department determines that project implementation issues exist, including project timeline delays, significant cost increases, vendor nonperformance, decreased agency capacity, or other issues that indicate issues of concern that could jeopardize successful implementation.

(II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AND EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE SECRETARY OF BUDGET AND MANAGEMENT SHALL WITHHOLD ANY UNEXPENDED FUNDS APPROPRIATED IN A FISCAL YEAR FOR A MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT AT THE SECRETARY'S RECOMMENDATION ISSUED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) THE SECRETARY OF BUDGET AND MANAGEMENT MAY RELEASE FUNDS WITHHELD UNDER THIS PARAGRAPH AT THE DIRECTION OF THE

SECRETARY IF THE SECRETARY DETERMINES THAT THE ISSUE LEADING TO THE INITIAL WITHHOLDING OF FUNDS HAS BEEN ADDRESSED.

(3) WITHIN 30 DAYS AFTER FUNDING IS WITHHELD IN ACCORDANCE WITH THIS SUBSECTION, THE DEPARTMENT SHALL REPORT ON THE PURPOSE OF THE WITHHOLDING:

(I) TO THE GOVERNOR; AND

(II) SUBJECT TO § 2–1257 OF THE STATE GOVERNMENT ARTICLE, TO:

1. THE SENATE BUDGET AND TAXATION COMMITTEE;

2. THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT;

3. THE HOUSE APPROPRIATIONS COMMITTEE;

4. THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE; AND

5. THE JOINT COMMITTEE ON CYBERSECURITY, INFORMATION TECHNOLOGY, AND BIOTECHNOLOGY.

(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH:

1. THE SECRETARY MAY RECOMMEND TO THE SECRETARY OF BUDGET AND MANAGEMENT THAT FUNDING WITHHELD UNDER THIS SECTION BE REALLOCATED TO OTHER EXPENSES OF THE INFORMATION TECHNOLOGY INVESTMENT FUND UNDER § 3.5–309 OF THIS SUBTITLE; AND

2. THE SECRETARY OF BUDGET AND MANAGEMENT MAY, AT THEIR DISCRETION, FOLLOW THE SECRETARY'S RECOMMENDATION TO REALLOCATE FUNDS.

(II) IF THE REALLOCATED FUNDS EXCEED $500,000, THE SECRETARY, IN CONSULTATION WITH THE SECRETARY OF BUDGET AND MANAGEMENT, SHALL SUBMIT A PROPOSAL TO THE LEGISLATIVE POLICY COMMITTEE FOR A 60–DAY REVIEW AND COMMENT PERIOD.

(g) (1) The Secretary shall approve funding for major information technology development projects, expedited projects, and other expenditures from the Fund only when:

(i) the major information technology development projects or the expedited projects are in compliance with statewide plans, policies, and standards, as determined by the Secretary; and

(ii) the major information technology development projects are supported by an approved systems development life cycle plan.

(2) An approved systems development life cycle plan shall include submission of:

(i) a project planning request that details initial planning for the project, including:

1. the project title, appropriation code, and summary;

2. a description of:

A. the business and technology outcomes to be achieved by the project;

B. the features available to the end user on completion, including user acceptance testing and accessibility plans;

C. the potential risks associated with the project;

D. possible alternatives; and

E. the scope and complexity of the project; and

3. an estimate of:

A. the total costs required to complete through planning; and

B. the fund sources available to support planning costs; and

(ii) a project implementation request to begin full design, development, and implementation of the project after the completion of planning, including:

1. the project title, appropriation code, and summary;

2. a description of:

A. the business and technology outcomes to be achieved by the project and the metrics by which the success of those outcomes will be measured;

B. the features available to the end user on completion, including user acceptance testing and accessibility plans;

C. the potential risks associated with the project;

D. possible alternatives;

E. the scope and complexity of the project; and

F. how the project meets the goals of the statewide master plan; and

3. an estimate of:

A. the total project cost, by phase; and

B. the fund sources to be utilized.

(3) The Secretary may approve funding incrementally, consistent with the systems development life cycle plan.

(h) **[**The Department, in consultation with the Modernize Maryland Commission established under § 3.5–316 of this subtitle,**]** **ON OR BEFORE JULY 1, 2026, THE DEPARTMENT** shall:

(1) develop standards for units of State government to assist in identifying legacy systems that require modernization projects appropriate to be financed as an expedited project through the Fund;

(2) adopt an Information Technology Investment Maturity Model that includes:

(i) criteria to inform and prioritize investment decisions;

(ii) processes to develop the information required to evaluate investment proposals against the criteria under item (i) of this item; and

(iii) management processes to monitor the implementation of approved modernization projects; and

(3) develop a State Modernization Plan.

3.5–309.

(a) There is an Information Technology Investment Fund.

[(n) (1) On or before November 1 of each year, the Secretary shall report to the Governor and the Secretary of Budget and Management and, in accordance with § 2–1257 of the State Government Article, to the Senate Budget and Taxation Committee, the Senate

Committee on Education, Energy, and the Environment, the House Appropriations Committee, the House Health and Government Operations Committee, and the Joint Committee on Cybersecurity, Information Technology, and Biotechnology.

(2) The report shall include:

(i) the financial status of the Fund and a summary of its operations for the preceding fiscal year;

(ii) an accounting for the preceding fiscal year of all money from each of the revenue sources specified in subsection (e) of this section, including any expenditures made from the Fund; and

(iii) for each project receiving money from the Fund in the preceding fiscal year and for each major information technology development project or expedited project receiving funding from any source other than the Fund in the preceding fiscal year:

1. the status of the project and project funding decisions;

2. a comparison of estimated and actual costs of the project;

3. any known or anticipated changes in scope or costs of the project;

4. an evaluation of whether the project is using best practices; and

5. a summary of any monitoring and oversight of the project from outside the agency in which the project is being developed, including a description of any problems identified by any external review and any corrective actions taken.**]**

[(o)**] (N) (1)** On or before January 15 of each year, for each major information technology development project or expedited project currently in development or for which operations and maintenance funding is being provided in accordance with subsection (i)(3) of this section, subject to § 2–1257 of the State Government Article, the Secretary shall provide a summary report to the Department of Legislative Services with the most up–to–date project information including:

[(1)**] (I)** project funding decisions and project status**, INCLUDING:**

1. ESTIMATED PROJECT OR PRODUCT COSTS;

2. FUNDING SOURCES;

3. ONGOING OPERATING COSTS AFTER THE PROJECT IS NO LONGER A MAJOR DEVELOPMENT PROJECT OR EXPEDITED PROJECT, INCLUDING:

A. COSTS ASSOCIATED WITH PROCURING AND MAINTAINING LICENSES; AND

B. SUPPORT TO CONTINUOUSLY MAINTAIN AND IMPROVE THE PROJECT OR PRODUCT;

[(2)**]** **(II)** any schedule, cost, and scope changes since the last annual report;

[(3)**]** **(III)** a risk assessment **[**including any problems identified by any internal or external review and any corrective actions taken; and**]** **PROVIDED BY EITHER THE DEPARTMENT OR THE DESIGNATED UNIT OF STATE GOVERNMENT THAT DETAILS THE IDENTIFIED PROJECT OR PRODUCT RISK, INCLUDING:**

1. A DESCRIPTION OF THE TYPE OF RISK, INCLUDING:

A. GOVERNANCE;

B. RESOURCE AVAILABILITY OR CAPABILITY;

C. FUNDING;

D. INTERDEPENDENCIES WITH OTHER SYSTEMS;

E. TECHNICAL ISSUES;

F. ORGANIZATIONAL CULTURE; OR

G. ABILITY TO SUPPORT IN THE LONG TERM; AND

2. THE RISK LIKELIHOOD;

3. THE RISK PRIORITY;

4. THE RISK OWNER;

5. PLANNED RISK MITIGATION STRATEGY; AND

6. THE RISK STATUS AS OF THE REPORT DATE;

(IV) PROJECT TRACKING METRICS, INCLUDING:

1. DESCRIBING THE FUNCTIONALITY AND FEATURES THAT HAVE BEEN DELIVERED AS OF THE REPORT DATE; AND

2. QUALITATIVE AND QUANTITATIVE DATA SHOWING PROGRESS TOWARDS PROJECT GOALS; AND

[(4)**]** **(V)** any change in the monitoring or oversight status.

(2) THE REPORT SUBMITTED UNDER THIS SUBSECTION:

(I) IS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE UNDER TITLE 4 OF THE GENERAL PROVISIONS ARTICLE;

(II) SHALL COMMUNICATE THE REQUISITE INFORMATION IN A CLEAR AND CONCISE MANNER THAT, TO THE GREATEST EXTENT POSSIBLE, AVOIDS THE USE OF TECHNICAL LANGUAGE OR RELIANCE ON EXISTING INDUSTRY KNOWLEDGE; AND

(III) SHALL INCLUDE AN EXECUTIVE SUMMARY OF KEY INFORMATION, INCLUDING:

1. THE TOTAL VALUE OF THE PORTFOLIO, INCLUDING:

A. ANNUAL DEVELOPMENT COSTS;

B. FUNDING SOURCES; AND

C. PROJECTED ONGOING OPERATING COSTS OVER THE NEXT 5 YEARS; AND

2. A SUMMARY OF NEW PROJECTS INCLUDING:

A. THE ADVANTAGES OF THE NEW PROJECTS; AND

B. ANY NEW OR INNOVATIVE ASPECTS OF DEVELOPMENT PROCESSES.

(O) (1) THE DEPARTMENT SHALL PUBLISH AND MAINTAIN A PUBLICLY AVAILABLE PROJECT AND PORTFOLIO DASHBOARD ON THE DEPARTMENT'S WEBSITE.

(2) THE DASHBOARD SHALL INCLUDE ALL MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS AND EXPEDITED PROJECTS, ORGANIZED BY THE ACCOUNTABLE UNIT OF STATE GOVERNMENT.

(3) FOR EACH PROJECT, THE DASHBOARD SHALL:

(I) SPECIFY THE SCHEDULE MANAGEMENT FOR THE PROJECT, INCLUDING:

1. THE PROJECT START DATE;

2. ESTIMATED LENGTH OF THE PROJECT, BY PHASE;

3. PLANNED MILESTONES WITH ESTIMATED COMPLETION DATES; AND

4. COMPLETED MILESTONES WITH COMPLETION DATES;

(II) LIST THE ESTIMATED PROJECT COST;

(III) LIST THE TOTAL AMOUNT APPROPRIATED FOR THE CURRENT FISCAL YEAR;

(IV) LIST THE TOTAL AMOUNT SPENT DURING THE PRIOR FISCAL YEAR, CATEGORIZED BY:

1. VENDOR COSTS;

2. AGENCY LABOR;

3. SOFTWARE LICENSES, SUBSCRIPTIONS, AND OTHER COSTS;

4. OTHER EXPENSES; AND

5. TOTAL EXPENDITURES;

(V) FOR PROJECTS IN DEVELOPMENT:

1. THE PRIOR FISCAL YEAR FORECAST ACCOMPANIED BY ACTUAL DATA AND THE RESULTING VARIANCE; AND

2. THE CURRENT YEAR FORECAST; AND

(VI) SUBJECT TO SUBSECTION (P) OF THIS SECTION, IDENTIFY MAJOR PROJECT OR PRODUCT RISKS, INCLUDING:

1. RISK DESCRIPTION;

2. RISK IMPACT;

3. RISK LIKELIHOOD;

4. MITIGATION STRATEGY; AND

5. RISK STATUS.

(P) (1) THE DEPARTMENT MAY REDACT SPECIFIC RISKS IDENTIFIED UNDER SUBSECTION (O)(3)(VI) OF THIS SECTION FROM THE PUBLIC DASHBOARD IF THE DEPARTMENT DETERMINES THAT PUBLIC SHARING OF THE INFORMATION COULD POSE A RISK TO THE PROJECT.

(2) IF A RISK IS REDACTED FROM THE DASHBOARD, THE INFORMATION SHALL BE SHARED WITH THE LEGISLATIVE POLICY COMMITTEE.

(3) A RISK REDACTED FROM THE DASHBOARD IS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE UNDER TITLE 4 OF THE GENERAL PROVISIONS ARTICLE.

[(p)**] (Q)** (1) The Secretary may adopt regulations necessary to carry out this section.

(2) The Secretary shall adopt regulations necessary to establish a process for units of State government to request and receive funding for an expedited project aligned with the State Modernization Plan that shall:

(i) allow units of State government to apply for project funding biannually;

(ii) be consistent with the goals and preferences established under Title 14 of this article and encourage small and minority business enterprise vendors; and

(iii) provide measures that ensure compliance with this subtitle and the Department's regulations by both vendors and units of State government.

(R) THE CHIEF INFORMATION OFFICER FOR A UNIT OF STATE GOVERNMENT WITH A PLANNED OR ONGOING MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT SHALL MEET WITH THE SECRETARY ON A QUARTERLY

BASIS TO REPORT ON AND DISCUSS THE ONGOING INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS, INCLUDING:

(1) PROJECT BUDGET;

(2) PROJECT VENDOR PERFORMANCE OR NONPERFORMANCE;

(3) PROJECT SCOPE;

(4) PROJECT SCHEDULE;

(5) THE CAPACITY OF THE UNIT TO IMPLEMENT THE PROJECT; AND

(6) ANY OTHER ITEMS THE SECRETARY DEEMS RELEVANT TO THE SUCCESSFUL IMPLEMENTATION OF THE PROJECT.

SUBTITLE 9. MARYLAND OFFICE OF DIGITAL EXPERIENCE.

3.5–901.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "DIVISION" MEANS THE MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT OVERSIGHT DIVISION.

(C) "OFFICE" MEANS THE MARYLAND OFFICE OF DIGITAL EXPERIENCE.

(D) "SERVICE" MEANS THE MARYLAND DIGITAL SERVICE UNIT.

3.5–902.

(A) THERE IS A MARYLAND OFFICE OF DIGITAL EXPERIENCE.

(B) THE PURPOSE OF THE OFFICE IS TO:

(1) PROVIDE OVERSIGHT, LEADERSHIP, INTERVENTION, AND STRATEGIC MODERNIZATION FOR MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS, INCLUDING LARGE–SCALE, HIGH IMPACT, MULTI–AGENCY PROJECTS, IN A TRANSPARENT MANNER THAT ENSURES A POSITIVE RETURN ON INVESTMENT; AND

(2) DIRECT THE DEVELOPMENT OF MODERNIZED SYSTEMS IN A MANNER THAT:

(I) WHEN APPROPRIATE, PRIORITIZES A PRODUCT–BASED APPROACH TO THE DEVELOPMENT OF MODERNIZED SYSTEMS OVER A PROJECT–BASED APPROACH;

(II) IS COST–EFFECTIVE;

(III) LOWERS RISKS;

(IV) DELIVERS VALUE FASTER; AND

(V) OTHERWISE IMPROVES THE DELIVERY OF SERVICES FOR RESIDENTS OF THE STATE.

3.5–903.

THE SECRETARY SHALL APPOINT A CHIEF DIGITAL EXPERIENCE OFFICER TO SERVE AS THE HEAD OF THE OFFICE.

3.5–904.

(A) (1) THE OFFICE MAY EMPLOY OR RETAIN REGULAR OR CONTRACTUAL EMPLOYEES AT THE DISCRETION OF THE CHIEF DIGITAL SERVICES OFFICER AND CHIEF OF THE DIVISION AS NECESSARY TO MEET THE REQUIREMENTS OF THE OFFICE.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE CHIEF DIGITAL SERVICES OFFICER AND CHIEF OF THE DIVISION MAY SET THE COMPENSATION FOR OFFICE EMPLOYEES.

(II) THE SECRETARY OF BUDGET AND MANAGEMENT SHALL APPROVE ANY COMPENSATION PROPOSED UNDER THIS SUBSECTION.

(B) THE OFFICE MAY USE A SHORT–TERM CONTRACT OR CONTRACTUAL HIRING TO SUPPORT HUMAN RESOURCE NEEDS TO SUPPORT THE RAPID HIRING OF OFFICE EMPLOYEES AND CONTRACTORS.

(C) TO MEET THE REQUIREMENTS OF THIS SUBTITLE, THE OFFICE MAY REQUIRE A UNIT TO PROVIDE REIMBURSEMENT FOR SERVICES PROVIDED BY THE OFFICE FROM FUNDS PROVIDED TO THE UNIT FROM THE INFORMATION TECHNOLOGY INVESTMENT FUND OR OTHER FUNDS ALLOCATED TO THE UNIT FOR AN INFORMATION TECHNOLOGY PROJECT OR PRODUCT.

3.5–905.

(A) THERE IS A MARYLAND DIGITAL SERVICE UNIT IN THE OFFICE.

(B) THE SERVICE SHALL COLLABORATE WITH UNITS OF STATE GOVERNMENT TO SUPPORT IMPROVED SERVICE DELIVERY TO STATE RESIDENTS AND AGENCY STAFF TO IMPLEMENT:

(1) USER–CENTERED DESIGN;

(2) SOFTWARE DEVELOPMENT; AND

(3) PROJECT MANAGEMENT BEST PRACTICES.

(C) THE SERVICE IS RESPONSIBLE FOR:

(1) ASSISTING UNITS OF STATE GOVERNMENT TO PRIORITIZE THE DEVELOPMENT AND PROCUREMENT OF USER–FRIENDLY, ACCESSIBLE, AND MULTILINGUAL DIGITAL PLATFORMS TO ENSURE THAT ALL STATE RESIDENTS, INCLUDING THOSE WITH DISABILITIES, CAN EASILY ACCESS AND USE GOVERNMENT SERVICES AND INFORMATION;

(2) WORKING COLLABORATIVELY WITH UNITS OF STATE GOVERNMENT TO:

(I) CONSOLIDATE AND STREAMLINE STATE WEBSITES AND DIGITAL APPLICATIONS TO REDUCE REDUNDANCY, COMPLEXITY, AND MAINTENANCE COSTS; AND

(II) PRIORITIZE PROJECTS THAT ARE FINANCIALLY EFFICIENT AND DRIVE POSITIVE OUTCOMES FOR STATE RESIDENTS; AND

(3) OVERSEEING THE IMPLEMENTATION OF USER–CENTERED DESIGN PRINCIPLES, ACCESSIBILITY STANDARDS, AND BEST PRACTICES ACROSS UNITS OF STATE GOVERNMENT.

(D) UNITS OF STATE GOVERNMENT SHALL COLLABORATE WITH THE SERVICE TO ENSURE THAT THE ALIGNMENT AND FUNDING OF A DIGITAL INITIATIVE IS CONSISTENT WITH:

(1) THE OVERALL GOALS AND PRIORITIES OF THE STATE; AND

(2) THE STATEWIDE INFORMATION TECHNOLOGY MASTER PLAN.

3.5–906.

(A) THERE IS MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT OVERSIGHT DIVISION IN THE OFFICE.

(B) THE DIVISION, IN CONSULTATION WITH THE DEPARTMENT, SHALL:

(1) ADOPT NEW STANDARDS BY WHICH MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS AND EXPEDITED PROJECTS ARE REQUIRED TO COMPLY, IN ALIGNMENT WITH THE STATE SYSTEM DEVELOPMENT LIFE CYCLE;

(2) MONITOR THE PERFORMANCE OF PROJECT MANAGEMENT TEAMS FOR MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS AND EXPEDITED PROJECTS AND ENSURE THE TEAMS HAVE THE APPROPRIATE TALENT AND EXPERTISE NECESSARY TO DELIVER THE INTENDED PROJECT VALUE; AND

(3) PROVIDE EXPERTISE, SUPPORT, AND INTERVENTION AS NECESSARY FOR THE PROJECT MANAGEMENT TEAM TO SUCCESSFULLY IMPLEMENT A PROJECT IN A MANNER CONSISTENT WITH STANDARDS ADOPTED UNDER ITEM (1) OF THIS SUBSECTION.

(C) THE DIVISION SHALL ESTABLISH AND STAFF A DISCOVERY TEAM TO DEPLOY TEAM MEMBERS TO HELP UNITS OF STATE GOVERNMENT ASSIST THE UNIT IN IDENTIFYING:

(1) WHAT PROBLEM THE USE OF AN INFORMATION TECHNOLOGY PROJECT OR PRODUCT IS SOLVING;

(2) WHO THE USERS OF THE PROJECT OR PRODUCT WILL BE;

(3) WHAT A SUCCESSFUL SOLUTION WOULD LOOK LIKE; AND

(4) OTHER ISSUES TO ENSURE SUCCESSFUL IMPLEMENTATION OF THE PROJECT OR PRODUCT.

(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE SECRETARY MAY DELEGATE ANY MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT TO THE DIVISION THAT THE SECRETARY DETERMINES IS APPROPRIATE TO SERVE AS A PILOT PROJECT FOR THE DIVISION TO PROVIDE THE SERVICES DESCRIBED IN THIS SECTION.

3.5–907.

BEGINNING DECEMBER 31, 2025, AND EACH JULY 1 AND DECEMBER 31 THEREAFTER, THE DEPARTMENT OF GENERAL SERVICES, IN CONSULTATION WITH THE DEPARTMENT, SHALL REPORT TO THE SENATE BUDGET AND TAXATION

COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON ANY PROJECTS OVER $1,000,000 UNDERTAKEN BY A UNIT OF STATE GOVERNMENT UNDER A MASTER CONTRACT FOR STATEWIDE AGILE RESOURCES AND TEAMS CONTRACT OR WORK ORDER APPROVED BY THE BOARD OF PUBLIC WORKS IN FISCAL YEAR 2025, INCLUDING:

(1) THE CONTRACT OR WORK ORDER AMOUNT AND TOTAL ESTIMATED PROJECT COST;

(2) WHETHER THE SECRETARY OF GENERAL SERVICES AND THE SECRETARY HAVE DETERMINED THAT THE UNIT HAS THE INTERNAL CAPACITY TO ADEQUATELY SUPPORT THE PROJECT AND PROGRAM MANAGEMENT RESPONSIBILITIES, INCLUDING ADEQUATE:

(I) HUMAN CAPITAL;

(II) SUBJECT MATTER EXPERTISE; AND

(III) TECHNICAL INFRASTRUCTURE;

(3) WHETHER THE HEAD OF THE UNIT ACCEPTED ACCOUNTABILITY FOR THE OVERSIGHT AND IMPLEMENTATION OF THE PROJECT;

(4) THE MEMBERS OF THE PROJECT MANAGEMENT TEAM; AND

(5) AFFIRMATIVE AGREEMENTS THAT, AS PART OF THE CONTRACT OR WORK ORDER APPROVAL, THE UNIT OF STATE GOVERNMENT SUBMITS A REPORT REGARDING PROJECT STATUS TO THE DEPARTMENT EVERY 3 MONTHS.

Article – State Government

2–411.

(A) IN THIS SECTION, "BOARD" MEANS THE INFORMATION TECHNOLOGY ADVISORY BOARD.

(B) THERE IS AN INFORMATION TECHNOLOGY ADVISORY BOARD TO ADVISE THE LEGISLATIVE POLICY COMMITTEE.

(C) (1) THE BOARD CONSISTS OF EIGHT MEMBERS OF THE PUBLIC WITH EXPERTISE IN:

(I) ENTERPRISE INFORMATION TECHNOLOGY MANAGEMENT EXPERIENCE; AND

(II) SPECIFIC TECHNOLOGY EXPERIENCE, INCLUDING EXPERIENCE WITH ARTIFICIAL INTELLIGENCE AND CYBERSECURITY.

(2) (I) THE PRESIDENT OF THE SENATE SHALL APPOINT FOUR OF THE BOARD MEMBERS.

(II) THE SPEAKER OF THE HOUSE SHALL APPOINT FOUR OF THE BOARD MEMBERS.

(3) THE PRESIDENT AND THE SPEAKER SHALL JOINTLY DESIGNATE A MEMBER TO SERVE AS CHAIR OF THE BOARD.

(D) A MEMBER OF THE BOARD:

(1) (I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD; BUT

(II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET;

(2) IS SUBJECT TO THE PUBLIC ETHICS LAW; AND

(3) SHALL DISCLOSE TO THE STATE ETHICS COMMISSION IF THE MEMBER:

(I) IS EMPLOYED BY AN ENTITY THAT CURRENTLY DOES BUSINESS WITH THE STATE THAT IS RELATED TO THE MATTERS BEFORE THE BOARD; OR

(II) HAS A FINANCIAL INTEREST IN AN ENTITY THAT CURRENTLY DOES BUSINESS WITH THE STATE THAT IS RELATED TO THE MATTERS BEFORE THE BOARD.

(E) THE BOARD SHALL BE STAFFED BY THE DEPARTMENT OF LEGISLATIVE SERVICES.

(F) THE BOARD SHALL:

(1) SERVE AS AN EXPERT ADVISORY ENTITY TO THE GENERAL ASSEMBLY; AND

(2) REVIEW ANY STATE REPORTS OR OTHER AVAILABLE INFORMATION REGARDING EXISTING MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS, INCLUDING:

(I) PROJECT MANAGEMENT AND OVERSIGHT REPORTS PROVIDED CONFIDENTIALLY TO THE DEPARTMENT OF LEGISLATIVE SERVICES;

(II) ANY CONFIDENTIAL INFORMATION REGARDING PROJECT RISKS SUBMITTED TO THE LEGISLATIVE POLICY COMMITTEE;

(III) THE STATE MODERNIZATION PLAN;

(IV) LEGACY SYSTEM STANDARDS, INVENTORY, AND FUNDING PROJECTIONS;

(V) STATE USE OF THE INFORMATION TECHNOLOGY INVESTMENT MATURITY MODEL;

(VI) THE STATE CENTRALIZATION STRATEGIES FOR:

1. INFORMATION TECHNOLOGY MANAGEMENT; AND

2. CYBERSECURITY; AND

(VII) THE STATE ARTIFICIAL INTELLIGENCE ROADMAP DEVELOPED BY THE GOVERNOR'S ARTIFICIAL INTELLIGENCE SUBCABINET.

(G) ON OR BEFORE DECEMBER 15 EACH YEAR, THE BOARD SHALL SUBMIT TO THE LEGISLATIVE POLICY COMMITTEE AND THE JOINT COMMITTEE ON CYBERSECURITY, INFORMATION TECHNOLOGY, AND BIOTECHNOLOGY, IN ACCORDANCE WITH § 2–1257 OF THIS TITLE, A REPORT THAT:

(1) INTERPRETS AND SUMMARIZES THE REPORTS AND OTHER INFORMATION REVIEWED UNDER SUBSECTION (F)(2) OF THIS SECTION;

(2) PROVIDES ADVICE TO THE STATE BASED ON THE REPORTS AND OTHER INFORMATION REVIEWED; AND

(3) COMMUNICATES THE REQUISITE INFORMATION IN A CLEAR AND CONCISE MANNER THAT, TO THE GREATEST EXTENT POSSIBLE, AVOIDS THE USE OF TECHNICAL LANGUAGE OR RELIANCE ON EXISTING INDUSTRY KNOWLEDGE.

Chapter 497 of the Acts of 2024

[SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1, 2024, the Joint Audit and Evaluation Committee, in consultation with the Joint Committee on Cybersecurity, Information Technology, and Biotechnology, shall study and make recommendations for any statutory and operational changes necessary to address the findings of the audit issued on April 2, 2024, by the Office of Legislative Audits in the Department of Legislative Services and shall report on any recommendations for statutory changes to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly, including the Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and the Environment, the House Appropriations Committee, and the House Health and Government Operations Committee.**]**

~~3.5–309.~~

~~(a) There is an Information Technology Investment Fund.~~

~~(n) (1) On or before~~ **[**~~November~~**]** **OCTOBER** ~~1 of each year, the Secretary shall report to the Governor and the Secretary of Budget and Management and, in accordance with § 2–1257 of the State Government Article, to the Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and the Environment, the House Appropriations Committee, the House Health and Government Operations Committee, and the Joint Committee on Cybersecurity, Information Technology, and Biotechnology.~~

~~(2) The report shall include:~~

~~(i) the financial status of the Fund and a summary of its operations for the preceding fiscal year;~~

~~(ii) an accounting for the preceding fiscal year of all money from each of the revenue sources specified in subsection (e) of this section, including any expenditures made from the Fund; and~~

~~(iii) for each project receiving money from the Fund in the preceding fiscal year and for each major information technology development project or expedited project receiving funding from any source other than the Fund in the preceding fiscal year:~~

~~1. A BRIEF DESCRIPTION OF THE PROJECT, INCLUDING MAJOR CUSTOMERS AND INTERDEPENDENCIES WITH OTHER SYSTEMS;~~

~~2. AN ANALYSIS OF HOW THE PROJECT GOALS PROVIDE AN ADVANTAGE OVER CURRENT AGENCY OPERATIONS, INCLUDING A DESCRIPTION OF KEY PROJECT GOALS, CRITICAL SUCCESS FACTORS, HOW THE PROJECT SUPPORTS THE BUSINESS PROCESS, AND WHETHER THE SUCCESSFUL PROJECT WILL PROVIDE A BASIS FOR A FUTURE PROJECT AT THE SAME OR ANY OTHER UNIT OF STATE GOVERNMENT;~~

~~3. A DESCRIPTION OF TECHNOLOGIES EMPLOYED IN THE PROJECT;~~

~~4. AN ASSESSMENT OF THE VENDOR POOL OF LIKELY BIDDERS OR OFFERORS;~~

~~5. A DESCRIPTION OF THE PROCESS USED TO DEVELOP THE PROJECT;~~

~~6. AN OVERVIEW OF THE PROJECT SCHEDULE, INCLUDING ANY INTERMEDIATE PROJECT DEADLINES;~~

~~[1.] 7. the status of the project and project funding decisions;~~

~~[2.] 8. a comparison of estimated and actual costs of the project;~~

~~[3.] 9. any known or anticipated changes in scope or costs of the project;~~

~~10. A DESCRIPTION OF ANY ONGOING OPERATING EXPENSES AS A RESULT OF THE PROJECT AND A TIMELINE OF WHEN THOSE COSTS WILL BE INCURRED;~~

~~[4.] 11. an evaluation of whether the project is using best practices; and~~

~~[5.] 12. a summary of any monitoring and oversight of the project from outside the agency in which the project is being developed, including a description of any problems identified by any external review and any corrective actions taken.~~

~~(3) THE REPORT SUBMITTED UNDER THIS SUBSECTION SHALL BE:~~

~~(I) WRITTEN, AS PRACTICABLE, IN A MANNER THAT IS CLEAR, CONCISE, AND WELL-ORGANIZED AND AVOIDS TECHNICAL JARGON;~~

~~(II) STRUCTURED TO INCLUDE AN EXECUTIVE SUMMARY OF KEY INFORMATION THAT HIGHLIGHTS ACTION ITEMS AND DECISION POINTS; AND~~

~~(III) MADE PUBLICLY AVAILABLE ON THE DEPARTMENT'S WEBSITE.~~

~~(o) (1) On or before January 15 of each year, for each major information technology development project or expedited project currently in development or for which operations and maintenance funding is being provided in accordance with subsection (i)(3) of this section, subject to § 2–1257 of the State Government Article, the Secretary shall provide a summary report to the Department of Legislative Services with the most up–to–date project information including:~~

~~[(1)] (I) project funding decisions and project status, INCLUDING:~~

~~1. ANNUAL DEVELOPMENT COSTS;~~

~~2. FUNDING SOURCES; AND~~

~~3. ONGOING OPERATING COSTS, INCLUDING LICENSES AND SUPPORT TO MAINTAIN AND UPDATE THE SYSTEM;~~

~~[(2)] (II) any schedule, cost, and scope changes since the [last annual] report REQUIRED UNDER SUBSECTION (N) OF THIS SECTION WAS SUBMITTED;~~

~~[(3)] (III) a risk assessment THAT GIVES A DETAILED DESCRIPTION OF THE RISK IDENTIFIED, including:~~

~~1. TYPE OF RISK IDENTIFIED, INCLUDING AGENCY GOVERNANCE, STAFF RESOURCE AVAILABILITY OR TRAINING, FUNDING, INTERDEPENDENCIES WITH OTHER SYSTEMS, TECHNICAL ISSUES, ORGANIZATIONAL CULTURE, OR LONG–TERM SUPPORTABILITY; AND~~

~~2. any problems identified by any internal or external review and any corrective actions taken; [and]~~

~~(IV) PROJECT TRACKING METRICS, INCLUDING:~~

~~1. PROJECT DEADLINES AND ASSOCIATED DELIVERABLES; AND~~

~~2. A DESCRIPTION OF ANY CHANGES IN SCOPE, TIMELINE, AND COSTS; AND~~

~~[(4)] (V) any change in the monitoring or oversight status.~~

~~(2) THE REPORT SUBMITTED UNDER THIS SUBSECTION SHALL BE:~~

~~(I) WRITTEN, AS PRACTICABLE, IN A MANNER THAT IS CLEAR, CONCISE, AND WELL–ORGANIZED AND AVOIDS TECHNICAL JARGON;~~

~~(II) STRUCTURED TO INCLUDE AN EXECUTIVE SUMMARY OF KEY INFORMATION THAT HIGHLIGHTS ACTION ITEMS AND DECISION POINTS; AND~~

~~(III) MADE PUBLICLY AVAILABLE ON THE DEPARTMENT'S WEBSITE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 3.5–316 of Article – State Finance and Procurement of the Annotated Code of Maryland be repealed.

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2026, the Secretary of Budget and Management, with the approval of the Governor, to meet the requirements of this Act, may transfer by budget amendment to the Maryland Office of Digital Experience, as enacted by Section 1 of this Act, the following appropriations included in the fiscal year 2026 operating budget, as enacted by Chapter 602 of the Acts of the General Assembly of 2025:

(1) up to $4,300,000 in staff augmentation funds; and

(2) up to 20% of the remaining appropriation to the Information Technology Investment Fund under § 3.5–309 of the State Finance and Procurement Article.

SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(1) on or before June 30, 2026, the Governor may transfer to the Maryland Office of Digital Experience, as enacted by Section 1 of this Act, up to 50 positions, vacant or filled, along with the associated funds and unexpended appropriations that were included in the fiscal year 2026 operating budget, as enacted by Chapter 602 of the Acts of the General Assembly of 2025; and

(2) an individual who is a permanent or contractual staff member in a budgeted position in the Department of Information Technology or a unit of the State executive branch whose position is transferred to the Maryland Office of Digital Experience shall be transferred without any decrease to or loss of the individual's rights, pay, status, working conditions, benefits, or retirement benefit status.

SECTION 5. AND BE IT FURTHER ENACTED, That, in fiscal year 2026, the Department of Information Technology:

(1) shall work with units of State government to find economies of scale through use of one statewide productivity suite under one State license but may provide for specific exceptions as necessary to meet specific unit needs;

(2) shall identify any other technology licensing or costs that could be reduced with a statewide contract for licensing or services; and

(3) provide that any savings identified through the provisions of this section shall accrue to the Information Technology Investment Fund to assist in implementing the provisions of this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That in fiscal year 2026, except for funds transferred under Sections 3 and 4 of this Act, no additional general funds beyond those appropriated for the Department of Information Technology in the fiscal year 2026 operating budget, as enacted by Chapter 602 of the Acts of the General Assembly of 2025, may be used to implement this Act.

SECTION 7. AND BE IT FURTHER ENACTED, That the Senate Budget and Taxation Committee and the House Health and Government Operations Committee shall convene a workgroup to evaluate the provisions of this Act, including:

(1) the duties and responsibilities that should be assigned to the Department of Information Technology, the Maryland Office of Digital Experience, the Major Information Technology Development Project Oversight Division, the Maryland Digital Service Unit, or other offices in the Department;

(2) what, if any, additional actions should be taken to ensure adequate resolution of the findings made by the Office of Legislative Audits in 2024;

(3) whether it would be efficient and effective to have a Department of Information Technology employee embedded on–site in units of State government with a major information technology development project to assist in project management, to provide expertise, and to serve as a liaison between the unit and the Department;

(4) whether additional or independent procurement authority should be given to the Department of Information Technology; and

(5) whether there are more efficient and effective ways or mechanisms, including establishment of an independent information technology project management authority to provide project and program management and implementation.

SECTION ~~2.~~ 8. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2025.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2025.

Chapter 846

(Senate Bill 705)

AN ACT concerning

Department of Information Technology – ~~Reporting Guidelines~~ Major Information Technology Development Projects – Oversight

FOR the purpose of ~~altering the content of certain reports by the Department of Information Technology relating to the Information Technology Investment Fund; requiring the reports to be written and structured in a certain manner and made publicly available on the Department's website; and generally relating to reporting by the Department of Information Technology~~ providing that a unit of State government may not purchase, lease, contract for, or rent an information technology service or product under certain circumstances; providing that the Secretary of Information Technology is responsible for overseeing the implementation of major information technology development projects in the State; authorizing the Secretary of Information Technology and the Secretary of Budget and Management to withhold or reallocate major information technology development project funds under certain circumstances; altering the reporting requirements for allocations from the Information Technology Investment Fund; requiring the Department of Information Technology to publish a public dashboard with certain information about major information technology projects using the Information Technology Investment Fund; requiring Chief Information Officers for a unit of State government with a planned or ongoing major information technology development project to meet with the Secretary of Information Technology on a certain basis to discuss certain aspects of the projects; establishing the Maryland Office of Digital Experience within the Department to provide oversight, leadership, intervention, and strategic modernization for major information technology development projects; authorizing the Office to require units to provide certain reimbursement for services under certain circumstances; establishing the Maryland Digital Service Unit within the Maryland Office of Digital Experience to collaborate with units of State government to improve digital services; establishing the Major Information Technology Development Project Oversight Division to standardize, monitor, and support the implementation of major information technology development projects and expedited projects in the State; establishing the Information Technology Advisory Board to advise the Legislative Policy Committee; repealing a requirement that the Joint Audit and Evaluation Committee conduct a certain study and report certain recommendations to certain committees of the General Assembly; repealing the Modernize Maryland Commission; and generally relating to major information technology development projects and the Department of Information Technology.

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~
~~Section 3.5–309(a)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~3.5–309(n) and (o)~~ 3.5–101, 3.5–307(a) and (d)(1), 3.5–308, and 3.5–309(o) and (p)

Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3.5–309(a)
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY repealing
Article – State Finance and Procurement
Section 3.5–309(n) and 3.5–316
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3.5–309(o), (p), and (r); and 3.5–901 through 3.5–907 to be under the new subtitle "Subtitle 9. Maryland Office of Digital Experience"
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY adding to
Article – State Government
Section 2–411
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

BY repealing
Chapter 497 of the Acts of the General Assembly of 2024
Section 4

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

Article – State Finance and Procurement

3.5–101.

(a) In this title the following words have the meanings indicated.

(b) "Cloud computing" means a service that enables on–demand self–service network access to a shared pool of configurable computer resources, including data storage, analytics, commerce, streaming, e–mail, document sharing, and document editing.

(c) "Department" means the Department of Information Technology.

(D) (1) "OVERSIGHT OF IMPLEMENTATION" MEANS MANAGEMENT OF THE PROCESS TO IMPLEMENT A NEW TECHNOLOGY, SYSTEM, OR PRODUCT INTO PRACTICE AND USE BY A UNIT.

(2) "OVERSIGHT OF IMPLEMENTATION" INCLUDES:

(I) PLANNING AND PREPARATION TO IMPLEMENT THE PRODUCT OR PRACTICE; AND

(II) ONGOING MONITORING AND SUPPORT OF THE IMPLEMENTATION TEAM TO ENSURE SUCCESSFUL EXECUTION AND THAT THE PROJECT GOALS ARE MET.

(3) "OVERSIGHT OF IMPLEMENTATION" DOES NOT INCLUDE:

(I) RESPONSIBILITY FOR DAY–TO–DAY MANAGEMENT OF ANY INDIVIDUAL PROJECTS OR PRODUCTS; OR

(II) RESPONSIBILITY FOR IMPLEMENTING INDIVIDUAL–LEVEL PROCESS REQUIREMENTS FOR A PROJECT OR PRODUCT.

[(d)**] (E)** "Secretary" means the Secretary of Information Technology.

[(e)**] (F)** "Telecommunication" means the transmission of information, images, pictures, voice, or data by radio, video, or other electronic or impulse means.

[(f)**] (G)** "Unit of State government" means an agency or unit of the Executive Branch of State government.

3.5–307.

(a) (1) A unit of State government may not purchase, lease, **CONTRACT FOR,** or rent **AN** information technology **SERVICE OR PRODUCT** unless consistent with the master plan, as determined by the Secretary.

(2) A unit of State government other than a public institution of higher education may not make expenditures for major information technology development projects or cybersecurity projects except as provided in § 3.5–308 of this subtitle.

(d) (1) The Department **[**of General Services**]**, in consultation with the Department **OF GENERAL SERVICES**, shall **[**hire a consultant to**]** assess the procurement process for information technology projects involving modernization and make recommendations to increase the State's ability to proceed with a modernization project in a rapid and responsive manner.

3.5–308.

(a) This section does not apply to a public institution of higher education.

(b) Before submitting its information technology project requests, a unit of State government shall submit information in support of the request required by the Secretary for review and determination consistent with § 3.5–301(k) of this subtitle.

(c) In reviewing information technology project requests, the Secretary may change a unit's designation of a major information technology development project.

(d) The Secretary shall review and, with the advice of the Secretary of Budget and Management, approve major information technology development projects and specifications for consistency with all statewide plans, policies, and standards, including a systems development life cycle plan.

(e) **(1) [**The**]** **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE** Secretary shall be responsible for overseeing the implementation of major information technology development projects, regardless of fund source.

(2) AS PART OF THE SECRETARY'S RESPONSIBILITIES UNDER THIS SECTION, THE SECRETARY SHALL ENSURE THAT NO FUNDING IS PROVIDED FOR THE IMPLEMENTATION OF A MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT UNLESS:

(I) THE SECRETARY DETERMINES THAT THE UNIT HAS THE INTERNAL CAPACITY TO ADEQUATELY SUPPORT THE PROJECT, PROGRAM MANAGEMENT, AND RESPONSIBILITY OVER PROGRAM ACTIVITIES, INCLUDING:

1. HUMAN CAPITAL;

2. SUBJECT MATTER EXPERTISE; AND

3. TECHNICAL INFRASTRUCTURE;

(II) WITHIN 30 DAYS OF AWARDING A CONTRACT, THE MANAGING UNIT SENDS TO THE BOARD OF PUBLIC WORKS AND THE LEGISLATIVE POLICY COMMITTEE, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, NOTICE THAT:

1. IDENTIFIES THE PROJECT MANAGEMENT TEAM;

2. AFFIRMS THAT THE DEPARTMENT HAS REVIEWED AND APPROVED THE CONTRACT; AND

3. IS SIGNED BY THE HEAD OF THE UNIT ACKNOWLEDGING AND ACCEPTING THE ACCOUNTABILITY FOR THE IMPLEMENTATION OF THE INFORMATION TECHNOLOGY PROJECT OR PRODUCT; AND

(III) WHILE A UNIT IS MANAGING AN ACTIVE PROJECT OR PRODUCT, THE UNIT AGREES TO REPORT TO THE DEPARTMENT EVERY 3 MONTHS ON THE PROJECT STATUS IN A MANNER REQUESTED BY THE DEPARTMENT.

(f) (1) With the advice of the Secretary of Budget and Management, expenditures for major information technology development projects shall be subject to the approval of the Secretary who shall approve expenditures only when those projects are consistent with statewide plans, policies, and standards.

(2) **(I)** The Secretary shall make a recommendation to the Secretary of Budget and Management **[**that**]** **TO WITHHOLD** project funds, regardless of fund source, **[**be withheld**]** if:

[(i)**]** **1.** a unit of State government is not consistently reporting on the status of a project or projects to the Department in the form and manner required by the Department; or

[(ii)**]** **2.** the Department determines that project implementation issues exist, including project timeline delays, significant cost increases, vendor nonperformance, decreased agency capacity, or other issues that indicate issues of concern that could jeopardize successful implementation.

(II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AND EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE SECRETARY OF BUDGET AND MANAGEMENT SHALL WITHHOLD ANY UNEXPENDED FUNDS APPROPRIATED IN A FISCAL YEAR FOR A MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT AT THE SECRETARY'S RECOMMENDATION ISSUED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) THE SECRETARY OF BUDGET AND MANAGEMENT MAY RELEASE FUNDS WITHHELD UNDER THIS PARAGRAPH AT THE DIRECTION OF THE SECRETARY IF THE SECRETARY DETERMINES THAT THE ISSUE LEADING TO THE INITIAL WITHHOLDING OF FUNDS HAS BEEN ADDRESSED.

(3) WITHIN 30 DAYS AFTER FUNDING IS WITHHELD IN ACCORDANCE WITH THIS SUBSECTION, THE DEPARTMENT SHALL REPORT ON THE PURPOSE OF THE WITHHOLDING:

(I) TO THE GOVERNOR; AND

(II) SUBJECT TO § 2–1257 OF THE STATE GOVERNMENT ARTICLE, TO:

1. THE SENATE BUDGET AND TAXATION COMMITTEE;

2. THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT;

3. THE HOUSE APPROPRIATIONS COMMITTEE;

4. THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE; AND

5. THE JOINT COMMITTEE ON CYBERSECURITY, INFORMATION TECHNOLOGY, AND BIOTECHNOLOGY.

(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH:

1. THE SECRETARY MAY RECOMMEND TO THE SECRETARY OF BUDGET AND MANAGEMENT THAT FUNDING WITHHELD UNDER THIS SECTION BE REALLOCATED TO OTHER EXPENSES OF THE INFORMATION TECHNOLOGY INVESTMENT FUND UNDER § 3.5–309 OF THIS SUBTITLE; AND

2. THE SECRETARY OF BUDGET AND MANAGEMENT MAY, AT THEIR DISCRETION, FOLLOW THE SECRETARY'S RECOMMENDATION TO REALLOCATE FUNDS.

(II) IF THE REALLOCATED FUNDS EXCEED $500,000, THE SECRETARY, IN CONSULTATION WITH THE SECRETARY OF BUDGET AND MANAGEMENT, SHALL SUBMIT A PROPOSAL TO THE LEGISLATIVE POLICY COMMITTEE FOR A 60–DAY REVIEW AND COMMENT PERIOD.

(g) (1) The Secretary shall approve funding for major information technology development projects, expedited projects, and other expenditures from the Fund only when:

(i) the major information technology development projects or the expedited projects are in compliance with statewide plans, policies, and standards, as determined by the Secretary; and

(ii) the major information technology development projects are supported by an approved systems development life cycle plan.

(2) An approved systems development life cycle plan shall include submission of:

(i) a project planning request that details initial planning for the project, including:

1. the project title, appropriation code, and summary;

2. a description of:

A. the business and technology outcomes to be achieved by the project;

B. the features available to the end user on completion, including user acceptance testing and accessibility plans;

C. the potential risks associated with the project;

D. possible alternatives; and

E. the scope and complexity of the project; and

3. an estimate of:

A. the total costs required to complete through planning; and

B. the fund sources available to support planning costs; and

(ii) a project implementation request to begin full design, development, and implementation of the project after the completion of planning, including:

1. the project title, appropriation code, and summary;

2. a description of:

A. the business and technology outcomes to be achieved by the project and the metrics by which the success of those outcomes will be measured;

B. the features available to the end user on completion, including user acceptance testing and accessibility plans;

C. the potential risks associated with the project;

D. possible alternatives;

E. the scope and complexity of the project; and

F. how the project meets the goals of the statewide master plan; and

3. an estimate of:

A. the total project cost, by phase; and

B. the fund sources to be utilized.

(3) The Secretary may approve funding incrementally, consistent with the systems development life cycle plan.

(h) **[**The Department, in consultation with the Modernize Maryland Commission established under § 3.5–316 of this subtitle,**]** **ON OR BEFORE JULY 1, 2026, THE DEPARTMENT** shall:

(1) develop standards for units of State government to assist in identifying legacy systems that require modernization projects appropriate to be financed as an expedited project through the Fund;

(2) adopt an Information Technology Investment Maturity Model that includes:

(i) criteria to inform and prioritize investment decisions;

(ii) processes to develop the information required to evaluate investment proposals against the criteria under item (i) of this item; and

(iii) management processes to monitor the implementation of approved modernization projects; and

(3) develop a State Modernization Plan.

3.5–309.

(a) There is an Information Technology Investment Fund.

[(n) (1) On or before November 1 of each year, the Secretary shall report to the Governor and the Secretary of Budget and Management and, in accordance with § 2–1257 of the State Government Article, to the Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and the Environment, the House Appropriations Committee, the House Health and Government Operations Committee, and the Joint Committee on Cybersecurity, Information Technology, and Biotechnology.

(2) The report shall include:

(i) the financial status of the Fund and a summary of its operations for the preceding fiscal year;

(ii) an accounting for the preceding fiscal year of all money from each of the revenue sources specified in subsection (e) of this section, including any expenditures made from the Fund; and

(iii) for each project receiving money from the Fund in the preceding fiscal year and for each major information technology development project or expedited project receiving funding from any source other than the Fund in the preceding fiscal year:

1. the status of the project and project funding decisions;

2. a comparison of estimated and actual costs of the project;

3. any known or anticipated changes in scope or costs of the project;

4. an evaluation of whether the project is using best practices; and

5. a summary of any monitoring and oversight of the project from outside the agency in which the project is being developed, including a description of any problems identified by any external review and any corrective actions taken.**]**

[(o)**] (N) (1)** On or before January 15 of each year, for each major information technology development project or expedited project currently in development or for which operations and maintenance funding is being provided in accordance with subsection (i)(3) of this section, subject to § 2–1257 of the State Government Article, the Secretary shall provide a summary report to the Department of Legislative Services with the most up–to–date project information including:

[(1)**] (I)** project funding decisions and project status**, INCLUDING:**

1. ESTIMATED PROJECT OR PRODUCT COSTS;

2. FUNDING SOURCES; AND

3. ONGOING OPERATING COSTS AFTER THE PROJECT IS NO LONGER A MAJOR DEVELOPMENT PROJECT OR EXPEDITED PROJECT, INCLUDING:

A. COSTS ASSOCIATED WITH PROCURING AND MAINTAINING LICENSES; AND

B. SUPPORT TO CONTINUOUSLY MAINTAIN AND IMPROVE THE PROJECT OR PRODUCT;

[(2)**]** **(II)** any schedule, cost, and scope changes since the last annual report;

[(3)**]** **(III)** a risk assessment **[**including any problems identified by any internal or external review and any corrective actions taken; and**]** **PROVIDED BY EITHER THE DEPARTMENT OR THE DESIGNATED UNIT OF STATE GOVERNMENT THAT DETAILS THE IDENTIFIED PROJECT OR PRODUCT RISK, INCLUDING:**

1. A DESCRIPTION OF THE TYPE OF RISK, INCLUDING:

A. GOVERNANCE;

B. RESOURCE AVAILABILITY OR CAPABILITY;

C. FUNDING;

D. INTERDEPENDENCIES WITH OTHER SYSTEMS;

E. TECHNICAL ISSUES;

F. ORGANIZATIONAL CULTURE; OR

G. ABILITY TO SUPPORT IN THE LONG TERM;

2. THE RISK LIKELIHOOD;

3. THE RISK PRIORITY;

4. THE RISK OWNER;

5. PLANNED RISK MITIGATION STRATEGY; AND

6. THE RISK STATUS AS OF THE REPORT DATE;

(IV) PROJECT TRACKING METRICS, INCLUDING:

1. DESCRIBING THE FUNCTIONALITY AND FEATURES THAT HAVE BEEN DELIVERED AS OF THE REPORT DATE; AND

2. QUALITATIVE AND QUANTITATIVE DATA SHOWING PROGRESS TOWARDS PROJECT GOALS; AND

[(4)**]** **(V)** any change in the monitoring or oversight status.

(2) THE REPORT SUBMITTED UNDER THIS SUBSECTION:

(I) IS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE UNDER TITLE 4 OF THE GENERAL PROVISIONS ARTICLE;

(II) SHALL COMMUNICATE THE REQUISITE INFORMATION IN A CLEAR AND CONCISE MANNER THAT, TO THE GREATEST EXTENT POSSIBLE, AVOIDS THE USE OF TECHNICAL LANGUAGE OR RELIANCE ON EXISTING INDUSTRY KNOWLEDGE; AND

(III) SHALL INCLUDE AN EXECUTIVE SUMMARY OF KEY INFORMATION, INCLUDING:

1. THE TOTAL VALUE OF THE PORTFOLIO, INCLUDING:

A. ANNUAL DEVELOPMENT COSTS;

B. FUNDING SOURCES; AND

C. PROJECTED ONGOING OPERATING COSTS OVER THE NEXT 5 YEARS; AND

2. A SUMMARY OF NEW PROJECTS INCLUDING:

A. THE ADVANTAGES OF THE NEW PROJECTS; AND

B. ANY NEW OR INNOVATIVE ASPECTS OF DEVELOPMENT PROCESSES.

(O) (1) THE DEPARTMENT SHALL PUBLISH AND MAINTAIN A PUBLICLY AVAILABLE PROJECT AND PORTFOLIO DASHBOARD ON THE DEPARTMENT'S WEBSITE.

(2) THE DASHBOARD SHALL INCLUDE ALL MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS AND EXPEDITED PROJECTS, ORGANIZED BY THE ACCOUNTABLE UNIT OF STATE GOVERNMENT.

(3) FOR EACH PROJECT, THE DASHBOARD SHALL:

(I) SPECIFY THE SCHEDULE MANAGEMENT FOR THE PROJECT, INCLUDING:

1. THE PROJECT START DATE;

2. ESTIMATED LENGTH OF THE PROJECT, BY PHASE;

3. PLANNED MILESTONES WITH ESTIMATED COMPLETION DATES; AND

4. COMPLETED MILESTONES WITH COMPLETION DATES;

(II) LIST THE ESTIMATED PROJECT COST;

(III) LIST THE TOTAL AMOUNT APPROPRIATED FOR THE CURRENT FISCAL YEAR;

(IV) LIST THE TOTAL AMOUNT SPENT DURING THE PRIOR FISCAL YEAR, CATEGORIZED BY:

1. VENDOR COSTS;

2. AGENCY LABOR;

3. SOFTWARE LICENSES, SUBSCRIPTIONS, AND OTHER COSTS;

4. OTHER EXPENSES; AND

5. TOTAL EXPENDITURES;

(V) FOR PROJECTS IN DEVELOPMENT:

1. THE PRIOR FISCAL YEAR FORECAST ACCOMPANIED BY ACTUAL DATA AND THE RESULTING VARIANCE; AND

2. THE CURRENT YEAR FORECAST; AND

(VI) SUBJECT TO SUBSECTION (P) OF THIS SECTION, IDENTIFY MAJOR PROJECT OR PRODUCT RISKS, INCLUDING:

1. RISK DESCRIPTION;

2. RISK IMPACT;

3. RISK LIKELIHOOD;

4. MITIGATION STRATEGY; AND

5. RISK STATUS.

(P) (1) THE DEPARTMENT MAY REDACT SPECIFIC RISKS IDENTIFIED UNDER SUBSECTION (O)(3)(VI) OF THIS SECTION FROM THE PUBLIC DASHBOARD IF THE DEPARTMENT DETERMINES THAT PUBLIC SHARING OF THE INFORMATION COULD POSE A RISK TO THE PROJECT.

(2) IF A RISK IS REDACTED FROM THE DASHBOARD, THE INFORMATION SHALL BE SHARED WITH THE LEGISLATIVE POLICY COMMITTEE.

(3) A RISK REDACTED FROM THE DASHBOARD IS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE UNDER TITLE 4 OF THE GENERAL PROVISIONS ARTICLE.

[(p)**] (Q)** (1) The Secretary may adopt regulations necessary to carry out this section.

(2) The Secretary shall adopt regulations necessary to establish a process for units of State government to request and receive funding for an expedited project aligned with the State Modernization Plan that shall:

(i) allow units of State government to apply for project funding biannually;

(ii) be consistent with the goals and preferences established under Title 14 of this article and encourage small and minority business enterprise vendors; and

(iii) provide measures that ensure compliance with this subtitle and the Department's regulations by both vendors and units of State government.

(R) THE CHIEF INFORMATION OFFICER FOR A UNIT OF STATE GOVERNMENT WITH A PLANNED OR ONGOING MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT SHALL MEET WITH THE SECRETARY ON A QUARTERLY BASIS TO REPORT ON AND DISCUSS THE ONGOING INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS, INCLUDING:

(1) PROJECT BUDGET;

(2) PROJECT VENDOR PERFORMANCE OR NONPERFORMANCE;

(3) PROJECT SCOPE;

(4) PROJECT SCHEDULE;

(5) THE CAPACITY OF THE UNIT TO IMPLEMENT THE PROJECT; AND

(6) ANY OTHER ITEMS THE SECRETARY DEEMS RELEVANT TO THE SUCCESSFUL IMPLEMENTATION OF THE PROJECT.

SUBTITLE 9. MARYLAND OFFICE OF DIGITAL EXPERIENCE.

3.5–901.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "DIVISION" MEANS THE MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT OVERSIGHT DIVISION.

(C) "OFFICE" MEANS THE MARYLAND OFFICE OF DIGITAL EXPERIENCE.

(D) "SERVICE" MEANS THE MARYLAND DIGITAL SERVICE UNIT.

3.5–902.

(A) THERE IS A MARYLAND OFFICE OF DIGITAL EXPERIENCE.

(B) THE PURPOSE OF THE OFFICE IS TO:

(1) PROVIDE OVERSIGHT, LEADERSHIP, INTERVENTION, AND STRATEGIC MODERNIZATION FOR MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS, INCLUDING LARGE–SCALE, HIGH IMPACT, MULTI–AGENCY PROJECTS, IN A TRANSPARENT MANNER THAT ENSURES A POSITIVE RETURN ON INVESTMENT; AND

(2) DIRECT THE DEVELOPMENT OF MODERNIZED SYSTEMS IN A MANNER THAT:

(I) WHEN APPROPRIATE, PRIORITIZES A PRODUCT–BASED APPROACH TO THE DEVELOPMENT OF MODERNIZED SYSTEMS OVER A PROJECT–BASED APPROACH;

(II) IS COST–EFFECTIVE;

(III) LOWERS RISKS;

(IV) DELIVERS VALUE FASTER; AND

(V) OTHERWISE IMPROVES THE DELIVERY OF SERVICES FOR RESIDENTS OF THE STATE.

3.5–903.

THE SECRETARY SHALL APPOINT A CHIEF DIGITAL EXPERIENCE OFFICER TO SERVE AS THE HEAD OF THE OFFICE.

3.5–904.

(A) (1) THE OFFICE MAY EMPLOY OR RETAIN REGULAR OR CONTRACTUAL EMPLOYEES AT THE DISCRETION OF THE CHIEF DIGITAL SERVICES OFFICER AND CHIEF OF THE DIVISION AS NECESSARY TO MEET THE REQUIREMENTS OF THE OFFICE.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE CHIEF DIGITAL SERVICES OFFICER AND CHIEF OF THE DIVISION MAY SET THE COMPENSATION FOR OFFICE EMPLOYEES.

(II) THE SECRETARY OF BUDGET AND MANAGEMENT SHALL APPROVE ANY COMPENSATION PROPOSED UNDER THIS SUBSECTION.

(B) THE OFFICE MAY USE A SHORT–TERM CONTRACT OR CONTRACTUAL HIRING TO SUPPORT HUMAN RESOURCE NEEDS TO SUPPORT THE RAPID HIRING OF OFFICE EMPLOYEES AND CONTRACTORS.

(C) TO MEET THE REQUIREMENTS OF THIS SUBTITLE, THE OFFICE MAY REQUIRE A UNIT TO PROVIDE REIMBURSEMENT FOR SERVICES PROVIDED BY THE OFFICE FROM FUNDS PROVIDED TO THE UNIT FROM THE INFORMATION TECHNOLOGY INVESTMENT FUND OR OTHER FUNDS ALLOCATED TO THE UNIT FOR AN INFORMATION TECHNOLOGY PROJECT OR PRODUCT.

3.5–905.

(A) THERE IS A MARYLAND DIGITAL SERVICE UNIT IN THE OFFICE.

(B) THE SERVICE SHALL COLLABORATE WITH UNITS OF STATE GOVERNMENT TO SUPPORT IMPROVED SERVICE DELIVERY TO STATE RESIDENTS AND AGENCY STAFF TO IMPLEMENT:

(1) USER–CENTERED DESIGN;

(2) SOFTWARE DEVELOPMENT; AND

(3) PROJECT MANAGEMENT BEST PRACTICES.

(C) THE SERVICE IS RESPONSIBLE FOR:

(1) ASSISTING UNITS OF STATE GOVERNMENT TO PRIORITIZE THE DEVELOPMENT AND PROCUREMENT OF USER–FRIENDLY, ACCESSIBLE, AND MULTILINGUAL DIGITAL PLATFORMS TO ENSURE THAT ALL STATE RESIDENTS, INCLUDING THOSE WITH DISABILITIES, CAN EASILY ACCESS AND USE GOVERNMENT SERVICES AND INFORMATION;

(2) WORKING COLLABORATIVELY WITH UNITS OF STATE GOVERNMENT TO:

(I) CONSOLIDATE AND STREAMLINE STATE WEBSITES AND DIGITAL APPLICATIONS TO REDUCE REDUNDANCY, COMPLEXITY, AND MAINTENANCE COSTS; AND

(II) PRIORITIZE PROJECTS THAT ARE FINANCIALLY EFFICIENT AND DRIVE POSITIVE OUTCOMES FOR STATE RESIDENTS; AND

(3) OVERSEEING THE IMPLEMENTATION OF USER–CENTERED DESIGN PRINCIPLES, ACCESSIBILITY STANDARDS, AND BEST PRACTICES ACROSS UNITS OF STATE GOVERNMENT.

(D) UNITS OF STATE GOVERNMENT SHALL COLLABORATE WITH THE SERVICE TO ENSURE THAT THE ALIGNMENT AND FUNDING OF A DIGITAL INITIATIVE IS CONSISTENT WITH:

(1) THE OVERALL GOALS AND PRIORITIES OF THE STATE; AND

(2) THE STATEWIDE INFORMATION TECHNOLOGY MASTER PLAN.

3.5–906.

(A) THERE IS A MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT OVERSIGHT DIVISION IN THE OFFICE.

(B) THE DIVISION, IN CONSULTATION WITH THE DEPARTMENT, SHALL:

(1) ADOPT NEW STANDARDS BY WHICH MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS AND EXPEDITED PROJECTS ARE REQUIRED TO COMPLY, IN ALIGNMENT WITH THE STATE SYSTEM DEVELOPMENT LIFE CYCLE;

(2) MONITOR THE PERFORMANCE OF PROJECT MANAGEMENT TEAMS FOR MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS AND EXPEDITED PROJECTS AND ENSURE THE TEAMS HAVE THE APPROPRIATE TALENT AND EXPERTISE NECESSARY TO DELIVER THE INTENDED PROJECT VALUE; AND

(3) PROVIDE EXPERTISE, SUPPORT, AND INTERVENTION AS NECESSARY FOR THE PROJECT MANAGEMENT TEAM TO SUCCESSFULLY IMPLEMENT A PROJECT IN A MANNER CONSISTENT WITH STANDARDS ADOPTED UNDER ITEM (1) OF THIS SUBSECTION.

(C) THE DIVISION SHALL ESTABLISH AND STAFF A DISCOVERY TEAM TO DEPLOY TEAM MEMBERS TO HELP UNITS OF STATE GOVERNMENT ASSIST THE UNIT IN IDENTIFYING:

(1) WHAT PROBLEM THE USE OF AN INFORMATION TECHNOLOGY PROJECT OR PRODUCT IS SOLVING;

(2) WHO THE USERS OF THE PROJECT OR PRODUCT WILL BE;

(3) WHAT A SUCCESSFUL SOLUTION WOULD LOOK LIKE; AND

(4) OTHER ISSUES TO ENSURE SUCCESSFUL IMPLEMENTATION OF THE PROJECT OR PRODUCT.

(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE SECRETARY MAY DELEGATE ANY MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT TO THE DIVISION THAT THE SECRETARY DETERMINES IS APPROPRIATE TO SERVE AS A PILOT PROJECT FOR THE DIVISION TO PROVIDE THE SERVICES DESCRIBED IN THIS SECTION.

3.5–907.

BEGINNING DECEMBER 31, 2025, AND EACH JULY 1 AND DECEMBER 31 THEREAFTER, THE DEPARTMENT OF GENERAL SERVICES, IN CONSULTATION WITH THE DEPARTMENT, SHALL REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON ANY PROJECTS OVER $1,000,000 UNDERTAKEN BY A UNIT OF STATE GOVERNMENT UNDER A MASTER CONTRACT FOR STATEWIDE AGILE RESOURCES AND TEAMS CONTRACT OR WORK ORDER APPROVED BY THE BOARD OF PUBLIC WORKS IN FISCAL YEAR 2025, INCLUDING:

(1) THE CONTRACT OR WORK ORDER AMOUNT AND TOTAL ESTIMATED PROJECT COST;

(2) WHETHER THE SECRETARY OF GENERAL SERVICES AND THE SECRETARY HAVE DETERMINED THAT THE UNIT HAS THE INTERNAL CAPACITY TO

ADEQUATELY SUPPORT THE PROJECT AND PROGRAM MANAGEMENT RESPONSIBILITIES, INCLUDING ADEQUATE:

(I) HUMAN CAPITAL;

(II) SUBJECT MATTER EXPERTISE; AND

(III) TECHNICAL INFRASTRUCTURE;

(3) WHETHER THE HEAD OF THE UNIT ACCEPTED ACCOUNTABILITY FOR THE OVERSIGHT AND IMPLEMENTATION OF THE PROJECT;

(4) THE MEMBERS OF THE PROJECT MANAGEMENT TEAM; AND

(5) AFFIRMATIVE AGREEMENTS THAT, AS PART OF THE CONTRACT OR WORK ORDER APPROVAL, THE UNIT OF STATE GOVERNMENT SUBMITS A REPORT REGARDING PROJECT STATUS TO THE DEPARTMENT EVERY 3 MONTHS.

Article – State Government

2–411.

(A) IN THIS SECTION, "BOARD" MEANS THE INFORMATION TECHNOLOGY ADVISORY BOARD.

(B) THERE IS AN INFORMATION TECHNOLOGY ADVISORY BOARD TO ADVISE THE LEGISLATIVE POLICY COMMITTEE.

(C) (1) THE BOARD CONSISTS OF EIGHT MEMBERS OF THE PUBLIC WITH EXPERTISE IN:

(I) ENTERPRISE INFORMATION TECHNOLOGY MANAGEMENT EXPERIENCE; AND

(II) SPECIFIC TECHNOLOGY EXPERIENCE, INCLUDING EXPERIENCE WITH ARTIFICIAL INTELLIGENCE AND CYBERSECURITY.

(2) (I) THE PRESIDENT OF THE SENATE SHALL APPOINT FOUR OF THE BOARD MEMBERS.

(II) THE SPEAKER OF THE HOUSE SHALL APPOINT FOUR OF THE BOARD MEMBERS.

(3) THE PRESIDENT AND THE SPEAKER SHALL JOINTLY DESIGNATE A MEMBER TO SERVE AS CHAIR OF THE BOARD.

(D) A MEMBER OF THE BOARD:

(1) (I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD; BUT

(II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET;

(2) IS SUBJECT TO THE PUBLIC ETHICS LAW; AND

(3) SHALL DISCLOSE TO THE STATE ETHICS COMMISSION IF THE MEMBER:

(I) IS EMPLOYED BY AN ENTITY THAT CURRENTLY DOES BUSINESS WITH THE STATE THAT IS RELATED TO THE MATTERS BEFORE THE BOARD; OR

(II) HAS A FINANCIAL INTEREST IN AN ENTITY THAT CURRENTLY DOES BUSINESS WITH THE STATE THAT IS RELATED TO THE MATTERS BEFORE THE BOARD.

(E) THE BOARD SHALL BE STAFFED BY THE DEPARTMENT OF LEGISLATIVE SERVICES.

(F) THE BOARD SHALL:

(1) SERVE AS AN EXPERT ADVISORY ENTITY TO THE GENERAL ASSEMBLY; AND

(2) REVIEW ANY STATE REPORTS OR OTHER AVAILABLE INFORMATION REGARDING EXISTING MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS, INCLUDING:

(I) PROJECT MANAGEMENT AND OVERSIGHT REPORTS PROVIDED CONFIDENTIALLY TO THE DEPARTMENT OF LEGISLATIVE SERVICES;

(II) ANY CONFIDENTIAL INFORMATION REGARDING PROJECT RISKS SUBMITTED TO THE LEGISLATIVE POLICY COMMITTEE;

(III) THE STATE MODERNIZATION PLAN;

(IV) LEGACY SYSTEM STANDARDS, INVENTORY, AND FUNDING PROJECTIONS;

(V) STATE USE OF THE INFORMATION TECHNOLOGY INVESTMENT MATURITY MODEL;

(VI) THE STATE CENTRALIZATION STRATEGIES FOR:

1. INFORMATION TECHNOLOGY MANAGEMENT; AND

2. CYBERSECURITY; AND

(VII) THE STATE ARTIFICIAL INTELLIGENCE ROADMAP DEVELOPED BY THE GOVERNOR'S ARTIFICIAL INTELLIGENCE SUBCABINET.

(G) ON OR BEFORE DECEMBER 15 EACH YEAR, THE BOARD SHALL SUBMIT TO THE LEGISLATIVE POLICY COMMITTEE AND THE JOINT COMMITTEE ON CYBERSECURITY, INFORMATION TECHNOLOGY, AND BIOTECHNOLOGY, IN ACCORDANCE WITH § 2–1257 OF THIS TITLE, A REPORT THAT:

(1) INTERPRETS AND SUMMARIZES THE REPORTS AND OTHER INFORMATION REVIEWED UNDER SUBSECTION (F)(2) OF THIS SECTION;

(2) PROVIDES ADVICE TO THE STATE BASED ON THE REPORTS AND OTHER INFORMATION REVIEWED; AND

(3) COMMUNICATES THE REQUISITE INFORMATION IN A CLEAR AND CONCISE MANNER THAT, TO THE GREATEST EXTENT POSSIBLE, AVOIDS THE USE OF TECHNICAL LANGUAGE OR RELIANCE ON EXISTING INDUSTRY KNOWLEDGE.

Chapter 497 of the Acts of 2024

[SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1, 2024, the Joint Audit and Evaluation Committee, in consultation with the Joint Committee on Cybersecurity, Information Technology, and Biotechnology, shall study and make recommendations for any statutory and operational changes necessary to address the findings of the audit issued on April 2, 2024, by the Office of Legislative Audits in the Department of Legislative Services and shall report on any recommendations for statutory changes to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly, including the Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and the Environment, the House Appropriations Committee, and the House Health and Government Operations Committee.**]**

~~3.5–309.~~

~~(a) There is an Information Technology Investment Fund.~~

~~(n) (1) On or before~~ **[**~~November~~**]** **O**~~CTOBER~~ ~~1 of each year, the Secretary shall report to the Governor and the Secretary of Budget and Management and, in accordance with § 2–1257 of the State Government Article, to the Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and the Environment, the House Appropriations Committee, the House Health and Government Operations Committee, and the Joint Committee on Cybersecurity, Information Technology, and Biotechnology.~~

~~(2) The report shall include:~~

~~(i) the financial status of the Fund and a summary of its operations for the preceding fiscal year;~~

~~(ii) an accounting for the preceding fiscal year of all money from each of the revenue sources specified in subsection (c) of this section, including any expenditures made from the Fund; and~~

~~(iii) for each project receiving money from the Fund in the preceding fiscal year and for each major information technology development project or expedited project receiving funding from any source other than the Fund in the preceding fiscal year:~~

~~1. A BRIEF DESCRIPTION OF THE PROJECT, INCLUDING MAJOR CUSTOMERS AND INTERDEPENDENCIES WITH OTHER SYSTEMS;~~

~~2. AN ANALYSIS OF HOW THE PROJECT GOALS PROVIDE AN ADVANTAGE OVER CURRENT AGENCY OPERATIONS, INCLUDING A DESCRIPTION OF KEY PROJECT GOALS, CRITICAL SUCCESS FACTORS, HOW THE PROJECT SUPPORTS THE BUSINESS PROCESS, AND WHETHER THE SUCCESSFUL PROJECT WILL PROVIDE A BASIS FOR A FUTURE PROJECT AT THE SAME OR ANY OTHER UNIT OF STATE GOVERNMENT;~~

~~3. A DESCRIPTION OF TECHNOLOGIES EMPLOYED IN THE PROJECT;~~

~~4. AN ASSESSMENT OF THE VENDOR POOL OF LIKELY BIDDERS OR OFFERORS;~~

~~5. A DESCRIPTION OF THE PROCESS USED TO DEVELOP THE PROJECT;~~

~~6. AN OVERVIEW OF THE PROJECT SCHEDULE, INCLUDING ANY INTERMEDIATE PROJECT DEADLINES;~~

~~[1.] 7. the status of the project and project funding decisions;~~

~~[2.] 8. a comparison of estimated and actual costs of the project;~~

~~[3.] 9. any known or anticipated changes in scope or costs of the project;~~

~~10. A DESCRIPTION OF ANY ONGOING OPERATING EXPENSES AS A RESULT OF THE PROJECT AND A TIMELINE OF WHEN THOSE COSTS WILL BE INCURRED;~~

~~[4.] 11. an evaluation of whether the project is using best practices; and~~

~~[5.] 12. a summary of any monitoring and oversight of the project from outside the agency in which the project is being developed, including a description of any problems identified by any external review and any corrective actions taken.~~

~~(3) THE REPORT SUBMITTED UNDER THIS SUBSECTION SHALL BE:~~

~~(I) WRITTEN, AS PRACTICABLE, IN A MANNER THAT IS CLEAR, CONCISE, AND WELL-ORGANIZED AND AVOIDS TECHNICAL JARGON;~~

~~(II) STRUCTURED TO INCLUDE AN EXECUTIVE SUMMARY OF KEY INFORMATION THAT HIGHLIGHTS ACTION ITEMS AND DECISION POINTS, INCLUDING:~~

~~1. THE TOTAL VALUE OF THE PORTFOLIO, INCLUDING ANNUAL DEVELOPMENT COSTS, FUNDING SOURCES, AND PREDICTED ONGOING OPERATING COSTS OVER THE NEXT 5 YEARS;~~

~~2. A SUMMARY OF NEW PROJECTS, THE ADVANTAGES OF THE PROJECTS, AND ANY NEW OR INNOVATIVE ASPECTS OF THE DEVELOPMENT PROCESSES;~~

~~3. AN ASSESSMENT OF THE NEW TECHNOLOGIES AND BEST PRACTICES EMPLOYED ACROSS THE PORTFOLIO, INCLUDING HOW THOSE TECHNOLOGIES ALIGN TO THE STATE MASTER PLAN;~~

~~4. A DASHBOARD GRAPHIC TO DEPICT THE BASIC STATUS OF ALL PROJECTS IN THE PORTFOLIO, INCLUDING THE STATUS AS IT RELATES TO MILESTONES AND FINANCIAL INVESTMENT; AND~~

~~5. AN ASSESSMENT OF ANY RISKS IDENTIFIED, BY TYPE AND AGENCY; AND~~

~~(III) MADE PUBLICLY AVAILABLE ON THE DEPARTMENT'S WEBSITE.~~

~~(o) (1) On or before January 15 of each year, for each major information technology development project or expedited project currently in development or for which operations and maintenance funding is being provided in accordance with subsection (i)(3) of this section, subject to § 2–1257 of the State Government Article, the Secretary shall provide a summary report to THE SENATE BUDGET AND TAXATION COMMITTEE, THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT, THE HOUSE APPROPRIATIONS COMMITTEE, THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, THE JOINT COMMITTEE ON CYBERSECURITY, INFORMATION TECHNOLOGY, AND BIOTECHNOLOGY, AND the Department of Legislative Services with the most up–to–date project information including:~~

~~[(1)] (I) project funding decisions and project status, INCLUDING:~~

~~1. ANNUAL DEVELOPMENT COSTS;~~

~~2. FUNDING SOURCES; AND~~

~~3. ONGOING OPERATING COSTS, INCLUDING LICENSES AND SUPPORT TO MAINTAIN AND UPDATE THE SYSTEM;~~

~~[(2)] (II) any schedule, cost, and scope changes since the [last annual] report REQUIRED UNDER SUBSECTION (N) OF THIS SECTION WAS SUBMITTED;~~

~~[(3)] (III) a risk assessment THAT GIVES A DETAILED DESCRIPTION OF THE RISK IDENTIFIED, including:~~

~~1. TYPE OF RISK IDENTIFIED, INCLUDING AGENCY GOVERNANCE, STAFF RESOURCE AVAILABILITY OR TRAINING, FUNDING, INTERDEPENDENCIES WITH OTHER SYSTEMS, TECHNICAL ISSUES, ORGANIZATIONAL CULTURE, OR LONG–TERM SUPPORTABILITY; AND~~

~~2. any problems identified by any internal or external review and any corrective actions taken; [and]~~

~~(IV) PROJECT TRACKING METRICS, INCLUDING:~~

~~1. PROJECT DEADLINES AND ASSOCIATED DELIVERABLES; AND~~

~~**2. A DESCRIPTION OF ANY CHANGES IN SCOPE, TIMELINE, AND COSTS; AND**~~

~~**[**(4)**]** **(V)** any change in the monitoring or oversight status.~~

~~**(2) THE REPORT SUBMITTED UNDER THIS SUBSECTION SHALL BE:**~~

~~**(I) WRITTEN, AS PRACTICABLE, IN A MANNER THAT IS CLEAR, CONCISE, AND WELL–ORGANIZED AND AVOIDS TECHNICAL JARGON;**~~

~~**(II) STRUCTURED TO INCLUDE AN EXECUTIVE SUMMARY OF KEY INFORMATION THAT HIGHLIGHTS ACTION ITEMS AND DECISION POINTS, INCLUDING:**~~

~~**1. THE TOTAL VALUE OF THE PORTFOLIO, INCLUDING ANNUAL DEVELOPMENT COSTS, FUNDING SOURCES, AND PREDICTED ONGOING OPERATING COSTS OVER THE NEXT 5 YEARS;**~~

~~**2. A SUMMARY OF NEW PROJECTS, THE ADVANTAGES OF THE PROJECTS, AND ANY NEW OR INNOVATIVE ASPECTS OF THE DEVELOPMENT PROCESSES;**~~

~~**3. AN ASSESSMENT OF THE NEW TECHNOLOGIES AND BEST PRACTICES EMPLOYED ACROSS THE PORTFOLIO, INCLUDING HOW THOSE TECHNOLOGIES ALIGN TO THE STATE MASTER PLAN;**~~

~~**4. A DASHBOARD GRAPHIC TO DEPICT THE BASIC STATUS OF ALL PROJECTS IN THE PORTFOLIO, INCLUDING THE STATUS AS IT RELATES TO MILESTONES AND FINANCIAL INVESTMENT;**~~

~~**5. AN ASSESSMENT OF ANY RISKS IDENTIFIED UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION, BY TYPE AND AGENCY; AND**~~

~~**6. FOR THE ENTIRE PORTFOLIO, AN ASSESSMENT OF PROJECT MANAGEMENT AND OVERSIGHT, DELINEATED BY AGENCY–LED PROJECTS AND DEPARTMENT–LED PROJECTS, INCLUDING ALL ANTICIPATED CHANGES IN SCOPE OR COSTS AND PROJECT TRACKING METRICS; AND**~~

~~**(III) MADE PUBLICLY AVAILABLE ON THE DEPARTMENT'S WEBSITE.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 3.5–316 of Article – State Finance and Procurement of the Annotated Code of Maryland be repealed.

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2026, the Secretary of Budget and Management, with the approval of the Governor, to meet the requirements of this Act, may transfer by budget amendment to the Maryland Office of Digital Experience, as enacted by Section 1 of this Act, the following appropriations included in the fiscal year 2026 operating budget, as enacted by Chapter 602 of the Acts of the General Assembly of 2025:

(1) up to $4,300,000 in staff augmentation funds; and

(2) up to 20% of the remaining appropriation to the Information Technology Investment Fund under § 3.5–309 of the State Finance and Procurement Article.

SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(1) on or before June 30, 2026, the Governor may transfer to the Maryland Office of Digital Experience, as enacted by Section 1 of this Act, up to 50 positions, vacant or filled, along with the associated funds and unexpended appropriations that were included in the fiscal year 2026 operating budget, as enacted by Chapter 602 of the Acts of the General Assembly of 2025; and

(2) an individual who is a permanent or contractual staff member in a budgeted position in the Department of Information Technology or a unit of the State executive branch whose position is transferred to the Maryland Office of Digital Experience shall be transferred without any decrease to or loss of the individual's rights, pay, status, working conditions, benefits, or retirement benefit status.

SECTION 5. AND BE IT FURTHER ENACTED, That, in fiscal year 2026, the Department of Information Technology:

(1) shall work with units of State government to find economies of scale through use of one statewide productivity suite under one State license but may provide for specific exceptions as necessary to meet specific unit needs;

(2) shall identify any other technology licensing or costs that could be reduced with a statewide contract for licensing or services; and

(3) provide that any savings identified through the provisions of this section shall accrue to the Information Technology Investment Fund to assist in implementing the provisions of this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That in fiscal year 2026, except for funds transferred under Sections 3 and 4 of this Act, no additional general funds beyond those appropriated for the Department of Information Technology in the fiscal year 2026

operating budget, as enacted by Chapter 602 of the Acts of the General Assembly of 2025, may be used to implement this Act.

SECTION 7. AND BE IT FURTHER ENACTED, That the Senate Budget and Taxation Committee and the House Health and Government Operations Committee shall convene a workgroup to evaluate the provisions of this Act, including:

(1) the duties and responsibilities that should be assigned to the Department of Information Technology, the Maryland Office of Digital Experience, the Major Information Technology Development Project Oversight Division, the Maryland Digital Service Unit, or other offices in the Department;

(2) what, if any, additional actions should be taken to ensure adequate resolution of the findings made by the Office of Legislative Audits in 2024;

(3) whether it would be efficient and effective to have a Department of Information Technology employee embedded on–site in units of State government with a major information technology development project to assist in project management, to provide expertise, and to serve as a liaison between the unit and the Department;

(4) whether additional or independent procurement authority should be given to the Department of Information Technology; and

(5) whether there are more efficient and effective ways or mechanisms, including establishment of an independent information technology project management authority to provide project and program management and implementation.

SECTION ~~2.~~ 8. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2025.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2025.

Chapter 847

(House Bill 1294)

AN ACT concerning

Commercial Law – Credit Regulation – Earned Wage Access and Credit Modernization

FOR the purpose of subjecting certain earned wage access products to the Maryland Consumer Loan Law and other provisions that regulate entities that provide consumer credit~~, revolving credit, and closed end credit~~; restricting the acceptance of tips by certain lenders under certain circumstances; providing for the licensing or

registration of certain entities offering earned wage access products with certain exemptions; regulating earned wage access service agreements; limiting the costs and fees associated with obtaining an earned wage access product; and generally relating to consumer lending and earned wage access.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–101~~,~~ and 12–301~~, 12–901, and 12–1001~~
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

BY adding to
Article – Commercial Law
Section 12–128, 12–318, and 12–319~~, 12–927, and 12–1031~~; and 12–1501 through 12–1507 to be under the new subtitle "Subtitle 15. Earned Wage Access"
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

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

Article – Commercial Law

12–101.

(a) In this subtitle the following words have the meanings indicated.

(b) "Borrower" means a person who borrows money under this subtitle.

(c) "Commercial loan" means a loan which is made:

(1) Solely to acquire or carry on a business or commercial enterprise; or

(2) To any business or commercial organization.

(d) "Effective rate of simple interest" means the yield to maturity rate of interest received or to be received by a lender on the face amount of a loan, computed in accordance with § 12–107 of this subtitle.

(e) "Interest" means, except as specifically provided in § 12–105 of this subtitle **OR § 12–1501 OF THIS TITLE**, any compensation directly or indirectly imposed by a lender for the extension of credit for the use or forbearance of money, including any loan fee, origination fee, service and carrying charge, investigator's fee, time–price differential, and any amount payable as a discount or point or otherwise payable for services.

(f) "Lender" means a licensee or a person who makes a loan subject to this subtitle.

(g) "Licensee" means a person that is required to be licensed to make loans subject to this subtitle, regardless of whether the person is actually licensed.

(h) (1) "Loan" means a loan or an advance of money or credit subject to this subtitle, regardless of whether the loan or advance of money or credit is or purports to be made under this subtitle.

(2) "Loan" does not include:

(i) A loan or advance of money or credit subject to Subtitle 3 of this title, unless a written election is made under § 12–101.1 of this subtitle;

(ii) A plan or loan for which a written election is made under Subtitle 3, Subtitle 4, Subtitle 9, or Subtitle 10 of this title; or

(iii) An installment sale agreement as defined in § 12–601 of this title.

[(h–1)**] (I)** "Mobile home" has the meaning stated in § 11–501 of the Financial Institutions Article.

[(i)**] (J)** "Person" includes an individual, corporation, business trust, statutory trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal or commercial entity.

[(j)**] (K)** "Point" means a fee, premium, bonus, loan origination fee, service charge, or any other charge equal to 1 percent of the principal amount of a loan which is charged by the lender at or before the time the loan is made as additional compensation for the loan.

[(k)**] (L)** "Simple interest" means interest charged on the principal amount loaned to the borrower.

[(l)**] (M)** "Stated rate of interest" means the annual rate of interest stated in percentage which appears on the face of the bond, draft, mortgage, deed of trust, security agreement, promissory note, or other instrument which evidences the indebtedness.

(N) (1) "TIP" MEANS A VOLUNTARY PAYMENT BY A CONSUMER TO A LENDER OR THIRD PARTY WHO PROVIDES OR ARRANGES A LOAN:

(I) MADE AT THE TIME OF THE TRANSACTION IN RECOGNITION OF THE LENDER'S OR THIRD PARTY'S PROVISION OR ARRANGEMENT OF THE LOAN;

(II) MADE AT THE SOLE DISCRETION OF THE CONSUMER; AND

(III) THAT DOES NOT AFFECT THE WILLINGNESS OF THE LENDER OR THIRD PARTY TO PROVIDE OR ARRANGE THE LOAN OR ANY FUTURE LOAN OR AFFECT THE TERMS OF ANY LOAN.

(2) "TIP" DOES NOT INCLUDE ANY PAYMENT MADE BY A CONSUMER FOR EXPEDITED PROCESSING OR DISBURSEMENT OR FOR A MEMBERSHIP, REGISTRATION, OR SUBSCRIPTION FEE.

[(m)**] (O)** "Usury" means the charging of interest by a lender in an amount which is greater than that allowed by this subtitle.

[(n)**] (P)** "Wages" means all remuneration paid to any employee for the employee's employment, including the cash value of all remuneration paid in any medium other than cash.

12–128.

(A) A LENDER WHO GIVES CONSUMERS AN OPTION TO PROVIDE THE LENDER A TIP SHALL:

(1) DISCLOSE TO THE CONSUMER TO WHOM THE TIP WILL BE ALLOCATED; AND

(2) SET THE DEFAULT TIP AT ZERO.

(B) A LENDER MAY NOT DIRECTLY OR INDIRECTLY SUGGEST THAT PROVIDING A TIP WILL INFLUENCE:

(1) THE LENDER'S WILLINGNESS TO PROVIDE A LOAN TO A CONSUMER AT ANY TIME; OR

(2) THE TERMS OF ANY LOAN OFFERED TO THE CONSUMER BY THAT LENDER.

(C) A LENDER WHO RECEIVES A TIP THAT WOULD OTHERWISE CREATE A RATE OF INTEREST ABOVE THAT ALLOWED UNDER THIS SUBTITLE MAY NOT BE FOUND IN VIOLATION OF THIS SUBTITLE IF THE LENDER RETURNS ALL OF THE TIP OR THAT PORTION OF THE TIP NECESSARY TO REDUCE THE RATE OF INTEREST TO AN AMOUNT ALLOWED UNDER THIS SUBTITLE WITHIN 30 CALENDAR DAYS AFTER RECEIVING THE TIP.

(D) A LENDER SHALL PROMINENTLY DISCLOSE THAT:

(1) PROVIDING A TIP DOES NOT INFLUENCE THE LENDER'S WILLINGNESS TO PROVIDE A LOAN TO THE CONSUMER AT ANY TIME; AND

(2) ANY TIP PAID BY THE CONSUMER DOES NOT INURE TO THE DIRECT BENEFIT OF ANY SPECIFIC EMPLOYEE OF THE LENDER OR ANY OTHER INDIVIDUAL.

12–301.

(a) In this subtitle the following words have the meanings indicated.

(b) "Commissioner" means the Commissioner of Financial Regulation.

(C) "INTEREST" HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.

[(c)**] (D)** "Lender" means a licensee or a person who makes a loan subject to this subtitle.

[(d)**] (E)** "Licensee" means a person who is required to be licensed under Title 11, Subtitle 2 of the Financial Institutions Article, the Maryland Consumer Loan Law – Licensing Provisions, regardless of whether the person is actually licensed.

[(e)**] (F)** (1) "Loan" means any loan or advance of money or credit subject to this subtitle, regardless of whether the loan or advance of money or credit is or purports to be made under this subtitle.

(2) "Loan" does not include an installment sale agreement as defined in § 12–601 of this title.

[(f)**] (G)** "Person" includes an individual, corporation, business trust, statutory trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal or commercial entity.

(H) "TIP" HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.

[(g)**] (I)** "Wages" means all remuneration paid to any employee for the employee's employment, including the cash value of all remuneration paid in any medium other than cash.

12–318.

(A) A LENDER WHO GIVES CONSUMERS AN OPTION TO PROVIDE THE LENDER A TIP SHALL:

(1) DISCLOSE TO THE CONSUMER TO WHOM THE TIP WILL BE ALLOCATED; AND

(2) SET THE DEFAULT TIP AT ZERO.

(B) A LENDER MAY NOT DIRECTLY OR INDIRECTLY SUGGEST THAT PROVIDING A TIP WILL INFLUENCE:

(1) THE LENDER'S WILLINGNESS TO PROVIDE A LOAN TO A CONSUMER AT ANY TIME; OR

(2) THE TERMS OF ANY LOAN OFFERED TO THE CONSUMER BY THAT LENDER.

(C) A LENDER WHO RECEIVES A TIP THAT WOULD OTHERWISE CREATE A RATE OF INTEREST ABOVE THAT ALLOWED UNDER THIS SUBTITLE MAY NOT BE FOUND IN VIOLATION OF THIS SUBTITLE IF THE LENDER RETURNS ALL OF THE TIP OR THAT PORTION OF THE TIP NECESSARY TO REDUCE THE RATE OF INTEREST TO AN AMOUNT ALLOWED UNDER THIS SUBTITLE WITHIN 30 CALENDAR DAYS AFTER RECEIVING THE TIP.

(D) A LENDER SHALL PROMINENTLY DISCLOSE THAT:

(1) PROVIDING A TIP DOES NOT INFLUENCE THE LENDER'S WILLINGNESS TO PROVIDE A LOAN TO THE CONSUMER AT ANY TIME; AND

(2) ANY TIP PAID BY THE CONSUMER DOES NOT INURE TO THE DIRECT BENEFIT OF ANY SPECIFIC EMPLOYEE OF THE LENDER OR ANY OTHER INDIVIDUAL.

12–319.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A LOAN SHALL BE SUBJECT TO THIS SUBTITLE, WHETHER OR NOT ELECTED, IF THE LOAN IS CONSUMER–DIRECTED EARNED WAGE ACCESS UNDER SUBTITLE 15 OF THIS TITLE.

~~12–901.~~

~~(a) In this subtitle the following words have the meanings indicated.~~

~~(b) "Borrower" means a corporation, partnership, association, government or governmental subdivision or agency, trust, individual, or other entity receiving a loan or other extension of credit under this subtitle.~~

~~(c) "Commercial loan" and "extension of credit for a commercial purpose" mean an extension of credit made:~~

~~(1) Solely to acquire an interest in or to carry on a business or commercial enterprise; or~~

~~(2) To any business or commercial organization.~~

~~(d) "Consumer borrower" means an individual receiving a loan or other extension of credit under this subtitle for personal, household, or family purposes or an individual receiving a commercial loan or other extension of credit for any commercial purpose not in excess of $75,000, secured by residential real property.~~

~~(e) "Credit device" means any card, plate, check, draft, identification code, or other means of identification contemplated by the agreement governing the plan.~~

~~(f) (1) "Credit grantor" means any individual, corporation, business trust, statutory trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal or commercial entity making a loan or other extension of credit under this subtitle which is incorporated, chartered, or licensed pursuant to State or federal law, the lending operations of which are subject to supervision, examination, and regulation by a State or federal agency or which is licensed under Title 12, Subtitle 4 of the Financial Institutions Article or is a retailer.~~

~~(2) "Credit grantor" includes:~~

~~(i) Any bank, trust company, depository institution, or savings bank having a branch in this State;~~

~~(ii) Any subsidiary of a bank holding company, as defined in the federal Bank Holding Company Act of 1956, as amended, which is domiciled, doing business, and offering a revolving credit plan involving the issuance of credit devices in this State; and~~

~~(iii) Any person who acquires or obtains the assignment of a revolving credit plan made under this subtitle.~~

~~(G) "INTEREST" HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.~~

~~[~~(g)~~] (H) ~~(1) "Loan" means a cash advance to be paid to or for the account of the borrower.~~

~~(2) "Loan" includes an advance made in accordance with the terms of a shared appreciation agreement.~~

~~[~~(h)~~] (I) ~~"Mobile home" has the meaning stated in § 11–501 of the Financial Institutions Article.~~

~~[~~(i)~~] (J) ~~"Nonconsumer borrower" means any borrower other than a consumer borrower.~~

~~[(j)] (K)~~ ~~(1) "Outstanding unpaid indebtedness" means on any day the total amount of purchases and loans charged to the borrower's account under the plan which is outstanding and unpaid at the end of the day, after adding the aggregate amount of any new purchases and loans charged to the account that day and deducting the aggregate amount of any payments and credits applied to the account that day.~~

~~(2) If the agreement governing the plan permits, "outstanding unpaid indebtedness" may include the amount of any interest, finance charges, and additional charges, including late or delinquency charges, that have accrued in the account and are unpaid at the end of the day.~~

~~[(k)] (L)~~ ~~"Purchase" means an extension of credit for a purchase of real or personal, tangible or intangible property, or an extension of credit for services, licenses, taxes, official fees, fines, private or governmental obligations, or any other thing of value, including a charitable contribution.~~

~~[(l)] (M)~~ ~~"Residential real property" means owner–occupied real property having a dwelling on it designated principally as a residence with accommodations for not more than four families.~~

~~[(m)] (N)~~ ~~"Revolving credit plan" or "plan" means a plan that contemplates the extension of credit under an account governed by an agreement between a credit grantor and a borrower under which:~~

~~(1) The credit grantor permits the borrower and, if the agreement governing the plan permits, persons acting on behalf of or with authorization from the borrower to make purchases or obtain loans from time to time;~~

~~(2) The amounts of purchases and loans are charged to the borrower's account;~~

~~(3) The borrower is required to pay the credit grantor the amounts of all purchases and loans charged to the borrower's account under the plan but has the privilege of paying amounts due from time to time as agreed; and~~

~~(4) Interest or finance charges may be charged and collected by the credit grantor from time to time on the amounts due under the plan.~~

~~[(n)] (O)~~ ~~"Shared appreciation agreement" has the meaning stated in § 11–501 of the Financial Institutions Article.~~

~~(P) "TIP" HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.~~

~~12–927.~~

~~(A) A LENDER WHO GIVES CONSUMERS AN OPTION TO PROVIDE THE LENDER A TIP SHALL:~~

~~(1) DISCLOSE TO THE CONSUMER TO WHOM THE TIP WILL BE ALLOCATED; AND~~

~~(2) SET THE DEFAULT TIP AT ZERO.~~

~~(B) A LENDER MAY NOT SUGGEST THAT PROVIDING A TIP WILL INFLUENCE:~~

~~(1) THE LENDER'S WILLINGNESS TO PROVIDE A LOAN TO A CONSUMER AT ANY TIME; OR~~

~~(2) THE TERMS OF ANY EARNED WAGE ACCESS OFFERED TO THE CONSUMER BY THAT LENDER.~~

~~(C) A LENDER WHO RECEIVES A TIP THAT WOULD OTHERWISE CREATE A RATE OF INTEREST ABOVE THAT ALLOWED UNDER THIS SUBTITLE MAY NOT BE FOUND IN VIOLATION OF THIS SUBTITLE IF THE LENDER RETURNS ALL OF THE TIP OR THAT PORTION OF THE TIP NECESSARY TO REDUCE THE RATE OF INTEREST TO AN AMOUNT ALLOWED UNDER THIS SUBTITLE WITHIN 30 CALENDAR DAYS AFTER RECEIVING THE TIP.~~

~~(D) A LENDER SHALL PROMINENTLY DISCLOSE THAT:~~

~~(1) PROVIDING A TIP DOES NOT INFLUENCE THE LENDER'S WILLINGNESS TO PROVIDE A LOAN TO THE CONSUMER AT ANY TIME; AND~~

~~(2) ANY TIP PAID BY THE CONSUMER DOES NOT INURE TO THE DIRECT BENEFIT OF ANY SPECIFIC EMPLOYEE OF THE LENDER OR ANY OTHER INDIVIDUAL.~~

~~12–1001.~~

~~(a) In this subtitle the following words have the meanings indicated.~~

~~(b) (1) "Balloon payment" means any scheduled payment on an installment loan that is more than 2 times the average of all other payments scheduled to repay the installment loan.~~

~~(2) "Balloon payment" does not include a down payment.~~

~~(c) "Borrower" means a corporation, partnership, association, government, or governmental subdivision or agency, trust, individual, or other entity receiving a loan or other extension of credit under this subtitle.~~

~~(d) "Closed-end credit" means the extension of credit by a credit grantor to a borrower under an arrangement or agreement which is not a revolving credit plan as defined in Subtitle 9 of this title.~~

~~(e) "Commercial loan" and "extension of credit for a commercial purpose" mean an extension of credit made:~~

~~(1) Solely to acquire an interest in or to carry on a business or commercial enterprise; or~~

~~(2) To any business or commercial organization.~~

~~(f) "Consumer borrower" means an individual receiving a loan or other extension of credit under this subtitle for personal, household, or family purposes or an individual receiving a commercial loan or other extension of credit for any commercial purpose not in excess of $75,000, secured by residential real property.~~

~~(g) (1) "Credit grantor" means any individual, corporation, business trust, statutory trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal or commercial entity making a loan or other extension of credit under this subtitle which is incorporated, chartered, or licensed pursuant to State or federal law, the lending operations of which are subject to supervision, examination, and regulation by a State or federal agency or which is licensed under Title 12, Subtitle 4 of the Financial Institutions Article or is a retailer.~~

~~(2) "Credit grantor" includes:~~

~~(i) Any bank, trust company, depository institution, or savings bank having a branch in this State;~~

~~(ii) A person not required to be licensed under this subtitle, who is exempt from the licensing provisions of Title 11, Subtitle 5 of the Financial Institutions Article, who makes a loan or extension of credit under this subtitle secured by a secondary mortgage on residential real property; and~~

~~(iii) Any person who acquires or obtains the assignment of an agreement for an extension of credit made under this subtitle.~~

~~(h) "Debt cancellation agreement" means an agreement between a credit grantor and a borrower which provides for cancellation of the remaining loan balance in the event of theft or total destruction of the collateral for the loan minus the proceeds of any insurance maintained on the collateral for the loan or, if the borrower does not have insurance, the actual cash value of the collateral at the time of loss, determined as provided in the agreement.~~

~~(i) "Installment loan" means a loan repayable in scheduled periodic payments of principal and interest.~~

~~**(J) "INTEREST" HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.**~~

~~**[**(j)**] (K)** (1) "Loan" means any single extension of closed–end credit, whether repayable in installments, on demand, or otherwise and whether extended in one or more advances.~~

~~(2) "Loan" includes an advance made in accordance with the terms of a shared appreciation agreement.~~

~~**[**(k)**] (L)** "Mechanical repair contract" has the meaning stated in Title 15, Subtitle 3 of the Transportation Article.~~

~~**[**(l)**] (M)** "Mobile home" has the meaning stated in § 11–501 of the Financial Institutions Article.~~

~~**[**(m)**] (N)** "Remaining loan balance", when used in reference to a debt cancellation agreement, does not include:~~

~~(1) Any delinquent or deferred payments;~~

~~(2) Past due charges;~~

~~(3) Late payment charges;~~

~~(4) Unearned interest;~~

~~(5) Unearned rental payments;~~

~~(6) The portion of any financed taxes or charges, including charges for credit life insurance, credit health insurance, credit involuntary unemployment benefit insurance, and mechanical repair contracts, actually refunded to the borrower or credited as a reduction to the loan balance; or~~

~~(7) By agreement of the parties, the amount of any primary insurance deductible.~~

~~**[**(n)**] (O)** "Residential real property" means owner–occupied real property having a dwelling on it designated principally as a residence with accommodations for not more than four families.~~

~~**[**(o)**] (P)** "Shared appreciation agreement" has the meaning stated in § 11–501 of the Financial Institutions Article.~~

~~**(Q) "TIP" HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.**~~

~~12–1031.~~

~~(A) A LENDER WHO GIVES CONSUMERS AN OPTION TO PROVIDE THE LENDER A TIP SHALL:~~

~~(1) DISCLOSE TO THE CONSUMER TO WHOM THE TIP WILL BE ALLOCATED; AND~~

~~(2) SET THE DEFAULT TIP AT ZERO.~~

~~(B) A LENDER MAY NOT SUGGEST THAT PROVIDING A TIP WILL INFLUENCE:~~

~~(1) THE LENDER'S WILLINGNESS TO PROVIDE A LOAN TO A CONSUMER AT ANY TIME; OR~~

~~(2) THE TERMS OF ANY LOAN OFFERED TO THE CONSUMER BY THAT LENDER.~~

~~(C) A LENDER WHO RECEIVES A TIP THAT WOULD OTHERWISE CREATE A RATE OF INTEREST ABOVE THAT ALLOWED UNDER THIS SUBTITLE MAY NOT BE FOUND IN VIOLATION OF THIS SUBTITLE IF THE LENDER RETURNS ALL OF THE TIP OR THAT PORTION OF THE TIP NECESSARY TO REDUCE THE RATE OF INTEREST TO AN AMOUNT ALLOWED UNDER THIS SUBTITLE WITHIN 30 CALENDAR DAYS AFTER RECEIVING THE TIP.~~

~~(D) A LENDER SHALL PROMINENTLY DISCLOSE THAT:~~

~~(1) PROVIDING A TIP DOES NOT INFLUENCE THE LENDER'S WILLINGNESS TO PROVIDE A LOAN TO THE CONSUMER AT ANY TIME; AND~~

~~(2) ANY TIP PAID BY THE CONSUMER DOES NOT INURE TO THE DIRECT BENEFIT OF ANY SPECIFIC EMPLOYEE OF THE LENDER OR ANY OTHER INDIVIDUAL.~~

SUBTITLE 15. EARNED WAGE ACCESS.

12–1501.

(A) IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) "BANK" HAS THE MEANING STATED IN § 1–201 OF THIS ARTICLE.

(C) "CONSUMER REPORTING AGENCY" HAS THE MEANING STATED IN § 14–1201 OF THIS ARTICLE.

(D) "CONSUMER–DIRECTED EARNED WAGE ACCESS" MEANS DELIVERY TO A CONSUMER OF ACCESS TO UNPAID BUT EARNED WAGES:

(1) THAT IS PROVIDED TO A CONSUMER BY A THIRD PARTY WHO DOES NOT HAVE A RELATIONSHIP WITH THE CONSUMER'S EMPLOYER;

(2) THAT IS BASED ON EMPLOYMENT, INCOME, OR ATTENDANCE DATA OBTAINED DIRECTLY FROM THE CONSUMER; AND

(3) WHERE THE CONSUMER DOES NOT PAY THE PROVIDER INTEREST.

(E) "EARNED WAGE" MEANS SALARY, WAGES, COMPENSATION, OR OTHER INCOME EARNED:

(1) ON AN HOURLY, PROJECT–BASED, PIECEWORK, OR OTHER BASIS; OR

(2) THROUGH SERVICES RENDERED AS AN INDEPENDENT CONTRACTOR.

(F) "EARNED WAGE ACCESS" MEANS:

(1) CONSUMER–DIRECTED EARNED WAGE ACCESS; OR

(2) EMPLOYER–INTEGRATED EARNED WAGE ACCESS.

(G) "EMPLOYER–INTEGRATED EARNED WAGE ACCESS" MEANS DELIVERY OF UNPAID BUT EARNED WAGES:

(1) THAT ARE PROVIDED TO A CONSUMER DIRECTLY BY A PERSON THE EMPLOYER HAS CONTRACTED TO PROVIDE THE SERVICE;

(2) THAT ARE DETERMINED BASED ON EMPLOYMENT, INCOME, OR ATTENDANCE DATA OBTAINED DIRECTLY OR INDIRECTLY FROM THE CONSUMER'S EMPLOYER, INCLUDING A PAYROLL SERVICE PROVIDER; AND

(3) WHERE THE CONSUMER DOES NOT PAY THE PROVIDER INTEREST.

(H) (1) "FEE" MEANS:

(I) A FEE IMPOSED BY A PROVIDER FOR DELIVERY OR EXPEDITED DELIVERY OF EARNED WAGE ACCESS TO A CONSUMER; OR

(II) A SUBSCRIPTION OR MEMBERSHIP FEE IMPOSED BY A PROVIDER FOR A GROUP OF SERVICES THAT INCLUDES EARNED WAGE ACCESS.

(2) "FEE" DOES NOT INCLUDE A VOLUNTARY TIP, GRATUITY, OR OTHER DONATION.

(I) (1) "INTEREST" HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.

(2) "INTEREST" DOES NOT INCLUDE A FEE IMPOSED BY AN EARNED WAGE ACCESS PROVIDER LICENSED UNDER TITLE 11, SUBTITLE 2 OF THE FINANCIAL INSTITUTIONS ARTICLE.

(J) (1) "LOAN" HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.

(2) "LOAN" INCLUDES EARNED WAGE ACCESS, SUBJECT TO THE PROVISIONS OF THIS SUBTITLE.

(K) "PAYROLL PERIOD" MEANS A PERIOD OF TIME DURING WHICH A CONSUMER EARNS WAGES THAT AN EMPLOYER OWES TO THE EMPLOYEE AT THE END OF THE PERIOD.

(L) "PROCEEDS" MEANS A PAYMENT TO A CONSUMER BY A PROVIDER THAT IS BASED ON UNPAID BUT EARNED WAGES.

(M) (1) "PROVIDER" MEANS A PERSON WHO PROVIDES TO CONSUMERS EITHER CONSUMER–DIRECTED EARNED WAGE ACCESS OR EMPLOYER–INTEGRATED EARNED WAGE ACCESS.

(2) "PROVIDER" DOES NOT INCLUDE:

(I) A SERVICE PROVIDER, SUCH AS A PAYROLL SERVICE PROVIDER, THAT MAY VERIFY THE AVAILABLE EARNINGS OF A CONSUMER BUT THAT IS NOT CONTRACTUALLY OBLIGATED TO FUND ANY PROCEEDS DELIVERED AS PART OF AN EARNED WAGE ACCESS SERVICE; OR

(II) AN EMPLOYER THAT OFFERS A PORTION OF SALARY, WAGES, OR OTHER COMPENSATION DIRECTLY TO ITS EMPLOYEES OR INDEPENDENT CONTRACTORS BEFORE A NORMALLY SCHEDULED PAY DATE FOR A PAYROLL PERIOD.

(N) "TIP" HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.

(O) "WAGES" HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.

12–1502.

(A) A PERSON MAY NOT ENGAGE IN THE BUSINESS OF PROVIDING EARNED WAGE ACCESS UNLESS THE PERSON IS LICENSED UNDER OR IS EXEMPT FROM THE LICENSING REQUIREMENTS OF TITLE 11, SUBTITLE 2 OF THE FINANCIAL INSTITUTIONS ARTICLE.

(B) FAILURE TO OBTAIN A CONSUMER LOAN LICENSE SHALL SUBJECT A PROVIDER TO THE ENFORCEMENT PROVISIONS OF TITLE 11, SUBTITLE 2 OF THE FINANCIAL INSTITUTIONS ARTICLE.

(C) AN EARNED WAGE ACCESS PROVIDER LICENSED UNDER TITLE 11, SUBTITLE 2 OF THE FINANCIAL INSTITUTIONS ARTICLE AND SUBJECT TO THIS SUBTITLE IS EXEMPT FROM OTHER PROVISIONS OF STATE LAW GOVERNING LENDING, CREDIT, OR DEBT, INCLUDING THE PROVISIONS OF SUBTITLE 1, SUBTITLE 3, SUBTITLE 9, AND SUBTITLE 10 OF THIS TITLE.

(D) EARNED WAGE ACCESS SERVICES PROVIDED IN ACCORDANCE WITH THIS SUBTITLE MAY NOT BE CONSIDERED:

(1) A MONEY TRANSMISSION; OR

(2) A VIOLATION OF OR NONCOMPLIANCE WITH STATE LAWS GOVERNING DEDUCTIONS FROM PAYROLL, SALARY, WAGES, COMPENSATION, OR OTHER INCOME OR THE PURCHASE, SALE, ASSIGNMENT, OR ORDER FOR UNPAID BUT EARNED WAGES.

12–1503.

(A) A PROVIDER OF EARNED WAGE ACCESS SHALL:

(1) DEVELOP AND IMPLEMENT POLICIES AND PROCEDURES TO RESPOND TO QUESTIONS RAISED BY CONSUMERS;

(2) ADDRESS COMPLAINTS FROM CONSUMERS IN AN EXPEDIENT MANNER;

(3) WHENEVER THE PROVIDER OFFERS A CONSUMER THE OPTION TO RECEIVE EARNED WAGE ACCESS SERVICES FOR A FEE OR SOLICITS AN OPTIONAL TIP, GRATUITY, OR OTHER DONATION, OFFER TO THE CONSUMER AT LEAST ONE REASONABLE OPTION TO OBTAIN EARNED WAGE ACCESS AT NO COST TO THE CONSUMER;

(4) CLEARLY EXPLAIN TO A CONSUMER HOW TO ELECT A NO–COST OPTION DESCRIBED IN ITEM (3) OF THIS SUBSECTION;

(5) BEFORE ENTERING INTO AN AGREEMENT WITH A CONSUMER FOR THE PROVISION OF EARNED WAGE ACCESS SERVICES:

(I) INFORM THE CONSUMER OF THE CONSUMER'S RIGHTS UNDER THE AGREEMENT; AND

(II) FULLY AND CLEARLY DISCLOSE ALL FEES ASSOCIATED WITH THE EARNED WAGE ACCESS SERVICES;

(6) INFORM A CONSUMER OF ANY MATERIAL CHANGES TO THE TERMS AND CONDITIONS OF THE EARNED WAGE ACCESS SERVICES BEFORE IMPLEMENTING THOSE CHANGES FOR THAT CONSUMER;

(7) ALLOW A CONSUMER TO CANCEL USE OF THE PROVIDER'S EARNED WAGE ACCESS SERVICES AT ANY TIME WITHOUT INCURRING A CANCELLATION FEE IMPOSED BY THE PROVIDER;

(8) COMPLY WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL PRIVACY AND INFORMATION SECURITY LAWS;

(9) IF A PROVIDER SOLICITS, CHARGES, OR RECEIVES A TIP, GRATUITY, OR OTHER DONATION FROM A CONSUMER:

(I) SET THE DEFAULT TIP, IF ANY, AT ZERO;

(II) CLEARLY AND CONSPICUOUSLY DISCLOSE TO THE CONSUMER IMMEDIATELY PRIOR TO EACH TRANSACTION THAT ANY TIP PAID BY THE CONSUMER DOES NOT INURE TO THE DIRECT BENEFIT OF ANY SPECIFIC EMPLOYEE OF THE PROVIDER OR ANY OTHER INDIVIDUAL;

(III) CLEARLY AND CONSPICUOUSLY DISCLOSE TO THE CONSUMER IMMEDIATELY PRIOR TO EACH TRANSACTION THAT A TIP, GRATUITY, OR OTHER DONATION AMOUNT IS OPTIONAL AND VOLUNTARY; AND

(IV) CLEARLY AND CONSPICUOUSLY DISCLOSE IN THE PROVIDER'S SERVICE CONTRACT WITH THE CONSUMER THAT:

1. TIPS, GRATUITIES, OR OTHER DONATIONS ARE VOLUNTARY; AND

2. THE OFFERING OF EARNED WAGE ACCESS SERVICES, INCLUDING THE AMOUNT OF PROCEEDS A CONSUMER IS ELIGIBLE TO REQUEST AND THE FREQUENCY WITH WHICH PROCEEDS ARE PROVIDED TO A CONSUMER, IS NOT CONTINGENT ON WHETHER THE CONSUMER PAYS ANY TIP, GRATUITY, OR OTHER DONATION OR ON THE SIZE OF THE TIP, GRATUITY, OR OTHER DONATION;

(10) PROVIDE PROCEEDS TO A CONSUMER BY ANY MEANS MUTUALLY AGREED UPON BY THE CONSUMER AND THE PROVIDER; AND

(11) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IF THE PROVIDER WILL SEEK REPAYMENT OF OUTSTANDING PROCEEDS OR PAYMENT OF FEES OR OTHER AMOUNTS OWED OR INCURRED, INCLUDING VOLUNTARY TIPS, GRATUITIES, OR OTHER DONATIONS, FROM A CONSUMER'S ACCOUNT AT A BANK IN CONNECTION WITH EARNED WAGE ACCESS SERVICES COVERED BY THIS SUBTITLE, INCLUDING BY MEANS OF ELECTRIC FUND TRANSFER:

(I) COMPLY WITH THE FEDERAL ELECTRONIC FUND TRANSFER ACT AND REGULATIONS ADOPTED TO IMPLEMENT THE ACT; AND

(II) REIMBURSE THE CONSUMER WITHIN 5 BUSINESS DAYS FOR THE FULL AMOUNT OF ANY OVERDRAFT OR NONSUFFICIENT FUND FEES IMPOSED ON A CONSUMER BY THE CONSUMER'S BANK THAT WERE CAUSED BY THE PROVIDER ATTEMPTING TO SEEK REPAYMENT OF ANY OUTSTANDING PROCEEDS OR PAYMENT OF FEES, TIPS, GRATUITIES, OR OTHER DONATIONS IN CONNECTION WITH EARNED WAGE ACCESS SERVICES COVERED BY THIS SUBTITLE.

(B) SUBSECTION (A)(11) OF THIS SECTION DOES NOT APPLY TO A PROVIDER SEEKING REPAYMENT OF OUTSTANDING PROCEEDS OR PAYMENT OF FEES OR OTHER AMOUNTS OWED THAT WERE RECEIVED OR INCURRED BY A CONSUMER THROUGH FRAUDULENT OR OTHER UNLAWFUL MEANS.

12–1504.

A PROVIDER OF EARNED WAGE ACCESS MAY NOT:

(1) SHARE WITH AN EMPLOYER ANY FEES, TIPS, OR OTHER CHARGES RECEIVED FROM A CONSUMER FOR EARNED WAGE ACCESS;

(2) CONDITION A CONSUMER'S ABILITY TO OBTAIN EARNED WAGE ACCESS ON THE CONSUMER'S ABILITY OR WILLINGNESS TO PAY THE PROVIDER A TIP;

(3) CHARGE A CONSUMER A LATE FEE, INTEREST, OR OTHER PENALTY FOR FAILURE TO PAY ANY PROCEEDS, FEES, OR TIPS;

(4) REPORT ANY INFORMATION ABOUT A CONSUMER'S FAILURE TO PAY ANY PROCEEDS, FEES, OR TIPS TO ANY CONSUMER REPORTING AGENCY;

(5) OBTAIN A CONSUMER'S CREDIT REPORT AS A METHOD OF QUALIFYING THE CONSUMER FOR EARNED WAGE ACCESS;

(6) RECEIVE INTEREST FROM A CONSUMER; OR

(7) COMPEL OR ATTEMPT TO COMPEL PAYMENT BY A CONSUMER OF ANY PROCEEDS, FEES, TIPS, GRATUITIES, OR OTHER DONATIONS THROUGH:

(I) A CIVIL ACTION AGAINST THE CONSUMER;

(II) THE USE OF A THIRD PARTY TO PURSUE COLLECTION FROM THE CONSUMER ON THE PROVIDER'S BEHALF; OR

(III) THE SALE OR ASSIGNMENT OF OUTSTANDING AMOUNTS TO A THIRD–PARTY COLLECTOR OR DEBT BUYER FOR COLLECTION FROM THE CONSUMER.

12–1505.

A PROVIDER OF EARNED WAGE ACCESS MAY CHARGE A FEE <u>FOR DELIVERY OR EXPEDITED DELIVERY OF EARNED WAGE ACCESS TO A CONSUMER</u> NOT EXCEEDING:

(1) $5.00 FOR ANY ADVANCE OF PROCEEDS EQUAL TO OR LESS THAN $75.00; OR

(2) $7.50 FOR ANY ADVANCE OF PROCEEDS GREATER THAN $75.00.

12–1506.

ON OR BEFORE JULY 1 EACH YEAR, BEGINNING IN 2026, A PROVIDER OF EARNED WAGE ACCESS SHALL SUBMIT A REPORT TO THE OFFICE OF FINANCIAL REGULATION THAT INCLUDES ANY INFORMATION CONSIDERED NECESSARY BY THE COMMISSIONER, AS PRESCRIBED BY REGULATION, TO ASSESS THE SIZE AND STATUS OF THE EARNED WAGE ACCESS MARKET IN THE STATE.

12–1507.

THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2025.

Chapter 848

(House Bill 788)

AN ACT concerning

Judiciary Department – Commission on Judicial Disabilities – Temporary Appointment

FOR the purpose of allowing the chair of the Commission on Judicial Disabilities to appoint a former member to temporarily fill a certain vacancy on the Commission; and allowing the Governor, on certain request of the chair, to appoint a temporary substitute member or extend the term of an existing member of the Commission.

BY proposing an amendment to the Maryland Constitution
Article IV – Judiciary Department
Section 4A and 4B

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, (Three–fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Maryland Constitution read as follows:

Article IV – Judiciary Department

4A.

(a) There is a Commission on Judicial Disabilities composed of eleven persons appointed by the Governor of Maryland, by and with the advice and consent of the Senate.

(b) The members of the Commission shall be citizens and residents of this State.

(c) (1) Three members of the Commission shall be appointed from among the judges of the State, with one member representing the appellate courts, one member representing the Circuit Courts, and one member representing the District Court.

(2) Three members shall be appointed from among those persons who are admitted to practice law in the State, who have been so engaged for at least seven years, and who are not judges of any court.

(3) Five members shall represent the public, who may not be active or retired judges, who are not admitted to practice law in this State, and who may not have a financial relationship with or receive compensation from a judge or a person admitted to practice law in this State.

(4) The composition of the Commission should reflect the race, gender, and geographic diversity of the population of the State.

(d) **[**The**]** **SUBJECT TO THE PROVISIONS OF § 4B(A)(5) OF THIS ARTICLE, THE** term of office of each member is four years commencing on January 1 following the expiration of the member's predecessor's term. A member may not serve more than two four–year terms, or for more than a total of ten years if appointed to fill a vacancy.

(e) A member's membership automatically terminates:

(1) When any member of the Commission appointed from among judges in the State ceases to be a judge;

(2) When any member appointed from among those admitted to practice law becomes a judge;

(3) When any member representing the public becomes a judge or is admitted to the practice of law in this State or has a financial relationship with or receives compensation from a judge or a person admitted to practice law in this State; or

(4) When any member ceases to be a resident of the State.

(f) Any vacancies on the Commission shall be filled for the unexpired term by the Governor in the same manner as for making of appointments to the Commission and subject to the same qualifications which were applicable to the person causing the vacancy.

(g) A member of the Commission may not receive any compensation for the member's services as such but shall be allowed any expenses necessarily incurred in the performance of the member's duties as such member.

4B.

(a) (1) The Commission on Judicial Disabilities has the power to:

(i) Investigate complaints against any justice or judge of the Supreme Court of Maryland, any intermediate courts of appeal, the circuit courts, the District Court of Maryland, or the orphans' court; and

(ii) Conduct hearings concerning such complaints, administer oaths and affirmations, issue process to compel the attendance of witnesses and the production of evidence, and require persons to testify and produce evidence by granting them immunity from prosecution or from penalty or forfeiture.

(2) The Commission has the power to issue a reprimand and the power to recommend to the Supreme Court of Maryland the removal, censure, or other appropriate disciplining of a justice or judge or, in an appropriate case, retirement.

(3) All proceedings, testimony, and evidence before the Commission shall be confidential and privileged, except as provided by rule of the Supreme Court of Maryland; the record and any proceeding filed with the Supreme Court of Maryland shall lose its confidential character, except as ordered by the Supreme Court of Maryland.

(4) No justice or judge shall participate as a member of the Commission in any proceedings involving that justice's or judge's own conduct, and the Governor shall appoint another justice or judge as a substitute member of the Commission for those proceedings.

(5) **(I) IN THE EVENT OF A MEMBER'S RECUSAL OR DISQUALIFICATION OR THE EXPIRATION OF A MEMBER'S TERM WITHOUT A REPLACEMENT, THE COMMISSION CHAIR MAY:**

1. RECALL A FORMER MEMBER TO SERVE AS A TEMPORARY SUBSTITUTE MEMBER; OR

2. REQUEST THAT THE GOVERNOR APPOINT A TEMPORARY SUBSTITUTE MEMBER OR EXTEND A CURRENT MEMBER'S TERM.

(II) ON REQUEST OF THE COMMISSION CHAIR MADE UNDER THIS PARAGRAPH, THE GOVERNOR MAY APPOINT A TEMPORARY SUBSTITUTE MEMBER FOR A SPECIFIED PERIOD OR EXTEND A CURRENT MEMBER'S TERM UNTIL A REPLACEMENT IS APPOINTED.

(III) ANY TEMPORARY SUBSTITUTE MEMBER ~~IS~~:

1. IS SUBJECT TO THE SAME QUALIFICATIONS THAT WERE APPLICABLE TO THE MEMBER FOR WHOM THE SUBSTITUTE IS TEMPORARILY APPOINTED; AND

2. ~~MUST BE A MEMBER OF THE BAR IN GOOD STANDING~~ IF THE MEMBER IS A JUDGE OR AN ATTORNEY, MUST BE A MEMBER IN GOOD STANDING OF THE MARYLAND BAR.

(6) The Supreme Court of Maryland shall prescribe by rule the means to implement and enforce the powers of the Commission and the practice and procedure before the Commission.

(b) (1) Upon any recommendation of the Commission, the Supreme Court of Maryland, after a hearing and upon a finding of misconduct while in office, or of persistent failure to perform the duties of the office, or of conduct prejudicial to the proper administration of justice, may remove the justice or judge from office or may censure or otherwise discipline the justice or judge, or the Supreme Court of Maryland, after hearing and upon a finding of disability which is or is likely to become permanent and which seriously interferes with the performance of the justice's or judge's duties, may retire the justice or judge from office.

(2) A justice or judge removed under this section, and the justice's or judge's surviving spouse, shall have the rights and privileges accruing from the justice's or judge's judicial service only to the extent prescribed by the order of removal.

(3) A justice or judge retired under this section shall have the rights and privileges prescribed by law for other retired justices or judges.

(4) No justice of the Supreme Court of Maryland shall sit in judgment in any hearing involving that justice's own conduct.

(c) This section is alternative to, and cumulative with, the methods of retirement and removal provided in Sections 3 and 4 of this Article, and in Section 26 of Article III of this Constitution.

SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed by Section 1 of this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply.

SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified voters of the State at the next general election to be held in November 2026 for adoption or rejection in accordance with Article XIV of the Maryland Constitution. At that general election, the vote on the proposed amendment to the Constitution shall be by ballot, and on each ballot there shall be printed the words "For the Constitutional Amendment" and "Against the Constitutional Amendment", as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV.

Assigned a chapter number, enactment subject to constitutional referendum, May 25, 2025.

Chapter 849

(Senate Bill 619)

AN ACT concerning

Judiciary Department – Commission on Judicial Disabilities – Temporary Appointment

FOR the purpose of allowing the chair of the Commission on Judicial Disabilities to appoint a former member to temporarily fill a certain vacancy on the Commission; and allowing the Governor, on certain request of the chair, to appoint a temporary substitute member or extend the term of an existing member of the Commission.

BY proposing an amendment to the Maryland Constitution
Article IV – Judiciary Department
Section 4A and 4B

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, (Three–fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Maryland Constitution read as follows:

Article IV – Judiciary Department

4A.

(a) There is a Commission on Judicial Disabilities composed of eleven persons appointed by the Governor of Maryland, by and with the advice and consent of the Senate.

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(c) (1) Three members of the Commission shall be appointed from among the judges of the State, with one member representing the appellate courts, one member representing the Circuit Courts, and one member representing the District Court.

(2) Three members shall be appointed from among those persons who are admitted to practice law in the State, who have been so engaged for at least seven years, and who are not judges of any court.

(3) Five members shall represent the public, who may not be active or retired judges, who are not admitted to practice law in this State, and who may not have a financial relationship with or receive compensation from a judge or a person admitted to practice law in this State.

(4) The composition of the Commission should reflect the race, gender, and geographic diversity of the population of the State.

(d) **[**The**]** **SUBJECT TO THE PROVISIONS OF § 4B(A)(5) OF THIS ARTICLE, THE** term of office of each member is four years commencing on January 1 following the

expiration of the member's predecessor's term. A member may not serve more than two four–year terms, or for more than a total of ten years if appointed to fill a vacancy.

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(1) When any member of the Commission appointed from among judges in the State ceases to be a judge;

(2) When any member appointed from among those admitted to practice law becomes a judge;

(3) When any member representing the public becomes a judge or is admitted to the practice of law in this State or has a financial relationship with or receives compensation from a judge or a person admitted to practice law in this State; or

(4) When any member ceases to be a resident of the State.

(f) Any vacancies on the Commission shall be filled for the unexpired term by the Governor in the same manner as for making of appointments to the Commission and subject to the same qualifications which were applicable to the person causing the vacancy.

(g) A member of the Commission may not receive any compensation for the member's services as such but shall be allowed any expenses necessarily incurred in the performance of the member's duties as such member.

4B.

(a) (1) The Commission on Judicial Disabilities has the power to:

(i) Investigate complaints against any justice or judge of the Supreme Court of Maryland, any intermediate courts of appeal, the circuit courts, the District Court of Maryland, or the orphans' court; and

(ii) Conduct hearings concerning such complaints, administer oaths and affirmations, issue process to compel the attendance of witnesses and the production of evidence, and require persons to testify and produce evidence by granting them immunity from prosecution or from penalty or forfeiture.

(2) The Commission has the power to issue a reprimand and the power to recommend to the Supreme Court of Maryland the removal, censure, or other appropriate disciplining of a justice or judge or, in an appropriate case, retirement.

(3) All proceedings, testimony, and evidence before the Commission shall be confidential and privileged, except as provided by rule of the Supreme Court of Maryland; the record and any proceeding filed with the Supreme Court of Maryland shall lose its confidential character, except as ordered by the Supreme Court of Maryland.

(4) No justice or judge shall participate as a member of the Commission in any proceedings involving that justice's or judge's own conduct, and the Governor shall appoint another justice or judge as a substitute member of the Commission for those proceedings.

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***2. IF THE MEMBER IS A JUDGE OR AN ATTORNEY, MUST BE A MEMBER IN GOOD STANDING OF THE MARYLAND BAR*.**

(6) The Supreme Court of Maryland shall prescribe by rule the means to implement and enforce the powers of the Commission and the practice and procedure before the Commission.

(b) (1) Upon any recommendation of the Commission, the Supreme Court of Maryland, after a hearing and upon a finding of misconduct while in office, or of persistent failure to perform the duties of the office, or of conduct prejudicial to the proper administration of justice, may remove the justice or judge from office or may censure or otherwise discipline the justice or judge, or the Supreme Court of Maryland, after hearing and upon a finding of disability which is or is likely to become permanent and which seriously interferes with the performance of the justice's or judge's duties, may retire the justice or judge from office.

(2) A justice or judge removed under this section, and the justice's or judge's surviving spouse, shall have the rights and privileges accruing from the justice's or judge's judicial service only to the extent prescribed by the order of removal.

(3) A justice or judge retired under this section shall have the rights and privileges prescribed by law for other retired justices or judges.

(4) No justice of the Supreme Court of Maryland shall sit in judgment in any hearing involving that justice's own conduct.

(c) This section is alternative to, and cumulative with, the methods of retirement and removal provided in Sections 3 and 4 of this Article, and in Section 26 of Article III of this Constitution.

SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed by Section 1 of this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply.

SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified voters of the State at the next general election to be held in November 2026 for adoption or rejection in accordance with Article XIV of the Maryland Constitution. At that general election, the vote on the proposed amendment to the Constitution shall be by ballot, and on each ballot there shall be printed the words "For the Constitutional Amendment" and "Against the Constitutional Amendment", as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV.

Assigned a chapter number, enactment subject to constitutional referendum, May 25, 2025.

Vetoed Bills

and

Messages

from the

Governor of Maryland

A total of 29 bills were vetoed by the Governor following the 2025 Regular Session of the General Assembly. Of these vetoed bills, 16 originated in the Senate and 13 of them originated in the House of Delegates. In addition, two items in House Bill 350 (the Operating Budget) were vetoed (line item veto). 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.

2025 Session

List of Senate Bills Vetoed

(Bill numbers in **bold** indicate policy vetoes. Bill numbers in *italics* indicate technical vetoes. All other vetoes are duplicative.)

Bill No.	Subject	Page
SB 116	Data Center Impact Analysis and Report	5558
SB 121	Vehicle Laws – Noise Abatement Monitoring Systems Pilot Program – Inspection and Extension	5561
SB 149	Climate Change Adaptation and Mitigation – Total Assessed Cost of Greenhouse Gas Emissions – Study and Reports	5566
SB 157	Maryland Disability Service Animal Program – Established	5592
SB 168	Confined Aquatic Disposal Cells – Construction – Moratorium	5601
SB 177	Procurement – State Department of Education – Local Food Purchasing Program	5607
SB 219	Uninsured Employers' Fund – Assessments and Special Monitor	5616
SB 227	Workers' Compensation – Payment From Uninsured Employers' Fund – Revisions	5621
SB 455	Security Guard Agencies – Special Police Officers – Application for Appointment	5626
SB 503	Washington County – Board of License Commissioners – Membership	5630
SB 587	State Government – Maryland Reparations Commission	5634
SB 655	Courts – Artificial Intelligence Evidence Clinic Pilot Program – Establishment	5639
SB 691	Healthcare Ecosystem Stakeholder Cybersecurity Workgroup	5643
SB 909	Energy Resource Adequacy and Planning Act	5660
SB 972	Anne Arundel County – Board of License Commissioners – Alterations	5683
SB 980	Natural Resources – Maryland Heritage Areas Authority – Funding and Grants	5687

List of House Bills Vetoed

(Bill numbers in **bold** indicate policy vetoes. Bill numbers in *italics* indicate technical vetoes. All other vetoes are duplicative.)

Bill No.	Subject	Page
HB 56	Procurement – State Department of Education – Local Food Purchasing Program	5694
HB 128	Climate Change Adaptation and Mitigation – Total Assessed Cost of Greenhouse Gas Emissions – Study and Reports	5703
HB 193	Uninsured Employers' Fund – Assessments and Special Monitor	5730
HB 270	Data Center Impact Analysis and Report	5735
HB 328	State Lottery – Instant Ticket Lottery Machines – Veterans' and Fraternal Organizations	5738
HB 333	Healthcare Ecosystem Stakeholder Cybersecurity Workgroup	5745
HB 350*	Budget Bill (Fiscal Year 2026)	5764
HB 384	Maryland Disability Service Animal Program – Established	5767
HB 481	Washington County – Board of License Commissioners – Membership	5775
HB 482	Occupational Licensing and Certification – Criminal History – Predetermination Review Process	5779
HB 628	Highways – Sidewalks and Bicycle Pathways – Construction and Reconstruction	5784
HB 1037	Energy Resource Adequacy and Planning Act	5789
HB 1116	Public Safety – State Clearinghouse for Missing Persons	5812
HB 1316	Primary and Secondary Education – Youth–Centric Technology and Social Media Resource Guide	5815

* Section 21, Subsections (56) and (61) received a line item veto from the Governor.

Vetoed Senate Bills and Messages

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto Senate Bill 149 and House Bill 128 – *Climate Change Adaptation and Mitigation – Total Assessed Cost of Greenhouse Gas Emissions – Study and Reports*, Senate Bill 116 and House Bill 270 – *Data Center Impact Analysis and Report*, and House Bill 1316 – *Primary and Secondary Education – Youth–Centric Technology and Social Media Resource Guide*.

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In this time of profound uncertainty, we must evaluate every expenditure with a critical eye towards our future.

Our current budget situation requires us to reconsider bills that create expensive and labor intensive studies. While such bills can be a first step to addressing complex issues and allow the signaling of support for an issue, the practice has become so commonplace that it is now a significant financial and staff burden on the state government. In addition, such reporting requirements have at times delayed prompt action on important issues, and in the face of the onslaught from the current administration in Washington, D.C., the State needs to respond to important issues more quickly. Studies can serve a purpose, but their overuse is a drag on the State government.

Prior to the 2025 legislative session, the Department of Legislative Services (DLS) was tracking a total of 3,901 mandated reports, a number which excludes the reports required annually by the Joint Chairmen's Report. Many of these reports are never read and simply

collect dust on shelves, but nonetheless, executive branch agencies are required to dedicate funding and staff time to each, in many cases, with restrictions on their budget appropriations if they fail to comply. While it is impossible to calculate the total amount of staff time and state funding necessary to complete and file these reports, it is a reasonable assumption that the cost runs to the tens of millions of dollars.

Collectively, these three bills would have required significant coordination across multiple agencies and institutions: the Comptroller's Office, Maryland Department of the Environment (MDE), and Commerce to study the cost of greenhouse gas emissions; the University of Maryland's School of Business, MDE, Maryland Energy Administration and the Department of Legislative Services to conduct a resource–intensive analysis of the environmental, energy, and economic impacts of data center development; and the University of Maryland Baltimore's School of Mental Health's National Center for School Mental Health and the Maryland State Department of Education to develop a social media resource guide and conduct a needs assessment. In total, these efforts would cost at least $1.28 million – an unsustainable commitment given the state's current fiscal constraints and the growing uncertainty posed by the federal Administration in Washington, D.C.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed Senate Bill 149, House Bill 128, Senate Bill 116, House Bill 270, and House Bill 1316.

Sincerely,

Wes Moore
Governor

Senate Bill 116

AN ACT concerning

Data Center Impact Analysis and Report

FOR the purpose of requiring the Department of the Environment, *the Maryland Energy Administration*, ~~the Maryland Energy Administration,~~ and the University of Maryland School of Business, in coordination with the Department of Legislative Services, to conduct an analysis of the likely environmental, *energy*, ~~energy,~~ and economic impacts of data center development in the State; and generally relating to data centers.

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

(a) The Department of the Environment, *the Maryland Energy Administration*, ~~the Maryland Energy Administration,~~ and the University of Maryland School of Business, in coordination with the Department of Legislative Services, shall conduct an analysis of

the likely environmental, *energy*, ~~, energy,~~ and economic impacts of data center development in the State.

(b) The analysis shall include:

(1) an assessment by the Department of the Environment of the potential impacts of the data center industry on the natural resources of the State, including an evaluation of:

(i) the potential impacts on air and water quality;

(ii) the potential impacts on the State's ability to meet its bay restoration goals and other environmental objectives; and

(iii) the availability of technologies that could mitigate the environmental impacts of data centers, and the feasibility of implementing these technologies in the State;

(2) an assessment by the Maryland Energy Administration of the potential energy impacts of the data center industry, including an evaluation of:

(i) the energy requirements of data centers;

(ii) the potential impacts of the data center industry on current and forecasted energy demand and supply in the State, including how data centers will likely affect future energy infrastructure needs and costs paid by ratepayers; and

(iii) the potential impacts of the data center industry on the State's ability to meet greenhouse gas emissions reduction commitments and clean energy goals;

~~(2) an assessment by the Maryland Energy Administration of the potential energy impacts of the data center industry, including an evaluation of:~~

~~(i) the energy requirements of data centers;~~

~~(ii) the potential impacts of the data center industry on current and forecasted energy demand and supply in the State, including how data centers will likely affect future energy infrastructure needs and costs paid by ratepayers; and~~

~~(iii) the potential impacts of the data center industry on the State's ability to meet greenhouse gas emissions reduction commitments and clean energy goals;~~ and

~~(3)~~ ~~(2)~~ *(3)* an assessment by the University of Maryland School of Business, in consultation with industry experts, of the potential economic and fiscal impacts of the data center industry in the State, including an evaluation of:

(i) the likely impact of data centers on State and local revenues and expenditures; and

(ii) the jobs likely to be created through the construction and operation of data centers.

(c) (1) The Department of Legislative Services shall coordinate the preparation of the analysis and synthesize the assessments by the Department of the Environment*, the Maryland Energy Administration*, ~~the Maryland Energy Administration,~~ and the University of Maryland School of Business into a final report.

(2) At the request of the Department of Legislative Services, other relevant units of State government, including the Department of Natural Resources, the Department of Assessments and Taxation, the Department of Commerce, ~~the Maryland Energy Administration,~~ and the Public Service Commission, shall provide any information necessary to complete the analysis.

(3) On or before September 1, 2026, the Department of Legislative Services shall submit the final report 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, 2025. It shall remain effective for a period of 2 years and, at the end of June 30, 2027, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

May 16, 2025

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 hereby veto Senate Bill 121 – *Vehicle Laws – Noise Abatement Monitoring Systems Pilot Program – Inspection and Extension*.

The legislation extends the termination date of the Noise Abatement Monitoring Systems pilot program in Montgomery and Prince George's Counties from June 30, 2026, to June 30, 2028.

House Bill 18, which was passed by the General Assembly and signed by me, accomplishes

the same purpose of extending the pilot program. For this reason, I have vetoed Senate Bill 121.

Sincerely,

Wes Moore
Governor

Senate Bill 121

AN ACT concerning

Vehicle Laws – Noise Abatement Monitoring Systems Pilot Program – Inspection and Extension

FOR the purpose of establishing that certain provisions of law relating to the inspection of recorded images apply to recorded images produced by a noise abatement monitoring system; extending the reporting and termination dates of the noise abatement monitoring systems pilot programs in Montgomery County and Prince George's County; and generally relating to the noise abatement monitoring systems pilot programs in Montgomery County and Prince George's County.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 4–321
Annotated Code of Maryland
(2019 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Chapter 624 of the Acts of the General Assembly of 2024
Section 2 and 3

BY repealing and reenacting, with amendments,
Chapter 625 of the Acts of the General Assembly of 2024
Section 2 and 3

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

Article – General Provisions

4–321.

(a) In this section, "recorded images" has the meaning stated in § 21–202.1, § 21–809, § 21–810, **§ 22–612,** or § 24–111.3 of the Transportation Article.

(b) Except as provided in subsection (c) of this section, a custodian shall deny inspection of recorded images produced by:

(1) a traffic control signal monitoring system operated under § 21–202.1 of the Transportation Article;

(2) a speed monitoring system operated under § 21–809 of the Transportation Article;

(3) a work zone speed control system operated under § 21–810 of the Transportation Article; **[**or**]**

(4) **A NOISE ABATEMENT MONITORING SYSTEM OPERATED UNDER § 22–612 OF THE TRANSPORTATION ARTICLE; OR**

(5) a vehicle height monitoring system operated under § 24–111.3 of the Transportation Article.

(c) A custodian shall allow inspection of recorded images:

(1) as required in § 21–202.1, § 21–809, § 21–810, **§ 22–612,** or § 24–111.3 of the Transportation Article;

(2) by any person issued a citation under § 21–202.1, § 21–809, § 21–810, **§ 22–612,** or § 24–111.3 of the Transportation Article, or by an attorney of record for the person; or

(3) by an employee or agent of an agency in an investigation or a proceeding relating to the imposition of or indemnification from civil liability under § 21–202.1, § 21–809, § 21–810, **§ 22–612,** or § 24–111.3 of the Transportation Article.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Chapter 624 of the Acts of 2024

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, **[**2025**]** **2027**, a county that authorizes a program of noise abatement monitoring systems under this Act shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on:

(1) through October 1, **[**2025**]** **2027**:

(i) the time period during which noise abatement monitoring systems were in use in the county; and

(ii) the number of warnings and citations issued as a result of violations recorded by noise abatement monitoring systems in the county over the reported time period, by location and date;

(2) (i) the costs associated with implementing and operating noise abatement monitoring systems; and

(ii) the revenue collected on a monthly basis as a result of violations recorded by noise abatement monitoring systems;

(3) appropriate locations for the deployment of noise abatement monitoring systems;

(4) the performance and reliability of noise abatement monitoring systems used by the county; and

(5) the effectiveness of noise abatement monitoring systems in reducing noise produced by motor vehicles in the county and in areas where the systems were implemented and used.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024. It shall remain effective for a period of **[**2**]** **4** years and, at the end of June 30, **[**2026**]** **2028**, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Chapter 625 of the Acts of 2024

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, **[**2025**]** **2027**, a county that authorizes a program of noise abatement monitoring systems under this Act shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on:

(1) through October 1, **[**2025**]** **2027**:

(i) the time period during which noise abatement monitoring systems were in use in the county; and

(ii) the number of warnings and citations issued as a result of violations recorded by noise abatement monitoring systems in the county over the reported time period, by location and date;

(2) (i) the costs associated with implementing and operating noise abatement monitoring systems; and

(ii) the revenue collected on a monthly basis as a result of violations recorded by noise abatement monitoring systems;

(3) appropriate locations for the deployment of noise abatement monitoring systems;

(4) the performance and reliability of noise abatement monitoring systems used by the county; and

(5) the effectiveness of noise abatement monitoring systems in reducing noise produced by motor vehicles in the county and in areas where the systems were implemented and used.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024. It shall remain effective for a period of **[**2**]** **4** years and, at the end of June 30, **[**2026**]** **2028**, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025. Section 1 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2028, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto Senate Bill 149 and House Bill 128 – *Climate Change Adaptation and Mitigation – Total Assessed Cost of Greenhouse Gas Emissions – Study and Reports*, Senate Bill 116 and House Bill 270 – *Data Center Impact Analysis and Report*, and House Bill 1316 – *Primary and Secondary Education – Youth–Centric Technology and Social Media Resource Guide*.

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced

spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In this time of profound uncertainty, we must evaluate every expenditure with a critical eye towards our future.

Our current budget situation requires us to reconsider bills that create expensive and labor intensive studies. While such bills can be a first step to addressing complex issues and allow the signaling of support for an issue, the practice has become so commonplace that it is now a significant financial and staff burden on the state government. In addition, such reporting requirements have at times delayed prompt action on important issues, and in the face of the onslaught from the current administration in Washington, D.C., the State needs to respond to important issues more quickly. Studies can serve a purpose, but their overuse is a drag on the State government.

Prior to the 2025 legislative session, the Department of Legislative Services (DLS) was tracking a total of 3,901 mandated reports, a number which excludes the reports required annually by the Joint Chairmen's Report. Many of these reports are never read and simply collect dust on shelves, but nonetheless, executive branch agencies are required to dedicate funding and staff time to each, in many cases, with restrictions on their budget appropriations if they fail to comply. While it is impossible to calculate the total amount of staff time and state funding necessary to complete and file these reports, it is a reasonable assumption that the cost runs to the tens of millions of dollars.

Collectively, these three bills would have required significant coordination across multiple agencies and institutions: the Comptroller's Office, Maryland Department of the Environment (MDE), and Commerce to study the cost of greenhouse gas emissions; the University of Maryland's School of Business, MDE, Maryland Energy Administration and the Department of Legislative Services to conduct a resource–intensive analysis of the environmental, energy, and economic impacts of data center development; and the University of Maryland Baltimore's School of Mental Health's National Center for School Mental Health and the Maryland State Department of Education to develop a social media resource guide and conduct a needs assessment. In total, these efforts would cost at least $1.28 million – an unsustainable commitment given the state's current fiscal constraints and the growing uncertainty posed by the federal Administration in Washington, D.C.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed Senate Bill 149, House Bill 128, Senate Bill 116, House Bill 270, and House Bill 1316.

Sincerely,

Wes Moore
Governor

Senate Bill 149

AN ACT concerning

~~**Responding to Emergency Needs From Extreme Weather (RENEW) Act of 2025**~~
Climate Change Adaptation and Mitigation – Total Assessed Cost of Greenhouse Gas Emissions – Study and Reports

FOR the purpose of ~~establishing the Climate Change Adaptation and Mitigation Payment Program in the Department of the Environment to secure payments from certain businesses that extract fossil fuels or refine petroleum products in order to provide a source of revenue for State efforts to adapt to or mitigate the effects of climate change and to address the health impacts of climate change on vulnerable populations; establishing the Climate Change Adaptation and Mitigation Fund as a special, nonlapsing fund; authorizing the Legislative Auditor to conduct certain audits of the Fund and of the appropriations and expenditures made for the purposes of the Climate Change Adaptation and Mitigation Payment Program;~~ requiring the ~~University of Maryland Center for Global Sustainability~~ Comptroller, in coordination with the Department of the Environment and the Department of Commerce, to conduct a study to assess the total cost of greenhouse gas emissions in the State and report certain findings ~~on or before a certain date; requiring the Department of the Environment and the Comptroller to report~~ to certain committees on or before a certain ~~dates~~ date on the total assessed cost of greenhouse gas emissions in the State based on the findings of a certain study; authorizing the Comptroller to hire a consultant to conduct the study; requiring the ~~reports~~ report to include certain information and calculations; and generally relating to ~~the Climate Change Adaptation and Mitigation Payment Program~~ greenhouse gas emissions in the State.

~~BY repealing and reenacting, without amendments,~~
~~Article – Environment~~
~~Section 2–1504(a)~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Environment~~
~~Section 2–1504(c)~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – Environment~~
~~Section 2–1701 through 2–1708 to be under the new subtitle "Subtitle 17. Climate Change Adaptation and Mitigation Payment Program"~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Natural Resources~~
~~Section 5–222(a) and (b) and 8–2B–03(a)~~
~~Annotated Code of Maryland~~
~~(2023 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Natural Resources~~
~~Section 5–222(f) and 8–2B–03(c)~~
~~Annotated Code of Maryland~~
~~(2023 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Public Safety~~
~~Section 14–110.4(b) and 14–110.5(b)~~
~~Annotated Code of Maryland~~
~~(2022 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Public Safety~~
~~Section 14–110.4(h) and 14–110.5(f)~~
~~Annotated Code of Maryland~~
~~(2022 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – State Government~~
~~Section 9–2012(b) and (i)(1), 9–2015(b), and 9–20B–05(a)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – State Government~~
~~Section 9–2012(i)(4), 9–2015(f), and 9–20B–05(c)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – State Government~~
~~Section 9–20B–05(i–2)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Transportation~~
~~Section 7–1202(a) and 7–1203(a)~~
~~Annotated Code of Maryland~~

~~(2020 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Transportation~~
~~Section 7–1203(c)~~
~~Annotated Code of Maryland~~
~~(2020 Replacement Volume and 2024 Supplement)~~

Preamble

WHEREAS, Climate change, resulting primarily from the combustion of fossil fuels, is an immediate, grave threat to the State's communities, environment, and economy; and

WHEREAS, In addition to mitigating the further buildup of greenhouse gases, the State must take action to adapt to certain consequences of climate change that are irreversible, including rising sea levels, increasing temperatures, extreme weather events, flooding, heat waves, toxic algae blooms, and other threats; and

WHEREAS, Meeting the challenge of adapting to and mitigating the effects of climate change will require a shared commitment of purpose and huge investments in new or upgraded infrastructure; and

WHEREAS, The State has previously adopted programs, such as the Cigarette Restitution Fund Program, to require industries that have profited by harming the public welfare to shoulder their share of the burden in redressing that harm; and

WHEREAS, Based on decades of research, it is now possible to determine with great accuracy the share of greenhouse gases released into the atmosphere by specific fossil fuel companies over the last 70 years or more, making it possible to assign liability and require compensation from companies commensurate with their emissions during a given time period; now, therefore,

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

~~**Article – Environment**~~

~~2–1504.~~

~~(a) There is a Zero–Emission Vehicle School Bus Transition Fund.~~

~~(c) The Fund consists of:~~

~~(1) Money appropriated in the State budget to the Fund;~~

~~(2) Interest earnings of the Fund;~~

~~(3) Donations;~~

~~(4) Money derived from legal settlements earmarked for the purpose of transitioning to school buses that are zero–emission vehicles; [and]~~

~~(5) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THIS TITLE; AND~~

~~(6) Any other money from any other source accepted for the benefit of the Fund.~~

~~SUBTITLE 17. CLIMATE CHANGE ADAPTATION AND MITIGATION PAYMENT PROGRAM.~~

~~2–1701.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(B) (1) "CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECT" MEANS AN INFRASTRUCTURE PROJECT DESIGNED TO AVOID, MODERATE, OR REPAIR DAMAGE CAUSED BY CLIMATE CHANGE.~~

~~(2) "CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECT" INCLUDES PROJECTS TO:~~

~~(I) CONSTRUCT SEAWALLS OR OTHER COASTAL DEFENSE STRUCTURES;~~

~~(II) UPGRADE STORMWATER OR SEWER SYSTEMS;~~

~~(III) MAKE DEFENSIVE UPGRADES TO ROADS, BRIDGES, RAIL INFRASTRUCTURE, OR OTHER TRANSIT SYSTEMS;~~

~~(IV) PREPARE FOR AND RECOVER FROM HURRICANES AND OTHER EXTREME WEATHER EVENTS;~~

~~(V) RELOCATE, ELEVATE, OR RETROFIT WASTEWATER TREATMENT PLANTS THAT ARE VULNERABLE TO FLOODING;~~

~~(VI) INSTALL HEAT PUMPS AND OTHER CLEAN ENERGY RETROFITS IN PUBLIC AND PRIVATE BUILDINGS, INCLUDING SCHOOL BUILDINGS; AND~~

~~(VII) RESPOND TO TOXIC ALGAE BLOOMS, THE LOSS OF AGRICULTURAL TOPSOIL, AND OTHER CLIMATE–DRIVEN ECOSYSTEM THREATS TO FORESTS, FARMS, AND FISHERIES.~~

~~(C) "COAL" INCLUDES:~~

~~(1) BITUMINOUS COAL;~~

~~(2) ANTHRACITE COAL; AND~~

~~(3) LIGNITE.~~

~~(D) "COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS" MEANS A COMMUNITY IDENTIFIED IN ACCORDANCE WITH § 1–702 OF THIS ARTICLE.~~

~~(E) "CONTROLLED GROUP" MEANS TWO OR MORE ENTITIES TREATED AS A SINGLE EMPLOYER UNDER:~~

~~(1) § 52(A) OR (B) OF THE INTERNAL REVENUE CODE, WITHOUT REGARD TO § 1563(B)(2)(C) OF THE INTERNAL REVENUE CODE; OR~~

~~(2) § 414(M) OR (O) OF THE INTERNAL REVENUE CODE.~~

~~(F) "COST RECOVERY DEMAND" MEANS A CHARGE ASSERTED AGAINST A RESPONSIBLE PARTY FOR COST RECOVERY PAYMENTS UNDER THE PROGRAM.~~

~~(G) "COVERED GREENHOUSE GAS EMISSIONS" MEANS THE TOTAL QUANTITY OF GREENHOUSE GASES RELEASED INTO THE ATMOSPHERE DURING THE COVERED PERIOD, EXPRESSED IN METRIC TONS OF CARBON DIOXIDE EQUIVALENT, RESULTING FROM THE USE OF FOSSIL FUELS OR PETROLEUM PRODUCTS EXTRACTED, PRODUCED, REFINED, OR SOLD BY AN ENTITY.~~

~~(H) "COVERED PERIOD" MEANS MARCH 21, 1994, THROUGH DECEMBER 31, 2023, BOTH INCLUSIVE.~~

~~(I) (1) "CRUDE OIL" MEANS OIL OR PETROLEUM OF ANY KIND AND IN ANY FORM.~~

~~(2) "CRUDE OIL" INCLUDES:~~

~~(I) BITUMEN;~~

~~(II) OIL SANDS;~~

~~(III) HEAVY OIL;~~

~~(IV) CONVENTIONAL AND UNCONVENTIONAL OIL;~~

~~(V) SHALE OIL;~~

~~(VI) NATURAL GAS LIQUIDS;~~

~~(VII) CONDENSATES; AND~~

~~(VIII) RELATED FOSSIL FUELS.~~

~~(J) "ENTITY" MEANS ANY INDIVIDUAL, TRUSTEE, AGENT, PARTNERSHIP, ASSOCIATION, CORPORATION, COMPANY, MUNICIPAL CORPORATION, POLITICAL SUBDIVISION, OR OTHER PERSON, INCLUDING A FOREIGN NATION, THAT HOLDS OR HELD AN OWNERSHIP INTEREST IN A FOSSIL FUEL BUSINESS DURING THE COVERED PERIOD.~~

~~(K) "FOSSIL FUEL" MEANS COAL, PETROLEUM PRODUCTS, AND FUEL GASES.~~

~~(L) "FOSSIL FUEL BUSINESS" MEANS A BUSINESS ENGAGING IN THE EXTRACTION OF FOSSIL FUELS OR THE REFINING OF PETROLEUM PRODUCTS.~~

~~(M) "FUEL GAS" INCLUDES:~~

~~(1) METHANE;~~

~~(2) NATURAL GAS;~~

~~(3) LIQUEFIED NATURAL GAS; AND~~

~~(4) MANUFACTURED FUEL GASES.~~

~~(N) "FUND" MEANS THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND ESTABLISHED UNDER § 2–1705 OF THIS SUBTITLE.~~

~~(O) "GREENHOUSE GAS" HAS THE MEANING STATED IN § 2–1202 OF THIS TITLE.~~

~~(P) "NOTICE OF COST RECOVERY DEMAND" MEANS A WRITTEN COMMUNICATION INFORMING A RESPONSIBLE PARTY OF THE AMOUNT OF THE COST RECOVERY DEMAND PAYABLE TO THE DEPARTMENT UNDER THIS SUBTITLE.~~

~~**(Q) "PETROLEUM PRODUCT" MEANS ANY PRODUCT REFINED OR RE–REFINED FROM:**~~

~~**(1) SYNTHETIC OR CRUDE OIL; OR**~~

~~**(2) CRUDE OIL EXTRACTED FROM NATURAL GAS LIQUIDS OR OTHER SOURCES.**~~

~~**(R) "PROGRAM" MEANS THE CLIMATE CHANGE ADAPTATION AND MITIGATION PAYMENT PROGRAM ESTABLISHED UNDER § 2–1703 OF THIS SUBTITLE.**~~

~~**(S) (1) "QUALIFYING EXPENDITURE" MEANS AN AUTHORIZED PAYMENT FROM THE FUND IN SUPPORT OF A CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECT.**~~

~~**(2) "QUALIFYING EXPENDITURE" INCLUDES, TO THE EXTENT AUTHORIZED IN DEPARTMENT REGULATIONS, A PAYMENT TOWARD THE OPERATION AND MAINTENANCE OF A CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECT.**~~

~~**(T) (1) "RESPONSIBLE PARTY" MEANS AN ENTITY, OR A SUCCESSOR IN INTEREST TO AN ENTITY, THAT:**~~

~~**(I) DURING ANY PART OF THE COVERED PERIOD, WAS ENGAGED IN THE TRADE OR BUSINESS OF EXTRACTING FOSSIL FUEL OR REFINING CRUDE OIL; AND**~~

~~**(II) IS DETERMINED BY THE DEPARTMENT TO BE RESPONSIBLE FOR MORE THAN 1,000,000,000 TONS OF COVERED GREENHOUSE GAS EMISSIONS.**~~

~~**(2) "RESPONSIBLE PARTY" DOES NOT INCLUDE ANY PERSON THAT LACKS SUFFICIENT CONNECTION WITH THE STATE TO SATISFY THE NEXUS REQUIREMENTS OF THE UNITED STATES CONSTITUTION.**~~

~~**(U) "TOTAL ASSESSED COST OF GREENHOUSE GAS EMISSIONS" MEANS THE TOTAL ASSESSED COST TO THE STATE AND ITS RESIDENTS OF COVERED GREENHOUSE GAS EMISSIONS DURING THE COVERED PERIOD, AS DETERMINED BY THE STATE TREASURER IN ACCORDANCE WITH § 2–1704(C) OF THIS SUBTITLE.**~~

~~**2–1702.**~~

~~**(A) THIS SUBTITLE MAY NOT BE CONSTRUED TO:**~~

~~(1) RELIEVE THE LIABILITY OF AN ENTITY FOR DAMAGES RESULTING FROM CLIMATE CHANGE, AS PROVIDED BY LAW;~~

~~(2) PREEMPT, DISPLACE, OR RESTRICT ANY RIGHT OR REMEDY OF A PERSON OR UNIT OF STATE OR LOCAL GOVERNMENT UNDER THE LAW RELATING TO A PAST, PRESENT, OR FUTURE ALLEGATION OF:~~

~~(I) DECEPTION CONCERNING THE EFFECTS OF FOSSIL FUELS ON CLIMATE CHANGE;~~

~~(II) DAMAGE OR INJURY RESULTING FROM THE ROLE OF FOSSIL FUELS IN CONTRIBUTING TO CLIMATE CHANGE; OR~~

~~(III) FAILURE TO AVOID DAMAGE OR INJURY RELATING TO CLIMATE CHANGE, INCLUDING CLAIMS FOR:~~

~~1. NUISANCE;~~

~~2. TRESPASS;~~

~~3. DESIGN DEFECT;~~

~~4. NEGLIGENCE;~~

~~5. FAILURE TO WARN;~~

~~6. DECEPTIVE OR UNFAIR PRACTICES; OR~~

~~7. INJUNCTIVE, DECLARATORY, MONETARY, OR OTHER FORM OF RELIEF; OR~~

~~(3) PREEMPT, SUPERSEDE, OR DISPLACE ANY STATE OR LOCAL LAW, REGULATION, POLICY, OR PROGRAM THAT:~~

~~(I) LIMITS, SETS, OR ENFORCES STANDARDS FOR GREENHOUSE GAS EMISSIONS;~~

~~(II) MONITORS, REPORTS, OR KEEPS RECORDS OF GREENHOUSE GAS EMISSIONS;~~

~~(III) COLLECTS REVENUE THROUGH FEES OR TAXES; OR~~

~~(IV) CONDUCTS OR SUPPORTS INVESTIGATIONS.~~

~~(B) (1) EVERY CASE FILED IN A COURT OF THE STATE UNDER STATE LAW MAY NOT BE EXPRESSLY OR IMPLIEDLY PREEMPTED, DISPLACED, MOOTED, OR DISMISSED ON ANY OTHER PRUDENTIAL CONSIDERATION ARISING FROM THIS SUBTITLE.~~

~~(2) TO THE EXTENT THAT ANY ASPECT OF EVERY CASE FILED IN A COURT OF THE STATE IS REVIEWED FOR THE APPLICATION OF THIS SUBTITLE, THE APPLICATION OF THIS SUBTITLE IS SEVERABLE IN EACH OF ITS APPLICATIONS TO EVERY PERSON AND CIRCUMSTANCE.~~

~~2–1703.~~

~~(A) THERE IS A CLIMATE CHANGE ADAPTATION AND MITIGATION PAYMENT PROGRAM IN THE DEPARTMENT.~~

~~(B) THE PURPOSE OF THE PROGRAM IS TO:~~

~~(1) SECURE COMPENSATORY PAYMENTS FROM FOSSIL FUEL BUSINESSES BASED ON A STANDARD OF STRICT LIABILITY IN ORDER TO PROVIDE A SOURCE OF REVENUE FOR STATE EFFORTS TO:~~

~~(I) ADAPT TO AND MITIGATE THE EFFECTS OF CLIMATE CHANGE, INCLUDING THROUGH THE IMPLEMENTATION OF CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS; AND~~

~~(II) ADDRESS THE HEALTH IMPACTS OF CLIMATE CHANGE ON VULNERABLE POPULATIONS;~~

~~(2) DETERMINE THE PROPORTIONAL LIABILITY OF RESPONSIBLE PARTIES IN ACCORDANCE WITH § 2–1704 OF THIS SUBTITLE;~~

~~(3) IMPOSE COST RECOVERY DEMANDS ON RESPONSIBLE PARTIES AND ISSUE NOTICES OF COST RECOVERY DEMANDS;~~

~~(4) ACCEPT AND COLLECT COST RECOVERY PAYMENTS FROM RESPONSIBLE PARTIES;~~

~~(5) IDENTIFY CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS WITHIN THE STATE;~~

~~(6) DISBURSE FUNDS IN ACCORDANCE WITH THIS SUBTITLE; AND~~

~~(7) ENSURE THAT AT LEAST 40% OF THE QUALIFIED EXPENDITURES FROM THE PROGRAM GO TO CLIMATE CHANGE ADAPTIVE OR MITIGATION~~

~~INFRASTRUCTURE PROJECTS THAT DIRECTLY BENEFIT COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.~~

~~2–1704.~~

~~(A) THE STATE MAY IMPOSE COST RECOVERY DEMANDS ON A RESPONSIBLE PARTY IF, AT ANY TIME DURING THE COVERED PERIOD, THE RESPONSIBLE PARTY:~~

~~(1) DID BUSINESS IN THE STATE;~~

~~(2) WAS REGISTERED TO DO BUSINESS IN THE STATE;~~

~~(3) WAS APPOINTED AS AN AGENT OF THE STATE; OR~~

~~(4) OTHERWISE HAD SUFFICIENT CONTACTS WITH THE STATE TO GIVE THE STATE JURISDICTION OVER THE RESPONSIBLE PARTY IN ACCORDANCE WITH STATE LAW.~~

~~(B) (1) A RESPONSIBLE PARTY IS STRICTLY LIABLE, WITHOUT REGARD TO FAULT, FOR A SHARE OF THE COSTS OF CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS, INCLUDING OPERATING AND MAINTENANCE COSTS, SUPPORTED BY THE FUND.~~

~~(2) FOR PURPOSES OF THIS SECTION, ENTITIES IN A CONTROLLED GROUP:~~

~~(I) SHALL BE TREATED BY THE DEPARTMENT AS A SINGLE ENTITY FOR THE PURPOSE OF IDENTIFYING RESPONSIBLE PARTIES; AND~~

~~(II) ARE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF ANY COST RECOVERY DEMAND OWED BY ANY ENTITY IN THE CONTROLLED GROUP.~~

~~(C) (1) WITH RESPECT TO EACH RESPONSIBLE PARTY, THE COST RECOVERY DEMAND SHALL BE EQUAL TO AN AMOUNT THAT BEARS THE SAME RATIO TO THE TOTAL ASSESSED COST OF GREENHOUSE GAS EMISSIONS AS THE RESPONSIBLE PARTY'S APPLICABLE SHARE OF COVERED GREENHOUSE GAS EMISSIONS BEARS TO THE AGGREGATE APPLICABLE SHARES OF ALL RESPONSIBLE PARTIES' COVERED GREENHOUSE GAS EMISSIONS.~~

~~(2) (I) ON OR BEFORE DECEMBER 1, 2026, THE STATE TREASURER, IN CONSULTATION WITH THE COMPTROLLER, THE DEPARTMENT, AND ANY OTHER ENTITY AS DETERMINED BY THE STATE TREASURER, SHALL REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE SENATE EDUCATION, ENERGY, AND ENVIRONMENT COMMITTEE, THE SENATE JUDICIAL PROCEEDINGS~~

~~COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE, AND THE HOUSE JUDICIARY COMMITTEE, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE TOTAL ASSESSED COST OF GREENHOUSE GAS EMISSIONS.~~

~~(II) THE REPORT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE:~~

~~1. A SUMMARY OF THE VARIOUS COST–DRIVING EFFECTS OF COVERED GREENHOUSE GAS EMISSIONS ON THE STATE, INCLUDING EFFECTS ON PUBLIC HEALTH, NATURAL RESOURCES, BIODIVERSITY, AGRICULTURE, ECONOMIC DEVELOPMENT, FLOOD PREPAREDNESS AND SAFETY, AND HOUSING, AND ANY OTHER EFFECT THAT THE STATE TREASURER, IN CONSULTATION WITH THE COMPTROLLER AND THE DEPARTMENT, DETERMINES TO BE RELEVANT;~~

~~2. A CATEGORIZED CALCULATION OF THE COSTS THAT HAVE BEEN INCURRED AND COSTS THAT ARE PROJECTED TO BE INCURRED BY THE STATE AND ITS RESIDENTS FOR EACH EFFECT IDENTIFIED UNDER ITEM 1 OF THIS SUBPARAGRAPH; AND~~

~~3. A CATEGORIZED CALCULATION OF THE COSTS THAT HAVE BEEN INCURRED AND COSTS THAT ARE PROJECTED TO BE INCURRED BY THE STATE AND ITS RESIDENTS TO MITIGATE THE EFFECTS OF COVERED GREENHOUSE GAS EMISSIONS DURING THE COVERED PERIOD.~~

~~(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A RESPONSIBLE PARTY'S APPLICABLE SHARE OF GREENHOUSE GAS EMISSIONS SHALL BE THE AMOUNT BY WHICH THE COVERED GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO THE RESPONSIBLE PARTY EXCEEDS 1,000,000 METRIC TONS.~~

~~(2) IF A RESPONSIBLE PARTY OWNS A MINORITY INTEREST OF 10% OR MORE IN ANOTHER ENTITY, THE RESPONSIBLE PARTY'S APPLICABLE SHARE OF GREENHOUSE GAS EMISSIONS SHALL BE CALCULATED AS THE APPLICABLE SHARE OF GREENHOUSE GAS EMISSIONS FOR THE ENTITY IN WHICH THE RESPONSIBLE PARTY HOLDS A MINORITY INTEREST, AS CALCULATED UNDER PARAGRAPH (1) OF THIS SUBSECTION, MULTIPLIED BY THE PERCENTAGE OF THE MINORITY INTEREST HELD BY THE RESPONSIBLE PARTY.~~

~~(3) IN DETERMINING THE AMOUNT OF GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO AN ENTITY, THE DEPARTMENT SHALL ASSUME THAT:~~

~~(I) 942.5 METRIC TONS OF CARBON DIOXIDE EQUIVALENT IS RELEASED FOR EVERY 1,000,000 POUNDS OF COAL ATTRIBUTABLE TO THE ENTITY;~~

~~(II) 432,180 METRIC TONS OF CARBON DIOXIDE EQUIVALENT IS RELEASED FOR EVERY 1,000,000 BARRELS OF CRUDE OIL ATTRIBUTABLE TO THE ENTITY; AND~~

~~(III) 53,440 METRIC TONS OF CARBON DIOXIDE EQUIVALENT IS RELEASED FOR EVERY 1,000,000 CUBIC FEET OF FUEL GASES ATTRIBUTABLE TO THE ENTITY.~~

~~(E) THE DEPARTMENT MAY ADJUST THE COST RECOVERY DEMAND AMOUNT OF A RESPONSIBLE PARTY THAT REFINES PETROLEUM PRODUCTS OR THAT IS A SUCCESSOR IN INTEREST TO AN ENTITY THAT REFINES PETROLEUM PRODUCTS, IF THE RESPONSIBLE PARTY ESTABLISHES TO THE SATISFACTION OF THE DEPARTMENT THAT:~~

~~(1) A PORTION OF THE COST RECOVERY DEMAND AMOUNT WAS ATTRIBUTABLE TO THE REFINING OF CRUDE OIL EXTRACTED BY ANOTHER ENTITY; AND~~

~~(2) THE CRUDE OIL EXTRACTED BY THE OTHER ENTITY WAS ACCOUNTED FOR WHEN THE DEPARTMENT DETERMINED THE COST RECOVERY DEMAND AMOUNT FOR THE OTHER ENTITY OR A SUCCESSOR IN INTEREST OF THE OTHER ENTITY.~~

~~(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A RESPONSIBLE PARTY SHALL PAY THE COST RECOVERY DEMAND AMOUNT IN FULL ON OR BEFORE OCTOBER 1, 2027.~~

~~(2) (I) A RESPONSIBLE PARTY MAY ELECT TO PAY THE COST RECOVERY DEMAND AMOUNT IN NINE ANNUAL INSTALLMENTS IN ACCORDANCE WITH THIS PARAGRAPH.~~

~~(II) THE FIRST INSTALLMENT SHALL BE PAID ON OR BEFORE OCTOBER 1, 2027, AND SHALL BE EQUAL TO 20% OF THE TOTAL COST RECOVERY DEMAND AMOUNT.~~

~~(III) EACH SUBSEQUENT INSTALLMENT SHALL BE PAID ON OR BEFORE SEPTEMBER 30 EACH SUBSEQUENT YEAR AND SHALL BE EQUAL TO 10% OF THE TOTAL COST RECOVERY DEMAND AMOUNT.~~

~~(IV) 1. THE UNPAID BALANCE OF ALL REMAINING INSTALLMENTS SHALL BECOME DUE IMMEDIATELY IF:~~

~~A. THE RESPONSIBLE PARTY FAILS TO PAY ANY INSTALLMENT IN A TIMELY MANNER, AS SPECIFIED IN DEPARTMENT REGULATIONS;~~

~~**B. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THERE IS A LIQUIDATION OR SALE OF SUBSTANTIALLY ALL THE ASSETS OF THE RESPONSIBLE PARTY, INCLUDING IN A BANKRUPTCY PROCEEDING; OR**~~

~~**C. THE RESPONSIBLE PARTY CEASES TO DO BUSINESS.**~~

~~**2. IN THE CASE OF A SALE OF SUBSTANTIALLY ALL THE ASSETS OF A RESPONSIBLE PARTY, THE REMAINING INSTALLMENTS SHALL NOT BECOME DUE IMMEDIATELY IF THE BUYER ENTERS INTO AN AGREEMENT WITH THE DEPARTMENT UNDER WHICH THE BUYER ASSUMES LIABILITY FOR THE REMAINING INSTALLMENTS DUE UNDER THIS SUBPARAGRAPH IN THE SAME MANNER AS IF THE BUYER WERE THE RESPONSIBLE PARTY.**~~

~~**(G) THE DEPARTMENT SHALL DEPOSIT COST RECOVERY PAYMENTS COLLECTED UNDER THIS SECTION TO THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND ESTABLISHED UNDER § 2–1705 OF THIS SUBTITLE.**~~

~~**(H) A RESPONSIBLE PARTY MAY REQUEST A HEARING UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE (ADMINISTRATIVE PROCEDURE ACT – CONTESTED CASES) TO CONTEST A COST RECOVERY DEMAND MADE BY THE DEPARTMENT UNDER THIS SECTION.**~~

~~**(I) (1) THE REMEDIES PROVIDED IN THIS SECTION ARE IN ADDITION TO ANY OTHER REMEDY PROVIDED BY LAW.**~~

~~**(2) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT A PERSON FROM PURSUING A CIVIL ACTION OR ANY OTHER REMEDY PROVIDED BY LAW.**~~

~~**2–1705.**~~

~~**(A) THERE IS A CLIMATE CHANGE ADAPTATION AND MITIGATION FUND.**~~

~~**(B) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR STATE EFFORTS TO ADAPT TO AND MITIGATE THE EFFECTS OF CLIMATE CHANGE.**~~

~~**(C) THE DEPARTMENT SHALL ADMINISTER THE FUND.**~~

~~**(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**~~

~~**(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**~~

~~(E) THE FUND CONSISTS OF:~~

~~(1) COST RECOVERY PAYMENTS DISTRIBUTED TO THE FUND UNDER § 2–1704 OF THIS SUBTITLE;~~

~~(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND~~

~~(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.~~

~~(F) THE FUND MAY BE USED ONLY:~~

~~(1) TO PAY:~~

~~(I) QUALIFIED EXPENDITURES FOR CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS IDENTIFIED BY THE DEPARTMENT IN ACCORDANCE WITH REGULATIONS ADOPTED UNDER § 2–1707 OF THIS SUBTITLE; AND~~

~~(II) REASONABLE ADMINISTRATIVE COSTS OF THE PROGRAM;~~

~~(2) TO PROVIDE GRANTS TO LOCAL JURISDICTIONS IN ACCORDANCE WITH § 2–1706 OF THIS SUBTITLE;~~

~~(3) FOR THE DEPARTMENT'S COMPREHENSIVE FLOOD MANAGEMENT GRANT PROGRAM UNDER § 5–803 OF THIS ARTICLE TO IMPLEMENT:~~

~~(I) CAPITAL PROJECTS UNDERTAKEN AS PART OF COMPREHENSIVE FLOOD MANAGEMENT PLANS; AND~~

~~(II) INFRASTRUCTURE REPAIRS, WATERSHED RESTORATION, AND EMERGENCY PROTECTION WORK ASSOCIATED WITH FLOOD EVENTS; AND~~

~~(4) TO SUPPORT THE FOLLOWING:~~

~~(I) THE STATE DISASTER RECOVERY FUND UNDER § 14–110.5 OF THE PUBLIC SAFETY ARTICLE FOR DISASTER RECOVERY ASSISTANCE;~~

~~(II) THE MARYLAND DEPARTMENT OF HEALTH'S OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES IN ADDRESSING THE HEALTH IMPACTS OF CLIMATE CHANGE ON MINORITY ADULTS, CHILDREN, AND INFANTS;~~

~~(III) THE MARYLAND DEPARTMENT OF HEALTH'S COMMUNITY HEALTH RESOURCES COMMISSION FOR THE HEALTH EQUITY RESOURCE COMMUNITIES PROGRAM;~~

~~(IV) THE MARYLAND DEPARTMENT OF HEALTH'S MEDICAID ADMINISTRATION TO USE FOR THE STATE MEDICAID PROGRAM;~~

~~(V) THE DEPARTMENT OF NATURAL RESOURCES TO INCORPORATE CLIMATE AND EQUITY PROVISIONS IN LOCAL CRITICAL AREA PROGRAM GRANTS;~~

~~(VI) THE GREAT MARYLAND OUTDOORS FUND UNDER § 5–222 OF THE NATURAL RESOURCES ARTICLE TO SUPPORT CLIMATE EDUCATION AND ADAPTATION ON PARK LANDS;~~

~~(VII) THE WHOLE WATERSHED FUND UNDER § 8–2B–03 OF THE NATURAL RESOURCES ARTICLE TO SUPPORT WATERSHED AND COMMUNITY RESILIENCE;~~

~~(VIII) THE DEPARTMENT OF NATURAL RESOURCES IN MANAGING FLOODING THROUGH THE IMPLEMENTATION OF STREAM RESTORATION AND NATURAL FILTRATION PROJECTS;~~

~~(IX) THE DEPARTMENT OF NATURAL RESOURCES IN PROVIDING PLANNING GRANTS TO LOCAL GOVERNMENTS TO PREPARE FOR EXTREME FLOODING;~~

~~(X) THE MARYLAND STRATEGIC ENERGY INVESTMENT FUND UNDER § 9–20B–05 OF THE STATE GOVERNMENT ARTICLE FOR:~~

~~1. ENERGY EFFICIENCY PROGRAMS BENEFITING LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS; AND~~

~~2. OTHER CLEAN ENERGY INVESTMENTS;~~

~~(XI) THE RESILIENCY HUB GRANT PROGRAM FUND UNDER § 9–2015 OF THE STATE GOVERNMENT ARTICLE IN DEVELOPING RESILIENCY HUBS SERVING LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS;~~

~~(XII) THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT IN SUPPLEMENTING PRE–DISASTER MITIGATION FUNDING PROVIDED UNDER THE FEDERAL BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC) GRANT PROGRAM;~~

~~(XIII) THE RESILIENT MARYLAND REVOLVING LOAN FUND UNDER § 14–110.4 OF THE PUBLIC SAFETY ARTICLE;~~

~~(XIV) THE CLIMATE CATALYTIC CAPITAL FUND UNDER § 10–855 OF THE ECONOMIC DEVELOPMENT ARTICLE;~~

~~(XV) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT IN PROVIDING GRANTS AND LOANS UNDER THE MARYLAND WHOLEHOME PROGRAM;~~

~~(XVI) THE MARYLAND ENERGY ADMINISTRATION IN PROVIDING FINANCIAL ASSISTANCE TO LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS TO TRANSITION THEIR HOMES OFF FOSSIL FUELS;~~

~~(XVII) THE ENERGY STORAGE SYSTEM GRANT FUND UNDER § 9–2012 OF THE STATE GOVERNMENT ARTICLE;~~

~~(XVIII) THE DEPARTMENT OF COMMERCE IN ATTRACTING CLEANTECH AND RENEWABLE ENERGY BUSINESSES TO THE STATE;~~

~~(XIX) THE DEPARTMENT'S DAM SAFETY PROGRAM UNDER TITLE 5, SUBTITLE 5 OF THIS ARTICLE;~~

~~(XX) THE DEPARTMENT IN SUPPLEMENTING FUNDING FOR THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES UNDER TITLE 1, SUBTITLE 7 OF THIS ARTICLE;~~

~~(XXI) THE DEPARTMENT OF TRANSPORTATION FOR THE STATEWIDE TRANSIT INNOVATION GRANT PROGRAM;~~

~~(XXII) THE ZERO–EMISSION VEHICLE SCHOOL BUS TRANSITION FUND UNDER § 2–1504 OF THIS TITLE;~~

~~(XXIII) THE MARYLAND ENERGY ADMINISTRATION FOR THE MEDIUM–DUTY AND HEAVY–DUTY ZERO–EMISSION VEHICLE GRANT PROGRAM UNDER § 9–2011 OF THE STATE GOVERNMENT ARTICLE;~~

~~(XXIV) THE MARYLAND ENERGY ADMINISTRATION FOR THE ELECTRIC VEHICLE RECHARGING EQUIPMENT REBATE PROGRAM UNDER § 9–2009 OF THE STATE GOVERNMENT ARTICLE;~~

~~(XXV) THE DEPARTMENT OF TRANSPORTATION FOR THE KIM LAMPHIER BIKEWAYS NETWORK PROGRAM UNDER § 2–608 OF THE TRANSPORTATION ARTICLE;~~

~~(XXVI) THE TRANSIT–ORIENTED DEVELOPMENT CAPITAL GRANT AND REVOLVING LOAN FUND UNDER TITLE 7, SUBTITLE 12 OF THE TRANSPORTATION ARTICLE;~~

~~(XXVII) THE DEPARTMENT IN HIRING ADDITIONAL STAFF IN THE DEPARTMENT TO WORK ON INITIATIVES TO PROTECT OVERBURDENED AND UNDERSERVED COMMUNITIES, AS DEFINED IN § 1–701 OF THIS ARTICLE, FROM THE EFFECTS OF CLIMATE CHANGE THROUGH IMPROVEMENTS TO PERMITTING PROCESSES, COMMUNITY OUTREACH EFFORTS, AND OTHER INITIATIVES;~~

~~(XXVIII) THE DEPARTMENT IN HIRING ADDITIONAL STAFF TO SUPPORT THE DEPARTMENT'S CLIMATE CHANGE PROGRAM;~~

~~(XXIX) THE PUBLIC SERVICE COMMISSION IN HIRING ADDITIONAL STAFF TO SUPPORT IMPLEMENTATION OF THE EMPOWER MARYLAND PROGRAM; AND~~

~~(XXX) THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT IN HIRING ENGINEERING STAFF FOR THE OFFICE OF RESILIENCY TO WORK ON FLOOD–RELATED ISSUES.~~

~~(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.~~

~~(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.~~

~~(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.~~

~~(I) FOR EACH FISCAL YEAR, AT LEAST 40% OF FUNDING PROVIDED UNDER THE FUND SHALL BE USED FOR PROJECTS THAT DIRECTLY BENEFIT COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.~~

~~2–1706.~~

~~(A) THE DEPARTMENT SHALL ESTABLISH AND ADMINISTER A GRANT PROGRAM FOR THE DISTRIBUTION OF FUNDS RECEIVED UNDER § 2–1705(F)(2) OF THIS SUBTITLE TO LOCAL JURISDICTIONS FOR THE PURPOSE OF ASSISTING LOCAL EFFORTS TO ADAPT TO AND MITIGATE THE EFFECTS OF CLIMATE CHANGE.~~

~~(B) THE DEPARTMENT SHALL ESTABLISH:~~

~~(1) APPLICATION PROCEDURES FOR THE GRANT PROGRAM;~~

~~(2) CRITERIA FOR PRIORITIZING APPLICATIONS UNDER THE GRANT PROGRAM;~~

~~(3) PROCEDURES FOR AWARDING GRANTS UNDER THE GRANT PROGRAM; AND~~

~~(4) ANY OTHER PROCEDURES OR CRITERIA NECESSARY TO CARRY OUT THIS SECTION.~~

~~2–1707.~~

~~(A) ON OR BEFORE OCTOBER 1, 2026, THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT THE PROGRAM.~~

~~(B) THE REGULATIONS SHALL INCLUDE:~~

~~(1) METHODOLOGIES USING THE BEST AVAILABLE SCIENCE TO IDENTIFY RESPONSIBLE PARTIES AND DETERMINE RESPONSIBLE PARTIES' APPLICABLE SHARES OF GREENHOUSE GAS EMISSIONS;~~

~~(2) RULES RELATING TO:~~

~~(I) REGISTERING ENTITIES DETERMINED TO BE RESPONSIBLE PARTIES UNDER THE PROGRAM;~~

~~(II) ISSUING NOTICES OF COST RECOVERY DEMANDS THAT SHALL INCLUDE:~~

~~1. THE COST RECOVERY DEMAND AMOUNT;~~

~~2. THE TIME AND MANNER IN WHICH COST RECOVERY PAYMENTS MUST BE MADE;~~

~~3. THE CONSEQUENCES OF NONPAYMENT OR LATE PAYMENT; AND~~

~~4. INFORMATION REGARDING THE RIGHT TO REQUEST A CONTESTED CASE HEARING; AND~~

~~(III) ACCEPTING PAYMENTS FROM, PURSUING COLLECTION EFFORTS AGAINST, AND NEGOTIATING SETTLEMENT AGREEMENTS WITH RESPONSIBLE PARTIES; AND~~

~~(3) SUBJECT TO SUBSECTION (C) OF THIS SECTION, PROCEDURES FOR IDENTIFYING CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS ELIGIBLE TO RECEIVE QUALIFYING EXPENDITURES FROM THE FUND.~~

~~(C) (1) THE DEPARTMENT MAY BY REGULATION PROVIDE FOR CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS TO BE IDENTIFIED FOR FUNDING THROUGH:~~

~~(I) LEGISLATIVE BUDGET APPROPRIATIONS;~~

~~(II) THE ISSUANCE OF REQUESTS FOR PROPOSALS FROM LOCAL GOVERNMENTS, NONPROFIT ORGANIZATIONS, OR COMMUNITY GROUPS; OR~~

~~(III) ANY OTHER METHOD THE DEPARTMENT DEEMS APPROPRIATE.~~

~~(2) THE DEPARTMENT SHALL ENSURE THAT AT LEAST 40% OF THE QUALIFIED EXPENDITURES FROM THE PROGRAM GO TO CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS THAT DIRECTLY BENEFIT COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.~~

~~2–1708.~~

~~(A) ON OR BEFORE OCTOBER 1, 2028, AND EACH OCTOBER 1 THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:~~

~~(1) THE COST RECOVERY PAYMENTS RECEIVED AND THE FUNDING DISBURSED FROM THE FUND DURING THE PRECEDING FISCAL YEAR;~~

~~(2) THE STATUS OF CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS FUNDED UNDER THE PROGRAM;~~

~~(3) THE PERCENTAGE OF QUALIFIED EXPENDITURES MADE DURING THE PRECEDING FISCAL YEAR THAT FUNDED CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS THAT DIRECTLY BENEFITED COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS; AND~~

~~(4) THE EFFECTIVENESS OF THE PROGRAM IN ACHIEVING THE PURPOSES OF THIS SUBTITLE.~~

~~(B) (1) THE LEGISLATIVE AUDITOR MAY CONDUCT POST-AUDITS OF A FISCAL AND COMPLIANCE NATURE OF THE FUND AND OF THE APPROPRIATIONS AND EXPENDITURES MADE FOR THE PURPOSES OF THIS SUBTITLE.~~

~~(2) THE COST OF THE FISCAL PORTION OF AN AUDIT SHALL BE PAID FROM THE FUND AS AN ADMINISTRATIVE COST.~~

~~Article – Natural Resources~~

~~5–222.~~

~~(a) In this section, "Fund" means the Great Maryland Outdoors Fund.~~

~~(b) There is a Great Maryland Outdoors Fund in the Department.~~

~~(f) The Fund consists of:~~

~~(1) Money appropriated in the State budget to the Fund in accordance with subsection (j) of this section;~~

~~(2) Interest earnings of the Fund; [and]~~

~~(3) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE; AND~~

~~(4) Any other money from any other source accepted for the benefit of the Fund.~~

~~8–2B–03.~~

~~(a) There is a Whole Watershed Fund.~~

~~(e) The Fund consists of:~~

~~(1) Revenue distributed to the Fund from:~~

~~(i) The Chesapeake and Atlantic Coastal Bays 2010 Trust Fund established under § 8–2A–02 of this title;~~

~~(ii) The Bay Restoration Fund established under § 9–1605.2 of the Environment Article;~~

~~(iii) The Clean Water Commerce Account established under § 9–1605.4 of the Environment Article;~~

~~(iv) The Maryland Agricultural Land Preservation Fund established under § 2–505 of the Agriculture Article;~~

~~(v) The cost–sharing program established under § 8–702 of the Agriculture Article; and~~

~~(vi) The Waterway Improvement Fund established under § 8–707 of this title;~~

~~(2) **MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE;**~~

~~**(3)** Money appropriated in the State budget to the Fund;~~

~~**[**(3)**] (4)** Interest earnings; and~~

~~**[**(4)**] (5)** Any other money from any other source accepted for the benefit of the Fund.~~

~~**Article – Public Safety**~~

~~14–110.4.~~

~~(b) There is a Resilient Maryland Revolving Loan Fund.~~

~~(h) The Fund consists of:~~

~~(1) money appropriated in the State budget to the Fund;~~

~~(2) investment and interest earnings of the Fund;~~

~~(3) repayments of principal and interest from loans made from the Fund;~~

~~(4) money received from the Federal Emergency Management Agency; **[**and**]**~~

~~(5) **MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE; AND**~~

~~**(6)** any other money from any other source accepted for the benefit of the Fund.~~

~~14–110.5.~~

~~(b) There is a State Disaster Recovery Fund.~~

~~(f) (1) The Governor may include in the annual budget bill an appropriation to the Fund.~~

~~(2) The Fund [shall consist] CONSISTS of:~~

~~(i) money appropriated in the State budget to the Fund;~~

~~(ii) repayments of principal and interest from loans made from the Fund;~~

~~(iii) reimbursements from the federal government or other legal entities for disaster recovery assistance expenditures made from the Fund;~~

~~(iv) FUNDS RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE;~~

(V) ~~interest earnings of the Fund; and~~

[~~(v)~~**] (VI)** ~~any other money from any other source accepted for the benefit of the Fund.~~

Article – State Government

~~9–2012.~~

~~(b) There is an Energy Storage System Grant Program in the Administration.~~

~~(i) (1) There is an Energy Storage System Grant Fund.~~

~~(4) The Fund consists of:~~

~~(i) money appropriated in the State budget to the Fund; [and]~~

~~(ii) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE; AND~~

(III) ~~any other money from any other source accepted for the benefit of the Fund.~~

~~9–2015.~~

~~(b) There is a Resiliency Hub Grant Program Fund.~~

~~(f) The Fund consists of:~~

~~(1) grant funding obtained under subsection (k) of this section;~~

~~(2) funds distributed to the Fund under § 9–20B–05 of this title and §§ 2–110.1 and 13–201 of the Public Utilities Article;~~

~~(3) money appropriated in the State budget to the Fund;~~

~~(4) **MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE;**~~

~~(5)~~ ~~interest earnings; and~~

~~[~~~~(5)~~**~~]~~** **~~(6)~~** ~~any other money from any other source accepted for the benefit of the Fund.~~

~~9–20B–05.~~

~~(a) There is a Maryland Strategic Energy Investment Fund.~~

~~(e) The Fund consists of:~~

~~(1) all of the proceeds from the sale of allowances under § 2–1002(g) of the Environment Article;~~

~~(2) money appropriated in the State budget to the Program;~~

~~(3) repayments and prepayments of principal and interest on loans made from the Fund;~~

~~(4) interest and investment earnings on the Fund;~~

~~(5) compliance fees paid under § 7–705 of the Public Utilities Article;~~

~~(6) money received from any public or private source for the benefit of the Fund;~~

~~(7) money transferred from the Public Service Commission under § 7–207.2(e)(3) of the Public Utilities Article;~~ **~~[~~**~~and~~**~~]~~**

~~(8) money distributed under § 2–614.1 of the Tax – General Article; AND~~

~~(9) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE.~~

~~(1–2) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE SHALL BE ACCOUNTED FOR SEPARATELY WITHIN THE FUND AND MAY BE USED FOR:~~

~~(1) ENERGY EFFICIENCY PROGRAMS BENEFITING LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS; AND~~

~~(2) OTHER CLEAN ENERGY INVESTMENTS.~~

~~Article – Transportation~~

~~7–1202.~~

~~(a) There is a Transit–Oriented Development Capital Grant and Revolving Loan Fund.~~

~~7–1203.~~

~~(a) The purpose of the Fund is to promote the equitable and inclusive development of transit–oriented developments throughout the State.~~

~~(c) (1) The Fund consists of:~~

~~(i) Money appropriated in the State budget to the Fund;~~

~~(ii) Money made available for qualifying uses by the Fund from other governmental sources, including eligible federal funding and the Transportation Trust Fund;~~

~~(iii) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE;~~

~~(IV) Ground rents or land sale proceeds in accordance with § 10–306(c)(2) of the State Finance and Procurement Article;~~

~~[(iv)] (V) Payments of principal of and interest on loans made under this title;~~

~~[(v)] (VI) Investment earnings of the Fund; and~~

~~**[**(vi)**] (VII)** Any other money from any other source, public or private, accepted for the benefit of the Fund.~~

~~(2) Contributions to the Fund under paragraph **[**(1)(iii)**] (1)(IV)** of this subsection shall:~~

~~(i) Be separately accounted for in the Fund; and~~

~~(ii) Be used only for the benefit of transit–oriented developments in the same county where the real property subject to the ground rent or land sale is located.~~

(a) (1) The ~~University of Maryland Center for Global Sustainability~~ Comptroller, in coordination with the ~~Comptroller~~ Department of Commerce, and the Department of the Environment, shall conduct a study to assess the total cost of greenhouse gas emissions in the State.

(2) The Comptroller may hire a consultant to conduct the study.

~~(2) On or before November 1, 2026, the University of Maryland Center for Global Sustainability shall report to the Comptroller and the Department of the Environment on the findings of the study required under paragraph (1) of this subsection.~~

(b) On or before December 1, 2026, the Comptroller, the Department of Commerce, and the Department of the Environment shall report to the Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and the Environment, the Senate Judicial Proceedings Committee, the House Appropriations Committee, the House Environment and Transportation Committee, and the House Judiciary Committee, in accordance with § 2–1257 of the State Government Article, on the total assessed cost of greenhouse gas emissions in the State based on the findings of the study conducted ~~by the University of Maryland Center for Global Sustainability~~ under subsection (a) of this section.

(c) The report required under subsection (b) of this section shall include:

(1) a summary of the various cost–driving effects of covered greenhouse gas emissions on the State, including effects on public health, natural resources, biodiversity, agriculture, economic development, flood preparedness and safety, and housing, and any other effect that the Comptroller and the Department of the Environment determine to be relevant;

(2) a categorized calculation of the costs that have been incurred and costs that are projected to be incurred by the State and its residents for each effect identified under item (1) of this subsection; ~~and~~

(3) a categorized calculation of the costs that have been incurred and costs that are projected to be incurred by the State and its residents to ~~mitigate~~ adapt to the effects of covered greenhouse gas emissions during the covered period; and

(4) an economic analysis to determine whether there would be a cost passed on to taxpayers as a result of requiring each fossil fuel company that has a sufficient nexus to the State and emitted more than 1,000,000,000 tons of greenhouse gas emissions globally between 1995 and 2024 to compensate the State for climate change.

~~(d) On or before July 1, 2026, the Department of the Environment shall provide a status report, including preliminary findings, to the Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and the Environment, the Senate Judicial Proceedings Committee, the House Appropriations Committee, the House Environment and Transportation Committee, and the House Judiciary Committee, in accordance with § 2–1257 of the State Government Article.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2025.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto House Bill 56 and Senate Bill 177 – *Procurement – State Department of Education – Local Food Purchasing Program,* House Bill 333 and Senate Bill 691 – *Healthcare Ecosystem Stakeholder Cybersecurity Workgroup,* and House Bill 384 and Senate Bill 157 – *Maryland Disability Service Animal Program – Established.*

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We

face a real and present danger from a White House that continues to attack our economy with reckless abandon. In a time of profound uncertainty, we must use our limited funds to prioritize policies that protect our people from the ravages of Washington; anything that fails to meet that high bar must wait for another time.

Our budget challenges also highlight the need for the State and its agencies to focus on their core missions. The state's fiscal outlook has not improved since these bills were passed. At a time where we have jointly made difficult decisions about cuts to vital services, any additional spending which is tangential to those core missions should receive close scrutiny. Collectively, these three bills would have required three agencies to work together to establish a new statewide food procurement system at the same time the federal government is pulling back on food purchasing assistance for local school systems, established a large workgroup on cybersecurity threats that is outside the expertise of the workgroup members and responsible agency, and created an underfunded program that would only be able to serve a small subgroup of agency target populations.

I recognize these bills all have positive intentions. But while there are positive aspects of the legislation, each bill directs state agencies to expand the scope of their missions to establish new programs and workgroups that they have not previously administered. Each bill requires subject matter expertise not currently on staff and I have real concerns that adequate funding will not be available to effectively establish and implement each of these new programs.

One of the first objectives I outlined for my administration was to focus on rebuilding state government and increasing state agency capacity to drive efficient, transformative results for Marylanders. I thank you and the General Assembly for partnership in this work. As we operate under this current fiscal climate, we must carefully prioritize our limited funds. In this environment, adding new responsibilities for state agencies that are tangential to their core missions makes little sense.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed House Bill 56, Senate Bill 177, House Bill 333, Senate Bill 691, House Bill 384 and Senate Bill 157.

Sincerely,

Wes Moore
Governor

Senate Bill 157

AN ACT concerning

Maryland Disability Service Animal Program – Established

FOR the purpose of establishing the Maryland Disability Service Animal Program in the Department of Disabilities; requiring the Department to select a nonprofit training entity for participation in the Program; establishing the Maryland Disability Service Animal Program Fund as a special, nonlapsing fund; and generally relating to the Maryland Disability Service Animal Program.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 7–114
Annotated Code of Maryland
(2019 Replacement Volume and 2024 Supplement)

BY adding to
Article – Human Services
Section 7–1201 through 7–1206 to be under the new subtitle "Subtitle 12. Maryland Disability Service Animal Program"
Annotated Code of Maryland
(2019 Replacement Volume and 2024 Supplement)

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

Article – Human Services

7–114.

(a) (1) The Department is the principal unit of State government responsible for developing, maintaining, revising, and enforcing statewide disability policies and standards throughout the units of State government.

(2) In this capacity, the Department shall:

(i) serve as the principal advisor to the Governor on the means and methods available to:

1. implement and fund support to individuals with disabilities in accordance with the State Disabilities Plan;

2. modify or consolidate support to individuals with disabilities; and

3. collaborate with federal, regional, and local units of government to enhance the effectiveness of the provision and funding of support to individuals with disabilities;

(ii) annually recommend projects to the Department of Budget and Management for inclusion in the capital budget to promote access to State–owned facilities for individuals with disabilities;

(iii) assist units of State government to identify federal, State, local, and private funds available to the State for programs and services for individuals with disabilities; and

(iv) provide technical assistance to local jurisdictions in planning and implementing collaborative strategies consistent with the State Disabilities Plan.

(b) The Department shall oversee and administer the following programs and units:

(1) constituent services and ombudsmen programs;

(2) the Assistive Technology Guaranteed Loan Program under Subtitle 6 of this title;

(3) the Office of Personal Assistance Services, including the Attendant Care Program under Subtitle 4 of this title;

(4) Telecommunications Access of Maryland under Subtitle 8 of this title; **[**and**]**

(5) Telecommunications Devices and Distribution of Accessible Information for Disabled Individuals under Subtitle 9 of this title**; AND**

(6) THE MARYLAND DISABILITY SERVICE ANIMAL PROGRAM UNDER SUBTITLE 12 OF THIS TITLE.

SUBTITLE 12. MARYLAND DISABILITY SERVICE ANIMAL PROGRAM.

7–1201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "DEPARTMENT" MEANS THE DEPARTMENT OF DISABILITIES.

(C) "ELIGIBLE INDIVIDUAL" MEANS ~~AN INDIVIDUAL~~ *A RESIDENT OF THE STATE* WITH A DISABILITY, AS DEFINED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990, 42 U.S.C. § 12102.

(D) "FUND" MEANS THE MARYLAND DISABILITY SERVICE ANIMAL PROGRAM FUND.

(E) "NONPROFIT TRAINING ENTITY" MEANS A CORPORATION, A FOUNDATION, OR ANY OTHER LEGAL ENTITY THAT:

(1) IS TAX–EXEMPT UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE;

(2) ENGAGES IN THE TRAINING OF SERVICE ANIMALS FOR USE BY ELIGIBLE INDIVIDUALS; AND

(3) HAS BEEN SELECTED BY THE DEPARTMENT TO PROVIDE SERVICES UNDER THIS SUBTITLE.

(F) "PROGRAM" MEANS THE MARYLAND DISABILITY SERVICE ANIMAL PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

(G) "PROGRAM PARTICIPANT" MEANS AN ELIGIBLE INDIVIDUAL WHO PARTICIPATES IN THE PROGRAM.

(H) (1) "SERVICE ANIMAL" MEANS AN ANIMAL THAT IS INDIVIDUALLY TRAINED TO DO WORK OR PERFORM TASKS FOR THE BENEFIT OF AN INDIVIDUAL WITH A DISABILITY.

(2) "SERVICE ANIMAL" DOES NOT INCLUDE AN ANIMAL THAT:

(I) AS A RESULT OF THE ANIMAL'S PRESENCE, IS MEANT TO DETER CRIME; OR

(II) PROVIDES ONLY EMOTIONAL SUPPORT, WELL–BEING, COMFORT, OR COMPANIONSHIP TO AN INDIVIDUAL.

(I) "SUCCESSFUL PROGRAM PARTICIPANT" MEANS A PROGRAM PARTICIPANT WHO SUCCESSFULLY COMPLETES THE TRAINING PROTOCOL SPECIFIED BY A NONPROFIT TRAINING ENTITY.

7–1202.

THERE IS A MARYLAND DISABILITY SERVICE ANIMAL PROGRAM IN THE DEPARTMENT.

7–1203.

THE PURPOSES OF THE PROGRAM ARE TO:

(1) ~~REFER ELIGIBLE INDIVIDUALS WHO INQUIRE ABOUT PARTICIPATION IN THE PROGRAM TO~~ *SELECT* ONE OR MORE NONPROFIT TRAINING ENTITIES *TO PARTICIPATE IN THE PROGRAM*; *AND*

(2) PROVIDE ADDITIONAL FUNDING MECHANISMS TO ASSIST ELIGIBLE INDIVIDUALS IN THE PROGRAM~~; AND~~

~~(3) ENCOURAGE SUCCESSFUL PROGRAM PARTICIPANTS TO ASSIST IN OUTREACH AND REFERRALS TO OTHER ELIGIBLE INDIVIDUALS WHO COULD BENEFIT FROM PARTICIPATION IN THE PROGRAM~~.

7–1204.

THE DEPARTMENT SHALL:

(1) ~~MANAGE, SUPERVISE, AND~~ ADMINISTER THE PROGRAM;

(2) ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM ~~AND TO ENSURE THAT FUND RESOURCES ARE UTILIZED TO CARRY OUT THE PURPOSES OF THE PROGRAM~~, INCLUDING REGULATIONS ESTABLISHING PROCEDURES FOR THE DEPARTMENT TO:

(I) ~~PROMOTE THE PROGRAM TO ELIGIBLE INDIVIDUALS THROUGH THE DEPARTMENT'S OUTREACH METHODS;~~

~~(II) REFER ELIGIBLE INDIVIDUALS TO SELECTED NONPROFIT TRAINING ENTITIES;~~

~~(III)~~ RECEIVE DONATIONS FOR THE FUND; AND

~~(IV)~~ *(II)* USE REVENUE FROM THE FUND TO PAY SELECTED NONPROFIT TRAINING ENTITIES FOR SERVICES THAT ARE PROVIDED THROUGH THE PROGRAM; AND

(3) SELECT AT LEAST ONE NONPROFIT TRAINING ENTITY TO:

(I) DEVELOP AND IMPLEMENT A TRAINING PROTOCOL THAT WILL TEACH EACH PROGRAM PARTICIPANT METHODOLOGIES, STRATEGIES, AND TECHNIQUES FOR PARTNERING WITH SERVICE ANIMALS;

(II) SELECT QUALIFIED PROGRAM PARTICIPANTS ~~FROM THOSE ELIGIBLE INDIVIDUALS REFERRED TO THE NONPROFIT TRAINING ENTITY UNDER THE PROGRAM~~;

(III) SELECT AN APPROPRIATE SERVICE ANIMAL FOR EACH PROGRAM PARTICIPANT;

(IV) FACILITATE EACH PROGRAM PARTICIPANT'S TRAINING USING THE NONPROFIT TRAINING ENTITY'S TRAINING PROTOCOL; AND

(V) PARTNER EACH SUCCESSFUL PROGRAM PARTICIPANT WITH THE SERVICE ANIMAL ON THE PROGRAM PARTICIPANT'S SUCCESSFUL COMPLETION OF THE NONPROFIT TRAINING ENTITY'S TRAINING PROTOCOL.

7–1205.

(A) TO BE ELIGIBLE FOR SELECTION AS A NONPROFIT TRAINING ENTITY UNDER § 7–1204 OF THIS SUBTITLE, A NONPROFIT TRAINING ENTITY SHALL:

(1) SERVE THE NEEDS OF ELIGIBLE INDIVIDUALS IN THE STATE; AND

(2) GENERATE ITS OWN REVENUE AND REINVEST THE PROCEEDS OF THAT REVENUE IN THE GROWTH AND DEVELOPMENT OF ITS PROGRAMS.

(B) A NONPROFIT TRAINING ENTITY MAY DISQUALIFY A PROGRAM PARTICIPANT FROM PARTICIPATION IN THE PROGRAM IF THE NONPROFIT TRAINING ENTITY DETERMINES THAT THE PROGRAM PARTICIPANT'S INVOLVEMENT IN THE PROGRAM:

(1) PRESENTS A DANGER TO THE PROGRAM PARTICIPANT'S MENTAL OR PHYSICAL WELL–BEING;

(2) PRESENTS A DIRECT THREAT TO OTHERS, AS DEFINED BY THE FEDERAL AMERICANS WITH DISABILITIES ACT;

(3) PRESENTS A DIRECT THREAT TO THE SERVICE ANIMAL'S MENTAL OR PHYSICAL WELL–BEING; OR

(4) DOES NOT MEET THE TRAINING REQUIREMENTS OF THE NONPROFIT.

(C) A PROGRAM PARTICIPANT MAY DISCONTINUE INVOLVEMENT IN THE PROGRAM FOR ANY REASON.

7–1206.

(A) THERE IS A MARYLAND DISABILITY SERVICE ANIMAL PROGRAM FUND.

(B) THE PURPOSE OF THE FUND IS TO:

(1) PAY A NONPROFIT TRAINING ENTITY; AND

(2) COVER THE COSTS OF ADMINISTERING THE PROGRAM.

(C) THE SECRETARY SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) (1) THE FUND CONSISTS OF:

(I) REVENUE COLLECTED BY THE DEPARTMENT IN THE FORM OF DONATIONS TO THE PROGRAM;

(II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

(III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(2) FOR EACH FISCAL YEAR, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF $25,000 TO THE FUND.

***~~(2)~~ (3)* EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.**

***~~(3)~~ (4)* MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAM.**

(F) THE FUND MAY BE USED ONLY TO PAY:

(1) A NONPROFIT TRAINING ENTITY; AND

(2) ADMINISTRATIVE COSTS OF THE PROGRAM.

(G) (1) THE STATE TREASURER SHALL INVEST AND REINVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

(H) FOR THE PURPOSE OF IMPLEMENTING THIS SECTION, THE DEPARTMENT MAY ACCEPT GIFTS OR GRANTS FOR DONATION TO THE FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That ~~this Act shall take effect October 1, 2025~~:

(a) This Act is contingent on the Department of Disabilities certifying that the Department has sufficient staff to administer the Maryland Disability Service Animal Program under Title 7, Subtitle 12 of the Human Services Article, as enacted by Section 1 of this Act.

(b) On or before October 1, 2026, the Department of Disabilities shall notify the Department of Legislative Services whether the Department has certified that the Department has sufficient staff to administer the Maryland Disability Service Animal Program.

(c) (1) If the Department of Legislative Services receives notification that the Department of Disabilities has sufficient staff to administer the Maryland Disability Service Animal Program on or before October 1, 2026, this Act shall take effect on the date the notice is received by the Department of Legislative Services in accordance with subsection (b) of this section.

(2) If the Department of Legislative Services receives notice that the Department of Disabilities lacks sufficient staff to administer the Maryland Disability Service Animal Program on or before October 1, 2026, this Act, with no further action required by the General Assembly, shall be null and void.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

Pursuant to Article II, Section 17 of the Maryland Constitution, I hereby veto Senate Bill 168 – *Confined Aquatic Disposal Construction Moratorium*, House Bill 628 – *Highways – Sidewalks and Bicycle Pathways – Construction and Reconstructio*n, and House Bill 1116 – *Public Safety – State Clearinghouse for Missing Persons*.

I am proud of working together to pass a balanced budget that addresses a projected structural deficit in the backdrop of alarming federal uncertainty; however, because of this context, I find it necessary to veto these bills as unnecessary and duplicative.

While I share the General Assembly's commitment to environmental stewardship and community engagement, Senate Bill 168 is premature and unnecessary. The Maryland Port Administration (MPA) is currently facilitating a comprehensive evaluation of Confined Aquatic Disposal (CAD) through the Dredged Material Management Program. This program includes a diverse CAD Subcommittee under the Bay Enhancement Working Group that is assessing the technical, environmental, and socio–economic aspects of CAD, with a final report expected in 2025. Given the state's current budget constraints, the MPA has no plans to expand dredged material capacity beyond existing projects; therefore, Senate Bill 168 is not needed to maintain conservation efforts to protect the Chesapeake Bay and support our environmental justice communities.

The intent to improve pedestrian and cyclist infrastructure is critical, and I commend the General Assembly's continued effort to address this. However, House Bill 628 introduces unnecessary redundancy and ambiguity into the existing authority of the State Highway Administration (SHA) to prioritize sidewalk improvement projects based on improving safety or increasing pedestrian access. Through the Pedestrian Safety Action Plan, SHA uses a data–driven, safety–focused approach to prioritize sidewalk construction and reconstruction. My administration has been implementing context–driven planning and design throughout state roadway projects that prioritize the safety of vulnerable road users. As written, House Bill 628 is duplicative and potentially impedes SHA's ability to effectively manage and prioritize the safety of other asset classes.

Public safety remains our administration's top priority, but House Bill 1116 is not needed to continue this focus. House Bill 1116 is merely technical and renames the State Clearinghouse for Missing Children, operated by the Maryland State Police (MSP). It changes nothing with regard to the duties and responsibilities related to the Clearinghouse. It does add a new requirement to study to determine whether MSP is able report information about missing persons to the National Missing and Unidentified Persons System. I will direct MSP to assess its capacity in reporting on missing persons in Maryland to the National Missing and Unidentified Persons System without the legislation or name change. My administration looks forward to partnering with the General Assembly to prioritize public safety.

As we face unprecedented challenges with the budget and unpredictable federal front, we must focus and direct agencies' efforts and resources towards our immediate and urgent needs.

For these reasons, I have vetoed Senate Bill 168, House Bill 628, and House Bill 1116.

Sincerely,

Wes Moore
Governor

Senate Bill 168

AN ACT concerning

~~**Environmental Justice in Confined Aquatic Disposal Act**~~
Confined Aquatic Disposal Cells – Construction – Moratorium

FOR the purpose of prohibiting the Department of the Environment from processing or making any recommendation on a certain application submitted for the purpose of constructing a confined aquatic disposal cell ~~within a certain distance of a residential overburdened community~~ during a certain time period; prohibiting the Board of Public Works from approving a certain application submitted for the purpose of constructing a confined aquatic disposal cell ~~within a certain distance of a residential overburdened community~~ during a certain time period; and generally relating to confined aquatic disposal cells.

~~BY repealing and reenacting, without amendments,~~
~~Article – Environment~~
~~Section 1–701(a)(7)~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2024 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Environment
Section 5–1101(a) and 5–1102
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

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

Article – Environment

~~1–701.~~

~~(a) (7) "Overburdened community" means any census tract for which three or more of the following environmental health indicators are above the 75th percentile statewide:~~

~~(i) Particulate matter (PM) 2.5;~~

~~(ii) Ozone;~~

~~(iii) National Air Toxics Assessment (NATA) diesel PM;~~

~~(iv) NATA cancer risk;~~

~~(v) NATA respiratory hazard index;~~

~~(vi) Traffic proximity;~~

~~(vii) Lead paint indicator;~~

~~(viii) National Priorities List Superfund site proximity;~~

~~(ix) Risk Management Plan facility proximity;~~

~~(x) Hazardous waste proximity;~~

~~(xi) Wastewater discharge indicator;~~

~~(xii) Proximity to a Concentrated Animal Feeding Operation (CAFO);~~

~~(xiii) Percent of the population lacking broadband coverage;~~

~~(xiv) Asthma emergency room discharges;~~

~~(xv) Myocardial infaretion discharges;~~

~~(xvi) Low–birth–weight infants;~~

~~(xvii) Proximity to emitting power plants;~~

~~(xviii) Proximity to a Toxic Release Inventory (TRI) facility;~~

~~(xix) Proximity to a brownfields site;~~

~~(xx) Proximity to mining operations; and~~

~~(xxi) Proximity to a hazardous waste landfill.~~

5–1101.

(a) In this subtitle the following words have the meanings indicated.

(1) "Baltimore County tributary dredged material" means earth, rock, soil, waste matter, muck, or other materials excavated or dredged from an approved dredging project in any of the Baltimore County tributaries of the Chesapeake Bay.

(2) "Baltimore Harbor" means the waterway which consists of the tidal portions of Patapsco River and its tributaries lying westward of a line extending from Rock Point in Anne Arundel County to North Point in Baltimore County.

(3) "Beneficial use of dredged material" means any of the following uses of dredged material from the Chesapeake Bay and its tributary waters placed into waters or onto bottomland of the Chesapeake Bay or its tidal tributaries, including Baltimore Harbor:

(i) The restoration of underwater grasses;

(ii) The restoration of islands;

(iii) The stabilization of eroding shorelines;

(iv) The creation or restoration of wetlands; and

(v) The creation, restoration, or enhancement of fish or shellfish habitats.

(4) "CONFINED AQUATIC DISPOSAL CELL" MEANS ~~AN UNDERWATER CONTAINMENT STRUCTURE THAT STORES CONTAMINATED SEDIMENTS IN A DEPRESSION IN THE BOTTOM OF A BODY OF WATER~~ A DREDGED MATERIAL MANAGEMENT OPTION WHERE A DEPRESSION OR CELL IS EXCAVATED INTO THE BOTTOM OF A BODY OF WATER, ANY SAND EXCAVATED IS REUSED IN A BENEFICIAL MANNER, AND THE DEPRESSION OR CELL IS FILLED IN WITH DREDGED MATERIALS, INCLUDING DREDGED MATERIALS FROM BALTIMORE HARBOR.

[(4)**] (5)** "Deep trough" means any region that:

(i) Is south of the Chesapeake Bay Bridge and north of a line extending westerly from Bloody Point; and

(ii) Has a depth that exceeds 60 feet.

[(5)**] (6)** "Dredged material" means earth, sand, silt, sediment, shell, rock, soil, waste matter, or other material excavated or dredged from the Chesapeake Bay and its tributary waters.

[(6)**] (7)** "Innovative reuse" includes the use of dredged material in the development or manufacturing of commercial, industrial, horticultural, agricultural, or other products.

~~(8) "OVERBURDENED COMMUNITY" HAS THE MEANING STATED IN § 1–701 OF THIS ARTICLE.~~

[(7)**]** ~~**(9)**~~ **(8)** "Redeposit" means to dump, scatter, pour, or otherwise deposit dredged material.

[(8)**]** ~~**(10)**~~ **(9)** (i) "Sewage sludge" means the accumulated semiliquid suspension of settled solids, or dried residue of these solids, that is deposited from sewage in wastewater treatment plant tanks or basins.

(ii) "Sewage sludge" includes raw untreated sewage disposed from the Back River Sewage Treatment Plant.

5–1102.

(a) **(1)** **[**A**]** **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A** person may not redeposit in an unconfined manner dredged material from Baltimore Harbor into or onto any portion of the water or bottomland of the Chesapeake Bay or of the tidewater portions of any of the Chesapeake Bay's tributaries outside of Baltimore Harbor.

(2) **[**However, the**]** **THE** dredged material may be redeposited in contained areas approved by the Department.

(b) A person may not redeposit in an unconfined manner Baltimore County tributary dredged material into or onto any portion of the water or bottomland of the Chesapeake Bay or of the tidewater portions of any of the Chesapeake Bay's tributaries within 5 miles of the Hart–Miller–Pleasure Island chain in Baltimore County.

(c) **(1)** Except as provided in subsection (d) of this section **AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION**, a person may not redeposit in an unconfined manner dredged material into or onto any portion of the water or bottomland of the Chesapeake Bay or of the tidewater portion of any of the Chesapeake Bay's tributaries except when used for a beneficial use project undertaken in accordance with State and federal laws.

(2) **[**However, the**]** **THE** dredged material may be redeposited in contained areas approved by the Department.

(d) (1) Beginning October 1, 2001, subject to paragraph (2) of this subsection, and in accordance with State and federal law, a person may redeposit up to 7.4 million cubic yards of dredged material into or onto any portion of the water, bottomland, or the tidewater portions of the Chesapeake Bay collectively known as Pooles Island, including G–West and Site 92.

(2) The redeposit of dredged material authorized under this subsection may not occur after the sooner of:

(i) December 31, 2010; or

(ii) The initiation of the placement of dredged material in any site or sites approved pursuant to the process established in § 5–1104.2(d)(1) of this subtitle if the total capacity of the approved site or sites, when combined with the approved capacity of existing placement sites identified in the October 1, 2000 report to the Maryland General Assembly regarding the Governor's Strategic Plan for Dredged Material Management, provide 20 years of placement capacity for dredged material.

(e) A person may not dump, deposit, scatter, or release sewage sludge by any means, including discharge from a sewer or pipe, into or onto any portion of the water or bottomland of the Chesapeake Bay or of the tidewater portions of any of the Chesapeake Bay's tributaries within 5 miles of the Hart–Miller–Pleasure Island chain in Baltimore County.

(f) A person may not redeposit dredged material or other material excavated or dredged from the Chesapeake Bay or its tidal tributaries into or onto the area of the bottomlands or waters of the Chesapeake Bay known as the deep trough.

(G) (1) THE DEPARTMENT MAY NOT PROCESS OR MAKE ANY RECOMMENDATION TO THE BOARD OF PUBLIC WORKS REGARDING AN APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND OR WATERS OF THE STATE SUBMITTED FOR THE PURPOSE OF CONSTRUCTING A CONFINED AQUATIC DISPOSAL CELL ~~WITHIN 5 MILES OF A RESIDENTIAL OVERBURDENED COMMUNITY~~ FROM JUNE 1, 2025, THROUGH MAY 31, 2029, BOTH INCLUSIVE.

(2) THE BOARD OF PUBLIC WORKS MAY NOT APPROVE AN APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND OR WATERS OF THE STATE SUBMITTED FOR THE PURPOSE OF CONSTRUCTING A CONFINED AQUATIC DISPOSAL CELL ~~WITHIN 5 MILES OF A RESIDENTIAL OVERBURDENED COMMUNITY~~ FROM JUNE 1, 2025, THROUGH MAY 31, 2029, BOTH INCLUSIVE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2025. It shall remain effective for a period of 4 years and, at the end of May 31, 2029, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

May 16, 2025

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

The Honorable Adrienne A. Jones

Speaker of the House of Delegates
H–101 State House
Annapolis, MD 21401

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto House Bill 56 and Senate Bill 177 – *Procurement – State Department of Education – Local Food Purchasing Program,* House Bill 333 and Senate Bill 691 – *Healthcare Ecosystem Stakeholder Cybersecurity Workgroup,* and House Bill 384 and Senate Bill 157 – *Maryland Disability Service Animal Program – Established.*

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In a time of profound uncertainty, we must use our limited funds to prioritize policies that protect our people from the ravages of Washington; anything that fails to meet that high bar must wait for another time.

Our budget challenges also highlight the need for the State and its agencies to focus on their core missions. The state's fiscal outlook has not improved since these bills were passed. At a time where we have jointly made difficult decisions about cuts to vital services, any additional spending which is tangential to those core missions should receive close scrutiny. Collectively, these three bills would have required three agencies to work together to establish a new statewide food procurement system at the same time the federal government is pulling back on food purchasing assistance for local school systems, established a large workgroup on cybersecurity threats that is outside the expertise of the workgroup members and responsible agency, and created an underfunded program that would only be able to serve a small subgroup of agency target populations.

I recognize these bills all have positive intentions. But while there are positive aspects of the legislation, each bill directs state agencies to expand the scope of their missions to establish new programs and workgroups that they have not previously administered. Each bill requires subject matter expertise not currently on staff and I have real concerns that adequate funding will not be available to effectively establish and implement each of these new programs.

One of the first objectives I outlined for my administration was to focus on rebuilding state government and increasing state agency capacity to drive efficient, transformative results for Marylanders. I thank you and the General Assembly for partnership in this work. As we operate under this current fiscal climate, we must carefully prioritize our limited funds.

In this environment, adding new responsibilities for state agencies that are tangential to their core missions makes little sense.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed House Bill 56, Senate Bill 177, House Bill 333, Senate Bill 691, House Bill 384 and Senate Bill 157.

Sincerely,

Wes Moore
Governor

Senate Bill 177

AN ACT concerning

Procurement – State Department of Education – ~~Control Authority –~~ Local Food Purchasing Program

FOR the purpose of ~~authorizing~~ requiring the State Department of Education ~~to engage in or control procurements of certain local food; altering the list of units exempt from the authority of the Board of Public Works to control procurement to include the Department for the purpose of master contracting; altering the list of units that are defined as designated procurement units to include the Department with respect to master contracts related to local food~~, in coordination with the Department of General Services and the Department of Agriculture, to establish a program to procure certain local food for local school systems from certain providers under certain circumstances; altering a certain percentage price preference adopted by the Board of Public Works by regulation; requiring the Board to adopt certain regulations relating to limiting responses for certain procurements; and generally relating to the State Department of Education and State procurement.

BY adding to
Article – Education
Section 7–136
Annotated Code of Maryland
(2022 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~12–101(a), 12–107(b)(4) and (5), 13–101(b), and 13–113(a)~~ 12–107(b)(2)(ix), 14–407, and 14–702
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

~~BY adding to~~

~~Article – State Finance and Procurement~~
~~Section 12–107(b)(6)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section ~~13–101(a) and (e) and~~ 14–701(a) through (d)
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

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

Article – Education

7–136.

(A) (1) ~~IN ACCORDANCE WITH § 12–107(B) OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE DEPARTMENT, WITHOUT THE APPROVAL OF ANY OTHER PRIMARY PROCUREMENT UNIT, MAY~~ THE DEPARTMENT SHALL ESTABLISH A PROGRAM, WHEN FUNDING IS AVAILABLE, TO ENGAGE IN ~~OR CONTROL~~ PROCUREMENT OF LOCAL FOOD FOR LOCAL SCHOOL SYSTEMS.~~:~~

~~(1) FOOD GROWN WITHIN A 200–MILE RADIUS FROM AN ELEMENTARY OR SECONDARY SCHOOL FOR WHICH A LOCAL SCHOOL SYSTEM ENTERS INTO A MASTER CONTRACT WITH THE DEPARTMENT;~~

~~(2) FOOD GROWN AT A CERTIFIED LOCAL FARM UNDER § 14–701 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND~~

~~(3) CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDED BY A CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDER AS DEFINED IN § 14–701 OF THE STATE FINANCE AND PROCUREMENT ARTICLE~~

(2) THE PROGRAM SHALL PROCURE PRODUCTS THAT ARE:

(I) FOODS GROWN AT A CERTIFIED LOCAL FARM, AS DEFINED IN § 14–701 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;

(II) CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDED BY A CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDER, AS DEFINED IN § 14–701 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND

(III) FOODS GROWN WITHIN A 250–MILE RADIUS FROM AN ELEMENTARY OR SECONDARY SCHOOL IN THE STATE.

(3) THE PROGRAM SHALL GIVE PREFERENCE TO PROVIDERS QUALIFYING UNDER PARAGRAPH (2)(I) AND (II) OF THIS SUBSECTION.

(B) THE DEPARTMENT SHALL COORDINATE WITH THE DEPARTMENT OF AGRICULTURE, THE DEPARTMENT OF GENERAL SERVICES, AND ANY OTHER RELEVANT UNIT OF STATE GOVERNMENT TO ESTABLISH THE PROGRAM, INCLUDING A CENTRALIZED PLATFORM TO ENCOURAGE THE PARTICIPATION OF FARMERS AND DISTRIBUTORS IN PROCUREMENT OPPORTUNITIES IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION.

(C) SUBJECT TO § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 1 EACH YEAR ON THE TOTAL NUMBER AND DOLLAR VALUE OF ~~MASTER CONTRACTS IN ACCORDANCE WITH THIS SECTION WITH:~~

~~(1) LOCAL SCHOOL SYSTEMS;~~

~~(2) CERTIFIED LOCAL FARMS; AND~~

~~(3) CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDERS~~ PROCUREMENT CONTRACTS FOR LOCAL FOOD AT LOCAL SCHOOLS, INCLUDING THE NUMBER OF THESE CONTRACTS THAT ARE WITH CERTIFIED LOCAL FARMS OR CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDERS.

Article – State Finance and Procurement

~~12–101.~~

~~(a) This section does not apply to:~~

~~(1) capital expenditures by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways, as provided in § 12–202 of this title; [or]~~

~~(2) procurements by the Department of General Services for the purpose of modernizing cybersecurity infrastructure for the State valued below $1,000,000; OR~~

~~(3) PROCUREMENTS BY THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF MASTER CONTRACTING AS DEFINED IN § 13–101 OF THIS ARTICLE.~~

12–107.

(b) Subject to the authority of the Board, jurisdiction over procurement is as follows:

(2) the Department of General Services may:

(ix) coordinate with governmental entities and local entities to maximize use of intergovernmental purchasing agreements established in accordance with § 13–110 of this article**, INCLUDING WORKING WITH THE STATE DEPARTMENT OF EDUCATION TO PROCURE LOCAL FOOD FOR LOCAL SCHOOL SYSTEMS IN ACCORDANCE WITH § 7–136 OF THE EDUCATION ARTICLE**;

~~(4) the Maryland Port Commission, without the approval of any of the other primary procurement units, may engage in the procurement of:~~

~~(i) supplies for port related activities, including motor vehicles and information processing supplies, but excluding:~~

~~1. supplies funded by the proceeds from State general obligation bonds; and~~

~~2. insurance;~~

~~(ii) services for port related activities, including information processing services, but excluding banking and financial services under the authority of the State Treasurer under item (1) of this subsection;~~

~~(iii) construction and construction related services for a port facility as defined in § 6–101(e) of the Transportation Article;~~

~~(iv) port related architectural and engineering services under Title 13, Subtitle 3 of this article; and~~

~~(v) leases of real property for port related activities unless the lease payments are from the General Fund of the State;~~ **[**~~and~~**]**

~~(5) the Department of General Services, without the approval of any other primary procurement unit, may engage in or control procurement of:~~

~~(i) information processing equipment, cloud computing equipment, and associated services, as provided in Title 3.5, Subtitle 3 of this article;~~

~~(ii) information technology system modernization, as provided in Title 3.5, Subtitle 3 of this article;~~

~~(iii) telecommunication equipment, systems, or services, as provided in Title 3.5, Subtitle 4 of this article; and~~

~~(iv) cybersecurity upgrades and modernization, as provided in Title 3.5, Subtitle 3 of this article; AND~~

~~(6) THE STATE DEPARTMENT OF EDUCATION, WITHOUT THE APPROVAL OF ANY OTHER PRIMARY PROCUREMENT UNIT, MAY ENGAGE IN OR CONTROL PROCUREMENT OF:~~

~~(I) FOOD GROWN WITHIN A 200–MILE RADIUS FROM AN ELEMENTARY OR SECONDARY SCHOOL FOR WHICH A LOCAL SCHOOL SYSTEM ENTERS INTO A MASTER CONTRACT WITH THE STATE DEPARTMENT OF EDUCATION;~~

~~(II) FOOD GROWN AT A CERTIFIED LOCAL FARM UNDER § 14–701 OF THIS ARTICLE; AND~~

~~(III) CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDED BY A CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDER AS DEFINED IN § 14–701 OF THIS ARTICLE.~~

~~13–101.~~

~~(a) In this subtitle the following words have the meanings indicated.~~

~~(b) "Designated procurement unit" means:~~

~~(1) the Department of General Services;~~

~~(2) the Department of Transportation; [or]~~

~~(3) the Department of Information Technology, only with respect to an information technology master contract executed before July 1, 2022, until the earlier of:~~

~~(i) the expiration date of all information technology master contracts; or~~

~~(ii) June 30, 2027; OR~~

~~(4) THE STATE DEPARTMENT OF EDUCATION, ONLY WITH RESPECT TO A MASTER CONTRACT RELATED TO LOCAL FOOD.~~

~~(c) "Master contracting" means a streamlined procurement method that provides for the qualification of bidders and offerors for the procurement of services, supplies, or commodities.~~

~~13–113.~~

~~(a) (1) The designated procurement units may adopt master contracting, a streamlined procurement method, to provide for the qualification of an offeror in one or more categories of services, supplies, or commodities.~~

~~(2) NOTWITHSTANDING ANY REQUIREMENTS OF A LOCAL SCHOOL SYSTEM, THE STATE DEPARTMENT OF EDUCATION MAY NOT REQUIRE CERTIFICATION FOR GOOD AGRICULTURAL PRACTICES FOR MASTER CONTRACTING.~~

14–407.

(a) (1) In this section the following words have the meanings indicated.

(2) "Locally grown food" means food grown **[**in the State**]** **AT A CERTIFIED LOCAL FARM DEFINED IN § 14–701 OF THIS TITLE**.

(3) "Percentage price preference" means the percent by which a responsive bid from a responsible bidder whose product is a locally grown food may exceed the lowest responsive bid submitted by a responsible bidder whose product is not a locally grown food.

(b) **(1)** The Board shall adopt regulations that require State schools and facilities to establish a percentage price preference, not to exceed **[**5%**]** **10%**, for the purchase of locally grown food.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL ADOPT REGULATIONS AUTHORIZING STATE SCHOOLS AND FACILITIES TO CONDUCT AN INDIVIDUAL PROCUREMENT THAT IS LIMITED TO RESPONSES FROM CERTIFIED LOCAL FARMS AS DEFINED IN § 14–701 OF THIS TITLE.

(c) A percentage price preference under this section may not be used in conjunction with any other percentage price preference established under this title.

(d) Each State school and facility shall review the procurement specifications currently used and, to the extent practicable, require the use of a percentage price preference in their purchase of locally grown food.

(e) (1) Except as provided in paragraph (2) of this subsection, this section is broadly applicable to all procurements by State schools and facilities if the locally grown food is consistent with the requirements of the bid specification.

(2) Only to the extent necessary to prevent the denial of federal money or eliminate the inconsistency with federal law, this section does not apply to a procurement by a State school or facility if it is determined that compliance with this section would:

(i) cause denial of federal money; or

(ii) be inconsistent with the requirements of federal law.

14–701.

(a) In this subtitle the following words have the meanings indicated.

(b) "Certified Chesapeake invasive species" means a finfish species that is:

(1) ranked as high priority in the Maryland Aquatic Nuisance Species Management Plan; and

(2) harvested from the Chesapeake Bay or its tributaries.

(c) "Certified Chesapeake invasive species provider" means a person licensed and authorized as a seafood dealer under § 4–701 of the Natural Resources Article that:

(1) is certified by the Department in accordance with regulations adopted under this subtitle; and

(2) can demonstrate that the person's product is a certified Chesapeake invasive species.

(d) "Certified local farm" means a local farm enterprise that:

(1) meets the nutrient management requirements established under Title 8, Subtitle 8 of the Agriculture Article; and

(2) is certified by the Department in accordance with regulations adopted under this subtitle.

14–702.

(a) (1) There is an Office for the Certified Local Farm and Fish Program in the Department.

(2) The purpose of the Office is to administer the Program and facilitate the participation of certified local farms and certified Chesapeake invasive species providers in the Program.

(b) (1) There is a Certified Local Farm and Fish Program in the Office.

(2) The purpose of the Program is to encourage each unit to try to achieve an overall percentage goal of 20% of the unit's total dollar value of procurement contracts for food from certified local farms and certified Chesapeake invasive species providers.

(c) The Department shall create two positions to provide staff for the Office.

(D) THE DEPARTMENT, ALONG WITH THE DEPARTMENT OF GENERAL SERVICES, SHALL COORDINATE WITH THE STATE DEPARTMENT OF EDUCATION TO PROCURE LOCAL FOOD FOR LOCAL SCHOOL SYSTEMS IN ACCORDANCE WITH § 7–136 OF THE EDUCATION ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto House Bill 193 and Senate Bill 219 – *Uninsured Employers' Fund – Assessments and Special Monitor*, and Senate Bill 227 – *Workers' Compensation – Payment From Uninsured Employers' Fund – Revisions*.

The Uninsured Employers' Fund (UEF) is responsible for paying workers' compensation awards to claimants who failed to receive payments from their employers who did not have workers' compensation insurance as required by State law. The Fund derives its revenue from a two–percent assessment on awards against and settlements with employers or insurers.

House Bill 193 and Senate Bill 219, introduced by the UEF would have given UEF's Board the authority to raise assessments on awards an additional 1% if required to maintain the Fund's solvency. About 86% of the UEF's revenues come from the assessment on workers's compensations awards. The Fund also collects revenues from benefit payments owed by uninsured employers, penalties from sanctions on uninsured employers, and interest earned on the fund balance. According to a *2024 Joint Chairman Report of the Workers' Compensation Commission (WCC) Addressing the Long–Term Solvency of the UEF*[1], this reform, if adopted, would allow for a total assessment of 3%, which translates into a 50% increase in the assessment on law–abiding businesses with workers' compensation insurance and a $4 million increase in UEF's annual revenues.

Understandably, the 1% increase on assessment received pushback from key stakeholders, so UEF supported a .5% increase in the assessment, which translates into a 25% increase in the assessment on law–abiding businesses with workers' compensation insurance and a $2 million increase in UEF's annual revenues. By the end of legislative session, a bill that was originally intended to increase an assessment on awards was amended to also require the WCC to designate a special monitor to assess the financial condition of UEF, and the UEF to allocate $100,000 to provide funding for the special monitor.

In 1983, the Maryland General Assembly created the UEF as an independent agency, separating its function from the WCC due to potential conflicts of interest. A 2021 *Joint Chair Report Review of Workers' Compensation Agency Structure* stated, 'To have the WCC oversee any aspect of either, or both agencies (UEF or SIF), would create the clear appearance of impropriety.'[2] The UEF has a board that is responsible for overseeing the Fund. Requiring WCC to designate a special monitor to assess the financial condition of UEF goes directly against the Maryland General Assembly's previous actions and suggestions by reports. I believe that Senate Bill 695 – *Labor and Employment – Uninsured Employers' Fund Board – Membership and Reserves*, sponsored by Senator Beidle that I signed on May 6, 2025 addresses the oversight concerns that the amendments to House Bill 193 and Senate Bill 219 try to meet by expanding the number of members from three to five and requiring the board to establish reserves to meet potential losses of the fund.

Senate Bill 227 was originally introduced as a Departmental bill that would allow the UEF to pay injured workers with greater efficiency by removing unnecessary hurdles and requirements that hamper the payment process. It also would have expedited the payment of awards. Currently awards can be made within 60 days, this legislation would have lowered the timeline to 30 days.

As amended, Senate Bill 227 included numerous constructive reforms that expedite the payment process. It removed the requirement that the WCC notify an employer when the employer is in default, as well as the subsequent payment requirement and/or objection process. Instead, the amendment requires that an uninsured employer be given notice of a claim before action is taken against the uninsured employer. It also allows a covered employee or dependents of a covered employee to apply for payment from UEF if the employer is in default and the employee or dependents have demanded payment from the employer at least 15 days before the date of application.

Unfortunately, the amended legislation removes a safeguard against double payments which states that if the UEF pays an award to a covered employee or the dependent of a covered employee that is also paid by the employer, the UEF is entitled to reimbursement of the distributed funds. The amended language allows the WCC to order an offset or credit against an award for permanent partial disability benefits for any benefits paid by UEF that were also paid by the employer.

UEF cases can reach amounts in the hundreds of thousands. The UEF is currently addressing solvency issues, and introducing circumstances where a double payment is credited against future pay outs by an employer rather than allowing the UEF to seek reimbursement place the UEF in a financial position they may never recover from.

The solvency of the UEF and promptly paying awards to injured workers is a shared goal of the UEF and the Maryland General Assembly. The time and effort invested in House Bill 193 and Senate Bill 219 and Senate Bill 227 highlight the needs for reforms that make the UEF processes and procedures. I look forward to appointing members to the revamped UEF board, greater collaboration and an improved working relationship with the WCC, and implementation of meaningful reforms in partnership with the Maryland General Assembly.

Sincerely,

Wes Moore
Governor

1 Workers Compensation Commission. Page 5. 2024. JCR Report 2024_ p10-11_Workgroup on the UEF - Report of the Workers' Compensation Commission (WCC) Addressing the Long-Term Solvency of the UEF. https://dlslibrary.state.md.us/publications/JCR/2024/2024_10-11(WCC).pdf

2 Uninsured Employers' Fund. Page 9. 2021 Joint Chair Report Review of Workers' Compensation Agency Structure https://dlslibrary.state.md.us/publications/JCR/2021/2021_248-249(WCC).pdf

Senate Bill 219

AN ACT concerning

Uninsured Employers' Fund – ~~Additional Assessment on Awards and Settlements – Amount~~ Assessments and Special Monitor

FOR the purpose of altering the circumstances under which the Uninsured Employers' Fund must collect or suspend a certain assessment; altering the additional percentage the Uninsured Employers' Fund Board may direct the Workers' Compensation Commission to assess on awards and settlements if the Board determines that the reserves of the Fund are inadequate to meet anticipated losses; requiring the Workers' Compensation Commission to designate a certain special monitor for certain purposes; and generally relating to the Uninsured Employers' Fund.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–1007 and 9–1011
Annotated Code of Maryland
(2016 Replacement Volume and 2024 Supplement)

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

Article – Labor and Employment

9–1007.

(a) (1) Except as provided in subsection (b) of this section, the Commission shall impose against an employer or, if insured, its insurer an assessment equal to 1% of:

(i) each award against the employer for permanent disability or death, including awards for disfigurement or mutilation; and

(ii) except as provided in paragraph (2) of this subsection, each amount payable by the employer or its insurer under a settlement agreement approved by the Commission.

(2) The amount of medical benefits specified in a formal set–aside allocation that is part of an approved settlement agreement shall be excluded from the assessment imposed by the Commission under paragraph (1)(ii) of this subsection if:

(i) 1. the amount of medical benefits is in excess of $50,000; and

2. the payment of medical benefits by the employer or its insurer is directly to an authorized insurer that provides periodic payments to the covered employee pursuant to a single premium annuity; or

(ii) 1. the amount of medical benefits is in any amount; and

2. the payment of medical benefits by the employer or its insurer is to an independent third–party administrator that controls and pays the medical services in accordance with the formal set–aside allocation, provided there is no reversionary interest to the covered employee or the covered employee's beneficiaries.

(3) (i) Notwithstanding any other provision of law, if the employer is a corporation the assets of which are not sufficient to satisfy an assessment, any officer of the corporation who has responsibility for the general management of the corporation in the State is jointly and severally liable for the assessment if the corporate officer knowingly failed to secure workers' compensation insurance.

(ii) Notwithstanding any other provision of law, if the employer is a limited liability company the assets of which are not sufficient to satisfy an assessment, any member of the limited liability company who has responsibility for the general management of the limited liability company in the State is jointly and severally liable for the assessment if a member of the limited liability company who has general management responsibility knowingly failed to secure workers' compensation insurance.

(b) Notwithstanding the limit on the balance of the Fund under § 9–1011 of this subtitle, if the Board determines that the reserves of the Fund are inadequate to meet anticipated losses, the Board may direct the Commission to assess **UP TO** an additional **[**1%**]** ~~**2%**~~ **1.5%** under subsection (a) of this section.

(c) Any fractional dollar of payment under this section shall be rounded off to the nearest whole dollar.

(d) The Commission shall direct payment of an assessment under subsection (a) or (b) of this section into the Fund.

(e) Payments under this section are in addition to the payment of compensation to a covered employee or the dependents of a covered employee under this title.

9–1011.

(a) (1) When the amount of the Fund equals at least **[**$5,000,000**]** **$10,000,000**, the payment of assessments by employers and insurers is suspended.

(2) The Director shall notify each self–insured employer and insurer of the suspension of the payment of assessments under paragraph (1) of this subsection.

(b) (1) Payment of assessments shall be resumed if:

(i) the amount of the Fund becomes less than **[**$3,000,000**]** **$8,000,000** because of payments made under § 9–1002 of this subtitle or other payments; or

(ii) the Director determines that payments that are likely to be made from the Fund in the next 3 months will reduce the amount of the Fund to less than **[**$3,000,000**]** **$8,000,000**.

(2) When payment of assessments is to be resumed under paragraph (1) of this subsection, the Director shall notify each self–insured employer and insurer that payment of assessments is to:

(i) resume on a specified date; and

(ii) continue until the amount of the Fund becomes at least **[**$5,000,000**]** **$10,000,000**.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Workers' Compensation Commission shall designate a special monitor to assess the financial condition of the Uninsured Employers' Fund, including the reserve setting and third–party administrator practices of the Fund.

(b) The special monitor shall monitor the financial condition of the Fund for a period of up to 1 year, with the duties of the special monitor ending on or before June 30, 2026, unless an earlier date is agreed on by the Fund and the Commission.

(c) The special monitor shall submit to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1257 of the State Government Article:

(1) on or before December 1, 2025, an interim report regarding the financial condition of the Uninsured Employers' Fund and any recommendations for legislative or regulatory changes necessary to improve the condition of the Fund; and

(2) on or before June 1, 2026, a final report regarding the financial condition of the Uninsured Employers' Fund and any recommendations for legislative or regulatory changes necessary to improve the condition of the Fund.

(d) The Fund shall reimburse the monitor at a rate commensurate with the rate the Commission pays to retired judges to hear cases before the Commission.

(e) The Fund shall allocate $100,000 to provide funding for the special monitor.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of June 30, 2026, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto House Bill 193 and Senate Bill 219 – *Uninsured Employers' Fund – Assessments and Special Monitor*, and Senate Bill 227 – *Workers' Compensation – Payment From Uninsured Employers' Fund – Revisions*.

The Uninsured Employers' Fund (UEF) is responsible for paying workers' compensation awards to claimants who failed to receive payments from their employers who did not have workers' compensation insurance as required by State law. The Fund derives its revenue

from a two–percent assessment on awards against and settlements with employers or insurers.

House Bill 193 and Senate Bill 219, introduced by the UEF would have given UEF's Board the authority to raise assessments on awards an additional 1% if required to maintain the Fund's solvency. About 86% of the UEF's revenues come from the assessment on workers's compensations awards. The Fund also collects revenues from benefit payments owed by uninsured employers, penalties from sanctions on uninsured employers, and interest earned on the fund balance. According to a *2024 Joint Chairman Report of the Workers' Compensation Commission (WCC) Addressing the Long–Term Solvency of the UEF*[1], this reform, if adopted, would allow for a total assessment of 3%, which translates into a 50% increase in the assessment on law–abiding businesses with workers' compensation insurance and a $4 million increase in UEF's annual revenues.

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As amended, Senate Bill 227 included numerous constructive reforms that expedite the payment process. It removed the requirement that the WCC notify an employer when the employer is in default, as well as the subsequent payment requirement and/or objection process. Instead, the amendment requires that an uninsured employer be given notice of a claim before action is taken against the uninsured employer. It also allows a covered employee or dependents of a covered employee to apply for payment from UEF if the

employer is in default and the employee or dependents have demanded payment from the employer at least 15 days before the date of application.

Unfortunately, the amended legislation removes a safeguard against double payments which states that if the UEF pays an award to a covered employee or the dependent of a covered employee that is also paid by the employer, the UEF is entitled to reimbursement of the distributed funds. The amended language allows the WCC to order an offset or credit against an award for permanent partial disability benefits for any benefits paid by UEF that were also paid by the employer.

UEF cases can reach amounts in the hundreds of thousands. The UEF is currently addressing solvency issues, and introducing circumstances where a double payment is credited against future pay outs by an employer rather than allowing the UEF to seek reimbursement place the UEF in a financial position they may never recover from.

The solvency of the UEF and promptly paying awards to injured workers is a shared goal of the UEF and the Maryland General Assembly. The time and effort invested in House Bill 193 and Senate Bill 219 and Senate Bill 227 highlight the needs for reforms that make the UEF processes and procedures. I look forward to appointing members to the revamped UEF board, greater collaboration and an improved working relationship with the WCC, and implementation of meaningful reforms in partnership with the Maryland General Assembly.

Sincerely,

Wes Moore
Governor

1 Workers Compensation Commission. Page 5. 2024. JCR Report 2024_ p10-11_Workgroup on the UEF - Report of the Workers' Compensation Commission (WCC) Addressing the Long-Term Solvency of the UEF. https://dlslibrary.state.md.us/publications/JCR/2024/2024_10-11(WCC).pdf

2 Uninsured Employers' Fund. Page 9. 2021 Joint Chair Report Review of Workers' Compensation Agency Structure https://dlslibrary.state.md.us/publications/JCR/2021/2021_248-249(WCC).pdf

Senate Bill 227

AN ACT concerning

Workers' Compensation – Payment From Uninsured Employers' Fund – Revisions

FOR the purpose of authorizing the Workers' Compensation Commission to offset or credit against an award certain benefits paid by the Uninsured Employers' Fund; requiring the Fund to begin paying compensation in accordance with certain provisions of law; altering the process by which an award is payable from the ~~Uninsured Employers'~~ Fund; requiring the Workers' Compensation Commission to make the Fund a party to a claim filed against an uninsured employer; authorizing a covered employee or

the dependents of a covered employee to apply to the Director of the Fund for payment from the Fund; altering requirements related to notice of claims, raising of issues, payment of awards, and reimbursement of awards; requiring the Fund to pay certain additional awards under certain circumstances; and generally relating to the Uninsured Employers' Fund.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–610.1, 9–727, and 9–1002
Annotated Code of Maryland
(2016 Replacement Volume and 2024 Supplement)

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

Article – Labor and Employment

9–610.1.

The Workers' Compensation Commission may order an offset or credit against an award for permanent partial disability benefits for:

(1) any vocational rehabilitation benefits previously provided to a covered employee; **[**or**]**

(2) any temporary total disability benefits previously paid to a covered employee**; OR**

(3) ANY BENEFITS PAID BY THE UNINSURED EMPLOYERS' FUND THAT WERE ALSO PAID BY THE EMPLOYER.

9–727.

(A) The employer or its insurer shall begin paying compensation to the covered employee within 15 days after the later of the date:

(1) an award is made; or

(2) payment of an award is due.

(B) THE UNINSURED EMPLOYERS' FUND SHALL BEGIN PAYING COMPENSATION TO THE COVERED EMPLOYEE IN ACCORDANCE WITH § 9–1002 OF THIS TITLE.

9–1002.

(a) An award is payable out of the Fund in accordance with this section.

[(b) Unless an application for review has been timely filed under subsection (g) of this section or a notice of timely appeal served, an employer is in default on a claim by a covered employee or the dependents of a covered employee if the employer fails to:

(1) secure payment of compensation in accordance with § 9–402 of this title;

(2) except for a governmental self–insurance group authorized by § 9–404 of this title, deposit security in accordance with § 9–405 of this title that is:

(i) sufficient to cover a claim by a covered employee; and

(ii) at least $100,000; and

(3) pay compensation in accordance with an award within 30 days after the date of the award.

(c) If an employer is in default under subsection (b) of this section, promptly after the expiration of 30 days after the date of the award, the Commission shall notify the employer that:

(1) the employer is in default; and

(2) the license or permit of the employer to do business in the State may be suspended.

(d) (1) On receipt of a notice of default, an employer promptly shall pay the award.

(2) To object to an award, the employer, within 30 days after receipt of the notice of default, shall notify the Commission of the reasons why the employer objects to the award.

(3) The notice of objection by the employer to the Commission serves as an application for review under subsection (g) of this section.

(e) If the employer does not pay the award and does not notify the Commission of its objection to the award in accordance with subsection (d) of this section, the covered employee or the dependents of the covered employee may apply to the Director for payment from the Fund.

(f) On receipt of an application for payment, the Fund may:

(1) pay the award; or

(2) apply for review under subsection (g) of this section.**]**

(B) IF A CLAIM HAS BEEN FILED AGAINST AN UNINSURED EMPLOYER, THE COMMISSION SHALL MAKE THE FUND A PARTY TO THE CLAIM BY:

(1) PROVIDING THE FUND WITH NOTICE OF THE CLAIM; AND

(2) SENDING NOTICE TO THE COVERED EMPLOYEE OR THE DEPENDENTS OF THE COVERED EMPLOYEE THAT ANY DOCUMENTATION REQUIRED BY THE FUND MUST BE COMPLETED.

(C) AN UNINSURED EMPLOYER SHALL BE GIVEN ~~ACTUAL~~ NOTICE OF A CLAIM BEFORE ACTION IS TAKEN AGAINST THE UNINSURED EMPLOYER.

(D) THE FUND MAY RAISE DEFENSES TO A CLAIM, INCLUDING DEFENSES THAT MAY HAVE BEEN RAISED BY THE UNINSURED EMPLOYER.

(E) THE REQUIREMENTS OF § 9–713 OF THIS TITLE APPLY TO THE FUND BEGINNING ON THE DATE THAT THE FUND RECEIVES NOTICE UNDER SUBSECTION (B) OF THIS SECTION.

(F) THE FUND MAY IMPLEAD OTHER EMPLOYERS AND INSURERS TO THE CLAIM.

(g) (1) **[**The**]** **SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE** provisions of Subtitle 7 of this title about procedure and the right to appeal apply to:

(i) a covered employee or the dependents of a covered employee who file a claim;

(ii) the uninsured employer; and

(iii) the Fund.

(2) The right of review of the Fund includes:

(i) raising issues;

(ii) discovery; and

(iii) a hearing before the Commission.

(H) AN EMPLOYER IS IN DEFAULT ON AN AWARD TO A COVERED EMPLOYEE OR THE DEPENDENTS OF A COVERED EMPLOYEE IF THE EMPLOYER FAILS TO:

(1) SECURE PAYMENT OF COMPENSATION IN ACCORDANCE WITH § 9–402 OF THIS TITLE;

(2) EXCEPT FOR A GOVERNMENTAL SELF–INSURANCE GROUP AUTHORIZED BY § 9–404 OF THIS TITLE, DEPOSIT SECURITY IN ACCORDANCE WITH § 9–405 OF THIS TITLE THAT IS:

(I) SUFFICIENT TO COVER A CLAIM BY A COVERED EMPLOYEE; AND

(II) AT LEAST $100,000; AND

(3) PAY COMPENSATION IN ACCORDANCE WITH AN AWARD WITHIN 30 DAYS AFTER THE DATE OF THE AWARD.

(I) IF AN EMPLOYER IS IN DEFAULT AND THE COVERED EMPLOYEE OR THE DEPENDENTS OF A COVERED EMPLOYEE HAS DEMANDED PAYMENT FROM THE EMPLOYER AT LEAST 15 DAYS BEFORE THE DATE OF APPLICATION, THE COVERED EMPLOYEE OR THE DEPENDENTS OF THE COVERED EMPLOYEE MAY APPLY TO THE DIRECTOR FOR PAYMENT FROM THE FUND.

(J) ON RECEIPT OF AN APPLICATION FOR PAYMENT, THE FUND MAY:

(1) PAY THE AWARD; OR

(2) IF THE FUND HAS NOT YET PARTICIPATED IN A HEARING ON COMPENSABILITY, FILE ISSUES REQUESTING A HEARING BEFORE THE COMMISSION.

(K) IF THE FUND PAYS AN AWARD IN ACCORDANCE WITH THIS SUBTITLE WHILE AN APPEAL IS PENDING, THE FUND REMAINS ENTITLED TO FULL REIMBURSEMENT FROM THE UNINSURED EMPLOYER FOR AN AWARD PAID, NOTWITHSTANDING THE RESULT OF THE APPEAL.

(L) ONCE THE FUND HAS PAID AN AWARD ON A CLAIM, THE FUND SHALL PAY ANY ADDITIONAL AWARD ORDERED WITHOUT REQUIRING A COVERED EMPLOYEE OR THE DEPENDENTS OF A COVERED EMPLOYEE TO COMPLETE AN APPLICATION FOR PAYMENT.

~~**(M) IF THE FUND PAYS AN AWARD TO A COVERED EMPLOYEE OR THE DEPENDENTS OF A COVERED EMPLOYEE THAT WAS ALSO PAID BY THE EMPLOYER, THE FUND IS ENTITLED TO REIMBURSEMENT FROM THE COVERED EMPLOYEE OR THE DEPENDENTS OF A COVERED EMPLOYEE.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

May 16, 2025

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 hereby veto Senate Bill 455 – *Security Guard Agencies – Special Police Officers – Application for Appointment*.

This legislation would authorize an individual holding a valid license as a security guard agency to apply for the appointment of special police officers for the purpose of protecting property owned or leased by its clients.

Under current law, the Governor may appoint and deputize an individual as a special police officer. The Maryland Secretary of State Police is responsible for processing the applications and conducting investigations while the Secretary of State is responsible for issuing the commissions – which historically has been a power delegated by the Governor to the Secretary of State.

The Governor's power to appoint and deputize special police officers should not be taken lightly – and before we arbitrarily expand eligibility for special police forces, I believe that this appointment process deserves a more thorough examination in its entirety.

For these reasons, I have vetoed Senate Bill 455.

Sincerely,

Wes Moore
Governor

Senate Bill 455

AN ACT concerning

Security Guard Agencies – Special Police Officers – Application for Appointment

FOR the purpose of authorizing a certain security guard agency to apply for the appointment of special police officers in order to protect property owned or leased by the security guard agency's clients; and generally relating to special police officers.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–303
Annotated Code of Maryland
(2022 Replacement Volume and 2024 Supplement)

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

Article – Public Safety

3–303.

(a) The following entities may apply for the appointment of special police officers for the following purposes:

(1) a municipal corporation, county, or other governmental body of the State, in order to protect property owned, leased, or regularly used by the governmental body or any of its units;

(2) another state, or subdivision or unit of another state, that has an interest in property located wholly or partly in this State, in order to protect the property;

(3) a college, university, or public school system in the State, in order to protect its property or students; **[**or**]**

(4) a person that exists and functions for a legal business purpose, in order to protect its business property**; OR**

(5) A PERSON THAT HOLDS A VALID LICENSE AS A SECURITY GUARD AGENCY UNDER TITLE 19, SUBTITLE 3 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE, IN ORDER TO PROTECT PROPERTY OWNED OR LEASED BY ITS CLIENTS.

(b) The applicant for a commission shall be at least 18 years old.

(c) (1) This subsection does not apply to an applicant for an initial commission who, within 5 years prior to application, has:

(i) completed a basic training course for police officers approved by the Secretary in consultation with the Maryland Police Training and Standards Commission;

(ii) completed a basic training course for police officers similar to the course described in item (i) of this paragraph in another state or for the federal government;

(iii) separated from a law enforcement agency in good standing; or

(iv) completed training approved by the Maryland Police Training and Standards Commission for a special police officer at a State institution of higher education.

(2) An applicant for an initial commission shall complete a training course approved by the Secretary in consultation with the Maryland Police Training and Standards Commission consisting of at least 80 hours of instruction, including instruction on:

(i) criminal law;

(ii) constitutional procedural requirements relating to search, seizure, and arrest; and

(iii) the appropriate use of force.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto two bills pertaining to gubernatorial appointments, Senate Bill 503 and House Bill 481 – *Washington County – Board of License Commissioners – Membership* and Senate Bill 972 – *Anne Arundel County – Board of License Commissioners – Alterations.*

While these bills focus on distinct boards and advance different processes, both undermine hundreds of years of precedent to ensure effective checks and balances between the Executive Branch, the Legislative Branch, and local governments. Both bills effectively remove the role of the Governor in these appointment processes, setting a new paradigm for the state moving forward that, in my view, does not serve the people of Maryland well.

Senate Bill 503 and House Bill 481

This legislation sought to alter the membership of the Washington County Board of License Commissioners ("Board"). The Board regulates the retail sale of alcoholic beverages in Washington County. By law, the Board is composed of three members who each serve six–year terms, appointed by the Governor with the advice and consent of the Maryland Senate if the Senate is in session when the appointment is made. Each member of the Board is required to be a resident and voter of Washington County and must be "individuals of high character and integrity and of recognized business capacity."

Of particular importance, no more than two members of the three–member board may belong to the same political party, ensuring that no one party asserts full control of the Board. Senate Bill 503/House Bill 481 sought to change this party requirement to instead mandate that two members of the Board must belong to the political party that received the highest aggregated number of votes the preceding election for the Washington County Board of County Commissioners and that one member must belong to the political party that received the second highest number of votes. This change would have restricted the ability for Governors to appoint members based upon merit first and foremost. Further, the bill would likely result in the partisan makeup of the board remaining constant over time with little chance for the majority party to alternate as is more likely to happen through the gubernatorial appointments process. Should this bill have been enacted, it would put into question the integrity and public trust of the Board as it would have increased the likelihood that a single political party can assert longterm control over its functions.

Senate Bill 972

This legislation sought to alter the Anne Arundel County Board of License Commissioners which regulates the retail sale of alcoholic beverages, processes liquor licenses, and enforces the liquor laws within Anne Arundel County. Specifically, the bill sought to increase the size of the Anne Arundel County Board of License Commissioners from 3 to 5 and require the Governor to choose appointments from a list of individuals recommended by the members of the Anne Arundel County House *or* Senate delegations to the General Assembly. While I support increasing the size of this board to 5 members, as passed this legislation would have created ambiguity and confusion about the process for appointments and violated the longheld tradition of the Governor exercising appointment powers.

My first concern is in regards to the requirement that the Governor must select individuals to appoint from a list recommended by either the Anne Arundel County House *or* Senate delegations to the General Assembly. As these delegations may choose different individuals, it is unclear which would constitute the list to choose from. Should the House and Senate delegation recommendations be aggregated into a single list but the delegations

are not aligned on the recommended individuals, it is unclear whether the names actually achieve enhanced local influence on the appointments to the Board. This confusion and lack of clear benefit raises serious concerns about the smooth operation of the Board as it carries out its important work.

Second, there is no minimum number of names that would have been required to be included on these lists of recommended individuals. Should the delegations submit only 5 names, this would have effectively provided a subset of the legislature with de facto appointment authority. This authority would set a new precedent regarding appointments to important boards and erode the constitutional power of appointment that resides with the Governor. This authority and oversight has long been an effective system and it is unclear what would motivate a departure from this process. At best, this is unnecessary change and, at worst, this removes important checks and balances from the process.

For these reasons, I have vetoed Senate Bill 503, House Bill 481, and Senate Bill 907.

Sincerely,

Wes Moore
Governor

Senate Bill 503

AN ACT concerning

Washington County – Board of License Commissioners – Membership

FOR the purpose of requiring that certain numbers of members of the Board of License Commissioners for Washington County belong to certain political parties; and generally relating to the membership of the Board of License Commissioners for Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 31–102 and 31–201
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 31–202
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

31–102.

This title applies only in Washington County.

31–201.

There is a Board of License Commissioners for Washington County.

31–202.

(a) (1) The Governor shall appoint three members to the Board.

(2) The appointments shall be made:

(i) if the Senate is in session, with the advice and consent of the Senate; or

(ii) if the Senate is not in session, by the Governor alone.

(b) (1) Each member of the Board shall be:

(i) a resident and voter of the county; and

(ii) an individual of high character and integrity and of recognized business capacity.

[(2) Not more than two members of the Board may belong to the same political party.**]**

(2) (I) TWO MEMBERS OF THE BOARD SHALL BELONG TO THE POLITICAL PARTY THAT RECEIVED THE HIGHEST AGGREGATED NUMBER OF VOTES IN THE PRECEDING ELECTION OF THE BOARD OF COUNTY COMMISSIONERS.

(II) ONE MEMBER OF THE BOARD SHALL BELONG TO THE POLITICAL PARTY THAT RECEIVED THE SECOND HIGHEST AGGREGATED NUMBER OF VOTES IN THE PRECEDING ELECTION OF THE BOARD OF COUNTY COMMISSIONERS.

(c) A member of the Board may not have a pecuniary or other interest in any phase of the manufacture, sale, or distribution of alcoholic beverages.

(d) (1) The term of a member is 6 years.

(2) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2016.

(e) (1) The Governor shall appoint an eligible individual to fill a vacancy during the remainder of the term of office of the individual originally appointed in accordance with subsection (a) of this section.

(2) A member who is appointed after a term has begun serves only for the remainder of the term and until a successor is appointed and qualifies.

(f) (1) The Governor may remove a member for misconduct in office, incompetence, or willful neglect of duty.

(2) The Governor shall give a member who is charged a copy of the charges against the member and, with at least 10 days' notice, an opportunity to be heard publicly in person or by counsel.

(3) If a member is removed, the Governor shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings on the charges.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

May 16, 2025

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 exercised my constitutional authority to veto *SB587 – State Government – Maryland Reparations Commission.* This legislation creates the Maryland Reparations Commission to study and make recommendations in 2027 relating to appropriate benefits to be offered to African Americans impacted by slavery and historic inequality.

I applaud the legislature's work on this bill, and I thank the Black Caucus for their leadership. Maryland is proud to be a state with the largest Black Caucus in America, our first Black Attorney General, our first Black Senator, a Black treasurer, and a Black Speaker of the House. We have moved in partnership with leaders across the state to uplift Black families and address racial disparities in our communities. That is the context in which I've made this difficult decision. Because while I appreciate the work that went into this legislation, I strongly believe now is not the time for another study. Now is the time

for continued action that delivers results for the people we serve.

Over the last twenty–five years, Maryland has launched several commissions and study groups to examine the legacy of slavery in our state, from the Maryland Lynching Truth and Reconciliation Commission to the State Commission to Coordinate the Study, Commemoration, and Impact of the History and Legacy of Slavery in Maryland. The scholarship on this topic is both vast in scope and robust in scale. And we are grateful for the Marylanders who have contributed their expertise to the vital project of understanding how the legacy of slavery continues to impact Black communities in our state today.

I will always protect and defend the full history of African Americans in our state and country. But in light of the many important studies that have taken place on this issue over nearly three decades, now is the time to focus on the work itself: Narrowing the racial wealth gap, expanding homeownership, uplifting entrepreneurs of color, and closing the foundational disparities that lead to inequality – from food insecurity to education. These are the issues I fought for even before I was sworn into office, and they are the priorities our administration will continue to address, with increased focus and intentionality.

Our administration's record speaks for itself. In our first year, Black–owned businesses received more than $816 million in procurement awards–more than double the amount awarded in the previous year under our predecessors. I issued the largest state pardon in our nation's history, pardoning 175,000 Maryland convictions for cannabis possession – a step that will create more pathways to prosperity for Black Marylanders, who have been disproportionately impacted by Maryland's inequitable and outdated laws. Our administration increased funding for HBCUs by nearly 60%, investing $1.34 billion towards Maryland's historically black colleges and universities. And by boosting the number of mortgages offered to first–time homebuyers, we've helped nearly 1,500 Black Marylanders pursue homeownership for the first time.

We've made real progress both to undo bad policies of the past and craft good policies that will lead us toward a brighter future. But we understand our work is far from over. Together, we must take urgent action to address the barriers that have walled off Black families in Maryland from work, wages, and wealth for generations. Next session, in consultation with the Maryland General Assembly, I will be introducing a package of policies I believe will help us accelerate our work in achieving these shared goals.

I look forward to partnering with the members of the House and Senate, the bill sponsors, and the Legislative Black Caucus as we build a more equal and just Maryland – one that accepts and uplifts our whole history, helps every Marylander realize their full potential, and leaves no one behind.

Sincerely,

Wes Moore
Governor

Senate Bill 587

AN ACT concerning

State Government – Maryland Reparations Commission

FOR the purpose of establishing the Maryland Reparations Commission to study and make recommendations relating to appropriate benefits to be offered to individuals whose ancestors were enslaved in the State or were impacted by certain inequitable government policies; and generally relating to the Maryland Reparations Commission.

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

(a) (1) In this section the following words have the meanings indicated.

(2) "Commission" means the Maryland Reparations Commission.

(3) "Individuals impacted by historical inequality" means:

(i) individuals having origins in any of the Black racial groups of Africa; and

(ii) individuals whose ancestors were:

1. enslaved in the State; or

2. impacted by inequitable government policies.

(4) "Inequitable government policies" means federal, State, or local government policies during the periods commonly known as the post–Reconstruction era and the Jim Crow era, 1877 through 1965, that have led to economic disparities based on race, including housing segregation and discrimination, redlining, restrictive covenants, and tax policies.

(b) There is a Maryland Reparations Commission.

(c) The Commission consists of:

(1) two members of the Senate of Maryland, one of whom is a member of the Legislative Black Caucus, appointed by the President of the Senate;

(2) two members of the House of Delegates, one of whom is a member of the Legislative Black Caucus, appointed by the Speaker of the House;

(3) the Comptroller, or the Comptroller's designee;

(4) the State Treasurer, or the Treasurer's designee;

(5) the State Archivist, or the State Archivist's designee;

(6) one member of the Maryland Center for History and Culture, designated by the President of the Maryland Center for History and Culture;

(7) one member of the National Association for the Advancement of Colored People, designated by the National Association for the Advancement of Colored People Maryland State Conference President;

(8) two employees of historically Black colleges and universities in the State who have expertise in the history of slavery, one of whom represents a private college or university and one of whom represents a public college or university, designated by the Maryland Legislative Black Caucus;

(9) a representative of the Maryland Black Chamber of Commerce, designated by the President of the Maryland Black Chamber of Commerce;

(10) a representative of the Baltimore Chapter of the National Association of Real Estate Brokers, designated by the Local Board President;

(11) a representative for the Association for the Study of African American Life and History, designated by the President of the Association for the Study of African American Life and History;

(12) a representative of the Maryland Lynching Truth and Reconciliation Commission, designated by the Chair of the Commission; and

(13) the following members appointed by the Governor:

(i) a mental health expert;

(ii) two historians, with expertise in researching the impacts of enslavement and housing segregation;

(iii) a representative of a religious institution that serves a community with a high minority population;

(iv) an attorney with expertise in civil rights law or constitutional law;

(v) a representative of an African American financial institution; and

(vi) two members of the general public.

(d) The Commission shall select from among its members a chair and a vice chair.

(e) A member of the Commission:

(1) may not receive compensation as a member of the Commission; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The State Archives and the public college or university represented under subsection (c)(8) of this section shall jointly provide staff for the Commission.

(g) (1) The Commission shall:

(i) study and make recommendations relating to appropriate benefits to be offered to individuals impacted by historical inequality;

(ii) on or before January 1, 2027, submit a preliminary report of its findings and recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly; and

(iii) on or before November 1, 2027, submit a final report of its findings and recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

(2) In conducting the study required under paragraph (1) of this subsection, the Commission shall examine:

(i) reparations payments made and benefits offered in the United States by the federal government, states, cities, religious institutions, and colleges and universities;

(ii) types of benefits appropriate for reparations, including official statements of apology, monetary compensation, property tax rebates, social service assistance, licensing and permit fee waivers and reimbursement, down payment assistance for the purchase of residential real property, business incentives, child care, debt forgiveness, and higher education tuition payment waivers and reimbursement;

(iii) the history of slavery in Maryland and the number of individuals whose ancestors were enslaved in the State;

(iv) inequitable government policies, the size of the impacted populations, and how public and private institutions benefited from these policies; and

(v) any other topic deemed appropriate by the Commission.

(3) Recommendations made by the Commission under paragraph (1) of this subsection shall include:

(i) common procedures for evaluating evidence of the lineage of potential recipients;

(ii) information necessary to be included in any application to verify lineage and receive reparations;

(iii) eligibility requirements for applicants, if any, including appropriate methods of demonstrating eligibility;

(iv) a process for approving applications for benefits;

(v) an estimate of the costs associated with awarding any type of reparations recommended by the Commission; and

(vi) if monetary compensation is a type of reparation recommended by the Commission:

1. the amount of monetary compensation recommended and method of calculating the amount, including, as appropriate:

A. the length and conditions of the enslavement of the individual or individuals from whom the applicant is descended; or

B. the level and impact of the economic disparity suffered;

2. potential sources of funding, including fees paid by private businesses and organizations in the State that have benefited from the institution of slavery or inequitable government policies;

3. the feasibility of creating and administering a reparations fund; and

4. appropriate methods for distributing the recommended compensation, including the use of fiscal agents, business incubators, community development corporations, credit unions, or other community institutions.

(h) (1) The Commission may seek the assistance of State agencies in conducting the study or making recommendations under this section.

(2) To the extent authorized by law, State agencies shall assist the Commission in a request made under this subsection.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025. It shall remain effective for a period of 3 years and, at the end of June 30, 2028,

this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

May 16, 2025

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 hereby veto Senate Bill 655 – *Courts – Artificial Intelligence Evidence Clinic Pilot Program*.

Senate Bill 655 establishes an Artificial Intelligence Evidence Clinic Pilot Program in the Administrative Office of the Courts (AOC) to provide expertise on the authenticity of electronic evidence that may have been altered by artificial intelligence (AI) and admitted in court. The AOC is required to engage with college and university students and professionals who study AI and prioritize civil cases with one or more parties without legal representation or has reasonable access to expert testimony. Senate Bill 655 also authorizes the Governor to include an annual appropriation of $250,000 for fiscal years 2027 and 2028.

While detection of AI alteration in expert evidence in judicial proceedings is and will be a legitimate and growing challenge for courts across the nation, as a separate branch of government, the Judiciary has the inherent ability to develop such programs on its own, and the authority to propose establishment of a budget for them. Therefore, the bill is unnecessary for the Judiciary to establish the Pilot Program, and legislation such as this placing detailed requirements on the Judiciary may be interpreted as an overreach into the independence of the judicial branch of government.

The Attorney General review letter for this legislation, dated April 29, 2025, advises that the provision authorizing the Governor to fund the Pilot Program has no legal effect. The letter is attached for your review, please see footnote four on page four. The State Constitution vests the Chief Justice with the authority to determine the budget and level of funding for programs in the Judicial Branch. The letter cites Article III, § 52 of the State Constitution that conveys the Governor does not have authority to amend, add, or to subtract from the Judiciary's budget. Thus, the bill's provisions granting the Governor authority to fund the Pilot Program conflict with the State Constitution.

In sum, while the bill is well–intended, its purpose can be accomplished without legislation and the bill as passed raises constitutional concerns. For these reasons, I have vetoed Senate Bill 655.

Sincerely,

Wes Moore
Governor

Attachment: April 29, 2025 Attorney General review letter for SB 655

Senate Bill 655

AN ACT concerning

Courts – Artificial Intelligence Evidence Clinic Pilot Program – Establishment

FOR the purpose of establishing an Artificial Intelligence Evidence Clinic Pilot Program within the Administrative Office of the Courts; requiring the Administrative Office of the Courts to ~~issue a request for proposals to select an entity to conduct the Program and requiring the Administrative Office of the Courts to give preference to certain entities in the selection process~~ develop a grant application for the Program and award grants to eligible institutions of higher education; authorizing the Governor to include in the annual budget bill an appropriation to the Program and establishing a certain limitation on the expenditure of appropriated funds; and generally relating to the Artificial Intelligence Evidence Clinic Pilot Program.

BY adding to
Article – Courts and Judicial Proceedings
Section 13–101.2
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

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

Article – Courts and Judicial Proceedings

13–101.2.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ARTIFICIAL INTELLIGENCE" HAS THE MEANING STATED IN § 3.5–801 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(3) "OFFICE" MEANS THE ADMINISTRATIVE OFFICE OF THE COURTS.

(4) "PROGRAM" MEANS THE ARTIFICIAL INTELLIGENCE EVIDENCE CLINIC PILOT PROGRAM.

(B) THERE IS AN ARTIFICIAL INTELLIGENCE EVIDENCE CLINIC PILOT PROGRAM IN THE OFFICE.

(C) (1) THE PURPOSE OF THE PROGRAM IS TO PROVIDE EXPERTISE IN ARTIFICIAL INTELLIGENCE TO THE CIRCUIT COURTS AND THE DISTRICT COURT IN THE FORM OF EXPERT TESTIMONY ON THE AUTHENTICITY OF ELECTRONIC EVIDENCE THAT A COURT DETERMINES MAY HAVE BEEN CREATED OR ALTERED USING ARTIFICIAL INTELLIGENCE.

(2) THE PROGRAM SHALL ENGAGE COLLEGE AND UNIVERSITY STUDENTS, RECENT GRADUATES, AND FACULTY AND TECHNOLOGY PROFESSIONALS DEDICATED TO THE RESEARCH AND ADVANCEMENT OF ARTIFICIAL INTELLIGENCE IN ORDER TO DEVELOP EXPERT WITNESS RESOURCES FOR COURTS TO USE IN CASES IMPLICATING THE USE OF ARTIFICIAL INTELLIGENCE.

(3) THE PROGRAM SHALL PRIORITIZE CIVIL CASES IN WHICH ONE OR MORE PARTIES DO NOT HAVE LEGAL REPRESENTATION OR REASONABLE ACCESS TO EXPERT TESTIMONY.

(D) ~~**(1) THE OFFICE SHALL ISSUE A REQUEST FOR PROPOSALS FOR THE PROGRAM TO SELECT AN ENTITY TO MANAGE THE PROGRAM.**~~

~~**(2) AT A MINIMUM, THE REQUEST FOR PROPOSALS SHALL:**~~

~~**(I) STATE WITH SPECIFICITY THE GOALS OF THE PROGRAM; AND**~~

~~**(II) STATE WITH SPECIFICITY THE OBJECTIVES AND PERFORMANCE CRITERIA THAT WILL BE USED TO MEASURE THE SUCCESS OF THE PROGRAM, INCLUDING AN ENTITY'S WILLINGNESS TO:**~~

~~**1. LIST THE CLINIC AS A FOR–CREDIT COURSE; AND**~~

~~**2. ENABLE CREDIT SHARING ACROSS INSTITUTIONS OF HIGHER EDUCATION.**~~

~~**(3) IN SELECTING AN ENTITY TO MANAGE THE PROGRAM, THE OFFICE SHALL GIVE PREFERENCE TO AN ENTITY THAT:**~~

~~**(I) IS A MARYLAND–BASED VENDOR;**~~

~~**(II) HAS AN ACADEMIC FOCUS ON COMPUTER SCIENCE AND TECHNOLOGY RESEARCH AND ADVANCEMENT;**~~

~~(III) HAS EXPERIENCE RELATING TO ARTIFICIAL INTELLIGENCE; AND~~

~~(IV) WILL MAXIMIZE THE USE OF STATE FUNDS THROUGH THE USE OF MECHANISMS, INCLUDING PREEXISTING MATERIALS, FUNDING PARTNERSHIPS, AND RESOURCE MATCHING~~ **IN ADMINISTERING THE PROGRAM, THE OFFICE SHALL:**

(1) DEVELOP A GRANT APPLICATION FOR THE PROGRAM; AND

(2) AWARD GRANTS TO ELIGIBLE INSTITUTIONS OF HIGHER EDUCATION.

(E) (1) FOR FISCAL YEARS 2027 AND 2028, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF $250,000 TO THE PROGRAM.

(2) NOT MORE THAN 20% OF THE MONEY APPROPRIATED TO THE PROGRAM MAY BE USED FOR ADMINISTRATIVE EXPENSES.

(F) THE TERMS OF ~~THE~~ *AN* AGREEMENT BETWEEN THE OFFICE AND ~~AN ENTITY SELECTED TO MANAGE THE PROGRAM SHALL~~ *A GRANTEE MAY* INCLUDE A CLAUSE THAT REQUIRES THE OFFICE TO HOLD HARMLESS THE ~~ENTITY SELECTED TO CONDUCT THE~~ PROGRAM *GRANTEE* AGAINST ANY CLAIM ALLEGING LIABILITY OR DAMAGES RELATING TO THE PROVISION OF EXPERTISE IN ARTIFICIAL INTELLIGENCE AS PART OF THE PROGRAM, EXCEPT IN CASES OF WILLFUL OR WANTON MISCONDUCT, GROSS NEGLIGENCE, OR INTENTIONALLY TORTIOUS CONDUCT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

May 16, 2025

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

The Honorable Adrienne A. Jones
Speaker of the House of Delegates

H–101 State House
Annapolis, MD 21401

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto House Bill 56 and Senate Bill 177 – *Procurement – State Department of Education – Local Food Purchasing Program,* House Bill 333 and Senate Bill 691 – *Healthcare Ecosystem Stakeholder Cybersecurity Workgroup,* and House Bill 384 and Senate Bill 157 – *Maryland Disability Service Animal Program – Established.*

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In a time of profound uncertainty, we must use our limited funds to prioritize policies that protect our people from the ravages of Washington; anything that fails to meet that high bar must wait for another time.

Our budget challenges also highlight the need for the State and its agencies to focus on their core missions. The state's fiscal outlook has not improved since these bills were passed. At a time where we have jointly made difficult decisions about cuts to vital services, any additional spending which is tangential to those core missions should receive close scrutiny. Collectively, these three bills would have required three agencies to work together to establish a new statewide food procurement system at the same time the federal government is pulling back on food purchasing assistance for local school systems, established a large workgroup on cybersecurity threats that is outside the expertise of the workgroup members and responsible agency, and created an underfunded program that would only be able to serve a small subgroup of agency target populations.

I recognize these bills all have positive intentions. But while there are positive aspects of the legislation, each bill directs state agencies to expand the scope of their missions to establish new programs and workgroups that they have not previously administered. Each bill requires subject matter expertise not currently on staff and I have real concerns that adequate funding will not be available to effectively establish and implement each of these new programs.

One of the first objectives I outlined for my administration was to focus on rebuilding state government and increasing state agency capacity to drive efficient, transformative results for Marylanders. I thank you and the General Assembly for partnership in this work. As we operate under this current fiscal climate, we must carefully prioritize our limited funds. In this environment, adding new responsibilities for state agencies that are tangential to

their core missions makes little sense.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed House Bill 56, Senate Bill 177, House Bill 333, Senate Bill 691, House Bill 384 and Senate Bill 157.

Sincerely,

Wes Moore
Governor

Senate Bill 691

AN ACT concerning

~~Cybersecurity –~~ Healthcare Ecosystem Stakeholder Cybersecurity Workgroup

FOR the purpose of ~~requiring the Maryland Health Care Commission and the Maryland Insurance Administration to include a cybersecurity expert as staff to perform certain functions and submit to the State Chief Information Security Officer a report on the cybersecurity practices and policies of certain healthcare ecosystem entities on a certain basis; requiring healthcare ecosystem entities to take certain actions related to cybersecurity, including adopting and implementing certain cybersecurity standards, undergoing a third–party cybersecurity audit on a certain basis, and reporting cybersecurity incidents to the State Security Operations Center in the Department of Information Technology; requiring the Center to notify certain agencies of a cybersecurity incident reported under this Act; requiring the Commission to convene a workgroup to review cybersecurity practices, threats, responses to disruptions, and emerging issues in the healthcare ecosystem; requiring the Commission to convene a workgroup to study and make recommendations to improve the cybersecurity of the healthcare ecosystem; and generally relating to cybersecurity and the healthcare ecosystem~~ establishing the Healthcare Ecosystem Stakeholder Cybersecurity Workgroup to develop strategies to prevent cybersecurity disruptions to the healthcare ecosystem, ensure the continuous delivery of essential healthcare ecosystem services, and enhance recovery efforts of the healthcare ecosystem following a cybersecurity incident; and generally relating to the Healthcare Ecosystem Stakeholder Cybersecurity Workgroup.

~~BY repealing and reenacting, without amendments,~~
~~Article – Health – General~~
~~Section 19–101~~
~~Annotated Code of Maryland~~
~~(2023 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – Health – General~~

~~Section 19–113~~
~~Annotated Code of Maryland~~
~~(2023 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Insurance~~
~~Section 1–101(a), (b), and (k)~~
~~Annotated Code of Maryland~~
~~(2017 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – Insurance~~
~~Section 2–117~~
~~Annotated Code of Maryland~~
~~(2017 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~
~~Section 3.5–101(a) and (e), 3.5–2A–01, and 3.5–301(a) and (e)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – State Finance and Procurement~~
~~Section 3.5–2A–07~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – Health – General~~
~~Section 19–113(f) and (g)~~
~~Annotated Code of Maryland~~
~~(2023 Replacement Volume and 2024 Supplement)~~
~~(As enacted by Section 1 of this Act)~~

~~BY adding to~~
~~Article – Insurance~~
~~Section 2–117(f)~~
~~Annotated Code of Maryland~~
~~(2017 Replacement Volume and 2024 Supplement)~~
~~(As enacted by Section 1 of this Act)~~

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

~~**Article – Health – General**~~

~~19–101.~~

~~In this subtitle, "Commission" means the Maryland Health Care Commission.~~

~~19–113.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) "CYBERSECURITY" HAS THE MEANING STATED IN § 3.5–301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(3) "ESSENTIAL CAPABILITIES" MEANS THE SERVICES THAT MUST BE AVAILABLE IN THE HEALTHCARE ECOSYSTEM TO ENSURE THE CONTINUITY OF CRITICAL CARE AND PATIENT SAFETY, INCLUDING DURING AN INCIDENT DIMINISHING THE CAPACITY OF THE HEALTHCARE ECOSYSTEM.~~

~~(4) "HEALTHCARE ECOSYSTEM" MEANS THE ENTITIES AND RELATIONSHIPS AMONG ENTITIES THAT ARE NECESSARY TO DELIVER TREATMENT, PAYMENT, AND HEALTH CARE OPERATIONS.~~

~~(5) (I) "HEALTHCARE ECOSYSTEM ENTITY" INCLUDES:~~

~~1. AN ELECTRONIC DATA INTERCHANGE CLEARINGHOUSE;~~

~~2. A FREESTANDING MEDICAL FACILITY, AS DEFINED IN § 19–3A–01 OF THIS TITLE;~~

~~3. A HEALTH INFORMATION EXCHANGE, AS DEFINED IN § 4–301 OF THIS ARTICLE;~~

~~4. A HOSPITAL, AS DEFINED IN § 19–301 OF THIS TITLE; AND~~

~~5. AN ENTITY IDENTIFIED BY THE COMMISSION IN REGULATIONS TO BE INCLUDED IN THE HEALTHCARE ECOSYSTEM.~~

~~(II) "HEALTHCARE ECOSYSTEM ENTITY" DOES NOT INCLUDE:~~

~~1. A CARRIER, AS DEFINED IN § 2–117 OF THE INSURANCE ARTICLE; OR~~

~~2. A PHARMACY BENEFITS MANAGER, AS DEFINED IN § 15–1601 OF THE INSURANCE ARTICLE.~~

~~**(6) "ZERO–TRUST" MEANS A CYBERSECURITY APPROACH:**~~

~~**(I) FOCUSED ON CYBERSECURITY RESOURCE PROTECTION; AND**~~

~~**(II) BASED ON THE PREMISE THAT TRUST IS NOT GRANTED IMPLICITLY BUT MUST BE EVALUATED CONTINUALLY.**~~

~~**(B) THE COMMISSION SHALL INCLUDE ON ITS STAFF AT LEAST ONE EMPLOYEE WHO IS AN EXPERT IN CYBERSECURITY TO:**~~

~~**(1) ADVISE THE CHAIRMAN AND MEMBERS OF THE COMMISSION ON MEASURES TO IMPROVE OVERSIGHT OF THE CYBERSECURITY PRACTICES OF HEALTHCARE ECOSYSTEM ENTITIES;**~~

~~**(2) CONSULT WITH THE OFFICE OF SECURITY MANAGEMENT ON CYBERSECURITY ISSUES RELATED TO HEALTH CARE REGULATION; AND**~~

~~**(3) REPRESENT THE COMMISSION ON ANY WORKGROUP, TASK FORCE, OR SIMILAR ENTITY THAT IS FOCUSED ON CYBERSECURITY AND ON WHICH REPRESENTATION FROM THE COMMISSION IS REQUESTED OR REQUIRED.**~~

~~**(C) A HEALTHCARE ECOSYSTEM ENTITY SHALL:**~~

~~**(1) ADOPT AND IMPLEMENT CYBERSECURITY STANDARDS THAT ARE EQUAL TO OR EXCEED ANY STANDARDS ADOPTED BY THE COMMISSION;**~~

~~**(2) ADOPT A ZERO–TRUST CYBERSECURITY APPROACH FOR ON–PREMISES SERVICES AND CLOUD–BASED SERVICES;**~~

~~**(3) MEET MINIMUM SECURITY STANDARDS SET BY THE COMMISSION, IN CONSULTATION WITH THE OFFICE OF SECURITY MANAGEMENT, FOR EACH OPERATIONAL TECHNOLOGY AND INFORMATION TECHNOLOGY DEVICE BASED ON THE LEVEL OF SECURITY RISK FOR EACH DEVICE, INCLUDING SECURITY RISKS ASSOCIATED WITH SUPPLY CHAINS; AND**~~

~~**(4) ON OR BEFORE JANUARY 1, 2026, AND EVERY 2 YEARS THEREAFTER:**~~

~~**(I) UNDERGO A THIRD–PARTY AUDIT TO EVALUATE THE ENTITY'S CYBERSECURITY PRACTICES AND RESOURCES BASED ON THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY'S CROSS–SECTOR CYBERSECURITY PERFORMANCE GOALS OR A MORE STRINGENT STANDARD BASED**~~

~~ON THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY'S FRAMEWORK; AND~~

~~(II) SUBMIT TO THE COMMISSION A REPORT THAT INCLUDES:~~

~~1. THE RECOMMENDATIONS OF THE AUDIT;~~

~~2. THE DATE OF THE CYBERSECURITY AUDIT;~~

~~3. THE CYBERSECURITY FRAMEWORK USED TO EVALUATE THE ENTITY; AND~~

~~4. THE NAME OF THE THIRD PARTY THAT CONDUCTED THE AUDIT.~~

~~(D) ON OR BEFORE JULY 1, 2026, AND EVERY 2 YEARS THEREAFTER, THE COMMISSION SHALL COLLECT CERTIFICATION OF A HEALTHCARE ECOSYSTEM ENTITY'S COMPLIANCE WITH THE STANDARD USED IN THE AUDIT CONDUCTED UNDER SUBSECTION (C)(4) OF THIS SECTION FOR CYBERSECURITY–RELATED POLICIES AND PROCEDURES.~~

~~(E) ON OR BEFORE JANUARY 1, 2027, AND EVERY 2 YEARS THEREAFTER, THE COMMISSION SHALL SUBMIT A REPORT TO THE STATE CHIEF INFORMATION SECURITY OFFICER OR THE OFFICER'S DESIGNEE THAT INCLUDES:~~

~~(1) A GENERAL OVERVIEW OF CYBERSECURITY TECHNOLOGY AND POLICIES USED BY HEALTHCARE ECOSYSTEM ENTITIES IN THE STATE, GROUPED IN THE FOLLOWING MANNER:~~

~~(I) HOSPITALS;~~

~~(II) FREESTANDING MEDICAL FACILITIES;~~

~~(III) ELECTRONIC DATA INTERCHANGE CLEARINGHOUSES;~~

~~(IV) HEALTH INFORMATION EXCHANGES; AND~~

~~(V) ANY OTHER ENTITY THE COMMISSION CONSIDERS SIGNIFICANT ENOUGH TO INCLUDE IN THE REPORT;~~

~~(2) INFORMATION ABOUT EACH CERTIFICATION COLLECTED, INCLUDING:~~

~~(I) THE NAME OF THE HEALTHCARE ECOSYSTEM ENTITY;~~

~~**(II) THE DATE OF THE HEALTHCARE ECOSYSTEM ENTITY'S MOST RECENT CYBERSECURITY AUDIT;**~~

~~**(III) THE CYBERSECURITY FRAMEWORK USED IN THE CYBERSECURITY AUDIT OF THE HEALTHCARE ECOSYSTEM ENTITY; AND**~~

~~**(IV) THE NAME OF THE THIRD PARTY THAT COMPLETED THE CYBERSECURITY AUDIT;**~~

~~**(3) AN OVERVIEW OF ESSENTIAL CAPABILITIES PROVIDED BY HEALTHCARE ECOSYSTEM ENTITIES;**~~

~~**(4) RECOMMENDATIONS FOR ENSURING THE CONTINUOUS DELIVERY OF ESSENTIAL CAPABILITIES DURING AND FOLLOWING A DISRUPTION TO THE HEALTHCARE ECOSYSTEM; AND**~~

~~**(5) RECOMMENDATIONS TO IMPROVE CYBERSECURITY FOR THE GROUPS OF HEALTHCARE ECOSYSTEM ENTITIES IDENTIFIED IN ITEM (1) OF THIS SUBSECTION.**~~

~~**Article – Insurance**~~

~~1–101.~~

~~(a) In this article the following words have the meanings indicated.~~

~~(b) "Administration" means the Maryland Insurance Administration.~~

~~(k) "Commissioner" means the Maryland Insurance Commissioner.~~

~~**2–117.**~~

~~**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**~~

~~**(2) "CARRIER" MEANS:**~~

~~**(I) AN INSURER AUTHORIZED TO SELL HEALTH INSURANCE;**~~

~~**(II) A NONPROFIT HEALTH SERVICE PLAN;**~~

~~**(III) A HEALTH MAINTENANCE ORGANIZATION;**~~

~~**(IV) A DENTAL PLAN ORGANIZATION; AND**~~

~~(V) ANY OTHER ENTITY PROVIDING A PLAN OF HEALTH INSURANCE, HEALTH BENEFITS, OR HEALTH SERVICES AUTHORIZED UNDER THIS ARTICLE OR THE AFFORDABLE CARE ACT.~~

~~(3) "ESSENTIAL CAPABILITIES" MEANS THE SERVICES THAT MUST BE AVAILABLE IN THE HEALTHCARE ECOSYSTEM TO ENSURE THE CONTINUITY OF CRITICAL CARE AND PATIENT SAFETY, INCLUDING DURING AN INCIDENT DIMINISHING THE CAPACITY OF THE HEALTHCARE ECOSYSTEM.~~

~~(4) "HEALTHCARE ECOSYSTEM" MEANS THE ENTITIES AND RELATIONSHIPS AMONG ENTITIES THAT ARE NECESSARY TO DELIVER TREATMENT, PAYMENT, AND HEALTH CARE OPERATIONS.~~

~~(5) (I) "HEALTHCARE ECOSYSTEM ENTITY" MEANS:~~

~~1. A CARRIER; OR~~

~~2. A PHARMACY BENEFITS MANAGER, AS DEFINED IN § 15–1601 OF THIS ARTICLE.~~

~~(II) "HEALTHCARE ECOSYSTEM ENTITY" DOES NOT INCLUDE A GOVERNMENTAL PAYOR.~~

~~(6) "ZERO–TRUST" MEANS A CYBERSECURITY APPROACH:~~

~~(I) FOCUSED ON CYBERSECURITY RESOURCE PROTECTION; AND~~

~~(II) BASED ON THE PREMISE THAT TRUST IS NOT GRANTED IMPLICITLY BUT MUST BE EVALUATED CONTINUALLY.~~

~~(B) THE ADMINISTRATION SHALL INCLUDE ON ITS STAFF AT LEAST ONE EMPLOYEE WHO IS AN EXPERT IN CYBERSECURITY TO:~~

~~(1) ADVISE THE COMMISSIONER ON MEASURES TO IMPROVE OVERSIGHT OF THE CYBERSECURITY PRACTICES OF HEALTHCARE ECOSYSTEM ENTITIES;~~

~~(2) CONSULT WITH THE OFFICE OF SECURITY MANAGEMENT ON CYBERSECURITY ISSUES RELATED TO HEALTH INSURANCE REGULATION; AND~~

~~**(3) REPRESENT THE ADMINISTRATION ON ANY WORKGROUP, TASK FORCE, OR SIMILAR ENTITY THAT IS FOCUSED ON CYBERSECURITY AND ON WHICH REPRESENTATION FROM THE ADMINISTRATION IS REQUIRED OR REQUESTED.**~~

~~**(C) A HEALTHCARE ECOSYSTEM ENTITY SHALL:**~~

~~**(1) ADOPT AND IMPLEMENT CYBERSECURITY STANDARDS THAT ARE EQUAL TO OR EXCEED ANY STANDARDS ADOPTED BY THE ADMINISTRATION;**~~

~~**(2) ADOPT A ZERO–TRUST CYBERSECURITY APPROACH FOR ON–PREMISES SERVICES AND CLOUD–BASED SERVICES;**~~

~~**(3) MEET MINIMUM SECURITY STANDARDS SET BY THE MARYLAND HEALTH CARE COMMISSION, IN CONSULTATION WITH THE OFFICE OF SECURITY MANAGEMENT, FOR EACH OPERATIONAL TECHNOLOGY AND INFORMATION TECHNOLOGY DEVICE BASED ON THE LEVEL OF SECURITY RISK FOR EACH DEVICE, INCLUDING SECURITY RISKS ASSOCIATED WITH SUPPLY CHAINS; AND**~~

~~**(4) ON OR BEFORE JANUARY 1, 2026, AND EVERY 2 YEARS THEREAFTER:**~~

~~**(I) UNDERGO A THIRD–PARTY AUDIT TO EVALUATE THE ENTITY'S CYBERSECURITY PRACTICES AND RESOURCES BASED ON THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY'S CROSS SECTOR CYBERSECURITY PERFORMANCE GOALS OR A MORE STRINGENT STANDARD BASED ON THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY'S FRAMEWORK; AND**~~

~~**(II) SUBMIT TO THE ADMINISTRATION A REPORT THAT INCLUDES:**~~

~~**1. THE RECOMMENDATIONS FROM THE AUDIT;**~~

~~**2. THE DATE OF THE CYBERSECURITY AUDIT;**~~

~~**3. THE CYBERSECURITY FRAMEWORK USED TO EVALUATE THE ENTITY; AND**~~

~~**4. THE NAME OF THE THIRD–PARTY THAT CONDUCTED THE AUDIT.**~~

~~**(D) ON OR BEFORE JULY 1, 2026, AND EVERY 2 YEARS THEREAFTER, THE ADMINISTRATION SHALL COLLECT CERTIFICATION OF A HEALTHCARE ECOSYSTEM ENTITY'S COMPLIANCE WITH THE STANDARD USED IN THE AUDIT CONDUCTED**~~

~~UNDER SUBSECTION (C)(4) OF THIS SECTION FOR CYBERSECURITY–RELATED POLICIES AND PROCEDURES.~~

~~(E) ON OR BEFORE JANUARY 1, 2027, AND EVERY 2 YEARS THEREAFTER, THE ADMINISTRATION SHALL SUBMIT A REPORT TO THE STATE CHIEF INFORMATION SECURITY OFFICER OR THE OFFICER'S DESIGNEE THAT INCLUDES:~~

~~(1) A GENERAL OVERVIEW OF CYBERSECURITY TECHNOLOGY AND POLICIES USED BY HEALTHCARE ECOSYSTEM ENTITIES IN THE STATE, GROUPED IN THE FOLLOWING MANNER:~~

~~(I) INSURERS AUTHORIZED TO SELL HEALTH INSURANCE;~~

~~(II) NONPROFIT HEALTH SERVICE PLANS;~~

~~(III) HEALTH MAINTENANCE ORGANIZATIONS;~~

~~(IV) DENTAL PLAN ORGANIZATIONS;~~

~~(V) PHARMACY BENEFITS MANAGERS; AND~~

~~(VI) ANY OTHER ENTITY PROVIDING A PLAN OF HEALTH INSURANCE, HEALTH BENEFITS, OR HEALTH SERVICES AUTHORIZED UNDER THIS ARTICLE OR THE AFFORDABLE CARE ACT;~~

~~(2) INFORMATION ABOUT EACH CERTIFICATION COLLECTED, INCLUDING:~~

~~(I) THE NAME OF THE HEALTHCARE ECOSYSTEM ENTITY;~~

~~(II) THE DATE OF THE HEALTHCARE ECOSYSTEM ENTITY'S MOST RECENT CYBERSECURITY AUDIT;~~

~~(III) THE CYBERSECURITY FRAMEWORK USED IN THE CYBERSECURITY AUDIT OF THE HEALTHCARE ECOSYSTEM ENTITY; AND~~

~~(IV) THE NAME OF THE THIRD–PARTY THAT COMPLETED THE CYBERSECURITY AUDIT;~~

~~(3) AN OVERVIEW OF ESSENTIAL CAPABILITIES PROVIDED BY THE HEALTHCARE ECOSYSTEM ENTITY;~~

~~**(4) RECOMMENDATIONS FOR ENSURING THE CONTINUOUS DELIVERY OF ESSENTIAL CAPABILITIES DURING AND FOLLOWING A DISRUPTION TO THE HEALTHCARE ECOSYSTEM; AND**~~

~~**(5) RECOMMENDATIONS TO IMPROVE CYBERSECURITY FOR THE GROUPS OF HEALTHCARE ECOSYSTEM ENTITIES IDENTIFIED IN ITEM (1) OF THIS SUBSECTION.**~~

~~**Article – State Finance and Procurement**~~

~~3.5–101.~~

~~(a) In this title the following words have the meanings indicated.~~

~~(e) "Department" means the Department of Information Technology.~~

~~3.5–2A–01.~~

~~(a) In this subtitle the following words have the meanings indicated.~~

~~(b) "Council" means the Maryland Cybersecurity Coordinating Council.~~

~~(c) "Office" means the Office of Security Management.~~

~~**3.5–2A–07.**~~

~~**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**~~

~~**(2) "HEALTHCARE ECOSYSTEM" MEANS THE ENTITIES AND RELATIONSHIPS AMONG ENTITIES THAT ARE NECESSARY TO DELIVER HEALTH CARE TREATMENT, PAYMENT, AND HEALTH CARE OPERATIONS.**~~

~~**(3) "HEALTHCARE ECOSYSTEM ENTITY" INCLUDES:**~~

~~**(I) A CARRIER;**~~

~~**(II) AN ELECTRONIC DATA INTERCHANGE CLEARINGHOUSE;**~~

~~**(III) A FREESTANDING MEDICAL FACILITY;**~~

~~**(IV) A HOSPITAL;**~~

~~**(V) A PHARMACY BENEFITS MANAGER;**~~

~~(VI) A HEALTH INFORMATION EXCHANGE; AND~~

~~(VII) ANY OTHER ENTITY IDENTIFIED BY THE MARYLAND HEALTH CARE COMMISSION OR THE MARYLAND INSURANCE ADMINISTRATION IN REGULATIONS TO BE INCLUDED IN THE HEALTHCARE ECOSYSTEM.~~

~~(B) (1) A HEALTHCARE ECOSYSTEM ENTITY SHALL REPORT, IN ACCORDANCE WITH THE PROCESS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION, A CYBERSECURITY INCIDENT, INCLUDING AN ATTACK ON A SYSTEM BEING USED BY THE HEALTHCARE ECOSYSTEM ENTITY, TO THE STATE SECURITY OPERATIONS CENTER IN THE DEPARTMENT.~~

~~(2) THE OFFICE, IN CONSULTATION WITH THE MARYLAND HEALTH CARE COMMISSION AND THE MARYLAND INSURANCE ADMINISTRATION, SHALL ESTABLISH A PROCESS FOR A HEALTHCARE ECOSYSTEM ENTITY TO REPORT A CYBERSECURITY INCIDENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING:~~

~~(I) THE CRITERIA FOR DETERMINING THE CIRCUMSTANCES UNDER WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED;~~

~~(II) THE MANNER IN WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED; AND~~

~~(III) THE TIME PERIOD WITHIN WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED.~~

~~(3) THE STATE SECURITY OPERATIONS CENTER IMMEDIATELY SHALL NOTIFY APPROPRIATE STATE AND LOCAL AGENCIES OF A CYBERSECURITY INCIDENT REPORTED UNDER THIS SUBSECTION.~~

~~(4) (I) ON OR BEFORE JULY 1 EACH YEAR, BEGINNING IN 2026, THE OFFICE SHALL REPORT TO THE GOVERNOR, THE COUNCIL, AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE NUMBER OF CYBERSECURITY INCIDENTS AND TYPES OF CYBERSECURITY INCIDENTS REPORTED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN THE IMMEDIATELY PRECEDING CALENDAR YEAR.~~

~~(II) A REPORT SUBMITTED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT IDENTIFY A HEALTHCARE ECOSYSTEM ENTITY THAT REPORTED AN INCIDENT TO THE OFFICE OR A HEALTHCARE ECOSYSTEM ENTITY THAT WAS DIRECTLY AFFECTED BY AN INCIDENT REPORTED TO THE CENTER.~~

~~3.5–301.~~

~~(a) In this subtitle the following words have the meanings indicated.~~

~~(c) "Cybersecurity" means processes or capabilities wherein systems, communications, and information are protected and defended against damage, unauthorized use or modification, and exploitation.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~**Article – Health – General**~~

~~19–113.~~

~~**(F) THE COMMISSION, IN CONSULTATION WITH THE DEPARTMENT OF INFORMATION TECHNOLOGY, SHALL ADOPT REGULATIONS TO IMPLEMENT CYBERSECURITY STANDARDS AND PROCEDURES TO:**~~

~~**(1) PREVENT DISRUPTIONS TO THE HEALTHCARE ECOSYSTEM;**~~

~~**(2) ENABLE THE DELIVERY OF ESSENTIAL CAPABILITIES BY THE HEALTHCARE ECOSYSTEM; AND**~~

~~**(3) SUPPORT RECOVERY FROM AN INCIDENT THAT DISRUPTS THE HEALTHCARE ECOSYSTEM.**~~

~~**(G) THE COMMISSION, IN CONJUNCTION WITH THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT, THE DEPARTMENT OF INFORMATION TECHNOLOGY, AND THE MARYLAND INSURANCE ADMINISTRATION, SHALL REGULARLY CONVENE A STAKEHOLDER WORKGROUP TO REVIEW CYBERSECURITY PRACTICES, THREATS, RESPONSES TO DISRUPTIONS, AND EMERGING ISSUES AFFECTING THE HEALTHCARE ECOSYSTEM.**~~

~~**Article – Insurance**~~

~~2–117.~~

~~**(F) THE ADMINISTRATION, IN CONSULTATION WITH THE DEPARTMENT OF INFORMATION TECHNOLOGY, SHALL ADOPT REGULATIONS TO IMPLEMENT CYBERSECURITY STANDARDS AND PROCEDURES TO:**~~

~~**(1) PREVENT DISRUPTIONS TO THE HEALTHCARE ECOSYSTEM;**~~

~~(2) ENABLE THE DELIVERY OF ESSENTIAL CAPABILITIES BY THE HEALTHCARE ECOSYSTEM; AND~~

~~(3) SUPPORT RECOVERY FROM AN INCIDENT THAT DISRUPTS THE HEALTHCARE ECOSYSTEM.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That:~~

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

(a) (1) In this section the following words have the meanings indicated.

(2) "Cybersecurity" has the meaning stated in § 3.5–301 of the State Finance and Procurement Article.

(3) "Essential capabilities" means the services that must be available in the healthcare ecosystem to ensure the continuity of critical care and patient safety, including during an incident diminishing the capacity of the healthcare ecosystem.

(4) "Healthcare ecosystem" means the entities and relationships among entities that are necessary to deliver treatment, payment, and health care operations.

(5) (i) "Healthcare ecosystem entity" includes:

1. a carrier, as defined in § 2–117 of the Insurance Article;

2. an electronic data interchange clearinghouse;

3. a freestanding medical facility, as defined in § 19–3A–01 of the Health – General Article;

4. a health information exchange, as defined in § 4–301 of the Health – General Article;

5. a hospital, as defined in § 19–301 of the Health – General Article; and

6. a pharmacy benefits manager, as defined in § 15–1601 of the Insurance Article.

(ii) "Healthcare ecosystem entity" does not include a governmental payor.

(6) "Health care operations" has the meaning stated in 45 C.F.R. § 164.501.

(7) "Payment" has the meaning stated in 45 C.F.R. § 164.501.

(8) "Treatment" has the meaning stated in 45 C.F.R. § 164.501.

(9) "Workgroup" means the Healthcare Ecosystem Stakeholder Cybersecurity Workgroup.

(b) (1) ~~The Maryland Health Care Commission shall convene a healthcare ecosystem stakeholder workgroup to study and make recommendations to improve the cybersecurity of the healthcare ecosystem in the State~~ There is a Healthcare Ecosystem Stakeholder Cybersecurity Workgroup.

(2) The purpose of the Workgroup is to develop strategies to:

(i) prevent cybersecurity disruptions to healthcare ecosystem operations;

(ii) ensure the continuous delivery of essential healthcare ecosystem services; and

(iii) enhance recovery efforts of the healthcare ecosystem following a cybersecurity incident.

(c) The Workgroup consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Chairman of the Maryland Health Care Commission, or the Chairman's designee;

(4) the Maryland Insurance Commissioner, or the Commissioner's designee;

(5) the Secretary of Emergency Management, or the Secretary's designee;

(6) the State Chief Information Security Officer, or the State Chief Officer's designee;

(7) two representatives from the Subcommittee on Critical Infrastructure of the Maryland Cybersecurity Council, appointed by the Chair of the Maryland Cybersecurity Council;

(8) one representative from each of the following organizations, designated by the head of the organization:

(i) one representative of the Cooperative Exchange;

(ii) one representative of the Electronic Health Record Association;

(iii) one representative of the Maryland League of Life and Health Insurers;

(iv) one representative of the Maryland Hospital Association; and

(v) one representative of the Maryland Cybersecurity Association;

(9) one representative of a pharmacy benefits manager, appointed by the Maryland Insurance Commissioner;

(10) the following representatives appointed by the Chairman of the Maryland Health Care Commission:

(i) one representative of an electronic data interchange clearinghouse;

(ii) one representative of a freestanding medical facility;

(iii) one representative of a large hospital;

(iv) one representative of a small hospital;

(v) one representative of an inpatient psychiatric hospital; and

(vi) one representative of a health information exchange; and

(11) three representatives of a patient advocacy group, jointly appointed by the Chairman of the Maryland Health Care Commission and the Maryland Insurance Commissioner.

(d) The Chairman of the Maryland Health Care Commission, or the Chairman's designee, and the Maryland Insurance Commissioner, or the Commissioner's designee, shall cochair the Workgroup.

(e) The Maryland Health Care Commission and the Maryland Insurance Administration shall provide staff for the Workgroup.

(f) 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.

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

(1) identify essential capabilities required for the delivery of health care during a cybersecurity attack;

(2) identify functional requirements for the healthcare ecosystem to be capable of providing the essential capabilities identified under item (1) of this subsection;

(3) identify and map all healthcare ecosystem entities in the State against the essential health care capabilities and identified functional requirements;

(4) identify which healthcare ecosystem entities are needed, directly or indirectly, to provide the essential capabilities identified under item (1) of this subsection;

(5) ~~identify other issues related to cybersecurity in the healthcare ecosystem~~ develop an ecosystem cybersecurity threat and risk assessment based on the essential health care capabilities and supporting functions;

(6) examine cybersecurity challenges affecting the healthcare ecosystem based on the threat and risk assessment;

~~(6)~~ (7) review best practices for cybersecurity and processes used in the healthcare ecosystem, including NIST 800–207, NIST 800–207A, NIST 800–53A, the NIST Cybersecurity Framework, HICP Technical Volume 1, and HICP Technical Volume 2; ~~and~~

~~(7) provide guidance for the Maryland Health Care Commission and the Maryland Insurance Administration regarding the adoption and maintenance of cybersecurity regulatory standards.~~

(8) make recommendations for adopting and maintaining cybersecurity regulatory standards; and

(9) make recommendations for ensuring that essential capabilities and supporting functions are resilient to disruption.

~~(d)~~ (h) (1) On or before ~~July~~ January 1, 2026, the ~~Maryland Health Care Commission~~ Workgroup shall submit an interim report ~~defining the scope and contents of the State's healthcare ecosystem~~ of its findings and recommendations to the Governor, the Secretary of Emergency Management, the Chairman of the Maryland Health Care Commission, the Maryland Insurance Commissioner, the State Chief Information Security Officer, and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

(2) On or before ~~July~~ December 1, ~~2028~~ 2026, the ~~Maryland Health Care Commission~~ Workgroup shall submit a final report of the findings and recommendations of the workgroup to the Governor, the Secretary of Emergency Management, the Chairman of the Maryland Health Care Commission, the Maryland Insurance Commissioner, the State Chief Information Security Officer, and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

~~SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2028.~~

SECTION ~~5.~~ 2. AND BE IT FURTHER ENACTED, That~~, except as provided in Section 4 of this Act,~~ this Act shall take effect July 1, 2025. ~~Section 3 of this Act~~ It shall remain effective for a period of ~~4~~ 2 years and, at the end of June 30, ~~2029~~ 2027, ~~Section 3 of~~ this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

Pursuant to Article II, Section 17 of the Maryland Constitution, I hereby veto Senate Bill 909 and House Bill 1037 – *Energy Resource Adequacy and Planning Act*.

I commend the General Assembly's dedication to ensuring Maryland's energy reliability and sustainability. I agree that we must improve the state's energy planning process and ensure greater accountability from PJM in meeting Maryland's long–term energy needs. That is why I have joined our allies across the region to help address this concern and keep costs down. While this legislation proposes the creation of a new Strategic Energy Planning Office (SEPO) to lead a statewide energy planning process, including the development of a comprehensive report on risks to the bulk power system, after careful consideration, I have determined that this legislation is unnecessary at this time due to several factors.

The fiscal impact of this legislation is significant. Establishing and operating this new office would cost between $4.4 million and $5.3 million annually starting in fiscal year 2026,

totaling nearly $29 million over five years. This cost would ultimately be passed along to Maryland ratepayers at a time when we are actively working to limit their burden, not add to it. Furthermore, the objectives outlined in this legislation overlap significantly with existing efforts by agencies such as the Public Service Commission (PSC), the Maryland Energy Administration (MEA), and the Power Plant Research Program (PPRP). These agencies are already engaged in comprehensive energy planning and analysis. Establishing a new office with similar responsibilities would lead to delays, redundancy, and inefficient use of resources.

Given these considerations, the goals of this legislation can be achieved more effectively through the optimization of current agency functions and resources. I look forward to working with you and stakeholders to address this.

For these reasons, I have vetoed Senate Bill 909 and House Bill 1037.

Sincerely,

Wes Moore
Governor

Senate Bill 909

AN ACT concerning

Energy Resource Adequacy and Planning Act

FOR the purpose of establishing the ~~Integrated Resource~~ Strategic Energy Planning Office ~~in the Public Service Commission~~; requiring the Office to develop a Comprehensive ~~Energy Forecast and conduct a certain study~~ Wholesale Energy Markets and Bulk Power System Risk Report and examine certain scenarios to support the development of the ~~Forecast; requiring the Office, in consultation with the Commission and the Maryland Energy Administration, to complete certain energy modeling; requiring the Commission, in consultation with the Office, to adopt regulations requiring each electric company to develop a certain integrated resource plan~~ Risk Report; requiring the Office to conduct certain stakeholder processes; requiring the Office to provide certain information to certain persons under certain circumstances; requiring the Public Service Commission to conduct a certain public proceeding; requiring the Commission and the Department of Transportation to complete certain studies; requiring the Maryland Energy Administration to obtain or develop certain power flow analyses; and generally relating to the ~~Integrated Resource~~ Strategic Energy Planning Office and energy resource planning.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 2–110 and 2–110.1
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY adding to
Article – Public Utilities
Section 7–1201 through ~~7–1206~~ 7–1207 to be under the new subtitle "Subtitle 12. ~~Integrated Resource~~ Strategic Energy Planning Office"
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

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

Article – Public Utilities

2–110.

(a) In this section, "public service company" includes an electricity supplier and a gas supplier as those terms are defined in § 1–101 of this article.

(b) (1) The costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel shall be borne by the public service companies that are subject to the Commission's jurisdiction.

(2) The costs and expenses shall be assessed as provided in this section.

(3) The Commission shall pay the money that it collects for the assessment under this section into the Public Utility Regulation Fund in the State Treasury established under § 2–110.1 of this subtitle to reimburse the State for the expenses of the Commission**, *THE STRATEGIC ENERGY PLANNING OFFICE,*** and the Office of People's Counsel.

(c) (1) (i) Before each State fiscal year, the Chairman of the Commission shall estimate the Commission's total costs and expenses, including:

1. the compensation and expenses of the Commission, its officers, agents, and personnel;

2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Commission;

3. all other maintenance and operation expenses of the Commission; and

4. all other direct and indirect costs of the Commission.

(ii) The estimate shall exclude the expenses associated with services performed by the Commission for which the Commission is reimbursed under this division.

(iii) **THE ESTIMATE SHALL INCLUDE, AS PROVIDED BY THE STRATEGIC ENERGY PLANNING OFFICE:**

1. THE COMPENSATION AND EXPENSES OF THE STRATEGIC ENERGY PLANNING OFFICE, ITS OFFICERS, AGENTS, AND PERSONNEL;

2. THE COST OF RETIREMENT CONTRIBUTIONS, SOCIAL SECURITY, HEALTH INSURANCE, AND OTHER BENEFITS REQUIRED TO BE PAID BY THE STATE FOR THE PERSONNEL OF THE STRATEGIC ENERGY PLANNING OFFICE;

3. ALL OTHER MAINTENANCE AND OPERATION EXPENSES OF THE STRATEGIC ENERGY PLANNING OFFICE; AND

4. ALL OTHER DIRECT AND INDIRECT COSTS OF THE STRATEGIC ENERGY PLANNING OFFICE.

(IV) The estimate shall include, as provided by the Office of People's Counsel:

1. the compensation and expenses of the Office of People's Counsel, its officers, agents, and personnel;

2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Office of People's Counsel;

3. all other maintenance and operation expenses of the Office of People's Counsel; and

4. all other direct and indirect costs of the Office of People's Counsel.

(2) Based on the estimate, the Chairman shall determine the amount to be paid by each public service company.

(3) The Commission shall send a bill to each public service company on or before May 1 of each year.

(4) (i) The bill shall equal the product of:

1. the estimated total costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel during the next fiscal year; multiplied by

2. the ratio of the gross operating revenues for the public service company derived from intrastate utility and electricity supplier operations in the

preceding calendar year, or other 12–month period as the Chairman determines, to the total of the gross operating revenues derived from intrastate utility and electricity supplier operations for all public service companies that are billed under this section over that period.

(ii) To the extent that the Commission requires an electric company to report the gross operating revenue derived from intrastate utility and electricity supplier operation in order to calculate the bill under subparagraph (i) of this paragraph, a small rural electric cooperative described in § 7–502(a) of this article may satisfy the requirement by submitting to the Commission an estimate made in accordance with a formula approved by the Commission from information that the small rural electric cooperative submits to the rural utilities service.

(5) The minimum bill for a public service company shall be $10.

(6) The public service company:

(i) shall pay the bill on or before the next July 15; or

(ii) may elect to make partial payments on the 15th days of July, October, January, and April.

(7) A partial payment shall equal 25% of the bill and may not be less than $10.

(8) During any State fiscal year, the Chairman may change the estimate of costs and expenses of the Commission**, THE ESTIMATE OF COSTS AND EXPENSES OF THE STRATEGIC ENERGY PLANNING OFFICE, AS CHANGED BY THE STRATEGIC ENERGY PLANNING OFFICE,** and the estimate of costs and expenses of the Office of People's Counsel, as changed by the People's Counsel.

(9) (i) If the estimate is changed, the Commission shall send a revised bill to each public service company that has elected to make partial payments.

(ii) The change shall be apportioned equally against the remaining payments for the fiscal year.

(10) (i) On or before September 15 of each year, the Chairman shall compute**:**

1. the actual costs and expenses of the Commission**[.];**

2. THE ACTUAL COSTS AND EXPENSES OF THE STRATEGIC ENERGY PLANNING OFFICE, AS PROVIDED BY THE STRATEGIC ENERGY PLANNING OFFICE FOR THE PRECEDING FISCAL YEAR; and

3. the actual costs and expenses of the Office of People's Counsel, as provided by the People's Counsel for the preceding fiscal year.

(ii) If the amounts collected are less than the actual costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of the People's Counsel, after deducting the amounts recovered under §§ 2–111(a) and 2–123 of this subtitle, on or before October 15, the Chairman shall send to any public service company that is affected a statement that shows the amount due.

(iii) If the amounts collected exceed the actual costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of the People's Counsel for the preceding fiscal year, the Commission shall deduct any excess retained funds from the appropriation for the next fiscal year before the Commission determines the amount to be paid by each public service company for the next fiscal year under paragraph (2) of this subsection.

(11) A public service company shall pay an amount due within 30 days after the statement is received.

(12) The total amount that may be charged to a public service company under this section for a State fiscal year may not exceed:

(i) 0.50% of the public service company's gross operating revenues derived from intrastate utility and electricity supplier operations in the preceding calendar year, or other 12–month period that the Chairman determines, for the costs and expenses of the Commission other than that of the **STRATEGIC ENERGY PLANNING OFFICE AND THE** Office of People's Counsel; plus

(ii) **0.074% OF THOSE REVENUES FOR THE COSTS AND EXPENSES OF THE STRATEGIC ENERGY PLANNING OFFICE; PLUS**

(III) 0.074% of those revenues for the costs and expenses of the Office of People's Counsel.

(d) (1) Within 30 days after the Commission issues a bill under subsection (c) of this section, the party billed may request a hearing as to the amount of the bill.

(2) Any amount of a bill that is not paid within 30 days after the date of determination on a hearing or, if a hearing is not requested, on the date when payment is due, shall bear annual interest at a rate, not less than 6%, that the Commission sets by regulation.

2–110.1.

(a) There is a Public Utility Regulation Fund.

(b) The Fund consists of:

(1) all revenue received through the imposition and collection of assessments under § 2–110 of this subtitle;

(2) fees received by the Commission under § 2–123 of this subtitle for filings and for other services rendered by the Commission;

(3) income from investments that the State Treasurer makes for the Fund; and

(4) any other fee, examination assessment, or revenue received by the Commission under this division.

(c) Notwithstanding subsection (b) of this section, the Commission shall pay all fines and penalties collected by the Commission under this article into the Resiliency Hub Grant Program Fund established under § 9–2011 of the State Government Article.

(d) The purpose of the Fund is to pay all the costs and expenses incurred by the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel that are related to the operation of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel, including:

(1) expenditures authorized under this division; and

(2) any other expense authorized in the State budget.

(e) (1) All the costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel shall be included in the State budget.

(2) Expenditures from the Fund to cover costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and Office of People's Counsel may only be made:

(i) with an appropriation from the Fund approved by the General Assembly in the State budget; or

(ii) by budget amendment in accordance with § 7–209 of the State Finance and Procurement Article.

(f) (1) The State Treasurer is the custodian of the Fund.

(2) The State Treasurer shall deposit payments received from the Commission into the Fund.

(g) (1) The Fund is a continuing, special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article, and may not be considered a part of the General Fund of the State.

(2) Unless otherwise provided by law, no part of the Fund may revert or be credited to:

(i) the General Fund of the State; or

(ii) any other special fund of the State.

SUBTITLE 12. ~~INTEGRATED RESOURCE~~ STRATEGIC ENERGY PLANNING OFFICE.

7–1201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

~~(B) "DEMAND ELEMENT" MEANS A SPECIFIC FACTOR OR COMPONENT THAT CONTRIBUTES TO THE OVERALL ELECTRICITY LOAD OR DEMAND.~~

~~(C)~~ (B) "DIRECTOR" MEANS THE DIRECTOR OF THE ~~INTEGRATED RESOURCE~~ STRATEGIC ENERGY PLANNING OFFICE.

~~(D) "FORECAST" MEANS THE COMPREHENSIVE ENERGY FORECAST.~~

~~(E)~~ (C) "OFFICE" MEANS THE ~~INTEGRATED RESOURCE~~ STRATEGIC ENERGY PLANNING OFFICE.

(D) "PJM REGION" HAS THE MEANING STATED IN § 7–701 OF THIS TITLE.

(E) "RISK REPORT" MEANS THE COMPREHENSIVE WHOLESALE ENERGY MARKETS AND BULK POWER SYSTEM RISK REPORT DEVELOPED UNDER § 7–1203 OF THIS SUBTITLE.

7–1202.

(A) THERE IS ~~AN INTEGRATED RESOURCE~~ A STRATEGIC ENERGY PLANNING OFFICE ~~IN THE COMMISSION~~.

(B) (1) THE HEAD OF THE OFFICE IS THE DIRECTOR.

(2) (I) THE DIRECTOR SHALL:

~~(I)~~ BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE~~; AND~~

~~(II) SERVE AT THE PLEASURE OF THE GOVERNOR~~.

(II) THE TERM OF THE DIRECTOR IS 5 YEARS AND BEGINS ON JULY 1.

(III) AT THE END OF A TERM, THE DIRECTOR CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(IV) A DIRECTOR WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(V) A DIRECTOR MAY SERVE MORE THAN ONE TERM.

(3) THE GOVERNOR MAY REMOVE THE DIRECTOR FOR INCOMPETENCE OR MISCONDUCT IN ACCORDANCE WITH § 3–307 OF THE STATE GOVERNMENT ARTICLE.

(4) THE DIRECTOR IS ENTITLED TO A SALARY AS PROVIDED IN THE STATE BUDGET.

~~(C) (1) THE COMMISSION SHALL PROVIDE THE OFFICE WITH SUFFICIENT STAFF AND RESOURCES TO PERFORM THE FUNCTIONS OF THIS SUBTITLE.~~

(C) (1) THE OFFICE SHALL HAVE THE STAFF PROVIDED FOR IN THE STATE BUDGET.

(2) THE OFFICE MAY HIRE ~~A~~ PRIVATE ~~CONSULTANT~~ CONSULTANTS IF NECESSARY TO CARRY OUT THE REQUIREMENTS OF THIS SUBTITLE.

(D) IN ORDER TO CARRY OUT THE REQUIREMENTS OF THIS SUBTITLE, THE OFFICE SHALL COLLABORATE WITH:

(1) THE MARYLAND ENERGY ADMINISTRATION;

(2) THE COMMISSION;

(3) THE POWER PLANT RESEARCH PROGRAM;

(4) THE MARYLAND CLEAN ENERGY CENTER; AND

(5) THE DEPARTMENT OF THE ENVIRONMENT.

(E) THE OFFICE SHALL COORDINATE WITH THE COMMISSION TO ESTABLISH PROCEDURES AND RULES TO OBTAIN INFORMATION FROM ELECTRIC COMPANIES AND GAS COMPANIES NECESSARY TO ACCOMPLISH THE OFFICE'S DUTIES UNDER THIS SUBTITLE.

7–1203.

(A) (1) EVERY 3 YEARS, THE OFFICE SHALL DEVELOP A COMPREHENSIVE WHOLESALE ENERGY MARKETS AND BULK POWER SYSTEM RISK REPORT.

(2) THE PURPOSE OF THE RISK REPORT IS TO:

(I) ASSESS WHOLESALE ENERGY MARKET FINANCIAL, RESOURCE ADEQUACY, AND RELIABILITY RISKS ASSOCIATED WITH SERVING THE STATE'S LONG–TERM ENERGY NEEDS; AND

(II) IDENTIFY ANY NECESSARY COST–EFFECTIVE SOLUTIONS THAT ENSURE ELECTRIC SYSTEM RELIABILITY WHILE MEETING THE STATE'S ENERGY POLICY GOALS.

(3) THE SOLUTIONS IDENTIFIED IN THE RISK REPORT SHALL SEEK TO:

(I) MINIMIZE THE GROWTH OF THE COST OF ELECTRICITY OR LOWER THE COST OF ELECTRICITY; AND

(II) MINIMIZE ENERGY RESOURCE RELIABILITY RISKS.

(B) (1) THE RISK REPORT SHALL INCLUDE ENERGY AND DEMAND FORECASTS THAT CONTAIN:

(I) REASONABLE, 20–YEAR PROJECTIONS FOR ELECTRICITY LOAD AND ENERGY DEMANDS FOR:

1. TRANSMISSION ZONES; AND

2. ELECTRIC SERVICE TERRITORIES; AND

(II) PROJECTIONS FOR MEETING STATE ENERGY NEEDS AND CLEAN ENERGY GOALS AND LOAD FORECASTS IN THE PJM REGION, INCLUDING:

1. LOW, AVERAGE, AND HIGH PROJECTIONS OF ENERGY DEMAND BASED ON STATE POLICIES AND OTHER REASONABLE ASSUMPTIONS THAT IMPACT THE PROVISION OF ELECTRICITY IN THE STATE; AND

2. OTHER PROJECTIONS AS NECESSARY.

(2) IN COLLECTING THE DATA FOR THE FORECASTS UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE OFFICE SHOULD, BUT IS NOT REQUIRED TO, USE:

(I) HISTORICAL AND PROJECTED INFORMATION FROM ELECTRIC COMPANIES;

(II) LOAD FORECASTS FOR THE PJM REGION;

(III) APPROPRIATE ECONOMETRIC DATA FOR THE STATE; AND

(IV) ANY OTHER INFORMATION THE OFFICE CONSIDERS APPROPRIATE.

(C) (1) THE OFFICE SHALL EXAMINE DIFFERENT WHOLESALE ENERGY MARKET AND BULK POWER SYSTEM SCENARIOS TO SERVE THE FORECASTS UNDER SUBSECTION (B) OF THIS SECTION.

(2) EACH SCENARIO EXAMINED SHALL:

(I) IDENTIFY THE RESULTING WHOLESALE ENERGY MARKET AND BULK POWER SYSTEM FINANCIAL AND RESOURCE ADEQUACY IMPACTS OF SERVING THE FORECASTS WITH THE EXISTING ELECTRIC SYSTEM, KNOWN ADDITIONS TO THE ELECTRIC SYSTEM, AND ELECTRIC SYSTEM RESOURCE RETIREMENTS; AND

(II) IDENTIFY RESOURCE AND DEMAND–SIDE MANAGEMENT SOLUTIONS THAT MAY RESOLVE POTENTIAL RESOURCE ADEQUACY ISSUES AT THE LEAST COST.

(3) FOR A SUBSET OF SCENARIOS THAT ARE PRIMARILY RELIED ON WITHIN THE RISK REPORT, THE OFFICE SHALL, IN ADDITION TO THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION:

(I) IDENTIFY THE RESULTING WHOLESALE MARKET AND BULK POWER SYSTEM RELIABILITY IMPACTS OF SERVING THE FORECASTS WITH THE EXISTING ELECTRIC SYSTEM, KNOWN ADDITIONS TO THE ELECTRIC SYSTEM, AND ELECTRIC SYSTEM RESOURCE RETIREMENTS; AND

(II) IDENTIFY RESOURCE AND DEMAND–SIDE MANAGEMENT SOLUTIONS THAT MAY RESOLVE POTENTIAL RELIABILITY CONSTRAINTS AT THE LEAST COST.

(4) EACH SCENARIO SHALL ALSO EXAMINE:

(I) DIFFERENT ENERGY RESOURCE MIXES TO MEET THE STATE'S ENERGY NEEDS, INCLUDING THE USE OF DEMAND–SIDE MANAGEMENT;

(II) DIFFERENT APPROACHES FOR MEETING THE STATE'S CLEAN ENERGY GOALS;

(III) IMPROVEMENTS TO EXISTING ENERGY RESOURCES AS OPPOSED TO THE DEPLOYMENT OF NEW ENERGY RESOURCES;

(IV) BALANCING THE USE OF ELECTRICITY IMPORTED FROM OUTSIDE THE STATE WITH THE DEVELOPMENT OF NEW ENERGY RESOURCES IN THE STATE;

(V) FINANCIAL AND OTHER RISKS ASSOCIATED WITH RETIRING ENERGY GENERATION RESOURCES;

(VI) DIRECTIONAL ASSESSING OF COST RISKS TO RATEPAYERS; AND

(VII) IMPACTS TO THE WHOLESALE ENERGY MARKET AND BULK POWER SYSTEM IN MEETING THE STATE'S POLICY GOALS RELATED TO ELECTRICITY.

(5) THE SCENARIOS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) AT LEAST ONE SCENARIO THAT EXAMINES THE ACHIEVEMENT OF THE STATE'S CLEAN ENERGY GOALS;

(II) AT LEAST ONE SCENARIO THAT EXAMINES A LEAST–COST APPROACH TO MEETING THE STATE'S PROJECTED ENERGY NEEDS; AND

(III) AT LEAST ONE SCENARIO THAT ASSUMES NO CHANGES IN STATE ENERGY AND CLIMATE POLICIES.

(D) (1) THE RISK REPORT SHALL:

(I) BE INFORMED BY THE FORECASTS AND SCENARIOS REQUIRED UNDER THIS SECTION;

(II) PROVIDE INFORMATION ON THE RISKS ASSOCIATED WITH SERVING THE IDENTIFIED ENERGY FORECASTS AND ACHIEVEMENT OF THE STATE'S CLEAN ENERGY GOALS;

(III) DISCUSS THE POTENTIAL FINANCIAL IMPACTS OF THE DIFFERENT SCENARIOS EXAMINED UNDER SUBSECTION (C) OF THIS SECTION ON THE STATE AND RATEPAYERS;

(IV) IDENTIFY THE FINANCIAL, RESOURCE ADEQUACY, AND RELIABILITY RISKS OF THE WHOLESALE ENERGY MARKETS AND BULK POWER SYSTEM ON RATEPAYERS; AND

(V) SPECIFY THE INPUTS AND ASSUMPTIONS USED IN DEVELOPING THE RISK REPORT.

(2) (I) THE RISK REPORT SHALL ALSO INCLUDE ANY RECOMMENDATIONS OF THE OFFICE REGARDING SHORT– AND LONG–TERM SOLUTIONS TO MINIMIZE WHOLESALE ENERGY MARKET AND BULK POWER SYSTEM FINANCIAL, RESOURCE ADEQUACY, AND RELIABILITY RISKS, INCLUDING STRATEGIES TO IMPLEMENT ANY RECOMMENDATIONS.

(II) THE RECOMMENDATIONS MAY INCLUDE:

1. ENERGY GENERATION, TRANSMISSION, OR DISTRIBUTION RESOURCE DEPLOYMENT OR DEMAND–SIDE MANAGEMENT SOLUTIONS;

2. PROGRAM DEVELOPMENT, INCLUDING:

A. ALTERING OR ADDING TO EXISTING PROGRAMS; OR

B. PROPOSING NEW PROGRAMS;

3. STATUTORY OR REGULATORY CHANGES; AND

4. RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO IMPLEMENT SHORT– AND LONG–TERM RECOMMENDATIONS IDENTIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, INCLUDING:

A. UTILIZING EXISTING OR CREATING NEW MARKET STRUCTURES;

B. UTILIZING EXISTING OR CREATING NEW STATE PROGRAMS;

C. STATE FINANCING OPTIONS, INCLUDING STATE PROCUREMENT AND MULTISTATE PROCUREMENT;

D. ELECTRIC COMPANY PROCUREMENT OR PROGRAMS;

E. EXAMINING THE MIX OF IN–STATE GENERATION VERSUS RELYING ON IMPORTS AND DEMAND–SIDE MANAGEMENT; AND

F. ANY OTHER RECOMMENDATIONS THAT THE OFFICE CONSIDERS APPROPRIATE.

(III) IF THE OFFICE DETERMINES THAT THE IDENTIFIED RISKS ARE ACCEPTABLE OR THAT EXISTING MARKET DESIGNS, PROCESSES, OR POLICIES WILL ADEQUATELY ADDRESS THE RISKS IDENTIFIED IN THE RISK REPORT, THE OFFICE MAY RECOMMEND THAT NO ACTIONS BE TAKEN.

(IV) THE OFFICE SHALL SUPPORT THE RECOMMENDATIONS BY ANALYSES THAT BALANCE AFFORDABILITY, RELIABILITY, AND GREENHOUSE GAS EMISSIONS REDUCTIONS.

7–1204.

(A) (1) THE OFFICE SHALL:

(I) DEVELOP AND MAINTAIN THE TOOLS AND RESOURCES NECESSARY TO COMPLETE THE ANALYSES REQUIRED UNDER THIS SUBTITLE;

(II) COORDINATE WITH PJM INTERCONNECTION, LLC TO DEVELOP AND MAINTAIN THE TOOLS NECESSARY TO COMPLETE THE ANALYSES REQUIRED UNDER THIS SUBTITLE;

(III) HAVE THE ABILITY TO CONDUCT COST–BENEFIT ANALYSES OF:

~~1.~~ ENERGY GENERATION RESOURCES IN WHOLESALE ENERGY MARKETS; AND

~~2. DIFFERENT FORMS OF LEVELIZED COSTS OF ELECTRICITY AND LEVELIZED FULL SYSTEM COSTS OF ELECTRICITY; AND~~

(IV) PROVIDE AN OPPORTUNITY FOR STAKEHOLDER FEEDBACK ON ANY REPORTS DEVELOPED BY THE OFFICE.

(2) (I) FOR THE RISK REPORT REQUIRED UNDER § 7–1203 OF THIS SUBTITLE, THE OFFICE SHALL CONDUCT A STAKEHOLDER PROCESS TO SOLICIT FEEDBACK REGARDING THE DEVELOPMENT OF DATA INPUTS THAT WILL INFORM THE FORECASTS AND SCENARIOS FOR DEVELOPING THE RISK REPORT.

(II) THE OFFICE IS NOT REQUIRED TO UTILIZE THE FEEDBACK RECEIVED FROM THE STAKEHOLDER PROCESS CONDUCTED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, BUT SHALL PROVIDE DOCUMENTATION OF THE STAKEHOLDER PROCESS IN THE RISK REPORT.

(3) (I) IN ADDITION TO THE PUBLIC HEARING REQUIRED IN § 7–1206 OF THIS SUBTITLE, AFTER THE PUBLICATION OF THE RISK REPORT OR ANY UPDATE TO THE REPORT, THE OFFICE SHALL CONDUCT A STAKEHOLDER PROCESS TO DEVELOP A REPORT THAT ASSESSES STRATEGIES TO ADDRESS THE IDENTIFIED RISKS AND RECOMMENDATIONS IN THE RISK REPORT.

(II) WHEN ASSESSING STRATEGIES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THERE SHALL BE CONSIDERATION OF:

1. NEW OR EXISTING PROGRAMS;

2. LEVERAGING TECHNOLOGY ENHANCEMENTS;

3. REVISED REGULATORY STRUCTURES;

4. STATE COORDINATION OF FEDERAL SOLUTIONS;

5. UTILIZING MARKET MECHANISMS; AND

6. ANY OTHER FACTORS CONSIDERED APPROPRIATE.

(B) THE OFFICE, IN CONSULTATION WITH THE COMMISSION AND THE MARYLAND ENERGY ADMINISTRATION, SHALL COMPLETE ENERGY MODELING FOR THE RISK REPORT.

(C) (1) ON OR BEFORE NOVEMBER 1 EACH YEAR, THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT AND THE HOUSE ECONOMIC MATTERS COMMITTEE MAY JOINTLY REQUEST THE OFFICE TO ASSESS UP TO FIVE POLICY SCENARIOS.

(2) NOT LATER THAN 1 YEAR AFTER THE DATE THE OFFICE RECEIVES A REQUEST UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE OFFICE SHALL SUBMIT A REPORT OF THE RESULTS OF THE REQUESTED POLICY SCENARIOS TO THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT AND THE HOUSE ECONOMIC MATTERS COMMITTEE IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE.

7–1205.

(A) ON OR BEFORE SEPTEMBER 1, 2028, AND EVERY 3 YEARS THEREAFTER, THE OFFICE SHALL SUBMIT THE RISK REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(B) (1) THE OFFICE MAY SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ANY ADDITIONAL UPDATES TO THE RISK REPORT AT ANY TIME.

(2) THE UPDATES SHALL INCLUDE:

(I) THE STATUS OF AND ANY CHANGES TO THE FORECASTS AND SCENARIOS DEVELOPED UNDER § 7–1203 OF THIS SUBTITLE;

(II) INFORMATION ON ANY NEW FORECASTS AND SCENARIOS THE OFFICE HAS DEVELOPED; AND

(III) ANY OTHER CHANGES TO THE INFORMATION OR RECOMMENDATIONS CONTAINED IN THE REPORT OR ANY PRECEDING UPDATES TO THE REPORT.

(C) ON OR BEFORE SEPTEMBER 1, 2028, AND EVERY 3 YEARS THEREAFTER, THE OFFICE SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY THE REPORT REQUIRED UNDER § 7–1204(A)(3) OF THIS SUBTITLE.

7–1206.

(A) BEGINNING ON OR BEFORE SEPTEMBER 1, 2030, AND AT LEAST ONCE EVERY 3 YEARS THEREAFTER, AFTER RECEIVING A REQUEST BY THE OFFICE, THE COMMISSION, IN CONSULTATION WITH THE OFFICE, SHALL CONDUCT A PUBLIC PROCEEDING TO ASSESS THE RESULTS AND RECOMMENDATIONS CONTAINED IN THE RISK REPORT AND ANY UPDATES TO THE REPORT.

(B) THE PUBLIC PROCEEDING SHALL INCLUDE A PUBLIC HEARING AND AN OPPORTUNITY FOR PUBLIC COMMENT ON THE RECOMMENDATIONS OF THE RISK REPORT AND ANY UPDATES TO THE REPORT.

(C) THE OFFICE SHALL CONSIDER ANY FEEDBACK RECEIVED THROUGH THE PUBLIC PROCEEDING AND DETERMINE IF ANY FURTHER CHANGES TO THE RISK REPORT ARE NECESSARY.

(D) THE COMMISSION SHALL CONSIDER ANY FEEDBACK RECEIVED THROUGH THE PUBLIC PROCEEDING AND DETERMINE WHETHER ANY ACTION UNDER ITS JURISDICTION IS WARRANTED.

7–1207.

(A) THIS SECTION DOES NOT APPLY TO:

(1) THE REPORT REQUIRED UNDER § 7–1204(A)(3) OF THIS SUBTITLE; AND

(2) THE REPORT REQUIRED UNDER § 7–1204(C)(2) OF THIS SUBTITLE.

(B) EACH REPORT REQUIRED UNDER THIS SUBTITLE SHALL INCLUDE DOCUMENTATION OF STAKEHOLDER ENGAGEMENT AND ANY FEEDBACK RECEIVED RELATED TO THE DEVELOPMENT OF THAT REPORT.

~~**7–1203.**~~

~~**(A) THE OFFICE SHALL DEVELOP A 25–YEAR COMPREHENSIVE ENERGY FORECAST.**~~

~~**(B) THE PURPOSE OF THE FORECAST IS TO ANALYZE ENERGY SCENARIOS AND POLICY OPTIONS FOR MEETING THE STATE'S ENERGY NEEDS AND GREENHOUSE GAS EMISSIONS REDUCTION GOALS WHILE ENSURING ELECTRIC DISTRIBUTION SYSTEM RELIABILITY AND COST–EFFECTIVENESS CONSISTENT WITH THE LONG–TERM ENERGY NEEDS OF THE STATE.**~~

~~**(C) THE FORECAST SHALL INCLUDE:**~~

~~**(1) REASONABLE PROJECTIONS FOR ELECTRICITY LOAD AND DEMAND FROM 2025 THROUGH 2050 THAT INCLUDE:**~~

~~**(I) STATEWIDE DEMAND ELEMENTS; AND**~~

~~**(II) DEMAND ELEMENTS FOR SPECIFIC ELECTRIC SERVICE TERRITORIES;**~~

~~**(2) SCENARIOS FOR MEETING:**~~

~~**(I) STATE ENERGY NEEDS AND GREENHOUSE GAS EMISSIONS REDUCTION GOALS; AND**~~

~~**(II) LOAD FORECASTS IN THE PJM REGION, AS DEFINED IN § 7–101 OF THIS TITLE; AND**~~

~~**(3) A STRATEGY TO MEET THE SCENARIO THAT THE OFFICE DETERMINES BEST MEETS THE NEEDS STATED IN ITEM (2) OF THIS SUBSECTION AND THAT INCLUDES:**~~

~~**(I) INFORMATION ON THE SCENARIO'S IMPACT ON ENERGY RELIABILITY AND GREENHOUSE GAS EMISSIONS REDUCTIONS;**~~

~~**(II) THE FINANCIAL IMPACT OF THE SCENARIO ON THE STATE AND RATEPAYERS;**~~

~~**(III) 1. SHORT– AND LONG–TERM RECOMMENDATIONS FOR THE GENERATION, DISTRIBUTION, TRANSMISSION, AND STORAGE OF ELECTRICITY, SUPPORTED BY ANALYSES THAT BALANCE AFFORDABILITY, RELIABILITY, AND GREENHOUSE GAS EMISSIONS REDUCTIONS; AND**~~

~~**2. RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO IMPLEMENT THE SHORT– AND LONG–TERM RECOMMENDATIONS;**~~

~~**(IV) LOCATIONAL VALUE ESTIMATIONS INCLUDING PRIORITY GENERATION AND TRANSMISSION ZONES ATTRACTIVE FOR RESOURCE DEVELOPMENT;**~~

~~**(V) A SUMMARY OF RELEVANT REGULATORY AND ADMINISTRATIVE PROCEDURES THAT COULD BE STREAMLINED OR MODERNIZED FOR GREATER EFFICIENCY;**~~

~~**(VI) THE USE OF ALL BEST AVAILABLE TECHNOLOGIES AND TECHNOLOGIES THAT MAY BECOME AVAILABLE IN THE FUTURE;**~~

~~**(VII) SENSITIVITIES RELATED TO VARIOUS LEVELS OF ELECTRIFICATION AND THE ADOPTION OF LOAD FLEXIBILITY AND DISTRIBUTED ENERGY RESOURCES;**~~

~~(VIII) METHODS FOR ACHIEVING 60%, 80%, AND 100% OF THE STATE'S ENERGY NEEDS THROUGH IN–STATE GENERATION;~~

~~(IX) AN INDEPENDENT RATEPAYER IMPACT ANALYSIS;~~

~~(X) RELATED INVESTMENTS IN ELECTRICITY AND GAS INFRASTRUCTURE, INCLUDING ANY INTERPLAY BETWEEN THE TWO;~~

~~(XI) ECONOMIC DEVELOPMENT AND WORKFORCE OPPORTUNITIES;~~

~~(XII) STATE FINANCING OPTIONS, INCLUDING STATE PROCUREMENT AND MULTISTATE PROCUREMENT;~~

~~(XIII) UTILITY BUSINESS MODELS, TARIFFS, AND COST RECOVERY;~~

~~(XIV) SUPPORTIVE MARKET STUDIES;~~

~~(XV) PLANS FOR LEVERAGING AVAILABLE FEDERAL FUNDS; AND~~

~~(XVI) KEY FINDINGS FROM THE STUDY REQUIRED UNDER SUBSECTION (D) OF THIS SECTION.~~

~~(D) (1) ON OR BEFORE SEPTEMBER 30, 2026, THE OFFICE SHALL CONDUCT A STUDY TO SUPPORT THE DEVELOPMENT OF THE FORECAST.~~

~~(2) THE OFFICE SHALL HIRE A PRIVATE CONSULTANT TO MEET THE REQUIREMENTS OF THIS SECTION.~~

~~(3) AS PART OF THE STUDY:~~

~~(I) THE COMMISSION SHALL STUDY:~~

~~1. THE VIABILITY OF ENERGY STORAGE AS A TRANSMISSION ASSET;~~

~~2. THE NECESSITY OF AN INDEPENDENT DISTRIBUTION OPERATOR; AND~~

~~3. IN CONSULTATION WITH THE MARYLAND ENERGY ADMINISTRATION, RECONDUCTORING OPPORTUNITIES IN THE STATE;~~

~~**(II) THE MARYLAND ENERGY ADMINISTRATION SHALL STUDY THE FEASIBILITY OF PLACING SMALL MODULAR REACTORS ON FORMER ELECTRICITY GENERATION SITES; AND**~~

~~**(III) THE POWER PLANT RESEARCH PROGRAM SHALL STUDY STATE LAND SUITABLE FOR SOLAR ENERGY DEVELOPMENT.**~~

~~**(4) THE STUDY SHALL:**~~

~~**(I) INCLUDE AN ANALYSIS, MADE IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, OF METHODS FOR REDUCING TRANSMISSION–CONSTRAINED AREAS THROUGH THE USE OF EXISTING RIGHTS–OF–WAY;**~~

~~**(II) INCLUDE THE FEASIBILITY AND EFFICACY OF:**~~

~~**1. BROADENING THE STATE'S POWER PURCHASE AGREEMENT AUTHORITY;**~~

~~**2. DEVELOPING ELECTRICITY PROCUREMENT PLANS TO ENSURE ADEQUATE, RELIABLE, AFFORDABLE, EFFICIENT, AND ENVIRONMENTALLY SUSTAINABLE ELECTRICITY SERVICE AT THE LOWEST TOTAL COST OVER TIME, TAKING INTO ACCOUNT ANY PRICE STABILITY BENEFITS; AND**~~

~~**3. CONDUCTING COMPETITIVE PROCUREMENT PROCESSES TO PROCURE THE RESOURCES IDENTIFIED IN THE PROCUREMENT PLANS UNDER ITEM (II) OF THIS ITEM; AND**~~

~~**(III) INCLUDE AND INCORPORATE THE RESULTS OF THE STUDIES REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION.**~~

~~**(5) ON OR BEFORE DECEMBER 31, 2026, THE OFFICE SHALL SUBMIT A REPORT OF ITS FINDINGS AND ANY RECOMMENDATIONS TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE.**~~

~~**7–1204.**~~

~~**(A) THE OFFICE, IN CONSULTATION WITH THE COMMISSION AND THE MARYLAND ENERGY ADMINISTRATION, SHALL COMPLETE ENERGY MODELING FOR THE STRATEGY AND SCENARIOS INCLUDED IN THE FORECAST UNDER § 7–1203 OF THIS SUBTITLE, AND FOR ANY CHANGES TO THE STRATEGY SET FORTH IN THE FORECAST, THAT:**~~

~~(1) ENABLES COST–BENEFIT ANALYSES OF ELECTRICITY PRICES BY RESOURCE MIX TYPE;~~

~~(2) CONSIDERS THE TIMELINE FOR COMMERCIALIZATION OF ENERGY TECHNOLOGIES AND WHEN THOSE TECHNOLOGIES MAY BECOME COST–EFFECTIVE;~~

~~(3) PROVIDES LOCATIONAL VALUE PLANNING;~~

~~(4) HAS THE ABILITY TO RUN POLICY SCENARIOS ANNUALLY IN ORDER TO PROVIDE EFFECTIVE FEEDBACK TO THE GENERAL ASSEMBLY;~~

~~(5) CONSIDERS WHETHER THE TRANSITION TO DISTRIBUTED RENEWABLE ENERGY IS DELIVERING SUFFICIENT ELECTRIC DISTRIBUTION SYSTEM RELIABILITY OR WHETHER THERE ARE VULNERABILITIES THAT NEED TO BE ADDRESSED;~~

~~(6) STRENGTHENS THE DIVERSITY, SUSTAINABILITY, AND RESILIENCE OF THE ELECTRIC TRANSMISSION SYSTEM;~~

~~(7) ENHANCES THE ELECTRIC DISTRIBUTION SYSTEM AND DEMAND–SIDE MANAGEMENT; AND~~

~~(8) MAY BE UPDATED ANNUALLY BASED ON STRATEGIES, POLICY DECISIONS, AND PERIODIC REASSESSMENTS OF THE STATE'S ENERGY PORTFOLIO TO REMAIN UP–TO–DATE WITH THE EVOLUTION OF ENERGY GENERATION AND TRANSMISSION.~~

~~(B) THE OFFICE SHALL PROVIDE A 45–DAY PERIOD FOR PUBLIC COMMENT ON ANY MODELING COMPLETED UNDER THIS SECTION.~~

~~7–1205.~~

~~ON OR BEFORE SEPTEMBER 1, 2027, AND EVERY 2 YEARS THEREAFTER, THE OFFICE SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A REPORT ON:~~

~~(1) THE STATUS OF THE FORECAST DEVELOPED UNDER § 7–1203 OF THIS SUBTITLE AND ANY CHANGES TO THE STRATEGY SET FORTH IN THE FORECAST; AND~~

~~(2) (I) ANY ENERGY MODELING COMPLETED UNDER § 7–1204 OF THIS SUBTITLE IN THE IMMEDIATELY PRECEDING 2–YEAR PERIOD; AND~~

~~**(II) ANY PUBLIC COMMENTS SUBMITTED IN RELATION TO THE MODELING.**~~

~~**7–1206.**~~

~~**(A) ON OR BEFORE DECEMBER 1, 2025, THE COMMISSION, IN CONSULTATION WITH THE OFFICE, SHALL ADOPT REGULATIONS REQUIRING EACH ELECTRIC COMPANY TO DEVELOP AN INTEGRATED RESOURCE PLAN TO:**~~

~~**(1) FACILITATE ACHIEVING THE STATE'S GREENHOUSE GAS EMISSIONS REDUCTIONS GOALS;**~~

~~**(2) FULFILL THE COMPANY'S OBLIGATION TO CHARGE JUST AND REASONABLE RATES;**~~

~~**(3) MINIMIZE OR MITIGATE IMPACTS ON RATEPAYERS IN THE STATE;**~~

~~**(4) ENSURE BOTH SHORT–TERM AND LONG–TERM ELECTRIC DISTRIBUTION SYSTEM RELIABILITY, INCLUDING MEETING THE RESOURCE ADEQUACY NEEDS OF THE STATE;**~~

~~**(5) STRENGTHEN THE DIVERSITY, SUSTAINABILITY, AND RESILIENCE OF THE ELECTRIC TRANSMISSION SYSTEM;**~~

~~**(6) ENHANCE THE ELECTRIC DISTRIBUTION SYSTEM AND DEMAND–SIDE MANAGEMENT; AND**~~

~~**(7) MINIMIZE LOCALIZED AIR POLLUTANTS AND OTHER GREENHOUSE GAS EMISSIONS, WITH PRIORITY INITIALLY GIVEN TO UNDERSERVED COMMUNITIES OR OVERBURDENED COMMUNITIES AS DEFINED IN § 1–701 OF THE ENVIRONMENT ARTICLE.**~~

~~**(B) (1) ON OR BEFORE JULY 1, 2026, EACH ELECTRIC COMPANY SHALL SUBMIT TO THE COMMISSION THE INTEGRATED RESOURCE PLAN REQUIRED UNDER THIS SECTION.**~~

~~**(2) ON OR BEFORE JULY 1, 2031, AND EVERY 5 YEARS THEREAFTER, EACH ELECTRIC COMPANY SHALL PROVIDE TO THE COMMISSION AN UPDATE ON THE INTEGRATED RESOURCE PLAN REQUIRED UNDER THIS SECTION.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) The Public Service Commission shall study the effectiveness of an independent distribution operator.

(2) On or before December 31, 2026, the Public Service Commission shall submit to the General Assembly, in accordance with § 2–1257 of the State Government Article, a report on the study required under paragraph (1) of this subsection.

(b) (1) The Department of Transportation shall study methods for reducing transmission–constrained areas through the use of existing rights–of–way.

(2) On or before December 31, 2026, the Department of Transportation shall submit to the General Assembly, in accordance with § 2–1257 of the State Government Article, a report on the study required under paragraph (1) of this subsection.

(c) (1) (i) The Maryland Energy Administration shall obtain existing power flow analyses for electric system reliability in the State that are related to currently known electric generation facility retirements.

(ii) If the Maryland Energy Administration is unable to obtain the existing power flow analyses under subparagraph (i) of this paragraph, then the Administration, with the support of the Public Service Commission, shall develop a power flow analysis for electric system reliability in the State that is related to currently known electric generation facility retirements.

(iii) On or before January 1, 2026, the Maryland Energy Administration shall submit to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly a report on the power flow analyses required under this paragraph.

(2) (i) On or before December 31, 2025, and on or before December 31, 2026, the Maryland Energy Administration shall provide to the General Assembly, in accordance with § 2–1257 of the State Government Article, an update on the status of the National Renewable Energy Laboratory's analysis on resource adequacy conducted at the request of the Administration.

(ii) On receipt of the National Renewable Energy Laboratory's final analysis on resource adequacy, the Maryland Energy Administration shall submit a final report on the analysis to the General Assembly, in accordance with § 2–1257 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before September 1, 2027, the Strategic Energy Planning Office shall submit to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly a status update on the development of the Comprehensive Wholesale Energy Markets and Bulk Power System Risk Report developed under § 7–1203 of the Public Utilities Article, as enacted by Section 1 of this Act.

SECTION ~~2.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto two bills pertaining to gubernatorial appointments, Senate Bill 503 and House Bill 481 – *Washington County – Board of License Commissioners – Membership* and Senate Bill 972 – *Anne Arundel County – Board of License Commissioners – Alterations.*

While these bills focus on distinct boards and advance different processes, both undermine hundreds of years of precedent to ensure effective checks and balances between the Executive Branch, the Legislative Branch, and local governments. Both bills effectively remove the role of the Governor in these appointment processes, setting a new paradigm for the state moving forward that, in my view, does not serve the people of Maryland well.

Senate Bill 503 and House Bill 481

This legislation sought to alter the membership of the Washington County Board of License Commissioners ("Board"). The Board regulates the retail sale of alcoholic beverages in Washington County. By law, the Board is composed of three members who each serve six–year terms, appointed by the Governor with the advice and consent of the Maryland Senate if the Senate is in session when the appointment is made. Each member of the Board is required to be a resident and voter of Washington County and must be "individuals of high character and integrity and of recognized business capacity."

Of particular importance, no more than two members of the three–member board may belong to the same political party, ensuring that no one party asserts full control of the Board. Senate Bill 503/House Bill 481 sought to change this party requirement to instead mandate that two members of the Board must belong to the political party that received the highest aggregated number of votes the preceding election for the Washington County Board of County Commissioners and that one member must belong to the political party that received the second highest number of votes. This change would have restricted the ability for Governors to appoint members based upon merit first and foremost. Further, the bill would likely result in the partisan makeup of the board remaining constant over time with little chance for the majority party to alternate as is more likely to happen through the gubernatorial appointments process. Should this bill have been enacted, it would put

into question the integrity and public trust of the Board as it would have increased the likelihood that a single political party can assert longterm control over its functions.

Senate Bill 972

This legislation sought to alter the Anne Arundel County Board of License Commissioners which regulates the retail sale of alcoholic beverages, processes liquor licenses, and enforces the liquor laws within Anne Arundel County. Specifically, the bill sought to increase the size of the Anne Arundel County Board of License Commissioners from 3 to 5 and require the Governor to choose appointments from a list of individuals recommended by the members of the Anne Arundel County House *or* Senate delegations to the General Assembly. While I support increasing the size of this board to 5 members, as passed this legislation would have created ambiguity and confusion about the process for appointments and violated the longheld tradition of the Governor exercising appointment powers.

My first concern is in regards to the requirement that the Governor must select individuals to appoint from a list recommended by either the Anne Arundel County House *or* Senate delegations to the General Assembly. As these delegations may choose different individuals, it is unclear which would constitute the list to choose from. Should the House and Senate delegation recommendations be aggregated into a single list but the delegations are not aligned on the recommended individuals, it is unclear whether the names actually achieve enhanced local influence on the appointments to the Board. This confusion and lack of clear benefit raises serious concerns about the smooth operation of the Board as it carries out its important work.

Second, there is no minimum number of names that would have been required to be included on these lists of recommended individuals. Should the delegations submit only 5 names, this would have effectively provided a subset of the legislature with de facto appointment authority. This authority would set a new precedent regarding appointments to important boards and erode the constitutional power of appointment that resides with the Governor. This authority and oversight has long been an effective system and it is unclear what would motivate a departure from this process. At best, this is unnecessary change and, at worst, this removes important checks and balances from the process.

For these reasons, I have vetoed Senate Bill 503, House Bill 481, and Senate Bill 907.

Sincerely,

Wes Moore
Governor

Senate Bill 972

AN ACT concerning

Anne Arundel County – Board of License Commissioners – Alterations

FOR the purpose of increasing the membership of the Board of License Commissioners for Anne Arundel County; altering the eligibility requirements for Board membership; requiring the Board to adopt and publish a certain ethics policy; requiring the Board to include an option to provide certain information on an application for the issuance of a license or a license renewal; prohibiting the Board from using certain information as a factor in determining whether to issue or renew a license; requiring the Board to submit a certain report regarding enforcement actions to the General Assembly each year; ~~altering the penalties that the Board may impose for certain violations;~~ and generally relating to the Board of License Commissioners for Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 11–102
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 11–202(a) and (b) ~~and 11–2802~~
Annotated Code of Maryland
(2024 Replacement Volume)

BY adding to
Article – Alcoholic Beverages and Cannabis
Section 11–210, 11–1409, and 11–2607
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

11–102.

This title applies only in Anne Arundel County.

11–202.

(a) (1) The Governor shall appoint **[**three**]** **FIVE** members to the Board.

(2) The appointments shall be made~~[~~:

(i) if the Senate is in session,~~]~~ with the advice and consent of the Senate~~[~~; or

(ii) if the Senate is not in session, by the Governor alone~~]~~.

(b) (1) Each member of the Board shall be:

(i) a resident and voter of the county; ~~and~~

(ii) **SELECTED FROM A LIST OF INDIVIDUALS RECOMMENDED BY THE MEMBERS OF THE ANNE ARUNDEL COUNTY HOUSE OR SENATE DELEGATION TO THE GENERAL ASSEMBLY; AND**

(III) an individual of high character and integrity and of recognized business capacity.

(2) No more than ~~two~~ **THREE** members of the Board may belong to the same political party.

(3) NO MORE THAN TWO MEMBERS OF THE BOARD MAY BE RESIDENTS OF THE SAME STATE LEGISLATIVE DISTRICT.

~~**(4) AN INDIVIDUAL MAY NOT BE APPOINTED TO THE BOARD IF THE INDIVIDUAL SERVED AS THE CHIEF INSPECTOR WITHIN 5 YEARS 1 YEAR OF THE DATE THAT THE VACANCY IS PUBLICLY ANNOUNCED.**~~

11–210.

THE BOARD SHALL ADOPT AND PUBLISH A WRITTEN POLICY RELATED TO CONFLICTS OF INTEREST AND THE RECUSAL OF BOARD MEMBERS FROM BOARD MATTERS.

11–1409.

(A) THE BOARD SHALL:

~~**(1)**~~ **INCLUDE ON ALL APPLICATION FORMS FOR THE ISSUANCE OF A LICENSE OR A LICENSE RENEWAL AN OPTION FOR THE APPLICANT TO PROVIDE THE APPLICANT'S RACE AND ETHNICITY INFORMATION~~; AND~~**

~~**(2) ENCOURAGE AN APPLICANT TO PROVIDE RACE AND ETHNICITY INFORMATION ON THE APPLICATION.**~~

(B) THE BOARD MAY NOT USE ANY RACE OR ETHNICITY INFORMATION INCLUDED ON AN APPLICATION FOR THE ISSUANCE OF A LICENSE OR LICENSE RENEWAL AS A FACTOR IN DETERMINING WHETHER TO ISSUE OR RENEW THE LICENSE.

11–2607.

ON OR BEFORE JANUARY 15 EACH YEAR, THE BOARD SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE RACIAL BREAKDOWN OF THE DISCIPLINARY ACTIONS TAKEN BY THE BOARD IN THE PRECEDING CALENDAR YEAR.

~~11–2802.~~

~~(a) [The Board may impose a fine not exceeding $2,500 or suspend a license or both for] FOR a violation that is cause for license suspension under the alcoholic beverage laws affecting the county, THE BOARD MAY:~~

~~(1) FOR A FIRST OFFENSE, IMPOSE A FINE NOT EXCEEDING $1,000;~~

~~(2) FOR A SECOND OFFENSE IN THE SAME 24–MONTH PERIOD, IMPOSE A FINE NOT EXCEEDING $2,000 OR SUSPEND THE LICENSE OR BOTH; AND~~

~~(3) FOR EACH SUBSEQUENT OFFENSE IN THE SAME 24–MONTH PERIOD, IMPOSE A FINE NOT EXCEEDING $2,500 OR SUSPEND THE LICENSE OR BOTH.~~

~~(b) A fine or suspension under subsection (a) of this section is in addition to any term or condition that the Board may impose as a result of the violation.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

May 16, 2025

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 hereby veto SB 980 – *Natural Resources – Maryland Heritage Areas Authority – Funding and Grants*.

I applaud Senators Corderman and Jackson for their bipartisan leadership in supporting the preservation and promotion of Maryland's cultural and historical heritage. The Maryland Heritage Areas program plays a key role in celebrating our state's diverse

history.

Currently, the majority of the state's land preservation and recreation programs are funded through Program Open Space (POS) state–share funds. Under existing law, the Maryland Heritage Areas Authority (MHAA) can receive up to $6 million from POS, and this legislation will double the maximum amount from $6 million to $12 million.

While I fully support the intent of the bill to elevate the work of MHAA, I must express concern that this increase significantly affects the long–term sustainability of POS and the many other programs it supports, including the Rural Legacy Program, Baltimore City Direct Grant, Greenspace Equity Program, capital development projects, and critical maintenance across Department of Natural Resources lands.

Program Open Space is foundational to Maryland's efforts to conserve land, expand public access, and invest in outdoor recreation infrastructure. However, this year's budget reflects a difficult fiscal environment, and funding for several core POS supported programs has already been reduced. Expanding the MHAA allocation at this time would further strain limited resources and undermine the state's ability to meet broad conservation and recreation goals.

My administration remains committed to working with the General Assembly to support the important mission of MHAA. However, increasing its share from an already constrained funding pool, especially during a time of fiscal uncertainty, risks jeopardizing other crucial land conservation and resource enhancement investments across the state.

For these reasons, I have vetoed Senate Bill 980.

Sincerely,

Wes Moore
Governor

Senate Bill 980

AN ACT concerning

Natural Resources – Maryland Heritage Areas Authority – Funding and Grants

FOR the purpose of authorizing the Maryland Heritage Areas Authority to award grants and loans to certain entities for the management of certified heritage areas under certain circumstances; establishing the maximum funding amount of certain grants made by the Maryland Heritage Areas Authority; decreasing the percentage of Program Open Space funds transferred to the Maryland Heritage Areas Authority Financing Fund that may be used for certain operating expenses; repealing a provision of law authorizing the distribution of certain money to the Maryland Historical Trust; increasing the maximum amount of certain funding available to the

State that may be transferred to the Maryland Heritage Areas Authority Financing Fund; and generally relating to the Maryland Heritage Areas Authority.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 13–1113 and 13–1114
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(a)(1) and (2)(i) and (iv)
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

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

Article – Financial Institutions

13–1113.

(a) As provided in the State budget, **AND SUBJECT TO SUBSECTION (E) OF THIS SECTION,** the Authority may award:

(1) Grants and loans to local jurisdictions or other appropriate entities for planning, design, acquisition, development, preservation, restoration, interpretation, marketing, **[**and**]** programming**, AND MANAGEMENT** of certified heritage areas; and

(2) Grants to local jurisdictions or other appropriate entities to develop management plans in recognized heritage areas.

(b) A grant to develop a management plan may not exceed **[**50%**] 80%** of the cost of the management plan.

(c) An acquisition or development grant:

(1) May not be used for any purpose other than implementation of the certified heritage area in conformity with the approved management plan; **[**and**]**

(2) **MAY BE IN AN AMOUNT UP TO $300,000; AND**

(3) May not exceed **[**50%**] 80%** of the total project cost for which the grant is awarded.

(d) (1) Subject to paragraph (2) of this subsection, the Authority may make program grants to local jurisdictions and other appropriate entities:

(i) To develop and present interpretive exhibits, materials or other appropriate products to further the educational and recreational objectives of the certified heritage areas program; and

(ii) To encourage revitalization of, and reinvestment in, certified heritage area resources.

(2) A program grant made by the Authority under paragraph (1) of this subsection **[**may**]:**

(I) MAY BE IN AN AMOUNT UP TO $300,000; AND

(II) MAY not exceed **[**50%**] 80%** of the estimated project cost.

(e) Through the resources of the members of the Authority and in cooperation with other State agencies, the Authority shall provide technical assistance to management entities implementing a management plan.

13–1114.

(a) There is a Maryland Heritage Areas Authority Financing Fund.

(b) (1) The Authority shall use the Fund as a continuing, nonlapsing, revolving fund for carrying out the purposes of this subtitle.

(2) No part of the Fund may revert or be credited to the General Fund or to any other special fund of the State.

(c) The Authority shall place all of the following receipts in the Fund:

(1) Proceeds from the sale of bonds;

(2) Revenues that the Authority collects or receives from any source under this subtitle; and

(3) Any additional revenue, gift, donation, or money received or paid to it from any other source authorized by law.

(d) The Authority shall pay all expenses and make all expenditures from the Fund.

(e) (1) The Authority may pledge and charge all or a portion of the receipts of the Fund for the payment of:

(i) Debt service on bonds of the Authority; and

(ii) All reasonable charges and expenses related to borrowing by the Authority and management of the obligations of the Authority.

(2) A pledge made under paragraph (1) of this subsection is effective as provided in § 13–1119 of this subtitle and any applicable resolution of the Authority.

(f) The State Treasurer shall:

(1) Invest and reinvest the Fund in the same manner as State funds; and

(2) Transfer any investment earnings to the credit of the Fund.

(g) (1) In this subsection, "Program Open Space funds transferred to the Authority" means the money appropriated to the Fund from Program Open Space funds under § 5–903(a) of the Natural Resources Article.

(2) Except as provided in paragraph (3) of this subsection, Program Open Space funds transferred to the Authority may not be used to pay the operating expenses of the Authority, debt service of bonds issued by the Authority, or administrative expenses related to bonds issued by the Authority.

(3) (i) Up to **[**10%**]** **7%** **OR $600,000, WHICHEVER AMOUNT IS GREATER,** of Program Open Space funds transferred to the Authority may be used to pay the operating expenses of the Authority.

(ii) Up to 50% of Program Open Space funds transferred to the Authority may be expended for debt service on bonds issued by the Authority.

(iii) For fiscal year 2012 only, an additional $500,000 of Program Open Space funds transferred to the Authority may be used to pay operating expenses in the Department of Planning.

Article – Natural Resources

5–903.

(a) (1) **[**(i)**]** Of the funds distributed to Program Open Space under § 13–209 of the Tax – Property Article, up to $3,000,000 may be transferred by an appropriation in the State budget, or by an amendment to the State budget under Title 7, Subtitle 2 of the State Finance and Procurement Article, to the Maryland Heritage Areas Authority Financing Fund established under Title 13, Subtitle 11 of the Financial Institutions Article to be used for the purposes provided in that subtitle.

[(ii) Of the amount transferred under subparagraph (i) of this paragraph, up to $300,000 may be distributed to the Maryland Historical Trust within the Department of Planning to be awarded as noncapital historic preservation grants.**]**

(2) (i) 1. Of the remaining funds not appropriated under paragraph **[**(1)(i)**] (1)** of this subsection:

A. One half of the funds shall be used for recreation and open space purposes by the Department and the Historic St. Mary's City Commission; and

B. 20% of the funds or $21,000,000, whichever is greater, shall be appropriated to the Forest and Park Service in the Department to operate State forests and parks.

2. Except as otherwise provided in this section, any funds the General Assembly appropriates to the State under this subsection shall be used only for land acquisition projects.

(iv) In addition to the $3,000,000 under paragraph **[**(1)(i)**] (1)** of this subsection that may be transferred to the Maryland Heritage Areas Authority Financing Fund, up to **[**$3,000,000**] $9,000,000** of the State's share of funds available under subparagraph (i)1A of this paragraph may be transferred by an appropriation in the State budget or by an amendment to the State budget under Title 7, Subtitle 2 of the State Finance and Procurement Article to the Maryland Heritage Areas Authority Financing Fund established under Title 13, Subtitle 11 of the Financial Institutions Article to be used for the purposes provided in that subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Vetoed House Bills and Messages

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto House Bill 56 and Senate Bill 177 – *Procurement – State Department of Education – Local Food Purchasing Program,* House Bill 333 and Senate Bill 691 – *Healthcare Ecosystem Stakeholder Cybersecurity Workgroup,* and House Bill 384 and Senate Bill 157 – *Maryland Disability Service Animal Program – Established.*

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In a time of profound uncertainty, we must use our limited funds to prioritize policies that protect our people from the ravages of Washington; anything that fails to meet that high bar must wait for another time.

Our budget challenges also highlight the need for the State and its agencies to focus on their core missions. The state's fiscal outlook has not improved since these bills were passed. At a time where we have jointly made difficult decisions about cuts to vital services, any additional spending which is tangential to those core missions should receive close scrutiny. Collectively, these three bills would have required three agencies to work together to establish a new statewide food procurement system at the same time the federal government is pulling back on food purchasing assistance for local school systems, established a large workgroup on cybersecurity threats that is outside the expertise of the workgroup members and responsible agency, and created an underfunded program that would only be able to serve a small subgroup of agency target populations.

I recognize these bills all have positive intentions. But while there are positive aspects of the legislation, each bill directs state agencies to expand the scope of their missions to establish new programs and workgroups that they have not previously administered. Each bill requires subject matter expertise not currently on staff and I have real concerns that adequate funding will not be available to effectively establish and implement each of these new programs.

One of the first objectives I outlined for my administration was to focus on rebuilding state government and increasing state agency capacity to drive efficient, transformative results for Marylanders. I thank you and the General Assembly for partnership in this work. As we operate under this current fiscal climate, we must carefully prioritize our limited funds. In this environment, adding new responsibilities for state agencies that are tangential to their core missions makes little sense.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed House Bill 56, Senate Bill 177, House Bill 333, Senate Bill 691, House Bill 384 and Senate Bill 157.

Sincerely,

Wes Moore
Governor

House Bill 56

AN ACT concerning

Procurement – State Department of Education – ~~Control Authority –~~ Local Food Purchasing Program

FOR the purpose of ~~authorizing~~ requiring the State Department of Education ~~to engage in or control procurements of certain local food; altering the list of units exempt from the authority of the Board of Public Works to control procurement to include the Department for the purpose of master contracting; altering the list of units that are defined as designated procurement units to include the Department with respect to master contracts related to local food~~, in coordination with the Department of General Services and the Department of Agriculture, to establish a program to procure certain local food for local school systems from certain providers under certain circumstances; altering a certain percentage price preference adopted by the Board of Public Works by regulation; requiring the Board to adopt certain regulations relating to limiting responses for certain procurements; and generally relating to the State Department of Education and State procurement.

BY adding to
Article – Education
Section 7–136

Annotated Code of Maryland
(2022 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~12–101(a), 12–107(b)(4) and (5), 13–101(b), and 13–113(a)~~ 12–107(b)(2)(ix), 14–407, and 14–702
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

~~BY adding to~~
~~Article – State Finance and Procurement~~
~~Section 12–107(b)(6)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section ~~13–101(a) and (e) and~~ 14–701(a) through (d)
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

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

Article – Education

7–136.

(A) (1) ~~IN ACCORDANCE WITH § 12–107(B) OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE DEPARTMENT, WITHOUT THE APPROVAL OF ANY OTHER PRIMARY PROCUREMENT UNIT, MAY~~ THE DEPARTMENT SHALL ESTABLISH A PROGRAM, WHEN FUNDING IS AVAILABLE, TO ENGAGE IN ~~OR CONTROL~~ PROCUREMENT OF LOCAL FOOD FOR LOCAL SCHOOL SYSTEMS.~~:~~

~~**(1) FOOD GROWN WITHIN A 200–MILE RADIUS FROM AN ELEMENTARY OR SECONDARY SCHOOL FOR WHICH A LOCAL SCHOOL SYSTEM ENTERS INTO A MASTER CONTRACT WITH THE DEPARTMENT;**~~

~~**(2) FOOD GROWN AT A CERTIFIED LOCAL FARM UNDER § 14–701 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND**~~

~~**(3) CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDED BY A CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDER AS DEFINED IN § 14–701 OF THE STATE FINANCE AND PROCUREMENT ARTICLE**~~

(2) THE PROGRAM SHALL PROCURE PRODUCTS THAT ARE:

(I) FOODS GROWN AT A CERTIFIED LOCAL FARM, AS DEFINED IN § 14–701 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;

(II) CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDED BY A CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDER, AS DEFINED IN § 14–701 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND

(III) FOODS GROWN WITHIN A 250–MILE RADIUS FROM AN ELEMENTARY OR SECONDARY SCHOOL IN THE STATE.

(3) THE PROGRAM SHALL GIVE PREFERENCE TO PROVIDERS QUALIFYING UNDER PARAGRAPH (2)(I) AND (II) OF THIS SUBSECTION.

(B) THE DEPARTMENT SHALL COORDINATE WITH THE DEPARTMENT OF AGRICULTURE, THE DEPARTMENT OF GENERAL SERVICES, AND ANY OTHER RELEVANT UNIT OF STATE GOVERNMENT TO ESTABLISH THE PROGRAM, INCLUDING A CENTRALIZED PLATFORM TO ENCOURAGE THE PARTICIPATION OF FARMERS AND DISTRIBUTORS IN PROCUREMENT OPPORTUNITIES IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION.

(C) SUBJECT TO § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 1 EACH YEAR ON THE TOTAL NUMBER AND DOLLAR VALUE OF ~~MASTER CONTRACTS IN ACCORDANCE WITH THIS SECTION WITH:~~

~~(1) LOCAL SCHOOL SYSTEMS;~~

~~(2) CERTIFIED LOCAL FARMS; AND~~

~~(3) CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDERS~~ PROCUREMENT CONTRACTS FOR LOCAL FOOD AT LOCAL SCHOOLS, INCLUDING THE NUMBER OF THESE CONTRACTS THAT ARE WITH CERTIFIED LOCAL FARMS OR CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDERS.

Article – State Finance and Procurement

~~12–101.~~

~~(a) This section does not apply to:~~

~~(1) capital expenditures by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways, as provided in § 12–202 of this title;~~ **[**~~or~~**]**

~~(2) procurements by the Department of General Services for the purpose of modernizing cybersecurity infrastructure for the State valued below $1,000,000~~**; OR**

~~(3) PROCUREMENTS BY THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF MASTER CONTRACTING AS DEFINED IN § 13–101 OF THIS ARTICLE.~~

12–107.

(b) Subject to the authority of the Board, jurisdiction over procurement is as follows:

(2) the Department of General Services may:

(ix) coordinate with governmental entities and local entities to maximize use of intergovernmental purchasing agreements established in accordance with § 13–110 of this article**, INCLUDING WORKING WITH THE STATE DEPARTMENT OF EDUCATION TO PROCURE LOCAL FOOD FOR LOCAL SCHOOL SYSTEMS IN ACCORDANCE WITH § 7–136 OF THE EDUCATION ARTICLE**;

~~(4) the Maryland Port Commission, without the approval of any of the other primary procurement units, may engage in the procurement of:~~

~~(i) supplies for port related activities, including motor vehicles and information processing supplies, but excluding:~~

~~1. supplies funded by the proceeds from State general obligation bonds; and~~

~~2. insurance;~~

~~(ii) services for port related activities, including information processing services, but excluding banking and financial services under the authority of the State Treasurer under item (1) of this subsection;~~

~~(iii) construction and construction related services for a port facility as defined in § 6–101(e) of the Transportation Article;~~

~~(iv) port related architectural and engineering services under Title 13, Subtitle 3 of this article; and~~

~~(v) leases of real property for port related activities unless the lease payments are from the General Fund of the State;~~ **[**~~and~~**]**

~~(5) the Department of General Services, without the approval of any other primary procurement unit, may engage in or control procurement of:~~

~~(i) information processing equipment, cloud computing equipment, and associated services, as provided in Title 3.5, Subtitle 3 of this article;~~

~~(ii) information technology system modernization, as provided in Title 3.5, Subtitle 3 of this article;~~

~~(iii) telecommunication equipment, systems, or services, as provided in Title 3.5, Subtitle 4 of this article; and~~

~~(iv) cybersecurity upgrades and modernization, as provided in Title 3.5, Subtitle 3 of this article~~**; AND**

~~(6) THE STATE DEPARTMENT OF EDUCATION, WITHOUT THE APPROVAL OF ANY OTHER PRIMARY PROCUREMENT UNIT, MAY ENGAGE IN OR CONTROL PROCUREMENT OF:~~

~~(I) FOOD GROWN WITHIN A 200–MILE RADIUS FROM AN ELEMENTARY OR SECONDARY SCHOOL FOR WHICH A LOCAL SCHOOL SYSTEM ENTERS INTO A MASTER CONTRACT WITH THE STATE DEPARTMENT OF EDUCATION;~~

~~(II) FOOD GROWN AT A CERTIFIED LOCAL FARM UNDER § 14–701 OF THIS ARTICLE; AND~~

~~(III) CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDED BY A CERTIFIED CHESAPEAKE INVASIVE SPECIES PROVIDER AS DEFINED IN § 14–701 OF THIS ARTICLE.~~

~~13–101.~~

~~(a) In this subtitle the following words have the meanings indicated.~~

~~(b) "Designated procurement unit" means:~~

~~(1) the Department of General Services;~~

~~(2) the Department of Transportation;~~ **[**~~or~~**]**

~~(3) the Department of Information Technology, only with respect to an information technology master contract executed before July 1, 2022, until the earlier of:~~

~~(i) the expiration date of all information technology master contracts; or~~

~~(ii) June 30, 2027; OR~~

~~**(4) THE STATE DEPARTMENT OF EDUCATION, ONLY WITH RESPECT TO A MASTER CONTRACT RELATED TO LOCAL FOOD.**~~

~~(e) "Master contracting" means a streamlined procurement method that provides for the qualification of bidders and offerors for the procurement of services, supplies, or commodities.~~

~~13–113.~~

~~(a) **(1)** The designated procurement units may adopt master contracting, a streamlined procurement method, to provide for the qualification of an offeror in one or more categories of services, supplies, or commodities.~~

~~**(2) NOTWITHSTANDING ANY REQUIREMENTS OF A LOCAL SCHOOL SYSTEM, THE STATE DEPARTMENT OF EDUCATION MAY NOT REQUIRE CERTIFICATION FOR GOOD AGRICULTURAL PRACTICES FOR MASTER CONTRACTING.**~~

14–407.

(a) (1) In this section the following words have the meanings indicated.

(2) "Locally grown food" means food grown **[**in the State**]** **AT A CERTIFIED LOCAL FARM DEFINED IN § 14–701 OF THIS TITLE**.

(3) "Percentage price preference" means the percent by which a responsive bid from a responsible bidder whose product is a locally grown food may exceed the lowest responsive bid submitted by a responsible bidder whose product is not a locally grown food.

(b) **(1)** The Board shall adopt regulations that require State schools and facilities to establish a percentage price preference, not to exceed **[**5%**]** **10%**, for the purchase of locally grown food.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL ADOPT REGULATIONS AUTHORIZING STATE SCHOOLS AND FACILITIES TO CONDUCT AN INDIVIDUAL PROCUREMENT THAT IS LIMITED TO RESPONSES FROM CERTIFIED LOCAL FARMS AS DEFINED IN § 14–701 OF THIS TITLE.

(c) A percentage price preference under this section may not be used in conjunction with any other percentage price preference established under this title.

(d) Each State school and facility shall review the procurement specifications currently used and, to the extent practicable, require the use of a percentage price preference in their purchase of locally grown food.

(e) (1) Except as provided in paragraph (2) of this subsection, this section is broadly applicable to all procurements by State schools and facilities if the locally grown food is consistent with the requirements of the bid specification.

(2) Only to the extent necessary to prevent the denial of federal money or eliminate the inconsistency with federal law, this section does not apply to a procurement by a State school or facility if it is determined that compliance with this section would:

(i) cause denial of federal money; or

(ii) be inconsistent with the requirements of federal law.

14–701.

(a) In this subtitle the following words have the meanings indicated.

(b) "Certified Chesapeake invasive species" means a finfish species that is:

(1) ranked as high priority in the Maryland Aquatic Nuisance Species Management Plan; and

(2) harvested from the Chesapeake Bay or its tributaries.

(c) "Certified Chesapeake invasive species provider" means a person licensed and authorized as a seafood dealer under § 4–701 of the Natural Resources Article that:

(1) is certified by the Department in accordance with regulations adopted under this subtitle; and

(2) can demonstrate that the person's product is a certified Chesapeake invasive species.

(d) "Certified local farm" means a local farm enterprise that:

(1) meets the nutrient management requirements established under Title 8, Subtitle 8 of the Agriculture Article; and

(2) is certified by the Department in accordance with regulations adopted under this subtitle.

14–702.

(a) (1) There is an Office for the Certified Local Farm and Fish Program in the Department.

(2) The purpose of the Office is to administer the Program and facilitate the participation of certified local farms and certified Chesapeake invasive species providers in the Program.

(b) (1) There is a Certified Local Farm and Fish Program in the Office.

(2) The purpose of the Program is to encourage each unit to try to achieve an overall percentage goal of 20% of the unit's total dollar value of procurement contracts for food from certified local farms and certified Chesapeake invasive species providers.

(c) The Department shall create two positions to provide staff for the Office.

(D) THE DEPARTMENT, ALONG WITH THE DEPARTMENT OF GENERAL SERVICES, SHALL COORDINATE WITH THE STATE DEPARTMENT OF EDUCATION TO PROCURE LOCAL FOOD FOR LOCAL SCHOOL SYSTEMS IN ACCORDANCE WITH § 7–136 OF THE EDUCATION ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto Senate Bill 149 and House Bill 128 – *Climate Change Adaptation and Mitigation – Total Assessed Cost of Greenhouse Gas Emissions – Study and Reports*, Senate Bill 116 and House Bill 270 – *Data Center Impact Analysis and Report*, and House Bill 1316 – *Primary and Secondary Education – Youth–Centric Technology and Social Media Resource Guide*.

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced

spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In this time of profound uncertainty, we must evaluate every expenditure with a critical eye towards our future.

Our current budget situation requires us to reconsider bills that create expensive and labor intensive studies. While such bills can be a first step to addressing complex issues and allow the signaling of support for an issue, the practice has become so commonplace that it is now a significant financial and staff burden on the state government. In addition, such reporting requirements have at times delayed prompt action on important issues, and in the face of the onslaught from the current administration in Washington, D.C., the State needs to respond to important issues more quickly. Studies can serve a purpose, but their overuse is a drag on the State government.

Prior to the 2025 legislative session, the Department of Legislative Services (DLS) was tracking a total of 3,901 mandated reports, a number which excludes the reports required annually by the Joint Chairmen's Report. Many of these reports are never read and simply collect dust on shelves, but nonetheless, executive branch agencies are required to dedicate funding and staff time to each, in many cases, with restrictions on their budget appropriations if they fail to comply. While it is impossible to calculate the total amount of staff time and state funding necessary to complete and file these reports, it is a reasonable assumption that the cost runs to the tens of millions of dollars.

Collectively, these three bills would have required significant coordination across multiple agencies and institutions: the Comptroller's Office, Maryland Department of the Environment (MDE), and Commerce to study the cost of greenhouse gas emissions; the University of Maryland's School of Business, MDE, Maryland Energy Administration and the Department of Legislative Services to conduct a resource–intensive analysis of the environmental, energy, and economic impacts of data center development; and the University of Maryland Baltimore's School of Mental Health's National Center for School Mental Health and the Maryland State Department of Education to develop a social media resource guide and conduct a needs assessment. In total, these efforts would cost at least $1.28 million – an unsustainable commitment given the state's current fiscal constraints and the growing uncertainty posed by the federal Administration in Washington, D.C.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed Senate Bill 149, House Bill 128, Senate Bill 116, House Bill 270, and House Bill 1316.

Sincerely,

Wes Moore
Governor

House Bill 128

AN ACT concerning

~~Responding to Emergency Needs From Extreme Weather (RENEW) Act of 2025~~
Climate Change Adaptation and Mitigation – Total Assessed Cost of Greenhouse Gas Emissions – Study and Reports

FOR the purpose of ~~establishing the Climate Change Adaptation and Mitigation Payment Program in the Department of the Environment to secure payments from certain businesses that extract fossil fuels or refine petroleum products in order to provide a source of revenue for State efforts to adapt to or mitigate the effects of climate change and to address the health impacts of climate change on vulnerable populations; establishing the Climate Change Adaptation and Mitigation Fund as a special, nonlapsing fund; authorizing the Legislative Auditor to conduct certain audits of the Fund and of the appropriations and expenditures made for the purposes of the Climate Change Adaptation and Mitigation Payment Program;~~ requiring the Comptroller, in coordination with the Department of the Environment and the Department of Commerce, to *conduct a study to assess the total cost of greenhouse gas emissions in the State and report certain findings* ~~report~~ to certain committees on or before a certain date on the total assessed cost of greenhouse gas emissions in the State based on the findings of a certain study; authorizing the Comptroller to hire a consultant to conduct the study; requiring the report to include certain information and calculations; and generally relating to ~~the Climate Change Adaptation and Mitigation Payment Program~~ greenhouse gas emissions in the State.

~~BY repealing and reenacting, without amendments,~~
~~Article – Environment~~
~~Section 2–1504(a)~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Environment~~
~~Section 2–1504(e)~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – Environment~~
~~Section 2–1701 through 2–1708 to be under the new subtitle "Subtitle 17. Climate Change Adaptation and Mitigation Payment Program"~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Natural Resources~~

~~Section 5–222(a) and (b) and 8–2B–03(a)~~
~~Annotated Code of Maryland~~
~~(2023 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Natural Resources~~
~~Section 5–222(f) and 8–2B–03(e)~~
~~Annotated Code of Maryland~~
~~(2023 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Public Safety~~
~~Section 14–110.4(b) and 14–110.5(b)~~
~~Annotated Code of Maryland~~
~~(2022 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Public Safety~~
~~Section 14–110.4(h) and 14–110.5(f)~~
~~Annotated Code of Maryland~~
~~(2022 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – State Government~~
~~Section 9–2012(b) and (i)(1), 9–2015(b), and 9–20B–05(a)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – State Government~~
~~Section 9–2012(i)(4), 9–2015(f), and 9–20B–05(e)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – State Government~~
~~Section 9–20B–05(i–2)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Transportation~~
~~Section 7–1202(a) and 7–1203(a)~~
~~Annotated Code of Maryland~~
~~(2020 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, with amendments,~~

~~Article – Transportation~~
~~Section 7–1203(e)~~
~~Annotated Code of Maryland~~
~~(2020 Replacement Volume and 2024 Supplement)~~

Preamble

WHEREAS, Climate change, resulting primarily from the combustion of fossil fuels, is an immediate, grave threat to the State's communities, environment, and economy; and

WHEREAS, In addition to mitigating the further buildup of greenhouse gases, the State must take action to adapt to certain consequences of climate change that are irreversible, including rising sea levels, increasing temperatures, extreme weather events, flooding, heat waves, toxic algae blooms, and other threats; and

WHEREAS, Meeting the challenge of adapting to and mitigating the effects of climate change will require a shared commitment of purpose and huge investments in new or upgraded infrastructure; and

WHEREAS, The State has previously adopted programs, such as the Cigarette Restitution Fund Program, to require industries that have profited by harming the public welfare to shoulder their share of the burden in redressing that harm; and

WHEREAS, Based on decades of research, it is now possible to determine with great accuracy the share of greenhouse gases released into the atmosphere by specific fossil fuel companies over the last 70 years or more, making it possible to assign liability and require compensation from companies commensurate with their emissions during a given time period; now, therefore,

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

~~Article – Environment~~

~~2–1504.~~

~~(a) There is a Zero–Emission Vehicle School Bus Transition Fund.~~

~~(e) The Fund consists of:~~

~~(1) Money appropriated in the State budget to the Fund;~~

~~(2) Interest earnings of the Fund;~~

~~(3) Donations;~~

~~(4) Money derived from legal settlements earmarked for the purpose of transitioning to school buses that are zero–emission vehicles; [and]~~

~~(5) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THIS TITLE; AND~~

~~(6) Any other money from any other source accepted for the benefit of the Fund.~~

~~SUBTITLE 17. CLIMATE CHANGE ADAPTATION AND MITIGATION PAYMENT PROGRAM.~~

~~2–1701.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(B) (1) "CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECT" MEANS AN INFRASTRUCTURE PROJECT DESIGNED TO AVOID, MODERATE, OR REPAIR DAMAGE CAUSED BY CLIMATE CHANGE.~~

~~(2) "CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECT" INCLUDES PROJECTS TO:~~

~~(I) CONSTRUCT SEAWALLS OR OTHER COASTAL DEFENSE STRUCTURES;~~

~~(II) UPGRADE STORMWATER OR SEWER SYSTEMS;~~

~~(III) MAKE DEFENSIVE UPGRADES TO ROADS, BRIDGES, RAIL INFRASTRUCTURE, OR OTHER TRANSIT SYSTEMS;~~

~~(IV) PREPARE FOR AND RECOVER FROM HURRICANES AND OTHER EXTREME WEATHER EVENTS;~~

~~(V) RELOCATE, ELEVATE, OR RETROFIT WASTEWATER TREATMENT PLANTS THAT ARE VULNERABLE TO FLOODING;~~

~~(VI) INSTALL HEAT PUMPS AND OTHER CLEAN ENERGY RETROFITS IN PUBLIC AND PRIVATE BUILDINGS, INCLUDING SCHOOL BUILDINGS; AND~~

~~(VII) RESPOND TO TOXIC ALGAE BLOOMS, THE LOSS OF AGRICULTURAL TOPSOIL, AND OTHER CLIMATE–DRIVEN ECOSYSTEM THREATS TO FORESTS, FARMS, AND FISHERIES.~~

~~(C) "COAL" INCLUDES:~~

~~(1) BITUMINOUS COAL;~~

~~(2) ANTHRACITE COAL; AND~~

~~(3) LIGNITE.~~

~~(D) "COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS" MEANS A COMMUNITY IDENTIFIED IN ACCORDANCE WITH § 1–702 OF THIS ARTICLE.~~

~~(E) "CONTROLLED GROUP" MEANS TWO OR MORE ENTITIES TREATED AS A SINGLE EMPLOYER UNDER:~~

~~(1) § 52(A) OR (B) OF THE INTERNAL REVENUE CODE, WITHOUT REGARD TO § 1563(B)(2)(C) OF THE INTERNAL REVENUE CODE; OR~~

~~(2) § 414(M) OR (O) OF THE INTERNAL REVENUE CODE.~~

~~(F) "COST RECOVERY DEMAND" MEANS A CHARGE ASSERTED AGAINST A RESPONSIBLE PARTY FOR COST RECOVERY PAYMENTS UNDER THE PROGRAM.~~

~~(G) "COVERED GREENHOUSE GAS EMISSIONS" MEANS THE TOTAL QUANTITY OF GREENHOUSE GASES RELEASED INTO THE ATMOSPHERE DURING THE COVERED PERIOD, EXPRESSED IN METRIC TONS OF CARBON DIOXIDE EQUIVALENT, RESULTING FROM THE USE OF FOSSIL FUELS OR PETROLEUM PRODUCTS EXTRACTED, PRODUCED, REFINED, OR SOLD BY AN ENTITY.~~

~~(H) "COVERED PERIOD" MEANS MARCH 21, 1994, THROUGH DECEMBER 31, 2023, BOTH INCLUSIVE.~~

~~(I) (1) "CRUDE OIL" MEANS OIL OR PETROLEUM OF ANY KIND AND IN ANY FORM.~~

~~(2) "CRUDE OIL" INCLUDES:~~

~~(I) BITUMEN;~~

~~(II) OIL SANDS;~~

~~(III) HEAVY OIL;~~

~~(IV) CONVENTIONAL AND UNCONVENTIONAL OIL;~~

~~(V) SHALE OIL;~~

~~(VI) NATURAL GAS LIQUIDS;~~

~~(VII) CONDENSATES; AND~~

~~(VIII) RELATED FOSSIL FUELS.~~

~~(J) "ENTITY" MEANS ANY INDIVIDUAL, TRUSTEE, AGENT, PARTNERSHIP, ASSOCIATION, CORPORATION, COMPANY, MUNICIPAL CORPORATION, POLITICAL SUBDIVISION, OR OTHER PERSON, INCLUDING A FOREIGN NATION, THAT HOLDS OR HELD AN OWNERSHIP INTEREST IN A FOSSIL FUEL BUSINESS DURING THE COVERED PERIOD.~~

~~(K) "FOSSIL FUEL" MEANS COAL, PETROLEUM PRODUCTS, AND FUEL GASES.~~

~~(L) "FOSSIL FUEL BUSINESS" MEANS A BUSINESS ENGAGING IN THE EXTRACTION OF FOSSIL FUELS OR THE REFINING OF PETROLEUM PRODUCTS.~~

~~(M) "FUEL GAS" INCLUDES:~~

~~(1) METHANE;~~

~~(2) NATURAL GAS;~~

~~(3) LIQUEFIED NATURAL GAS; AND~~

~~(4) MANUFACTURED FUEL GASES.~~

~~(N) "FUND" MEANS THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND ESTABLISHED UNDER § 2–1705 OF THIS SUBTITLE.~~

~~(O) "GREENHOUSE GAS" HAS THE MEANING STATED IN § 2–1202 OF THIS TITLE.~~

~~(P) "NOTICE OF COST RECOVERY DEMAND" MEANS A WRITTEN COMMUNICATION INFORMING A RESPONSIBLE PARTY OF THE AMOUNT OF THE COST RECOVERY DEMAND PAYABLE TO THE DEPARTMENT UNDER THIS SUBTITLE.~~

~~(Q) "PETROLEUM PRODUCT" MEANS ANY PRODUCT REFINED OR RE–REFINED FROM:~~

~~(1) SYNTHETIC OR CRUDE OIL; OR~~

~~(2) CRUDE OIL EXTRACTED FROM NATURAL GAS LIQUIDS OR OTHER SOURCES.~~

~~(R) "PROGRAM" MEANS THE CLIMATE CHANGE ADAPTATION AND MITIGATION PAYMENT PROGRAM ESTABLISHED UNDER § 2–1703 OF THIS SUBTITLE.~~

~~(S) (1) "QUALIFYING EXPENDITURE" MEANS AN AUTHORIZED PAYMENT FROM THE FUND IN SUPPORT OF A CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECT.~~

~~(2) "QUALIFYING EXPENDITURE" INCLUDES, TO THE EXTENT AUTHORIZED IN DEPARTMENT REGULATIONS, A PAYMENT TOWARD THE OPERATION AND MAINTENANCE OF A CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECT.~~

~~(T) (1) "RESPONSIBLE PARTY" MEANS AN ENTITY, OR A SUCCESSOR IN INTEREST TO AN ENTITY, THAT:~~

~~(I) DURING ANY PART OF THE COVERED PERIOD, WAS ENGAGED IN THE TRADE OR BUSINESS OF EXTRACTING FOSSIL FUEL OR REFINING CRUDE OIL; AND~~

~~(II) IS DETERMINED BY THE DEPARTMENT TO BE RESPONSIBLE FOR MORE THAN 1,000,000,000 TONS OF COVERED GREENHOUSE GAS EMISSIONS.~~

~~(2) "RESPONSIBLE PARTY" DOES NOT INCLUDE ANY PERSON THAT LACKS SUFFICIENT CONNECTION WITH THE STATE TO SATISFY THE NEXUS REQUIREMENTS OF THE UNITED STATES CONSTITUTION.~~

~~(U) "TOTAL ASSESSED COST OF GREENHOUSE GAS EMISSIONS" MEANS THE TOTAL ASSESSED COST TO THE STATE AND ITS RESIDENTS OF COVERED GREENHOUSE GAS EMISSIONS DURING THE COVERED PERIOD, AS DETERMINED BY THE STATE TREASURER IN ACCORDANCE WITH § 2–1704(C) OF THIS SUBTITLE.~~

~~2–1702.~~

~~(A) THIS SUBTITLE MAY NOT BE CONSTRUED TO:~~

~~(1) RELIEVE THE LIABILITY OF AN ENTITY FOR DAMAGES RESULTING FROM CLIMATE CHANGE, AS PROVIDED BY LAW;~~

~~(2) PREEMPT, DISPLACE, OR RESTRICT ANY RIGHT OR REMEDY OF A PERSON OR UNIT OF STATE OR LOCAL GOVERNMENT UNDER THE LAW RELATING TO A PAST, PRESENT, OR FUTURE ALLEGATION OF:~~

~~(I) DECEPTION CONCERNING THE EFFECTS OF FOSSIL FUELS ON CLIMATE CHANGE;~~

~~(II) DAMAGE OR INJURY RESULTING FROM THE ROLE OF FOSSIL FUELS IN CONTRIBUTING TO CLIMATE CHANGE; OR~~

~~(III) FAILURE TO AVOID DAMAGE OR INJURY RELATING TO CLIMATE CHANGE, INCLUDING CLAIMS FOR:~~

~~1. NUISANCE;~~

~~2. TRESPASS;~~

~~3. DESIGN DEFECT;~~

~~4. NEGLIGENCE;~~

~~5. FAILURE TO WARN;~~

~~6. DECEPTIVE OR UNFAIR PRACTICES; OR~~

~~7. INJUNCTIVE, DECLARATORY, MONETARY, OR OTHER FORM OF RELIEF; OR~~

~~(3) PREEMPT, SUPERSEDE, OR DISPLACE ANY STATE OR LOCAL LAW, REGULATION, POLICY, OR PROGRAM THAT:~~

~~(I) LIMITS, SETS, OR ENFORCES STANDARDS FOR GREENHOUSE GAS EMISSIONS;~~

~~(II) MONITORS, REPORTS, OR KEEPS RECORDS OF GREENHOUSE GAS EMISSIONS;~~

~~(III) COLLECTS REVENUE THROUGH FEES OR TAXES; OR~~

~~(IV) CONDUCTS OR SUPPORTS INVESTIGATIONS.~~

~~(B) (1) EVERY CASE FILED IN A COURT OF THE STATE UNDER STATE LAW MAY NOT BE EXPRESSLY OR IMPLIEDLY PREEMPTED, DISPLACED, MOOTED, OR DISMISSED ON ANY OTHER PRUDENTIAL CONSIDERATION ARISING FROM THIS SUBTITLE.~~

~~(2) TO THE EXTENT THAT ANY ASPECT OF EVERY CASE FILED IN A COURT OF THE STATE IS REVIEWED FOR THE APPLICATION OF THIS SUBTITLE, THE APPLICATION OF THIS SUBTITLE IS SEVERABLE IN EACH OF ITS APPLICATIONS TO EVERY PERSON AND CIRCUMSTANCE.~~

~~2–1703.~~

~~(A) THERE IS A CLIMATE CHANGE ADAPTATION AND MITIGATION PAYMENT PROGRAM IN THE DEPARTMENT.~~

~~(B) THE PURPOSE OF THE PROGRAM IS TO:~~

~~(1) SECURE COMPENSATORY PAYMENTS FROM FOSSIL FUEL BUSINESSES BASED ON A STANDARD OF STRICT LIABILITY IN ORDER TO PROVIDE A SOURCE OF REVENUE FOR STATE EFFORTS TO:~~

~~(I) ADAPT TO AND MITIGATE THE EFFECTS OF CLIMATE CHANGE, INCLUDING THROUGH THE IMPLEMENTATION OF CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS; AND~~

~~(II) ADDRESS THE HEALTH IMPACTS OF CLIMATE CHANGE ON VULNERABLE POPULATIONS;~~

~~(2) DETERMINE THE PROPORTIONAL LIABILITY OF RESPONSIBLE PARTIES IN ACCORDANCE WITH § 2–1704 OF THIS SUBTITLE;~~

~~(3) IMPOSE COST RECOVERY DEMANDS ON RESPONSIBLE PARTIES AND ISSUE NOTICES OF COST RECOVERY DEMANDS;~~

~~(4) ACCEPT AND COLLECT COST RECOVERY PAYMENTS FROM RESPONSIBLE PARTIES;~~

~~(5) IDENTIFY CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS WITHIN THE STATE;~~

~~(6) DISBURSE FUNDS IN ACCORDANCE WITH THIS SUBTITLE; AND~~

~~(7) ENSURE THAT AT LEAST 40% OF THE QUALIFIED EXPENDITURES FROM THE PROGRAM GO TO CLIMATE CHANGE ADAPTIVE OR MITIGATION~~

~~INFRASTRUCTURE PROJECTS THAT DIRECTLY BENEFIT COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.~~

~~2–1704.~~

~~(A) THE STATE MAY IMPOSE COST RECOVERY DEMANDS ON A RESPONSIBLE PARTY IF, AT ANY TIME DURING THE COVERED PERIOD, THE RESPONSIBLE PARTY:~~

~~(1) DID BUSINESS IN THE STATE;~~

~~(2) WAS REGISTERED TO DO BUSINESS IN THE STATE;~~

~~(3) WAS APPOINTED AS AN AGENT OF THE STATE; OR~~

~~(4) OTHERWISE HAD SUFFICIENT CONTACTS WITH THE STATE TO GIVE THE STATE JURISDICTION OVER THE RESPONSIBLE PARTY IN ACCORDANCE WITH STATE LAW.~~

~~(B) (1) A RESPONSIBLE PARTY IS STRICTLY LIABLE, WITHOUT REGARD TO FAULT, FOR A SHARE OF THE COSTS OF CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS, INCLUDING OPERATING AND MAINTENANCE COSTS, SUPPORTED BY THE FUND.~~

~~(2) FOR PURPOSES OF THIS SECTION, ENTITIES IN A CONTROLLED GROUP:~~

~~(I) SHALL BE TREATED BY THE DEPARTMENT AS A SINGLE ENTITY FOR THE PURPOSE OF IDENTIFYING RESPONSIBLE PARTIES; AND~~

~~(II) ARE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF ANY COST RECOVERY DEMAND OWED BY ANY ENTITY IN THE CONTROLLED GROUP.~~

~~(C) (1) WITH RESPECT TO EACH RESPONSIBLE PARTY, THE COST RECOVERY DEMAND SHALL BE EQUAL TO AN AMOUNT THAT BEARS THE SAME RATIO TO THE TOTAL ASSESSED COST OF GREENHOUSE GAS EMISSIONS AS THE RESPONSIBLE PARTY'S APPLICABLE SHARE OF COVERED GREENHOUSE GAS EMISSIONS BEARS TO THE AGGREGATE APPLICABLE SHARES OF ALL RESPONSIBLE PARTIES' COVERED GREENHOUSE GAS EMISSIONS.~~

~~(2) (I) ON OR BEFORE DECEMBER 1, 2026, THE STATE TREASURER, IN CONSULTATION WITH THE COMPTROLLER, THE DEPARTMENT, AND ANY OTHER ENTITY AS DETERMINED BY THE STATE TREASURER, SHALL REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE SENATE EDUCATION, ENERGY, AND ENVIRONMENT COMMITTEE, THE SENATE JUDICIAL PROCEEDINGS~~

~~COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE, AND THE HOUSE JUDICIARY COMMITTEE, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE TOTAL ASSESSED COST OF GREENHOUSE GAS EMISSIONS.~~

~~(II) THE REPORT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE:~~

~~1. A SUMMARY OF THE VARIOUS COST–DRIVING EFFECTS OF COVERED GREENHOUSE GAS EMISSIONS ON THE STATE, INCLUDING EFFECTS ON PUBLIC HEALTH, NATURAL RESOURCES, BIODIVERSITY, AGRICULTURE, ECONOMIC DEVELOPMENT, FLOOD PREPAREDNESS AND SAFETY, AND HOUSING, AND ANY OTHER EFFECT THAT THE STATE TREASURER, IN CONSULTATION WITH THE COMPTROLLER AND THE DEPARTMENT, DETERMINES TO BE RELEVANT;~~

~~2. A CATEGORIZED CALCULATION OF THE COSTS THAT HAVE BEEN INCURRED AND COSTS THAT ARE PROJECTED TO BE INCURRED BY THE STATE AND ITS RESIDENTS FOR EACH EFFECT IDENTIFIED UNDER ITEM 1 OF THIS SUBPARAGRAPH; AND~~

~~3. A CATEGORIZED CALCULATION OF THE COSTS THAT HAVE BEEN INCURRED AND COSTS THAT ARE PROJECTED TO BE INCURRED BY THE STATE AND ITS RESIDENTS TO MITIGATE THE EFFECTS OF COVERED GREENHOUSE GAS EMISSIONS DURING THE COVERED PERIOD.~~

~~(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A RESPONSIBLE PARTY'S APPLICABLE SHARE OF GREENHOUSE GAS EMISSIONS SHALL BE THE AMOUNT BY WHICH THE COVERED GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO THE RESPONSIBLE PARTY EXCEEDS 1,000,000 METRIC TONS.~~

~~(2) IF A RESPONSIBLE PARTY OWNS A MINORITY INTEREST OF 10% OR MORE IN ANOTHER ENTITY, THE RESPONSIBLE PARTY'S APPLICABLE SHARE OF GREENHOUSE GAS EMISSIONS SHALL BE CALCULATED AS THE APPLICABLE SHARE OF GREENHOUSE GAS EMISSIONS FOR THE ENTITY IN WHICH THE RESPONSIBLE PARTY HOLDS A MINORITY INTEREST, AS CALCULATED UNDER PARAGRAPH (1) OF THIS SUBSECTION, MULTIPLIED BY THE PERCENTAGE OF THE MINORITY INTEREST HELD BY THE RESPONSIBLE PARTY.~~

~~(3) IN DETERMINING THE AMOUNT OF GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO AN ENTITY, THE DEPARTMENT SHALL ASSUME THAT:~~

~~(I) 942.5 METRIC TONS OF CARBON DIOXIDE EQUIVALENT IS RELEASED FOR EVERY 1,000,000 POUNDS OF COAL ATTRIBUTABLE TO THE ENTITY;~~

~~(II) 432,180 METRIC TONS OF CARBON DIOXIDE EQUIVALENT IS RELEASED FOR EVERY 1,000,000 BARRELS OF CRUDE OIL ATTRIBUTABLE TO THE ENTITY; AND~~

~~(III) 53,440 METRIC TONS OF CARBON DIOXIDE EQUIVALENT IS RELEASED FOR EVERY 1,000,000 CUBIC FEET OF FUEL GASES ATTRIBUTABLE TO THE ENTITY.~~

~~(E) THE DEPARTMENT MAY ADJUST THE COST RECOVERY DEMAND AMOUNT OF A RESPONSIBLE PARTY THAT REFINES PETROLEUM PRODUCTS OR THAT IS A SUCCESSOR IN INTEREST TO AN ENTITY THAT REFINES PETROLEUM PRODUCTS, IF THE RESPONSIBLE PARTY ESTABLISHES TO THE SATISFACTION OF THE DEPARTMENT THAT:~~

~~(1) A PORTION OF THE COST RECOVERY DEMAND AMOUNT WAS ATTRIBUTABLE TO THE REFINING OF CRUDE OIL EXTRACTED BY ANOTHER ENTITY; AND~~

~~(2) THE CRUDE OIL EXTRACTED BY THE OTHER ENTITY WAS ACCOUNTED FOR WHEN THE DEPARTMENT DETERMINED THE COST RECOVERY DEMAND AMOUNT FOR THE OTHER ENTITY OR A SUCCESSOR IN INTEREST OF THE OTHER ENTITY.~~

~~(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A RESPONSIBLE PARTY SHALL PAY THE COST RECOVERY DEMAND AMOUNT IN FULL ON OR BEFORE OCTOBER 1, 2027.~~

~~(2) (I) A RESPONSIBLE PARTY MAY ELECT TO PAY THE COST RECOVERY DEMAND AMOUNT IN NINE ANNUAL INSTALLMENTS IN ACCORDANCE WITH THIS PARAGRAPH.~~

~~(II) THE FIRST INSTALLMENT SHALL BE PAID ON OR BEFORE OCTOBER 1, 2027, AND SHALL BE EQUAL TO 20% OF THE TOTAL COST RECOVERY DEMAND AMOUNT.~~

~~(III) EACH SUBSEQUENT INSTALLMENT SHALL BE PAID ON OR BEFORE SEPTEMBER 30 EACH SUBSEQUENT YEAR AND SHALL BE EQUAL TO 10% OF THE TOTAL COST RECOVERY DEMAND AMOUNT.~~

~~(IV) 1. THE UNPAID BALANCE OF ALL REMAINING INSTALLMENTS SHALL BECOME DUE IMMEDIATELY IF:~~

~~A. THE RESPONSIBLE PARTY FAILS TO PAY ANY INSTALLMENT IN A TIMELY MANNER, AS SPECIFIED IN DEPARTMENT REGULATIONS;~~

~~**B. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THERE IS A LIQUIDATION OR SALE OF SUBSTANTIALLY ALL THE ASSETS OF THE RESPONSIBLE PARTY, INCLUDING IN A BANKRUPTCY PROCEEDING; OR**~~

~~**C. THE RESPONSIBLE PARTY CEASES TO DO BUSINESS.**~~

~~**2. IN THE CASE OF A SALE OF SUBSTANTIALLY ALL THE ASSETS OF A RESPONSIBLE PARTY, THE REMAINING INSTALLMENTS SHALL NOT BECOME DUE IMMEDIATELY IF THE BUYER ENTERS INTO AN AGREEMENT WITH THE DEPARTMENT UNDER WHICH THE BUYER ASSUMES LIABILITY FOR THE REMAINING INSTALLMENTS DUE UNDER THIS SUBPARAGRAPH IN THE SAME MANNER AS IF THE BUYER WERE THE RESPONSIBLE PARTY.**~~

~~**(G) THE DEPARTMENT SHALL DEPOSIT COST RECOVERY PAYMENTS COLLECTED UNDER THIS SECTION TO THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND ESTABLISHED UNDER § 2–1705 OF THIS SUBTITLE.**~~

~~**(H) A RESPONSIBLE PARTY MAY REQUEST A HEARING UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE (ADMINISTRATIVE PROCEDURE ACT – CONTESTED CASES) TO CONTEST A COST RECOVERY DEMAND MADE BY THE DEPARTMENT UNDER THIS SECTION.**~~

~~**(I) (1) THE REMEDIES PROVIDED IN THIS SECTION ARE IN ADDITION TO ANY OTHER REMEDY PROVIDED BY LAW.**~~

~~**(2) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT A PERSON FROM PURSUING A CIVIL ACTION OR ANY OTHER REMEDY PROVIDED BY LAW.**~~

~~**2–1705.**~~

~~**(A) THERE IS A CLIMATE CHANGE ADAPTATION AND MITIGATION FUND.**~~

~~**(B) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR STATE EFFORTS TO ADAPT TO AND MITIGATE THE EFFECTS OF CLIMATE CHANGE.**~~

~~**(C) THE DEPARTMENT SHALL ADMINISTER THE FUND.**~~

~~**(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**~~

~~**(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**~~

~~(E) THE FUND CONSISTS OF:~~

~~(1) COST RECOVERY PAYMENTS DISTRIBUTED TO THE FUND UNDER § 2–1704 OF THIS SUBTITLE;~~

~~(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND~~

~~(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.~~

~~(F) THE FUND MAY BE USED ONLY:~~

~~(1) TO PAY:~~

~~(I) QUALIFIED EXPENDITURES FOR CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS IDENTIFIED BY THE DEPARTMENT IN ACCORDANCE WITH REGULATIONS ADOPTED UNDER § 2–1707 OF THIS SUBTITLE; AND~~

~~(II) REASONABLE ADMINISTRATIVE COSTS OF THE PROGRAM;~~

~~(2) TO PROVIDE GRANTS TO LOCAL JURISDICTIONS IN ACCORDANCE WITH § 2–1706 OF THIS SUBTITLE;~~

~~(3) FOR THE DEPARTMENT'S COMPREHENSIVE FLOOD MANAGEMENT GRANT PROGRAM UNDER § 5–803 OF THIS ARTICLE TO IMPLEMENT:~~

~~(I) CAPITAL PROJECTS UNDERTAKEN AS PART OF COMPREHENSIVE FLOOD MANAGEMENT PLANS; AND~~

~~(II) INFRASTRUCTURE REPAIRS, WATERSHED RESTORATION, AND EMERGENCY PROTECTION WORK ASSOCIATED WITH FLOOD EVENTS; AND~~

~~(4) TO SUPPORT THE FOLLOWING:~~

~~(I) THE STATE DISASTER RECOVERY FUND UNDER § 14–110.5 OF THE PUBLIC SAFETY ARTICLE FOR DISASTER RECOVERY ASSISTANCE;~~

~~(II) THE MARYLAND DEPARTMENT OF HEALTH'S OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES IN ADDRESSING THE HEALTH IMPACTS OF CLIMATE CHANGE ON MINORITY ADULTS, CHILDREN, AND INFANTS;~~

~~(III) THE MARYLAND DEPARTMENT OF HEALTH'S COMMUNITY HEALTH RESOURCES COMMISSION FOR THE HEALTH EQUITY RESOURCE COMMUNITIES PROGRAM;~~

~~(IV) THE MARYLAND DEPARTMENT OF HEALTH'S MEDICAID ADMINISTRATION TO USE FOR THE STATE MEDICAID PROGRAM;~~

~~(V) THE DEPARTMENT OF NATURAL RESOURCES TO INCORPORATE CLIMATE AND EQUITY PROVISIONS IN LOCAL CRITICAL AREA PROGRAM GRANTS;~~

~~(VI) THE GREAT MARYLAND OUTDOORS FUND UNDER § 5–222 OF THE NATURAL RESOURCES ARTICLE TO SUPPORT CLIMATE EDUCATION AND ADAPTATION ON PARK LANDS;~~

~~(VII) THE WHOLE WATERSHED FUND UNDER § 8–2B–03 OF THE NATURAL RESOURCES ARTICLE TO SUPPORT WATERSHED AND COMMUNITY RESILIENCE;~~

~~(VIII) THE DEPARTMENT OF NATURAL RESOURCES IN MANAGING FLOODING THROUGH THE IMPLEMENTATION OF STREAM RESTORATION AND NATURAL FILTRATION PROJECTS;~~

~~(IX) THE DEPARTMENT OF NATURAL RESOURCES IN PROVIDING PLANNING GRANTS TO LOCAL GOVERNMENTS TO PREPARE FOR EXTREME FLOODING;~~

~~(X) THE MARYLAND STRATEGIC ENERGY INVESTMENT FUND UNDER § 9–20B–05 OF THE STATE GOVERNMENT ARTICLE FOR:~~

~~1. ENERGY EFFICIENCY PROGRAMS BENEFITING LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS; AND~~

~~2. OTHER CLEAN ENERGY INVESTMENTS;~~

~~(XI) THE RESILIENCY HUB GRANT PROGRAM FUND UNDER § 9–2015 OF THE STATE GOVERNMENT ARTICLE IN DEVELOPING RESILIENCY HUBS SERVING LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS;~~

~~(XII) THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT IN SUPPLEMENTING PRE–DISASTER MITIGATION FUNDING PROVIDED UNDER THE FEDERAL BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC) GRANT PROGRAM;~~

~~(XIII) THE RESILIENT MARYLAND REVOLVING LOAN FUND UNDER § 14–110.4 OF THE PUBLIC SAFETY ARTICLE;~~

~~(XIV) THE CLIMATE CATALYTIC CAPITAL FUND UNDER § 10–855 OF THE ECONOMIC DEVELOPMENT ARTICLE;~~

~~(XV) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT IN PROVIDING GRANTS AND LOANS UNDER THE MARYLAND WHOLEHOME PROGRAM;~~

~~(XVI) THE MARYLAND ENERGY ADMINISTRATION IN PROVIDING FINANCIAL ASSISTANCE TO LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS TO TRANSITION THEIR HOMES OFF FOSSIL FUELS;~~

~~(XVII) THE ENERGY STORAGE SYSTEM GRANT FUND UNDER § 9–2012 OF THE STATE GOVERNMENT ARTICLE;~~

~~(XVIII) THE DEPARTMENT OF COMMERCE IN ATTRACTING CLEANTECH AND RENEWABLE ENERGY BUSINESSES TO THE STATE;~~

~~(XIX) THE DEPARTMENT'S DAM SAFETY PROGRAM UNDER TITLE 5, SUBTITLE 5 OF THIS ARTICLE;~~

~~(XX) THE DEPARTMENT IN SUPPLEMENTING FUNDING FOR THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES UNDER TITLE 1, SUBTITLE 7 OF THIS ARTICLE;~~

~~(XXI) THE DEPARTMENT OF TRANSPORTATION FOR THE STATEWIDE TRANSIT INNOVATION GRANT PROGRAM;~~

~~(XXII) THE ZERO–EMISSION VEHICLE SCHOOL BUS TRANSITION FUND UNDER § 2–1504 OF THIS TITLE;~~

~~(XXIII) THE MARYLAND ENERGY ADMINISTRATION FOR THE MEDIUM–DUTY AND HEAVY–DUTY ZERO–EMISSION VEHICLE GRANT PROGRAM UNDER § 9–2011 OF THE STATE GOVERNMENT ARTICLE;~~

~~(XXIV) THE MARYLAND ENERGY ADMINISTRATION FOR THE ELECTRIC VEHICLE RECHARGING EQUIPMENT REBATE PROGRAM UNDER § 9–2009 OF THE STATE GOVERNMENT ARTICLE;~~

~~(XXV) THE DEPARTMENT OF TRANSPORTATION FOR THE KIM LAMPHIER BIKEWAYS NETWORK PROGRAM UNDER § 2–608 OF THE TRANSPORTATION ARTICLE;~~

~~(XXVI) THE TRANSIT–ORIENTED DEVELOPMENT CAPITAL GRANT AND REVOLVING LOAN FUND UNDER TITLE 7, SUBTITLE 12 OF THE TRANSPORTATION ARTICLE;~~

~~(XXVII) THE DEPARTMENT IN HIRING ADDITIONAL STAFF IN THE DEPARTMENT TO WORK ON INITIATIVES TO PROTECT OVERBURDENED AND UNDERSERVED COMMUNITIES, AS DEFINED IN § 1–701 OF THIS ARTICLE, FROM THE EFFECTS OF CLIMATE CHANGE THROUGH IMPROVEMENTS TO PERMITTING PROCESSES, COMMUNITY OUTREACH EFFORTS, AND OTHER INITIATIVES;~~

~~(XXVIII) THE DEPARTMENT IN HIRING ADDITIONAL STAFF TO SUPPORT THE DEPARTMENT'S CLIMATE CHANGE PROGRAM;~~

~~(XXIX) THE PUBLIC SERVICE COMMISSION IN HIRING ADDITIONAL STAFF TO SUPPORT IMPLEMENTATION OF THE EMPOWER MARYLAND PROGRAM; AND~~

~~(XXX) THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT IN HIRING ENGINEERING STAFF FOR THE OFFICE OF RESILIENCY TO WORK ON FLOOD–RELATED ISSUES.~~

~~(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.~~

~~(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.~~

~~(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.~~

~~(I) FOR EACH FISCAL YEAR, AT LEAST 40% OF FUNDING PROVIDED UNDER THE FUND SHALL BE USED FOR PROJECTS THAT DIRECTLY BENEFIT COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.~~

~~2–1706.~~

~~(A) THE DEPARTMENT SHALL ESTABLISH AND ADMINISTER A GRANT PROGRAM FOR THE DISTRIBUTION OF FUNDS RECEIVED UNDER § 2–1705(F)(2) OF THIS SUBTITLE TO LOCAL JURISDICTIONS FOR THE PURPOSE OF ASSISTING LOCAL EFFORTS TO ADAPT TO AND MITIGATE THE EFFECTS OF CLIMATE CHANGE.~~

~~(B) THE DEPARTMENT SHALL ESTABLISH:~~

~~(1) APPLICATION PROCEDURES FOR THE GRANT PROGRAM;~~

~~(2) CRITERIA FOR PRIORITIZING APPLICATIONS UNDER THE GRANT PROGRAM;~~

~~(3) PROCEDURES FOR AWARDING GRANTS UNDER THE GRANT PROGRAM; AND~~

~~(4) ANY OTHER PROCEDURES OR CRITERIA NECESSARY TO CARRY OUT THIS SECTION.~~

~~2–1707.~~

~~(A) ON OR BEFORE OCTOBER 1, 2026, THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT THE PROGRAM.~~

~~(B) THE REGULATIONS SHALL INCLUDE:~~

~~(1) METHODOLOGIES USING THE BEST AVAILABLE SCIENCE TO IDENTIFY RESPONSIBLE PARTIES AND DETERMINE RESPONSIBLE PARTIES' APPLICABLE SHARES OF GREENHOUSE GAS EMISSIONS;~~

~~(2) RULES RELATING TO:~~

~~(I) REGISTERING ENTITIES DETERMINED TO BE RESPONSIBLE PARTIES UNDER THE PROGRAM;~~

~~(II) ISSUING NOTICES OF COST RECOVERY DEMANDS THAT SHALL INCLUDE:~~

~~1. THE COST RECOVERY DEMAND AMOUNT;~~

~~2. THE TIME AND MANNER IN WHICH COST RECOVERY PAYMENTS MUST BE MADE;~~

~~3. THE CONSEQUENCES OF NONPAYMENT OR LATE PAYMENT; AND~~

~~4. INFORMATION REGARDING THE RIGHT TO REQUEST A CONTESTED CASE HEARING; AND~~

~~(III) ACCEPTING PAYMENTS FROM, PURSUING COLLECTION EFFORTS AGAINST, AND NEGOTIATING SETTLEMENT AGREEMENTS WITH RESPONSIBLE PARTIES; AND~~

~~(3) SUBJECT TO SUBSECTION (C) OF THIS SECTION, PROCEDURES FOR IDENTIFYING CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS ELIGIBLE TO RECEIVE QUALIFYING EXPENDITURES FROM THE FUND.~~

~~(C) (1) THE DEPARTMENT MAY BY REGULATION PROVIDE FOR CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS TO BE IDENTIFIED FOR FUNDING THROUGH:~~

~~(I) LEGISLATIVE BUDGET APPROPRIATIONS;~~

~~(II) THE ISSUANCE OF REQUESTS FOR PROPOSALS FROM LOCAL GOVERNMENTS, NONPROFIT ORGANIZATIONS, OR COMMUNITY GROUPS; OR~~

~~(III) ANY OTHER METHOD THE DEPARTMENT DEEMS APPROPRIATE.~~

~~(2) THE DEPARTMENT SHALL ENSURE THAT AT LEAST 40% OF THE QUALIFIED EXPENDITURES FROM THE PROGRAM GO TO CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS THAT DIRECTLY BENEFIT COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.~~

~~2–1708.~~

~~(A) ON OR BEFORE OCTOBER 1, 2028, AND EACH OCTOBER 1 THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:~~

~~(1) THE COST RECOVERY PAYMENTS RECEIVED AND THE FUNDING DISBURSED FROM THE FUND DURING THE PRECEDING FISCAL YEAR;~~

~~(2) THE STATUS OF CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS FUNDED UNDER THE PROGRAM;~~

~~(3) THE PERCENTAGE OF QUALIFIED EXPENDITURES MADE DURING THE PRECEDING FISCAL YEAR THAT FUNDED CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS THAT DIRECTLY BENEFITED COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS; AND~~

~~(4) THE EFFECTIVENESS OF THE PROGRAM IN ACHIEVING THE PURPOSES OF THIS SUBTITLE.~~

~~(B) (1) THE LEGISLATIVE AUDITOR MAY CONDUCT POST-AUDITS OF A FISCAL AND COMPLIANCE NATURE OF THE FUND AND OF THE APPROPRIATIONS AND EXPENDITURES MADE FOR THE PURPOSES OF THIS SUBTITLE.~~

~~(2) THE COST OF THE FISCAL PORTION OF AN AUDIT SHALL BE PAID FROM THE FUND AS AN ADMINISTRATIVE COST.~~

~~Article – Natural Resources~~

~~5–222.~~

~~(a) In this section, "Fund" means the Great Maryland Outdoors Fund.~~

~~(b) There is a Great Maryland Outdoors Fund in the Department.~~

~~(f) The Fund consists of:~~

~~(1) Money appropriated in the State budget to the Fund in accordance with subsection (j) of this section;~~

~~(2) Interest earnings of the Fund; [and]~~

~~(3) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE; AND~~

~~(4) Any other money from any other source accepted for the benefit of the Fund.~~

~~8–2B–03.~~

~~(a) There is a Whole Watershed Fund.~~

~~(e) The Fund consists of:~~

~~(1) Revenue distributed to the Fund from:~~

~~(i) The Chesapeake and Atlantic Coastal Bays 2010 Trust Fund established under § 8–2A–02 of this title;~~

~~(ii) The Bay Restoration Fund established under § 9–1605.2 of the Environment Article;~~

~~(iii) The Clean Water Commerce Account established under § 9–1605.4 of the Environment Article;~~

~~(iv) The Maryland Agricultural Land Preservation Fund established under § 2–505 of the Agriculture Article;~~

~~(v) The cost–sharing program established under § 8–702 of the Agriculture Article; and~~

~~(vi) The Waterway Improvement Fund established under § 8–707 of this title;~~

~~(2)~~ **~~MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE;~~**

~~(3)~~ ~~Money appropriated in the State budget to the Fund;~~

~~[~~~~(3)~~**~~]~~ (4)** ~~Interest earnings; and~~

~~[~~~~(4)~~**~~]~~ (5)** ~~Any other money from any other source accepted for the benefit of the Fund.~~

~~Article – Public Safety~~

~~14–110.4.~~

~~(b) There is a Resilient Maryland Revolving Loan Fund.~~

~~(h) The Fund consists of:~~

~~(1) money appropriated in the State budget to the Fund;~~

~~(2) investment and interest earnings of the Fund;~~

~~(3) repayments of principal and interest from loans made from the Fund;~~

~~(4) money received from the Federal Emergency Management Agency;~~ **~~[~~**~~and~~**~~]~~**

~~(5)~~ **~~MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE; AND~~**

~~(6)~~ ~~any other money from any other source accepted for the benefit of the Fund.~~

~~14–110.5.~~

~~(b) There is a State Disaster Recovery Fund.~~

~~(f) (1) The Governor may include in the annual budget bill an appropriation to the Fund.~~

~~(2) The Fund [shall consist] CONSISTS of:~~

~~(i) money appropriated in the State budget to the Fund;~~

~~(ii) repayments of principal and interest from loans made from the Fund;~~

~~(iii) reimbursements from the federal government or other legal entities for disaster recovery assistance expenditures made from the Fund;~~

~~(iv) FUNDS RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE;~~

~~(V)~~ ~~interest earnings of the Fund; and~~

~~[~~~~(v)~~**~~] (VI)~~** ~~any other money from any other source accepted for the benefit of the Fund.~~

~~Article – State Government~~

~~9–2012.~~

~~(b) There is an Energy Storage System Grant Program in the Administration.~~

~~(i) (1) There is an Energy Storage System Grant Fund.~~

~~(4) The Fund consists of:~~

~~(i) money appropriated in the State budget to the Fund; [and]~~

~~(ii) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE; AND~~

~~(III)~~ ~~any other money from any other source accepted for the benefit of the Fund.~~

~~9–2015.~~

~~(b) There is a Resiliency Hub Grant Program Fund.~~

~~(f) The Fund consists of:~~

~~(1) grant funding obtained under subsection (k) of this section;~~

~~(2) funds distributed to the Fund under § 9–20B–05 of this title and §§ 2–110.1 and 13–201 of the Public Utilities Article;~~

~~(3) money appropriated in the State budget to the Fund;~~

~~(4) **MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE;**~~

~~**(5)** interest earnings; and~~

~~**[**(5)**] (6)** any other money from any other source accepted for the benefit of the Fund.~~

~~9–20B–05.~~

~~(a) There is a Maryland Strategic Energy Investment Fund.~~

~~(e) The Fund consists of:~~

~~(1) all of the proceeds from the sale of allowances under § 2–1002(g) of the Environment Article;~~

~~(2) money appropriated in the State budget to the Program;~~

~~(3) repayments and prepayments of principal and interest on loans made from the Fund;~~

~~(4) interest and investment earnings on the Fund;~~

~~(5) compliance fees paid under § 7–705 of the Public Utilities Article;~~

~~(6) money received from any public or private source for the benefit of the Fund;~~

~~(7) money transferred from the Public Service Commission under § 7–207.2(e)(3) of the Public Utilities Article; **[**and**]**~~

~~(8) money distributed under § 2–614.1 of the Tax – General Article; AND~~

~~(9) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE.~~

~~(1–2) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE SHALL BE ACCOUNTED FOR SEPARATELY WITHIN THE FUND AND MAY BE USED FOR:~~

~~(1) ENERGY EFFICIENCY PROGRAMS BENEFITING LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS; AND~~

~~(2) OTHER CLEAN ENERGY INVESTMENTS.~~

~~**Article – Transportation**~~

~~7–1202.~~

~~(a) There is a Transit–Oriented Development Capital Grant and Revolving Loan Fund.~~

~~7–1203.~~

~~(a) The purpose of the Fund is to promote the equitable and inclusive development of transit–oriented developments throughout the State.~~

~~(c) (1) The Fund consists of:~~

~~(i) Money appropriated in the State budget to the Fund;~~

~~(ii) Money made available for qualifying uses by the Fund from other governmental sources, including eligible federal funding and the Transportation Trust Fund;~~

~~(iii) MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT ARTICLE;~~

~~(IV) Ground rents or land sale proceeds in accordance with § 10–306(c)(2) of the State Finance and Procurement Article;~~

~~[(iv)] (V) Payments of principal of and interest on loans made under this title;~~

~~[(v)] (VI) Investment earnings of the Fund; and~~

~~**[**(vi)**] (VII)** Any other money from any other source, public or private, accepted for the benefit of the Fund.~~

~~(2) Contributions to the Fund under paragraph **[**(1)(iii)**] (1)(IV)** of this subsection shall:~~

~~(i) Be separately accounted for in the Fund; and~~

~~(ii) Be used only for the benefit of transit–oriented developments in the same county where the real property subject to the ground rent or land sale is located.~~

(a) (1) The Comptroller, in coordination with ~~the Department of the Environment and the Department of Commerce~~ *the Department of Commerce and the Department of the Environment*, shall conduct a study to assess the total cost of greenhouse gas emissions in the State.

(2) The Comptroller may hire a consultant to conduct the study.

(b) On or before December 1, 2026, the Comptroller, ~~the Department of the Environment, and the Department of Commerce~~ *the Department of Commerce, and the Department of the Environment* shall report to the Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and the Environment, the Senate Judicial Proceedings Committee, the House Appropriations Committee, the House Environment and Transportation Committee, and the House Judiciary Committee, in accordance with § 2–1257 of the State Government Article, on the total assessed cost of greenhouse gas emissions in the State based on the findings of the study conducted under subsection (a) of this section.

(c) The report required under subsection (b) of this section shall include:

(1) a summary of the various cost–driving effects of covered greenhouse gas emissions on the State, including effects on public health, natural resources, biodiversity, agriculture, economic development, flood preparedness and safety, and housing, and any other effect that the Comptroller and the Department of the Environment determine to be relevant;

(2) a categorized calculation of the costs that have been incurred and costs that are projected to be incurred by the State and its residents for each effect identified under item (1) of this subsection;

(3) a categorized calculation of the costs that have been incurred and costs that are projected to be incurred by the State and its residents to ~~mitigate~~ *adapt to* the effects of covered greenhouse gas emissions during the covered period; and

(4) an economic analysis to determine whether there would be a cost passed on to taxpayers as a result of requiring each fossil fuel company that has a sufficient nexus

to the State and emitted more than 1,000,000,000 tons of greenhouse gas emissions globally between 1995 and 2024 to compensate the State for climate change.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ *July* 1, 2025.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto House Bill 193 and Senate Bill 219 – *Uninsured Employers' Fund – Assessments and Special Monitor*, and Senate Bill 227 – *Workers' Compensation – Payment From Uninsured Employers' Fund – Revisions*.

The Uninsured Employers' Fund (UEF) is responsible for paying workers' compensation awards to claimants who failed to receive payments from their employers who did not have workers' compensation insurance as required by State law. The Fund derives its revenue from a two–percent assessment on awards against and settlements with employers or insurers.

House Bill 193 and Senate Bill 219, introduced by the UEF would have given UEF's Board the authority to raise assessments on awards an additional 1% if required to maintain the Fund's solvency. About 86% of the UEF's revenues come from the assessment on workers's compensations awards. The Fund also collects revenues from benefit payments owed by uninsured employers, penalties from sanctions on uninsured employers, and interest earned on the fund balance. According to a *2024 Joint Chairman Report of the Workers' Compensation Commission (WCC) Addressing the Long–Term Solvency of the UEF*[1], this reform, if adopted, would allow for a total assessment of 3%, which translates into a 50% increase in the assessment on law–abiding businesses with workers' compensation insurance and a $4 million increase in UEF's annual revenues.

Understandably, the 1% increase on assessment received pushback from key stakeholders, so UEF supported a .5% increase in the assessment, which translates into a 25% increase

in the assessment on law–abiding businesses with workers' compensation insurance and a $2 million increase in UEF's annual revenues. By the end of legislative session, a bill that was originally intended to increase an assessment on awards was amended to also require the WCC to designate a special monitor to assess the financial condition of UEF, and the UEF to allocate $100,000 to provide funding for the special monitor.

In 1983, the Maryland General Assembly created the UEF as an independent agency, separating its function from the WCC due to potential conflicts of interest. A 2021 *Joint Chair Report Review of Workers' Compensation Agency Structure* stated, 'To have the WCC oversee any aspect of either, or both agencies (UEF or SIF), would create the clear appearance of impropriety.'[2] The UEF has a board that is responsible for overseeing the Fund. Requiring WCC to designate a special monitor to assess the financial condition of UEF goes directly against the Maryland General Assembly's previous actions and suggestions by reports. I believe that Senate Bill 695 – *Labor and Employment – Uninsured Employers' Fund Board – Membership and Reserves*, sponsored by Senator Beidle that I signed on May 6, 2025 addresses the oversight concerns that the amendments to House Bill 193 and Senate Bill 219 try to meet by expanding the number of members from three to five and requiring the board to establish reserves to meet potential losses of the fund.

Senate Bill 227 was originally introduced as a Departmental bill that would allow the UEF to pay injured workers with greater efficiency by removing unnecessary hurdles and requirements that hamper the payment process. It also would have expedited the payment of awards. Currently awards can be made within 60 days, this legislation would have lowered the timeline to 30 days.

As amended, Senate Bill 227 included numerous constructive reforms that expedite the payment process. It removed the requirement that the WCC notify an employer when the employer is in default, as well as the subsequent payment requirement and/or objection process. Instead, the amendment requires that an uninsured employer be given notice of a claim before action is taken against the uninsured employer. It also allows a covered employee or dependents of a covered employee to apply for payment from UEF if the employer is in default and the employee or dependents have demanded payment from the employer at least 15 days before the date of application.

Unfortunately, the amended legislation removes a safeguard against double payments which states that if the UEF pays an award to a covered employee or the dependent of a covered employee that is also paid by the employer, the UEF is entitled to reimbursement of the distributed funds. The amended language allows the WCC to order an offset or credit against an award for permanent partial disability benefits for any benefits paid by UEF that were also paid by the employer.

UEF cases can reach amounts in the hundreds of thousands. The UEF is currently addressing solvency issues, and introducing circumstances where a double payment is credited against future pay outs by an employer rather than allowing the UEF to seek reimbursement place the UEF in a financial position they may never recover from.

The solvency of the UEF and promptly paying awards to injured workers is a shared goal

of the UEF and the Maryland General Assembly. The time and effort invested in House Bill 193 and Senate Bill 219 and Senate Bill 227 highlight the needs for reforms that make the UEF processes and procedures. I look forward to appointing members to the revamped UEF board, greater collaboration and an improved working relationship with the WCC, and implementation of meaningful reforms in partnership with the Maryland General Assembly.

Sincerely,

Wes Moore
Governor

1 Workers Compensation Commission. Page 5. 2024. JCR Report 2024_ p10-11_Workgroup on the UEF - Report of the Workers' Compensation Commission (WCC) Addressing the Long-Term Solvency of the UEF. https://dlslibrary.state.md.us/publications/JCR/2024/2024_10-11(WCC).pdf

2 Uninsured Employers' Fund. Page 9. 2021 Joint Chair Report Review of Workers' Compensation Agency Structure https://dlslibrary.state.md.us/publications/JCR/2021/2021_248-249(WCC).pdf

House Bill 193

AN ACT concerning

Uninsured Employers' Fund – ~~Additional Assessment on Awards and Settlements – Amount~~ *Assessments and Special Monitor*

FOR the purpose of *altering the circumstances under which the Uninsured Employers' Fund must collect or suspend a certain assessment;* altering the additional percentage the Uninsured Employers' Fund Board may direct the Workers' Compensation Commission to assess on awards and settlements if the Board determines that the reserves of the Fund are inadequate to meet anticipated losses; *requiring the Workers' Compensation Commission to designate a certain special monitor for certain purposes;* and generally relating to the Uninsured Employers' Fund.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–1007 *and 9–1011*
Annotated Code of Maryland
(2016 Replacement Volume and 2024 Supplement)

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

Article – Labor and Employment

9–1007.

(a) (1) Except as provided in subsection (b) of this section, the Commission shall impose against an employer or, if insured, its insurer an assessment equal to 1% of:

(i) each award against the employer for permanent disability or death, including awards for disfigurement or mutilation; and

(ii) except as provided in paragraph (2) of this subsection, each amount payable by the employer or its insurer under a settlement agreement approved by the Commission.

(2) The amount of medical benefits specified in a formal set–aside allocation that is part of an approved settlement agreement shall be excluded from the assessment imposed by the Commission under paragraph (1)(ii) of this subsection if:

(i) 1. the amount of medical benefits is in excess of $50,000; and

2. the payment of medical benefits by the employer or its insurer is directly to an authorized insurer that provides periodic payments to the covered employee pursuant to a single premium annuity; or

(ii) 1. the amount of medical benefits is in any amount; and

2. the payment of medical benefits by the employer or its insurer is to an independent third–party administrator that controls and pays the medical services in accordance with the formal set–aside allocation, provided there is no reversionary interest to the covered employee or the covered employee's beneficiaries.

(3) (i) Notwithstanding any other provision of law, if the employer is a corporation the assets of which are not sufficient to satisfy an assessment, any officer of the corporation who has responsibility for the general management of the corporation in the State is jointly and severally liable for the assessment if the corporate officer knowingly failed to secure workers' compensation insurance.

(ii) Notwithstanding any other provision of law, if the employer is a limited liability company the assets of which are not sufficient to satisfy an assessment, any member of the limited liability company who has responsibility for the general management of the limited liability company in the State is jointly and severally liable for the assessment if a member of the limited liability company who has general management responsibility knowingly failed to secure workers' compensation insurance.

(b) Notwithstanding the limit on the balance of the Fund under § 9–1011 of this subtitle, if the Board determines that the reserves of the Fund are inadequate to meet anticipated losses, the Board may direct the Commission to assess **UP TO** an additional **[**1%**]** ~~**2%**~~ **1.5%** under subsection (a) of this section.

(c) Any fractional dollar of payment under this section shall be rounded off to the nearest whole dollar.

(d) The Commission shall direct payment of an assessment under subsection (a) or (b) of this section into the Fund.

(e) Payments under this section are in addition to the payment of compensation to a covered employee or the dependents of a covered employee under this title.

9–1011.

(a) (1) When the amount of the Fund equals at least ***[****$5,000,000****]*** ***$10,000,000****, the payment of assessments by employers and insurers is suspended.*

(2) The Director shall notify each self–insured employer and insurer of the suspension of the payment of assessments under paragraph (1) of this subsection.

(b) (1) Payment of assessments shall be resumed if:

(i) the amount of the Fund becomes less than ***[****$3,000,000****]*** ***$8,000,000*** *because of payments made under § 9–1002 of this subtitle or other payments; or*

(ii) the Director determines that payments that are likely to be made from the Fund in the next 3 months will reduce the amount of the Fund to less than ***[****$3,000,000****]*** ***$8,000,000****.*

(2) When payment of assessments is to be resumed under paragraph (1) of this subsection, the Director shall notify each self–insured employer and insurer that payment of assessments is to:

(i) resume on a specified date; and

(ii) continue until the amount of the Fund becomes at least ***[****$5,000,000****]*** ***$10,000,000****.*

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Workers' Compensation Commission shall designate a special monitor to assess the financial condition of the Uninsured Employers' Fund, including the reserve setting and third–party administrator practices of the Fund.

(b) The special monitor shall monitor the financial condition of the Fund for a period of up to 1 year, with the duties of the special monitor ending on or before June 30, 2026, unless an earlier date is agreed on by the Fund and the Commission.

(c) The special monitor shall submit to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1257 of the State Government Article:

(1) on or before December 1, 2025, an interim report regarding the financial condition of the Uninsured Employers' Fund and any recommendations for legislative or regulatory changes necessary to improve the condition of the Fund; and

(2) on or before June 1, 2026, a final report regarding the financial condition of the Uninsured Employers' Fund and any recommendations for legislative or regulatory changes necessary to improve the condition of the Fund.

(d) The Fund shall reimburse the monitor at a rate commensurate with the rate the Commission pays to retired judges to hear cases before the Commission.

(e) The Fund shall allocate $100,000 to provide funding for the special monitor.

SECTION ~~2.~~ *3.* AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025. *Section 2 of this Act shall remain effective for a period of 1 year and, at the end of June 30, 2026, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.*

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto Senate Bill 149 and House Bill 128 – *Climate Change Adaptation and Mitigation – Total Assessed Cost of Greenhouse Gas Emissions – Study and Reports*, Senate Bill 116 and House Bill 270 – *Data Center Impact Analysis and Report*, and House Bill 1316 – *Primary and Secondary Education – Youth–Centric Technology and Social Media Resource Guide*.

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In

partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In this time of profound uncertainty, we must evaluate every expenditure with a critical eye towards our future.

Our current budget situation requires us to reconsider bills that create expensive and labor intensive studies. While such bills can be a first step to addressing complex issues and allow the signaling of support for an issue, the practice has become so commonplace that it is now a significant financial and staff burden on the state government. In addition, such reporting requirements have at times delayed prompt action on important issues, and in the face of the onslaught from the current administration in Washington, D.C., the State needs to respond to important issues more quickly. Studies can serve a purpose, but their overuse is a drag on the State government.

Prior to the 2025 legislative session, the Department of Legislative Services (DLS) was tracking a total of 3,901 mandated reports, a number which excludes the reports required annually by the Joint Chairmen's Report. Many of these reports are never read and simply collect dust on shelves, but nonetheless, executive branch agencies are required to dedicate funding and staff time to each, in many cases, with restrictions on their budget appropriations if they fail to comply. While it is impossible to calculate the total amount of staff time and state funding necessary to complete and file these reports, it is a reasonable assumption that the cost runs to the tens of millions of dollars.

Collectively, these three bills would have required significant coordination across multiple agencies and institutions: the Comptroller's Office, Maryland Department of the Environment (MDE), and Commerce to study the cost of greenhouse gas emissions; the University of Maryland's School of Business, MDE, Maryland Energy Administration and the Department of Legislative Services to conduct a resource–intensive analysis of the environmental, energy, and economic impacts of data center development; and the University of Maryland Baltimore's School of Mental Health's National Center for School Mental Health and the Maryland State Department of Education to develop a social media resource guide and conduct a needs assessment. In total, these efforts would cost at least $1.28 million – an unsustainable commitment given the state's current fiscal constraints and the growing uncertainty posed by the federal Administration in Washington, D.C.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed Senate Bill 149, House Bill 128, Senate Bill 116, House Bill 270, and House Bill 1316.

Sincerely,

Wes Moore

Governor

House Bill 270

AN ACT concerning

Data Center Impact Analysis and Report

FOR the purpose of requiring the Department of the Environment, the Maryland Energy Administration, and the University of Maryland School of Business, in coordination with the Department of Legislative Services, to conduct an analysis of the likely environmental, energy, and economic impacts of data center development in the State; and generally relating to data centers.

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

(a) The Department of the Environment, the Maryland Energy Administration, and the University of Maryland School of Business, in coordination with the Department of Legislative Services, shall conduct an analysis of the likely environmental, energy, and economic impacts of data center development in the State.

(b) The analysis shall include:

(1) an assessment by the Department of the Environment of the potential impacts of the data center industry on the natural resources of the State, including an evaluation of:

(i) the potential impacts on air and water quality;

(ii) the potential impacts on the State's ability to meet its bay restoration goals and other environmental objectives; and

(iii) the availability of technologies that could mitigate the environmental impacts of data centers, and the feasibility of implementing these technologies in the State;

(2) an assessment by the Maryland Energy Administration of the potential energy impacts of the data center industry, including an evaluation of:

(i) the energy requirements of data centers;

(ii) the potential impacts of the data center industry on current and forecasted energy demand and supply in the State, including how data centers will likely affect future energy infrastructure needs and costs paid by ratepayers; and

(iii) the potential impacts of the data center industry on the State's ability to meet greenhouse gas emissions reduction commitments and clean energy goals; and

(3) an assessment by the University of Maryland School of Business, in consultation with industry experts, of the potential economic and fiscal impacts of the data center industry in the State, including an evaluation of:

(i) the likely impact of data centers on State and local revenues and expenditures; and

(ii) the jobs likely to be created through the construction and operation of data centers.

(c) (1) The Department of Legislative Services shall coordinate the preparation of the analysis and synthesize the assessments by the Department of the Environment, the Maryland Energy Administration, and the University of Maryland School of Business into a final report.

(2) At the request of the Department of Legislative Services, other relevant units of State government, including the Department of Natural Resources, the Department of Assessments and Taxation, the Department of Commerce, and the Public Service Commission, shall provide any information necessary to complete the analysis.

(3) On or before September 1, 2026, the Department of Legislative Services shall submit the final report 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, 2025. It shall remain effective for a period of 2 years and, at the end of June 30, 2027, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

May 16, 2025

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 hereby veto House Bill 328 – *State Lottery – Instant Ticket Lottery Machines – Veterans' and Fraternal*

Organizations.

Currently, in addition to similar types of machines available at the state's casinos and bingo halls, the Maryland Lottery and Gaming Control Agency (MLGCA) may issue a license for up to five instant ticket lottery machines (ITLMs) to veteran service organizations. This legislation would allow the MLGCA to issue a license for ITLMs to fraternal organizations as well. This would mark a significant expansion of gambling, adding potentially hundreds of new machines at dozens of additional sites in the state. In doing so, it would undercut revenue for the Education Trust Fund that funds the Blueprint for Maryland's future, reduce revenue for veteran service organizations, and undercut the state's problem gambling treatment programs.

It is widely accepted among economists who study gambling that once a region is saturated with a certain type of gambling product, there is little elasticity in consumer spending on gambling. In other words, there is a limited pool of money that consumers will spend on gambling if similar games are already widely available. Unless expansions of gambling offer fundamentally different games or platforms, the addition of similar machines simply spreads out existing gambling spending among more machines. In the case of this legislation, there are already thousands of similar machines in the state, so consumers who use the new machines authorized by this bill would almost certainly spend less at existing authorized sites.

As a result, this legislation would undercut the state's efforts to fund the Blueprint for Maryland's Future and would reduce revenues that veterans service organizations receive from these machines. The effective tax rate for ITLMs at fraternal organizations as envisioned by this bill would be lower than the tax rate for ITLMs at four of Maryland's six casinos. Collectively, the state's casinos provided $600 million to fund our schools last year, and undercutting that revenue stream would make it even more challenging to fund the Blueprint.

In addition, in the not infrequent circumstance that an individual is a member of both a veterans organization and a fraternal organization, it is likely that individual, if they want to gamble, will do so at the location closest to their home. This almost certainly means that veterans service organizations will see a reduction in play and revenue on their pre–existing machines. Veteran service organizations play a pivotal role in enhancing Maryland's social, economic, and civic landscape. Lowering veteran service organizations revenue means lowering their impact in the community.

The impact of this legislation on the state's efforts to combat problem gambling is also of significant concern. The MLGCA and Maryland Center of Excellence on Problem Gambling provide extensive programs and support for individuals trying to recover from gambling addiction. HB 328 does not include any responsible gaming protections for slot–like games similar to the machines in casinos, nor does it provide additional funding to support the state's problem gambling programs.

The expansion of gambling is always a challenging question. There is no shortage of deserving and responsible organizations that would benefit from the additional revenue

that this expansion of gambling would bring. As a veteran and member of a fraternity, I understand the importance of having spaces for fellowship that works to support the community. But decisions to expand gambling have to be made with full consideration of the negative as well as the positive impacts.

I look forward to continuing to work with the General Assembly to ensure revenues for education, guard against problem gambling, and keep our promise to Maryland's veterans service organizations.

Sincerely,

Wes Moore
Governor

House Bill 328

AN ACT concerning

State Lottery – Instant Ticket Lottery Machines – Veterans' and Fraternal Organizations

FOR the purpose of authorizing the Director of the State Lottery and Gaming Control Agency to issue certain fraternal organizations a license for not more than a certain number of instant ticket lottery machines; altering the distribution of proceeds from certain instant ticket lottery machine sales by veterans' organizations; providing for the distribution of proceeds from certain instant ticket lottery machine sales by fraternal organizations; authorizing, instead of requiring, the Director to consider certain information before issuing certain licenses; repealing a requirement that certain veterans' organizations purchase or lease certain instant ticket lottery machines; prohibiting certain fraternal organizations from operating an instant ticket lottery machine in certain locations; altering certain requirements concerning the conduct of gaming through instant ticket lottery machines; and generally relating to the operation of instant ticket lottery machines in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–112
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

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

Article – State Government

9–112.

(a) **(1)** In this section**[**, "veterans'**]** **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) "ACTIVE MEMBERS" MEANS INDIVIDUALS WHO ARE RECOGNIZED BY A FRATERNAL ORGANIZATION AS DUES–PAYING MEMBERS OR LIFETIME MEMBERS.

(3) (I) "FRATERNAL ORGANIZATION" MEANS A NONPROFIT ORGANIZATION THAT:

1. A. IS TAX EXEMPT AND ORGANIZED AS A FRATERNAL OR SORORAL ORGANIZATION UNDER § 501(C)(7) OR § 501(C)(8) OF THE INTERNAL REVENUE CODE;

B. OWNS OR LEASES A PROPERTY; AND

C. HAS A BONA FIDE MEMBERSHIP OF AT LEAST 300 ACTIVE MEMBERS OR HAS BEEN LOCATED IN A COUNTY IN WHICH SUBSECTION (D) OF THIS SECTION APPLIES FOR AT LEAST 5 YEARS BEFORE THE ORGANIZATION APPLIES FOR A LICENSE UNDER SUBSECTION (D) OF THIS SECTION; OR

2. IS INDEPENDENT AND THE MEMBERSHIP OF WHICH COMPRISES SOLELY GRADUATE MEMBERS OF A NATIONWIDE FRATERNITY OR SORORITY THAT IS TAX EXEMPT UNDER § 501(C)(7) OR § 501(C)(8) OF THE INTERNAL REVENUE CODE.

(II) "FRATERNAL ORGANIZATION" DOES NOT INCLUDE:

1. ANY COLLEGE OR HIGH SCHOOL FRATERNITY OR SORORITY; OR

2. ANY OTHER FRATERNITY OR SORORITY THE MEMBERSHIP OF WHICH IS RESTRICTED IN WHOLE OR IN PART TO STUDENTS OR GRADUATES OF AN EDUCATIONAL INSTITUTION OR A PROFESSIONAL SCHOOL.

(4) "VETERANS' organization" means an organization that is tax exempt and organized as a veterans' organization under § 501(c)(19) or § 501(c)(4) of the Internal Revenue Code.

(b) Except as provided in subsection (d) of this section, in accordance with the regulations of the Agency and this subtitle, the Director shall issue licenses to the persons and governmental units that will best serve the public convenience and promote the sale of State lottery tickets or shares.

(c) Before issuing a license to an applicant, the Director **[**shall**]** **MAY** consider such factors as:

(1) the financial responsibility and security of the applicant and the business or activity of the applicant;

(2) the accessibility of the place of business or activity to the public;

(3) the sufficiency of existing licenses to serve the public convenience; and

(4) the volume of expected sales.

(d) (1) This subsection does not apply in:

(i) Caroline County;

(ii) Cecil County;

(iii) Dorchester County;

(iv) Kent County;

(v) Queen Anne's County;

(vi) Somerset County;

(vii) Talbot County;

(viii) Wicomico County; and

(ix) Worcester County.

(2) (i) Subject to subparagraph (ii) of this paragraph, the Director may issue a license under this subtitle for***:***

1. not more than five instant ticket lottery machines to an applicant that is a veterans' organization ~~**OR FRATERNAL ORGANIZATION;**~~ ***AND***

2. NOT MORE THAN THREE INSTANT TICKET LOTTERY MACHINES TO AN APPLICANT THAT IS A FRATERNAL ORGANIZATION.

(ii) A veterans' organization **OR FRATERNAL ORGANIZATION** that is issued a license under this subsection shall locate and operate its instant ticket lottery machines at its principal meeting hall in the county in which the veterans' organization **OR FRATERNAL ORGANIZATION** is located.

(III) AS A RETAILER UNDER THE INSTANT TICKET LOTTERY MACHINE PROGRAM, A VETERANS' ORGANIZATION OR FRATERNAL ORGANIZATION SHALL BE COMPENSATED BASED ON A PERCENTAGE OF PROCEEDS.

(3) **(I)** After deduction of any **[**commission and**]** validation prize payout as provided under § 9–117 of this subtitle, a veterans' organization issued a license under this subsection shall **RETAIN 50% OF THE NET PROCEEDS AND** credit the remaining ~~receipts~~ **NET PROCEEDS** from the sale of tickets from instant ticket lottery machines to the State Lottery Fund established under § 9–118 of this subtitle.

(II) ON A PROPERLY APPROVED TRANSMITTAL, THE AGENCY SHALL PAY THE FOLLOWING AMOUNTS FROM THE NET PROCEEDS OF SALES OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES OPERATED BY A VETERANS' ORGANIZATION:

1. ~~50% TO VETERANS' ORGANIZATIONS~~ 5% TO THE MARYLAND VETERANS TRUST FUND ESTABLISHED UNDER § 9–913 OF THIS TITLE;

2. TO THE AGENCY, AN AMOUNT NECESSARY TO PAY FOR THE PURCHASE OR LEASE OF THE INSTANT TICKET LOTTERY MACHINES AND AGENCY ADMINISTRATION FEES FOR THE PROGRAM; AND

3. ANY REMAINING AMOUNT TO THE EDUCATION TRUST FUND ESTABLISHED UNDER § 9–1A–30 OF THIS TITLE.

(III) AFTER DEDUCTION OF A VALIDATION PRIZE PAYOUT, A FRATERNAL ORGANIZATION ISSUED A LICENSE UNDER THIS SUBSECTION SHALL ~~REMIT THE PROCEEDS FROM THE SALE OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES~~:

1. RETAIN 25% OF THE NET PROCEEDS FOR UNDERGRADUATE, GRADUATE, OR TRADE SCHOOL SCHOLARSHIPS OR CAPITAL IMPROVEMENTS, CAPITAL OUTLAYS, ACQUISITIONS, OR EXISTING COMMUNITY OUTREACH PROGRAMS AND RESOURCES; AND

2. REMIT THE REMAINDER TO THE AGENCY TO BE DISTRIBUTED AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH.

(IV) ON A PROPERLY APPROVED TRANSMITTAL, THE AGENCY SHALL PAY THE FOLLOWING AMOUNTS FROM THE NET PROCEEDS OF SALES OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES OPERATED BY A FRATERNAL ORGANIZATION:

1. 20% TO THE HOMELESSNESS SOLUTIONS PROGRAM IN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, TO BE USED,

IN CONSULTATION WITH THE DEPARTMENT OF VETERANS AND MILITARY FAMILIES, TO ASSIST VETERANS AND FAMILIES OF VETERANS, WITH PRIORITY GIVEN TO:

A. WOMEN VETERANS WHO ARE HOMELESS OR AT RISK OF HOMELESSNESS;

B. SINGLE–PARENT VETERAN FAMILIES; AND

C. VETERANS WHO ARE VICTIMS OF DOMESTIC VIOLENCE; ~~AND~~

~~**2. FROM THE REMAINING PROCEEDS OF SALES OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES OPERATED BY A FRATERNAL ORGANIZATION:**~~

~~**A. 25% TO THE FRATERNAL ORGANIZATION TO BE USED FOR UNDERGRADUATE, GRADUATE, OR TRADE SCHOOL SCHOLARSHIPS OR CAPITAL IMPROVEMENTS, CAPITAL OUTLAY, ACQUISITIONS, OR EXISTING COMMUNITY OUTREACH PROGRAMS AND RESOURCES;**~~

2. 5% TO THE MARYLAND VETERANS TRUST FUND ESTABLISHED UNDER § 9–913 OF THIS TITLE;

~~B.~~ 3. TO THE AGENCY, AN AMOUNT NECESSARY TO PAY FOR THE PURCHASE OR LEASE OF THE INSTANT TICKET LOTTERY MACHINES AND AGENCY ADMINISTRATION FEES FOR THE PROGRAM; AND

~~C.~~ 4. ANY REMAINING AMOUNT TO THE EDUCATION TRUST FUND ESTABLISHED UNDER § 9–1A–30 OF THIS TITLE.

(4) **[**(i) Subject to subparagraph (ii) of this paragraph, a veterans' organization issued a license under this subsection shall purchase or lease the instant ticket lottery machines to be used by the veterans' organization.

(ii)**]** An organization may not use ~~receipts~~ **NET PROCEEDS** from the sale of tickets from instant ticket lottery machines that would otherwise be **[**credited to the State Lottery Fund**]** **DISTRIBUTED AS REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION** for the costs of purchasing or leasing instant ticket lottery machines.

(5) **(I)** The Director may adopt regulations to implement the provisions of this subsection that include restricting the location of instant ticket lottery machines in areas of a veterans' organization's **OR A FRATERNAL ORGANIZATION'S** public meeting hall that is accessible to the public.

(II) A FRATERNAL ORGANIZATION MAY NOT LOCATE OR OPERATE ITS INSTANT TICKET LOTTERY MACHINES IN A MEETING HALL THAT IS:

1. LOCATED ON OR AFFILIATED WITH THE CAMPUS OF AN INSTITUTION OF HIGHER EDUCATION; OR

2. LOCATED IN A BUILDING WHERE STUDENTS OF AN INSTITUTION OF HIGHER EDUCATION RESIDE.

(6) The Agency shall ensure that the element of chance in the conduct of the gaming through the instant ticket lottery machines established under this subsection is ~~consistent with the holding in the case of Chesapeake Amusements Inc. v. Riddle, 363 Md. 16 (2001), in that the element of chance must be~~ **CONTAINED** wholly within the ~~pre–printed~~ **PREDETERMINED** instant lottery ticket, and that player enhancements in an instant ticket lottery machine may not affect the element of chance ~~being wholly within the pre–printed instant lottery ticket~~.

(e) The Director may not issue a license to:

(1) a person or governmental unit to engage in business primarily as a licensed agent; or

(2) an individual who is under the age of 21 years.

(f) The Commission may hear and decide an appeal of a denial of a license.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto House Bill 56 and Senate Bill 177 – *Procurement – State Department of Education – Local Food Purchasing Program,* House Bill 333 and Senate Bill 691 – *Healthcare Ecosystem Stakeholder Cybersecurity Workgroup,* and House Bill 384 and Senate Bill 157 – *Maryland Disability Service Animal Program – Established.*

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In a time of profound uncertainty, we must use our limited funds to prioritize policies that protect our people from the ravages of Washington; anything that fails to meet that high bar must wait for another time.

Our budget challenges also highlight the need for the State and its agencies to focus on their core missions. The state's fiscal outlook has not improved since these bills were passed. At a time where we have jointly made difficult decisions about cuts to vital services, any additional spending which is tangential to those core missions should receive close scrutiny. Collectively, these three bills would have required three agencies to work together to establish a new statewide food procurement system at the same time the federal government is pulling back on food purchasing assistance for local school systems, established a large workgroup on cybersecurity threats that is outside the expertise of the workgroup members and responsible agency, and created an underfunded program that would only be able to serve a small subgroup of agency target populations.

I recognize these bills all have positive intentions. But while there are positive aspects of the legislation, each bill directs state agencies to expand the scope of their missions to establish new programs and workgroups that they have not previously administered. Each bill requires subject matter expertise not currently on staff and I have real concerns that adequate funding will not be available to effectively establish and implement each of these new programs.

One of the first objectives I outlined for my administration was to focus on rebuilding state government and increasing state agency capacity to drive efficient, transformative results for Marylanders. I thank you and the General Assembly for partnership in this work. As we operate under this current fiscal climate, we must carefully prioritize our limited funds. In this environment, adding new responsibilities for state agencies that are tangential to their core missions makes little sense.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed

House Bill 56, Senate Bill 177, House Bill 333, Senate Bill 691, House Bill 384 and Senate Bill 157.

Sincerely,

Wes Moore
Governor

House Bill 333

AN ACT concerning

~~Cybersecurity –~~ **Healthcare Ecosystem** **Stakeholder Cybersecurity Workgroup**

FOR the purpose of ~~requiring the Maryland Health Care Commission and the Maryland Insurance Administration to include a cybersecurity expert as staff to perform certain functions and submit to the State Chief Information Security Officer a report on the cybersecurity practices and policies of certain healthcare ecosystem entities on a certain basis; requiring healthcare ecosystem entities to take certain actions related to cybersecurity, including adopting and implementing certain cybersecurity standards, undergoing a third–party cybersecurity audit on a certain basis, and reporting cybersecurity incidents to the State Security Operations Center in the Department of Information Technology; requiring the Center to notify certain agencies of a cybersecurity incident reported under this Act; authorizing the Maryland Department of Emergency Management to convene a workgroup to review cybersecurity practices, threats, and emerging issues in the healthcare ecosystem; requiring the Maryland Department of Emergency Management to convene a workgroup to study and make recommendations to improve the cybersecurity of the healthcare ecosystem~~ establishing the Healthcare Ecosystem Stakeholder Cybersecurity Workgroup to develop strategies to prevent cybersecurity disruptions to the healthcare ecosystem, ensure the continuous delivery of essential healthcare ecosystem services, and enhance recovery efforts of the healthcare ecosystem following a cybersecurity incident; ~~and generally relating to the Healthcare Ecosystem Stakeholder Cybersecurity Workgroup;~~ and generally relating to ~~cybersecurity and the healthcare ecosystem~~ the Healthcare Ecosystem Stakeholder Cybersecurity Workgroup.

~~BY repealing and reenacting, without amendments,~~
~~Article – Health – General~~
~~Section 19–101~~
~~Annotated Code of Maryland~~
~~(2023 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – Health – General~~
~~Section 19–113~~
~~Annotated Code of Maryland~~

~~(2023 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Insurance~~
~~Section 1–101(a), (b), and (k)~~
~~Annotated Code of Maryland~~
~~(2017 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – Insurance~~
~~Section 2–117~~
~~Annotated Code of Maryland~~
~~(2017 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~
~~Section 3.5–101(a) and (e), 3.5–2A–01, and 3.5–301(a) and (e)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – State Finance and Procurement~~
~~Section 3.5–2A–07~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~
~~Article – Health – General~~
~~Section 19–113(f)~~
~~Annotated Code of Maryland~~
~~(2023 Replacement Volume and 2024 Supplement)~~
~~(As enacted by Section 1 of this Act)~~

~~BY adding to~~
~~Article – Insurance~~
~~Section 2–117(f)~~
~~Annotated Code of Maryland~~
~~(2017 Replacement Volume and 2024 Supplement)~~
~~(As enacted by Section 1 of this Act)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Public Safety~~
~~Section 14–101(a) and (b)~~
~~Annotated Code of Maryland~~
~~(2022 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~

~~Article – Public Safety~~
~~Section 14–104.3~~
~~Annotated Code of Maryland~~
~~(2022 Replacement Volume and 2024 Supplement)~~

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

~~Article – Health – General~~

~~19–101.~~

~~In this subtitle, "Commission" means the Maryland Health Care Commission.~~

~~19–113.~~

~~(A)~~ **~~(1)~~** **~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~**

~~(2)~~ **~~"CYBERSECURITY" HAS THE MEANING STATED IN § 3.5–301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~**

~~(3)~~ **~~"ESSENTIAL CAPABILITIES" MEANS THE SERVICES THAT MUST BE AVAILABLE IN THE HEALTHCARE ECOSYSTEM TO ENSURE THE CONTINUITY OF CRITICAL CARE AND PATIENT SAFETY, INCLUDING DURING AN INCIDENT DIMINISHING THE CAPACITY OF THE HEALTHCARE ECOSYSTEM.~~**

~~(4)~~ **~~"HEALTHCARE ECOSYSTEM" MEANS THE ENTITIES AND RELATIONSHIPS AMONG ENTITIES THAT ARE NECESSARY TO DELIVER TREATMENT, PAYMENT, AND HEALTH CARE OPERATIONS.~~**

~~(5)~~ **~~(I)~~** **~~"HEALTHCARE ECOSYSTEM ENTITY" INCLUDES:~~**

~~1. AN ELECTRONIC DATA INTERCHANGE CLEARINGHOUSE;~~

~~2. A FREESTANDING MEDICAL FACILITY, AS DEFINED IN § 19–3A–01 OF THIS TITLE;~~

~~3. A HEALTH INFORMATION EXCHANGE, AS DEFINED IN § 4–301 OF THIS ARTICLE;~~

~~4. A HOSPITAL, AS DEFINED IN § 19–301 OF THIS TITLE; AND~~

~~5. AN ENTITY IDENTIFIED BY THE COMMISSION IN REGULATIONS TO BE INCLUDED IN THE HEALTHCARE ECOSYSTEM.~~

~~(II) "HEALTHCARE ECOSYSTEM ENTITY" DOES NOT INCLUDE:~~

~~1. A CARRIER, AS DEFINED IN § 2–117 OF THE INSURANCE ARTICLE; OR~~

~~2. A PHARMACY BENEFITS MANAGER, AS DEFINED IN § 15–1601 OF THE INSURANCE ARTICLE.~~

~~(6) "ZERO–TRUST" MEANS A CYBERSECURITY APPROACH:~~

~~(I) FOCUSED ON CYBERSECURITY RESOURCE PROTECTION; AND~~

~~(II) BASED ON THE PREMISE THAT TRUST IS NOT GRANTED IMPLICITLY BUT MUST BE EVALUATED CONTINUALLY.~~

~~(B) THE COMMISSION SHALL INCLUDE ON ITS STAFF AT LEAST ONE EMPLOYEE WHO IS AN EXPERT IN CYBERSECURITY TO:~~

~~(1) ADVISE THE CHAIRMAN AND MEMBERS OF THE COMMISSION ON MEASURES TO IMPROVE OVERSIGHT OF THE CYBERSECURITY PRACTICES OF HEALTHCARE ECOSYSTEM ENTITIES;~~

~~(2) CONSULT WITH THE OFFICE OF SECURITY MANAGEMENT ON CYBERSECURITY ISSUES RELATED TO HEALTH CARE REGULATION; AND~~

~~(3) REPRESENT THE COMMISSION ON ANY WORKGROUP, TASK FORCE, OR SIMILAR ENTITY THAT IS FOCUSED ON CYBERSECURITY AND ON WHICH REPRESENTATION FROM THE COMMISSION IS REQUESTED OR REQUIRED.~~

~~(C) A HEALTHCARE ECOSYSTEM ENTITY SHALL:~~

~~(1) ADOPT AND IMPLEMENT CYBERSECURITY STANDARDS THAT ARE EQUAL TO OR EXCEED ANY STANDARDS ADOPTED BY THE COMMISSION;~~

~~(2) ADOPT A ZERO TRUST CYBERSECURITY APPROACH FOR ON–PREMISES SERVICES AND CLOUD–BASED SERVICES;~~

~~(3) ESTABLISH MINIMUM SECURITY STANDARDS FOR EACH OPERATIONAL TECHNOLOGY AND INFORMATION TECHNOLOGY DEVICE BASED ON~~

~~THE LEVEL OF SECURITY RISK FOR EACH DEVICE, INCLUDING SECURITY RISKS ASSOCIATED WITH SUPPLY CHAINS; AND~~

~~(4) ON OR BEFORE JANUARY 1, 2026, AND EVERY 2 YEARS THEREAFTER:~~

~~(I) UNDERGO A THIRD-PARTY AUDIT TO EVALUATE THE ENTITY'S CYBERSECURITY PRACTICES AND RESOURCES BASED ON THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY'S CROSS SECTOR CYBERSECURITY PERFORMANCE GOALS OR A MORE STRINGENT STANDARD BASED ON THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY'S FRAMEWORK; AND~~

~~(II) SUBMIT TO THE COMMISSION A REPORT THAT INCLUDES:~~

~~1. THE RESULTS AND RECOMMENDATIONS OF THE AUDIT;~~

~~2. THE DATE OF THE CYBERSECURITY AUDIT;~~

~~3. THE STANDARD USED TO EVALUATE THE ENTITY; AND~~

~~4. THE NAME OF THE THIRD PARTY THAT CONDUCTED THE AUDIT.~~

~~(D) ON OR BEFORE JULY 1, 2026, AND EVERY 2 YEARS THEREAFTER, THE COMMISSION SHALL COLLECT CERTIFICATION OF A HEALTHCARE ECOSYSTEM ENTITY'S COMPLIANCE WITH THE STANDARD USED IN THE AUDIT CONDUCTED UNDER SUBSECTION (C)(4) OF THIS SECTION FOR CYBERSECURITY-RELATED POLICIES AND PROCEDURES.~~

~~(E) ON OR BEFORE JANUARY 1, 2027, AND EVERY 2 YEARS THEREAFTER, THE COMMISSION SHALL SUBMIT A REPORT TO THE STATE CHIEF INFORMATION SECURITY OFFICER OR THE OFFICER'S DESIGNEE THAT INCLUDES:~~

~~(1) A GENERAL OVERVIEW OF CYBERSECURITY TECHNOLOGY AND POLICIES USED BY HEALTHCARE ECOSYSTEM ENTITIES IN THE STATE, GROUPED IN THE FOLLOWING MANNER:~~

~~(I) HOSPITALS;~~

~~(II) FREESTANDING MEDICAL FACILITIES;~~

~~(III) ELECTRONIC DATA INTERCHANGE CLEARINGHOUSES;~~

~~(IV) HEALTH INFORMATION EXCHANGES; AND~~

~~(V) ANY OTHER ENTITY THE COMMISSION CONSIDERS SIGNIFICANT ENOUGH TO INCLUDE IN THE REPORT;~~

~~(2) INFORMATION ABOUT EACH CERTIFICATION COLLECTED, INCLUDING:~~

~~(I) THE NAME OF THE HEALTHCARE ECOSYSTEM ENTITY;~~

~~(II) THE DATE OF THE HEALTHCARE ECOSYSTEM ENTITY'S MOST RECENT CYBERSECURITY AUDIT;~~

~~(III) THE CYBERSECURITY STANDARD USED IN THE CYBERSECURITY AUDIT OF THE HEALTHCARE ECOSYSTEM ENTITY; AND~~

~~(IV) THE NAME OF THE THIRD PARTY THAT COMPLETED THE CYBERSECURITY AUDIT;~~

~~(3) AN OVERVIEW OF ESSENTIAL CAPABILITIES PROVIDED BY HEALTHCARE ECOSYSTEM ENTITIES;~~

~~(4) RECOMMENDATIONS FOR ENSURING THE CONTINUOUS DELIVERY OF ESSENTIAL CAPABILITIES DURING AND FOLLOWING A DISRUPTION TO THE HEALTHCARE ECOSYSTEM; AND~~

~~(5) RECOMMENDATIONS TO IMPROVE CYBERSECURITY FOR THE GROUPS OF HEALTHCARE ECOSYSTEM ENTITIES IDENTIFIED IN ITEM (1) OF THIS SUBSECTION.~~

~~Article – Insurance~~

~~1–101.~~

~~(a) In this article the following words have the meanings indicated.~~

~~(b) "Administration" means the Maryland Insurance Administration.~~

~~(k) "Commissioner" means the Maryland Insurance Commissioner.~~

~~2–117.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) "CARRIER" MEANS:~~

~~(I) AN INSURER AUTHORIZED TO SELL HEALTH INSURANCE;~~

~~(II) A NONPROFIT HEALTH SERVICE PLAN;~~

~~(III) A HEALTH MAINTENANCE ORGANIZATION;~~

~~(IV) A DENTAL PLAN ORGANIZATION; AND~~

~~(V) ANY OTHER ENTITY PROVIDING A PLAN OF HEALTH INSURANCE, HEALTH BENEFITS, OR HEALTH SERVICES AUTHORIZED UNDER THIS ARTICLE OR THE AFFORDABLE CARE ACT.~~

~~(3) "ESSENTIAL CAPABILITIES" MEANS THE SERVICES THAT MUST BE AVAILABLE IN THE HEALTHCARE ECOSYSTEM TO ENSURE THE CONTINUITY OF CRITICAL CARE AND PATIENT SAFETY, INCLUDING DURING AN INCIDENT DIMINISHING THE CAPACITY OF THE HEALTHCARE ECOSYSTEM.~~

~~(4) "HEALTHCARE ECOSYSTEM" MEANS THE ENTITIES AND RELATIONSHIPS AMONG ENTITIES THAT ARE NECESSARY TO DELIVER TREATMENT, PAYMENT, AND HEALTH CARE OPERATIONS.~~

~~(5) (I) "HEALTHCARE ECOSYSTEM ENTITY" MEANS:~~

~~1. A CARRIER; OR~~

~~2. A PHARMACY BENEFITS MANAGER, AS DEFINED IN § 15–1601 OF THIS ARTICLE.~~

~~(II) "HEALTHCARE ECOSYSTEM ENTITY" DOES NOT INCLUDE A GOVERNMENTAL PAYOR.~~

~~(6) "ZERO–TRUST" MEANS A CYBERSECURITY APPROACH:~~

~~(I) FOCUSED ON CYBERSECURITY RESOURCE PROTECTION; AND~~

~~(II) BASED ON THE PREMISE THAT TRUST IS NOT GRANTED IMPLICITLY BUT MUST BE EVALUATED CONTINUALLY.~~

~~(B) THE ADMINISTRATION SHALL INCLUDE ON ITS STAFF AT LEAST ONE EMPLOYEE WHO IS AN EXPERT IN CYBERSECURITY TO:~~

~~(1) ADVISE THE COMMISSIONER ON MEASURES TO IMPROVE OVERSIGHT OF THE CYBERSECURITY PRACTICES OF HEALTHCARE ECOSYSTEM ENTITIES;~~

~~(2) CONSULT WITH THE OFFICE OF SECURITY MANAGEMENT ON CYBERSECURITY ISSUES RELATED TO HEALTH INSURANCE REGULATION; AND~~

~~(3) REPRESENT THE ADMINISTRATION ON ANY WORKGROUP, TASK FORCE, OR SIMILAR ENTITY THAT IS FOCUSED ON CYBERSECURITY AND ON WHICH REPRESENTATION FROM THE ADMINISTRATION IS REQUIRED OR REQUESTED.~~

~~(C) A HEALTHCARE ECOSYSTEM ENTITY SHALL:~~

~~(1) ADOPT AND IMPLEMENT CYBERSECURITY STANDARDS THAT ARE EQUAL TO OR EXCEED ANY STANDARDS ADOPTED BY THE ADMINISTRATION;~~

~~(2) ADOPT A ZERO-TRUST CYBERSECURITY APPROACH FOR ON-PREMISES SERVICES AND CLOUD-BASED SERVICES;~~

~~(3) ESTABLISH MINIMUM SECURITY STANDARDS FOR EACH OPERATIONAL TECHNOLOGY AND INFORMATION TECHNOLOGY DEVICE BASED ON THE LEVEL OF SECURITY RISK FOR EACH DEVICE, INCLUDING SECURITY RISKS ASSOCIATED WITH SUPPLY CHAINS; AND~~

~~(4) ON OR BEFORE JANUARY 1, 2026, AND EVERY 2 YEARS THEREAFTER:~~

~~(I) UNDERGO A THIRD-PARTY AUDIT TO EVALUATE THE ENTITY'S CYBERSECURITY PRACTICES AND RESOURCES BASED ON THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY'S CROSS SECTOR CYBERSECURITY PERFORMANCE GOALS OR A MORE STRINGENT STANDARD BASED ON THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY'S FRAMEWORK; AND~~

~~(II) SUBMIT TO THE ADMINISTRATION A REPORT THAT INCLUDES:~~

~~1. THE RESULTS AND RECOMMENDATIONS FROM THE AUDIT;~~

~~2. THE DATE OF THE CYBERSECURITY AUDIT;~~

~~3. THE STANDARD USED TO EVALUATE THE ENTITY; AND~~

~~4. THE NAME OF THE THIRD PARTY THAT CONDUCTED THE AUDIT.~~

~~(D) ON OR BEFORE JULY 1, 2026, AND EVERY 2 YEARS THEREAFTER, THE ADMINISTRATION SHALL COLLECT CERTIFICATION OF A HEALTHCARE ECOSYSTEM ENTITY'S COMPLIANCE WITH THE STANDARD USED IN THE AUDIT CONDUCTED UNDER SUBSECTION (C)(4) OF THIS SECTION FOR CYBERSECURITY–RELATED POLICIES AND PROCEDURES.~~

~~(E) ON OR BEFORE JANUARY 1, 2027, AND EVERY 2 YEARS THEREAFTER, THE ADMINISTRATION SHALL SUBMIT A REPORT TO THE STATE CHIEF INFORMATION SECURITY OFFICER OR THE OFFICER'S DESIGNEE THAT INCLUDES:~~

~~(1) A GENERAL OVERVIEW OF CYBERSECURITY TECHNOLOGY AND POLICIES USED BY HEALTHCARE ECOSYSTEM ENTITIES IN THE STATE, GROUPED IN THE FOLLOWING MANNER:~~

~~(I) INSURERS AUTHORIZED TO SELL HEALTH INSURANCE;~~

~~(II) NONPROFIT HEALTH SERVICE PLANS;~~

~~(III) HEALTH MAINTENANCE ORGANIZATIONS;~~

~~(IV) DENTAL PLAN ORGANIZATIONS;~~

~~(V) PHARMACY BENEFITS MANAGERS; AND~~

~~(VI) ANY OTHER ENTITY PROVIDING A PLAN OF HEALTH INSURANCE, HEALTH BENEFITS, OR HEALTH SERVICES AUTHORIZED UNDER THIS ARTICLE OR THE AFFORDABLE CARE ACT;~~

~~(2) INFORMATION ABOUT EACH CERTIFICATION COLLECTED, INCLUDING:~~

~~(I) THE NAME OF THE HEALTHCARE ECOSYSTEM ENTITY;~~

~~(II) THE DATE OF THE HEALTHCARE ECOSYSTEM ENTITY'S MOST RECENT CYBERSECURITY AUDIT;~~

~~(III) THE CYBERSECURITY STANDARD USED IN THE CYBERSECURITY AUDIT OF THE HEALTHCARE ECOSYSTEM ENTITY; AND~~

~~(IV) THE NAME OF THE THIRD PARTY THAT COMPLETED THE CYBERSECURITY AUDIT;~~

~~(3) AN OVERVIEW OF ESSENTIAL CAPABILITIES PROVIDED BY THE HEALTHCARE ECOSYSTEM ENTITY;~~

~~(4) RECOMMENDATIONS FOR ENSURING THE CONTINUOUS DELIVERY OF ESSENTIAL CAPABILITIES DURING AND FOLLOWING A DISRUPTION TO THE HEALTHCARE ECOSYSTEM; AND~~

~~(5) RECOMMENDATIONS TO IMPROVE CYBERSECURITY FOR THE GROUPS OF HEALTHCARE ECOSYSTEM ENTITIES IDENTIFIED IN ITEM (1) OF THIS SUBSECTION.~~

~~Article – State Finance and Procurement~~

~~3.5–101.~~

~~(a) In this title the following words have the meanings indicated.~~

~~(e) "Department" means the Department of Information Technology.~~

~~3.5–2A–01.~~

~~(a) In this subtitle the following words have the meanings indicated.~~

~~(b) "Council" means the Maryland Cybersecurity Coordinating Council.~~

~~(c) "Office" means the Office of Security Management.~~

~~3.5–2A–07.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) "HEALTHCARE ECOSYSTEM" MEANS THE ENTITIES AND RELATIONSHIPS AMONG ENTITIES THAT ARE NECESSARY TO DELIVER HEALTH CARE TREATMENT, PAYMENT, AND HEALTH CARE OPERATIONS.~~

~~(3) "HEALTHCARE ECOSYSTEM ENTITY" INCLUDES:~~

~~(I) A CARRIER;~~

~~(II) AN ELECTRONIC DATA INTERCHANGE CLEARINGHOUSE;~~

~~(III) A FREESTANDING MEDICAL FACILITY;~~

~~(IV) A HOSPITAL;~~

~~(V) A PHARMACY BENEFITS MANAGER;~~

~~(VI) A HEALTH INFORMATION EXCHANGE; AND~~

~~(VII) ANY OTHER ENTITY IDENTIFIED BY THE MARYLAND HEALTH CARE COMMISSION OR THE MARYLAND INSURANCE ADMINISTRATION IN REGULATIONS TO BE INCLUDED IN THE HEALTHCARE ECOSYSTEM.~~

~~(B) (1) A HEALTHCARE ECOSYSTEM ENTITY SHALL REPORT, IN ACCORDANCE WITH THE PROCESS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION, A CYBERSECURITY INCIDENT, INCLUDING AN ATTACK ON A SYSTEM BEING USED BY THE HEALTHCARE ECOSYSTEM ENTITY, TO THE STATE SECURITY OPERATIONS CENTER IN THE DEPARTMENT.~~

~~(2) THE OFFICE, IN CONSULTATION WITH THE MARYLAND HEALTH CARE COMMISSION AND THE MARYLAND INSURANCE ADMINISTRATION, SHALL ESTABLISH A PROCESS FOR A HEALTHCARE ECOSYSTEM ENTITY TO REPORT A CYBERSECURITY INCIDENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING:~~

~~(I) THE CRITERIA FOR DETERMINING THE CIRCUMSTANCES UNDER WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED;~~

~~(II) THE MANNER IN WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED; AND~~

~~(III) THE TIME PERIOD WITHIN WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED.~~

~~(3) THE STATE SECURITY OPERATIONS CENTER IMMEDIATELY SHALL NOTIFY APPROPRIATE STATE AND LOCAL AGENCIES OF A CYBERSECURITY INCIDENT REPORTED UNDER THIS SUBSECTION.~~

~~(4) (I) ON OR BEFORE JULY 1 EACH YEAR, BEGINNING IN 2026, THE OFFICE SHALL REPORT TO THE GOVERNOR, THE COUNCIL, AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE NUMBER OF CYBERSECURITY INCIDENTS AND TYPES OF CYBERSECURITY INCIDENTS REPORTED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN THE IMMEDIATELY PRECEDING CALENDAR YEAR.~~

~~(II) A REPORT SUBMITTED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT IDENTIFY A HEALTHCARE~~

~~ECOSYSTEM ENTITY THAT REPORTED AN INCIDENT TO THE OFFICE OR A HEALTHCARE ECOSYSTEM ENTITY THAT WAS DIRECTLY AFFECTED BY AN INCIDENT REPORTED TO THE CENTER.~~

~~3.5–301.~~

~~(a) In this subtitle the following words have the meanings indicated.~~

~~(c) "Cybersecurity" means processes or capabilities wherein systems, communications, and information are protected and defended against damage, unauthorized use or modification, and exploitation.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~**Article – Health – General**~~

~~19–113.~~

~~**(F) THE COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT CYBERSECURITY STANDARDS AND PROCEDURES TO:**~~

~~**(1) PREVENT DISRUPTIONS TO THE HEALTHCARE ECOSYSTEM;**~~

~~**(2) ENABLE THE DELIVERY OF ESSENTIAL CAPABILITIES BY THE HEALTHCARE ECOSYSTEM; AND**~~

~~**(3) SUPPORT RECOVERY FROM AN INCIDENT THAT DISRUPTS THE HEALTHCARE ECOSYSTEM.**~~

~~**Article – Insurance**~~

~~2–117.~~

~~**(F) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO IMPLEMENT CYBERSECURITY STANDARDS AND PROCEDURES TO:**~~

~~**(1) PREVENT DISRUPTIONS TO THE HEALTHCARE ECOSYSTEM;**~~

~~**(2) ENABLE THE DELIVERY OF ESSENTIAL CAPABILITIES BY THE HEALTHCARE ECOSYSTEM; AND**~~

~~**(3) SUPPORT RECOVERY FROM AN INCIDENT THAT DISRUPTS THE HEALTHCARE ECOSYSTEM.**~~

~~**Article – Public Safety**~~

~~14–101.~~

~~(a) In this title the following words have the meanings indicated.~~

~~(b) "Department" means the Maryland Department of Emergency Management.~~

~~**14–104.3.**~~

~~**(A) THE DEPARTMENT SHALL PROVIDE GUIDANCE TO THE MARYLAND HEALTH CARE COMMISSION AND THE MARYLAND INSURANCE ADMINISTRATION REGARDING THE IMPLEMENTATION AND MONITORING OF CYBERSECURITY REGULATORY STANDARDS FOR HEALTHCARE ECOSYSTEM ENTITIES.**~~

~~**(B) THE DEPARTMENT MAY CONVENE A WORKGROUP TO REVIEW CYBERSECURITY PRACTICES, THREATS, AND EMERGING ISSUES AFFECTING THE HEALTHCARE ECOSYSTEM.**~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That:~~

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

(a) (1) In this section the following words have the meanings indicated.

(2) "Cybersecurity" has the meaning stated in § 3.5–301 of the State Finance and Procurement Article.

(3) "Essential capabilities" means the services that must be available in the healthcare ecosystem to ensure the continuity of critical care and patient safety, including during an incident diminishing the capacity of the healthcare ecosystem.

(4) "Healthcare ecosystem" means the entities and relationships among entities that are necessary to deliver treatment, payment, and health care operations.

(5) (i) "Healthcare ecosystem entity" includes:

1. a carrier, as defined in § 2–117 of the Insurance Article;

2. an electronic data interchange clearinghouse;

3. a freestanding medical facility, as defined in § 19–3A–01 of the Health – General Article;

4. a health information exchange, as defined in § 4–301 of the Health – General Article;

5. a hospital, as defined in § 19–301 of the Health – General Article; and

6. a pharmacy benefits manager, as defined in § 15–1601 of the Insurance Article.

(ii) "Healthcare ecosystem entity" does not include a governmental payor.

(6) "Health care operations" has the meaning stated in 45 C.F.R. § 164.501.

(7) "Payment" has the meaning stated in 45 C.F.R. § 164.501.

(8) "Treatment" has the meaning stated in 45 C.F.R. § 164.501.

(9) "Workgroup" means the Healthcare Ecosystem Stakeholder Cybersecurity Workgroup.

(b) (1) ~~The Maryland Department of Emergency Management shall convene a healthcare ecosystem stakeholder workgroup to study and make recommendations to improve the cybersecurity of the healthcare ecosystem in the State~~ There is a Healthcare Ecosystem Stakeholder Cybersecurity Workgroup.

(2) The purpose of the Workgroup is to develop strategies to:

(i) prevent cybersecurity disruptions to healthcare ecosystem operations;

(ii) ensure the continuous delivery of essential healthcare ecosystem services; and

(iii) enhance recovery efforts of the healthcare ecosystem following a cybersecurity incident.

~~(2) The workgroup shall include:~~

~~(i) one representative of the Maryland Health Care Commission;~~

~~(ii) one representative of the Maryland Insurance Administration;~~

~~(iii) one representative of the Office of Security Management within the Department of Information Technology;~~

~~(iv) representatives from healthcare ecosystem entities selected by the Maryland Department of Emergency Management; and~~

~~(v) any other stakeholders or experts selected by the Maryland Department of Emergency Management.~~

~~(3) The Maryland Department of Emergency Management may convene subgroups considered appropriate to focus on specific concerns facing the healthcare ecosystem or specific aspects of the healthcare ecosystem.~~

(c) The Workgroup consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Chairman of the Maryland Health Care Commission, or the Chairman's designee;

(4) the Maryland Insurance Commissioner, or the Commissioner's designee;

(5) the Secretary of Emergency Management, or the Secretary's designee;

(6) the State Chief Information Security Officer, or the State Chief Officer's designee;

(7) two representatives from the Subcommittee on Critical Infrastructure of the Maryland Cybersecurity Council, appointed by the Chair of the Maryland Cybersecurity Council;

(8) one representative from each of the following organizations, designated by the head of the organization:

(i) one representative of the Cooperative Exchange;

(ii) one representative of the Electronic Health Record Association;

(iii) one representative of the Maryland League of Life and Health Insurers;

(iv) one representative of the Maryland Hospital Association; and

(v) one representative of the Maryland Cybersecurity Association;

(9) one representative of a pharmacy benefits manager, appointed by the Maryland Insurance Commissioner;

(10) the following representatives appointed by the Chairman of the Maryland Health Care Commission:

(i) one representative of an electronic data interchange clearinghouse;

(ii) one representative of a freestanding medical facility;

(iii) one representative of a large hospital;

(iv) one representative of a small hospital;

(v) one representative of an inpatient psychiatric hospital; and

(vi) one representative of a health information exchange; and

(11) three representatives of a patient advocacy group, jointly appointed by the Chairman of the Maryland Health Care Commission and the Maryland Insurance Commissioner.

(d) The Chairman of the Maryland Health Care Commission, or the Chairman's designee, and the Maryland Insurance Commissioner, or the Commissioner's designee, shall cochair the Workgroup.

(e) The Maryland Health Care Commission and the Maryland Insurance Administration shall provide staff for the Workgroup.

(f) 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.

~~(c)~~ (g) The ~~workgroup~~ Workgroup shall:

(1) identify essential capabilities required for the delivery of health care during a cybersecurity attack;

(2) identify functional requirements for the healthcare ecosystem to be capable of providing the essential capabilities identified under item (1) of this subsection;

(3) identify and map all healthcare ecosystem entities in the State against the essential health care capabilities and identified functional requirements;

(4) identify which healthcare ecosystem entities are needed, directly or indirectly, to provide the essential capabilities identified under item (1) of this subsection;

(5) ~~identify other issues related to cybersecurity in the healthcare ecosystem~~ develop an ecosystem cybersecurity threat and risk assessment based on the essential health care capabilities and supporting functions;

(6) examine cybersecurity challenges affecting the healthcare ecosystem based on the threat and risk assessment;

~~(6)~~ (7) review best practices for cybersecurity and processes used in the healthcare ecosystem, including NIST 800–207, NIST 800–207A, NIST 800–53A, the NIST Cybersecurity Framework, HICP Technical Volume 1, and HICP Technical Volume 2; ~~and~~

~~(7) provide guidance for the Maryland Health Care Commission and the Maryland Insurance Administration regarding the adoption and maintenance of cybersecurity regulatory standards.~~

(8) make recommendations for adopting and maintaining cybersecurity regulatory standards; and

(9) make recommendations for ensuring that essential capabilities and supporting functions are resilient to disruption.

~~(d)~~ (h) (1) On or before ~~July~~ January 1, 2026, the ~~Maryland Department of Emergency Management~~ Workgroup shall submit an interim report ~~defining the scope and contents of the State's healthcare ecosystem~~ of its findings and recommendations to the Governor, the Secretary of Emergency Management, the ~~Chair~~ Chairman of the Maryland Health Care Commission, the Maryland Insurance Commissioner, the State Chief Information Security Officer, and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

(2) On or before ~~July~~ December 1, ~~2028~~ 2026, the ~~Maryland Department of Emergency Management~~ Workgroup shall submit a final report of the findings and recommendations of the workgroup to the Governor, the Secretary of Emergency Management, the ~~Chair~~ Chairman of the Maryland Health Care Commission, the Maryland Insurance Commissioner, the State Chief Information Security Officer, and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

~~SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2028.~~

SECTION ~~5.~~ 2. AND BE IT FURTHER ENACTED, That~~, except as provided in Section 4 of this Act,~~ this Act shall take effect July 1, 2025. ~~Section 3 of this Act~~ It shall remain effective for a period of ~~4~~ 2 years and, at the end of June 30, ~~2029~~ 2027, ~~Section 3 of~~

this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I have exercised my constitutional authority to veto two individual line items in HB 350, the Budget Bill for Fiscal Year 2026, which have been increased above proposed appropriations.

The first line item which I have vetoed is Section 21, Subsection 56 of the enrolled text of the budget bill, from line 40 on page 334 to line 5 on page 335, which reads as follows:

> "(56) $500,000 in special funds from the renewable and clean energy subaccount of the SEIF is added to the appropriation for program E00A01.01 Executive Direction within the Comptroller of Maryland for the purpose of funding a study, including the costs related to a consultant, required under SB 149 or HB 128, contingent on the enactment of SB 149 or HB 128 requiring a study. Funds not expended for this added purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the SEIF."

The second line item which I have vetoed is Section 21, Subsection 61 of the enrolled text of the budget bill, from line 31 to line 36 on page 335, which reads as follows:

> "(61) $230,128 in general funds and 3.0 regular positions are added to the appropriation for program R00A01.06 Office of the Deputy for Operations within Headquarters within the Maryland State Department of Education for the purpose of assisting local education agencies with cybersecurity efforts. Funds not expended for this added purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund."

I have signed the remainder of House Bill 350 into law.

Maryland's Budget Situation

I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In partnership, we turned a deficit into a surplus, while keeping funding in the Rainy Day Fund above mandated levels. We ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes, while also asking those who have done very well financially to pay slightly more to help improve our public schools, keep our roads and transit safe, and ensure access to high quality health care. Together, we reduced spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, no amount of success can paper over the chaos from Washington, D.C. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In a time of profound uncertainty, we must use our limited funds to prioritize policies that protect our people from the ravages of Washington; anything that fails to meet that high bar must wait for another time.

The Need to End Wasteful Practices

Our current budget situation requires us to reconsider and change past practices that have resulted in unnecessary spending by the State. Increasingly over recent decades, as an alternative to passing legislation taking action on a topic, the legislature has passed bills mandating studies or reports on that topic. While such bills can be a first step to addressing complex issues and allow the signaling of support for an issue without making real commitments, the practice has become so commonplace that it is now a significant financial and staff burden on state government. In addition, such reporting requirements have at times delayed prompt action on important issues, and in the face of the onslaught from the current Administration in Washington the State needs to respond to important issues more quickly. Studies can serve a purpose, but their overuse is a drag on State government.

Prior to the 2025 legislative session, the Department of Legislative Services (DLS) was tracking a total of 3,901 mandated reports, a number which excludes the reports required annually by the Joint Chairmen's Report. Many of these reports are never read and simply collect dust on shelves, but nonetheless executive branch agencies are required to dedicate funding and staff time to each, in many cases, with restrictions on their budget appropriations if they fail to comply. While it is impossible to calculate the total amount of staff time and state funding necessary to complete and file these reports, it is a reasonable assumption that the cost runs to the tens of millions of dollars.

Line item 21–56 pertains to a study required by SB 149 and HB 128, which I have also vetoed. I have addressed in more depth my reasons for vetoing those bills in a separate letter, but the report funded by this line item is duplicative of a number of other reports that have already been issued, and therefore this mandated funding is both unnecessary and wasteful.

I am hopeful that this line item veto can serve as the starting point for a more extensive conversation about the overuse of reporting requirements, not only in statute and uncodified legislative language but in regulations and executive orders, as we jointly seek to streamline state government.

The Need to Focus on Our Core Mission

Our budget challenges also highlight the need for the State and its agencies to focus on their core missions. At a time where we have jointly made difficult decisions about cuts to vital services, adding additional spending which is tangential to those core missions is inappropriate.

The core mission of MSDE is to ensure that every child in Maryland receives a world class education. I have sought in my own proposals to maintain that focus, for example by proposing the creation and funding of the Academic Excellence Program. The services proposed by that program are proven to have a significant and measurable impact on student success. To cut funding for such proven programs which will help children learn while adding funding for a task that is tangential to MSDE's core mission makes little sense. And yet, that is exactly what was proposed in the budget bill.

Line item 21–61 proposes the creation of three positions at the Maryland State Department of Education (MSDE) focused on cybersecurity in local school systems. Ensuring strong cybersecurity protections in every government agency is essential, but the creation of these positions at MSDE represents mission creep for that agency. Further, it duplicates existing state government resources, namely the Office of Security Management within the Department of Information Technology (DoIT). That office is tasked with directly supporting local school systems in developing cybersecurity preparedness and response plans, implementing best practices developed by DoIT, and connecting local entities to appropriate cybersecurity preparedness and response resources.

Further, MSDE advises that each such cybersecurity position would require a minimum of $140,000 in funding for salary and benefits, but the line item only proposes $230,000 in total funding, which is not even adequate to fund two positions. As these positions are tangential to MSDE's core mission and the proposed funding is not adequate to their creation, I have vetoed this line item as well.

Sincerely,

Wes Moore
Governor

House Bill 350

AN ACT concerning

Budget Bill

(Fiscal Year 2026)

SECTION 21. AND BE IT FURTHER ENACTED, That funds are added to the fiscal 2026 appropriation in the following manner:

(56) $500,000 in special funds from the renewable and clean energy subaccount of the SEIF is added to the appropriation for program E00A01.01 Executive Direction within the Comptroller of Maryland for the purpose of funding a study, including the costs related to a consultant, required under SB 149 or HB 128, contingent on the enactment of SB 149 or HB 128 requiring a study. Funds not expended for this added purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the SEIF;

(61) $230,128 in general funds and 3.0 regular positions are added to the appropriation for program R00A01.06 Office of the Deputy for Operations within Headquarters within the Maryland State Department of Education for the purpose of assisting local education agencies with cybersecurity efforts. Funds not expended for this added purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund;

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto House Bill 56 and Senate Bill 177 – *Procurement – State Department of Education – Local Food Purchasing Program,* House Bill 333 and Senate Bill 691 – *Healthcare Ecosystem Stakeholder Cybersecurity Workgroup,* and House Bill 384 and Senate Bill 157 – *Maryland Disability Service Animal Program – Established.*

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In

partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In a time of profound uncertainty, we must use our limited funds to prioritize policies that protect our people from the ravages of Washington; anything that fails to meet that high bar must wait for another time.

Our budget challenges also highlight the need for the State and its agencies to focus on their core missions. The state's fiscal outlook has not improved since these bills were passed. At a time where we have jointly made difficult decisions about cuts to vital services, any additional spending which is tangential to those core missions should receive close scrutiny. Collectively, these three bills would have required three agencies to work together to establish a new statewide food procurement system at the same time the federal government is pulling back on food purchasing assistance for local school systems, established a large workgroup on cybersecurity threats that is outside the expertise of the workgroup members and responsible agency, and created an underfunded program that would only be able to serve a small subgroup of agency target populations.

I recognize these bills all have positive intentions. But while there are positive aspects of the legislation, each bill directs state agencies to expand the scope of their missions to establish new programs and workgroups that they have not previously administered. Each bill requires subject matter expertise not currently on staff and I have real concerns that adequate funding will not be available to effectively establish and implement each of these new programs.

One of the first objectives I outlined for my administration was to focus on rebuilding state government and increasing state agency capacity to drive efficient, transformative results for Marylanders. I thank you and the General Assembly for partnership in this work. As we operate under this current fiscal climate, we must carefully prioritize our limited funds. In this environment, adding new responsibilities for state agencies that are tangential to their core missions makes little sense.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed House Bill 56, Senate Bill 177, House Bill 333, Senate Bill 691, House Bill 384 and Senate Bill 157.

Sincerely,

Wes Moore
Governor

House Bill 384

AN ACT concerning

Maryland Disability Service Animal Program – Established

FOR the purpose of establishing the Maryland Disability Service Animal Program in the Department of Disabilities; requiring the Department to select a nonprofit training entity for participation in the Program; establishing the Maryland Disability Service Animal Program Fund as a special, nonlapsing fund; and generally relating to the Maryland Disability Service Animal Program.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 7–114
Annotated Code of Maryland
(2019 Replacement Volume and 2024 Supplement)

BY adding to
Article – Human Services
Section 7–1201 through 7–1206 to be under the new subtitle "Subtitle 12. Maryland Disability Service Animal Program"
Annotated Code of Maryland
(2019 Replacement Volume and 2024 Supplement)

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

Article – Human Services

7–114.

(a) (1) The Department is the principal unit of State government responsible for developing, maintaining, revising, and enforcing statewide disability policies and standards throughout the units of State government.

(2) In this capacity, the Department shall:

(i) serve as the principal advisor to the Governor on the means and methods available to:

1. implement and fund support to individuals with disabilities in accordance with the State Disabilities Plan;

2. modify or consolidate support to individuals with disabilities; and

3. collaborate with federal, regional, and local units of government to enhance the effectiveness of the provision and funding of support to individuals with disabilities;

(ii) annually recommend projects to the Department of Budget and Management for inclusion in the capital budget to promote access to State–owned facilities for individuals with disabilities;

(iii) assist units of State government to identify federal, State, local, and private funds available to the State for programs and services for individuals with disabilities; and

(iv) provide technical assistance to local jurisdictions in planning and implementing collaborative strategies consistent with the State Disabilities Plan.

(b) The Department shall oversee and administer the following programs and units:

(1) constituent services and ombudsmen programs;

(2) the Assistive Technology Guaranteed Loan Program under Subtitle 6 of this title;

(3) the Office of Personal Assistance Services, including the Attendant Care Program under Subtitle 4 of this title;

(4) Telecommunications Access of Maryland under Subtitle 8 of this title; **[**and**]**

(5) Telecommunications Devices and Distribution of Accessible Information for Disabled Individuals under Subtitle 9 of this title**; AND**

(6) THE MARYLAND DISABILITY SERVICE ANIMAL PROGRAM UNDER SUBTITLE 12 OF THIS TITLE.

SUBTITLE 12. MARYLAND DISABILITY SERVICE ANIMAL PROGRAM.

7–1201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "DEPARTMENT" MEANS THE DEPARTMENT OF DISABILITIES.

(C) "ELIGIBLE INDIVIDUAL" MEANS ~~AN INDIVIDUAL~~ A RESIDENT OF THE STATE WITH A DISABILITY, AS DEFINED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990, 42 U.S.C. § 12102.

(D) "FUND" MEANS THE MARYLAND DISABILITY SERVICE ANIMAL PROGRAM FUND.

(E) "NONPROFIT TRAINING ENTITY" MEANS A CORPORATION, A FOUNDATION, OR ANY OTHER LEGAL ENTITY THAT:

(1) IS TAX–EXEMPT UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE;

(2) ENGAGES IN THE TRAINING OF SERVICE ANIMALS FOR USE BY ELIGIBLE INDIVIDUALS; AND

(3) HAS BEEN SELECTED BY THE DEPARTMENT TO PROVIDE SERVICES UNDER THIS SUBTITLE.

(F) "PROGRAM" MEANS THE MARYLAND DISABILITY SERVICE ANIMAL PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

(G) "PROGRAM PARTICIPANT" MEANS AN ELIGIBLE INDIVIDUAL WHO PARTICIPATES IN THE PROGRAM.

(H) (1) "SERVICE ANIMAL" MEANS AN ANIMAL THAT IS INDIVIDUALLY TRAINED TO DO WORK OR PERFORM TASKS FOR THE BENEFIT OF AN INDIVIDUAL WITH A DISABILITY.

(2) "SERVICE ANIMAL" DOES NOT INCLUDE AN ANIMAL THAT:

(I) AS A RESULT OF THE ANIMAL'S PRESENCE, IS MEANT TO DETER CRIME; OR

(II) PROVIDES ONLY EMOTIONAL SUPPORT, WELL–BEING, COMFORT, OR COMPANIONSHIP TO AN INDIVIDUAL.

(I) "SUCCESSFUL PROGRAM PARTICIPANT" MEANS A PROGRAM PARTICIPANT WHO SUCCESSFULLY COMPLETES THE TRAINING PROTOCOL SPECIFIED BY A NONPROFIT TRAINING ENTITY.

7–1202.

THERE IS A MARYLAND DISABILITY SERVICE ANIMAL PROGRAM IN THE DEPARTMENT.

7–1203.

THE PURPOSES OF THE PROGRAM ARE TO:

(1) ~~REFER ELIGIBLE INDIVIDUALS WHO INQUIRE ABOUT PARTICIPATION IN THE PROGRAM TO~~ SELECT ONE OR MORE NONPROFIT TRAINING ENTITIES TO PARTICIPATE IN THE PROGRAM; AND

(2) PROVIDE ADDITIONAL FUNDING MECHANISMS TO ASSIST ELIGIBLE INDIVIDUALS IN THE PROGRAM~~; AND~~

~~(3) ENCOURAGE SUCCESSFUL PROGRAM PARTICIPANTS TO ASSIST IN OUTREACH AND REFERRALS TO OTHER ELIGIBLE INDIVIDUALS WHO COULD BENEFIT FROM PARTICIPATION IN THE PROGRAM~~.

7–1204.

THE DEPARTMENT SHALL:

(1) ~~MANAGE, SUPERVISE, AND~~ ADMINISTER THE PROGRAM;

(2) ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM ~~AND TO ENSURE THAT FUND RESOURCES ARE UTILIZED TO CARRY OUT THE PURPOSES OF THE PROGRAM~~, INCLUDING REGULATIONS ESTABLISHING PROCEDURES FOR THE DEPARTMENT TO:

~~(I) PROMOTE THE PROGRAM TO ELIGIBLE INDIVIDUALS THROUGH THE DEPARTMENT'S OUTREACH METHODS;~~

~~(II) REFER ELIGIBLE INDIVIDUALS TO SELECTED NONPROFIT TRAINING ENTITIES;~~

~~(III)~~ RECEIVE DONATIONS FOR THE FUND; AND

~~(IV)~~ (II) USE REVENUE FROM THE FUND TO PAY SELECTED NONPROFIT TRAINING ENTITIES FOR SERVICES THAT ARE PROVIDED THROUGH THE PROGRAM; AND

(3) SELECT AT LEAST ONE NONPROFIT TRAINING ENTITY TO:

(I) DEVELOP AND IMPLEMENT A TRAINING PROTOCOL THAT WILL TEACH EACH PROGRAM PARTICIPANT METHODOLOGIES, STRATEGIES, AND TECHNIQUES FOR PARTNERING WITH SERVICE ANIMALS;

(II) SELECT QUALIFIED PROGRAM PARTICIPANTS ~~FROM THOSE ELIGIBLE INDIVIDUALS REFERRED TO THE NONPROFIT TRAINING ENTITY UNDER THE PROGRAM~~;

(III) SELECT AN APPROPRIATE SERVICE ANIMAL FOR EACH PROGRAM PARTICIPANT;

(IV) FACILITATE EACH PROGRAM PARTICIPANT'S TRAINING USING THE NONPROFIT TRAINING ENTITY'S TRAINING PROTOCOL; AND

(V) PARTNER EACH SUCCESSFUL PROGRAM PARTICIPANT WITH THE SERVICE ANIMAL ON THE PROGRAM PARTICIPANT'S SUCCESSFUL COMPLETION OF THE NONPROFIT TRAINING ENTITY'S TRAINING PROTOCOL.

7–1205.

(A) TO BE ELIGIBLE FOR SELECTION AS A NONPROFIT TRAINING ENTITY UNDER § 7–1204 OF THIS SUBTITLE, A NONPROFIT TRAINING ENTITY SHALL:

(1) SERVE THE NEEDS OF ELIGIBLE INDIVIDUALS IN THE STATE; AND

(2) GENERATE ITS OWN REVENUE AND REINVEST THE PROCEEDS OF THAT REVENUE IN THE GROWTH AND DEVELOPMENT OF ITS PROGRAMS.

(B) A NONPROFIT TRAINING ENTITY MAY DISQUALIFY A PROGRAM PARTICIPANT FROM PARTICIPATION IN THE PROGRAM IF THE NONPROFIT TRAINING ENTITY DETERMINES THAT THE PROGRAM PARTICIPANT'S INVOLVEMENT IN THE PROGRAM:

(1) PRESENTS A DANGER TO THE PROGRAM PARTICIPANT'S MENTAL OR PHYSICAL WELL–BEING;

(2) PRESENTS A DIRECT THREAT TO OTHERS, AS DEFINED BY THE FEDERAL AMERICANS WITH DISABILITIES ACT;

(3) PRESENTS A DIRECT THREAT TO THE SERVICE ANIMAL'S MENTAL OR PHYSICAL WELL–BEING; OR

(4) DOES NOT MEET THE TRAINING REQUIREMENTS OF THE NONPROFIT.

(C) A PROGRAM PARTICIPANT MAY DISCONTINUE INVOLVEMENT IN THE PROGRAM FOR ANY REASON.

7–1206.

(A) THERE IS A MARYLAND DISABILITY SERVICE ANIMAL PROGRAM FUND.

(B) THE PURPOSE OF THE FUND IS TO:

(1) PAY A NONPROFIT TRAINING ENTITY; AND

(2) COVER THE COSTS OF ADMINISTERING THE PROGRAM.

(C) THE SECRETARY SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) (1) THE FUND CONSISTS OF:

(I) REVENUE COLLECTED BY THE DEPARTMENT IN THE FORM OF DONATIONS TO THE PROGRAM;

(II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

(III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(2) FOR EACH FISCAL YEAR, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF $25,000 TO THE FUND.

~~(2)~~ (3) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

~~(3)~~ (4) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAM.

(F) THE FUND MAY BE USED ONLY TO PAY:

(1) A NONPROFIT TRAINING ENTITY; AND

(2) ADMINISTRATIVE COSTS OF THE PROGRAM.

(G) (1) THE STATE TREASURER SHALL INVEST AND REINVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

(H) FOR THE PURPOSE OF IMPLEMENTING THIS SECTION, THE DEPARTMENT MAY ACCEPT GIFTS OR GRANTS FOR DONATION TO THE FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That ~~this Act shall take effect October 1, 2025~~:

(a) This Act is contingent on the Department of Disabilities certifying that the Department has sufficient staff to administer the Maryland Disability Service Animal Program under Title 7, Subtitle 12 of the Human Services Article, as enacted by Section 1 of this Act.

(b) On or before October 1, 2026, the Department of Disabilities shall notify the Department of Legislative Services whether the Department has certified that the Department has sufficient staff to administer the Maryland Disability Service Animal Program.

(c) (1) If the Department of Legislative Services receives notification that the Department of Disabilities has sufficient staff to administer the Maryland Disability Service Animal Program on or before October 1, 2026, this Act shall take effect on the date the notice is received by the Department of Legislative Services in accordance with subsection (b) of this section.

(2) If the Department of Legislative Services receives notice that the Department of Disabilities lacks sufficient staff to administer the Maryland Disability Service Animal Program on or before October 1, 2026, this Act, with no further action required by the General Assembly, shall be null and void.

SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of this Act, this Act shall take effect October 1, 2025.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto two bills pertaining to gubernatorial appointments, Senate Bill 503 and House Bill 481 – *Washington County – Board of License Commissioners – Membership* and Senate Bill 972 – *Anne Arundel County – Board of License Commissioners – Alterations.*

While these bills focus on distinct boards and advance different processes, both undermine hundreds of years of precedent to ensure effective checks and balances between the Executive Branch, the Legislative Branch, and local governments. Both bills effectively remove the role of the Governor in these appointment processes, setting a new paradigm for the state moving forward that, in my view, does not serve the people of Maryland well.

Senate Bill 503 and House Bill 481

This legislation sought to alter the membership of the Washington County Board of License Commissioners ("Board"). The Board regulates the retail sale of alcoholic beverages in Washington County. By law, the Board is composed of three members who each serve six–year terms, appointed by the Governor with the advice and consent of the Maryland Senate if the Senate is in session when the appointment is made. Each member of the Board is required to be a resident and voter of Washington County and must be "individuals of high character and integrity and of recognized business capacity."

Of particular importance, no more than two members of the three–member board may belong to the same political party, ensuring that no one party asserts full control of the Board. Senate Bill 503/House Bill 481 sought to change this party requirement to instead mandate that two members of the Board must belong to the political party that received the highest aggregated number of votes the preceding election for the Washington County Board of County Commissioners and that one member must belong to the political party that received the second highest number of votes. This change would have restricted the ability for Governors to appoint members based upon merit first and foremost. Further, the bill would likely result in the partisan makeup of the board remaining constant over time with little chance for the majority party to alternate as is more likely to happen through the gubernatorial appointments process. Should this bill have been enacted, it would put into question the integrity and public trust of the Board as it would have increased the likelihood that a single political party can assert longterm control over its functions.

Senate Bill 972

This legislation sought to alter the Anne Arundel County Board of License Commissioners which regulates the retail sale of alcoholic beverages, processes liquor licenses, and enforces the liquor laws within Anne Arundel County. Specifically, the bill sought to increase the size of the Anne Arundel County Board of License Commissioners from 3 to 5 and require the Governor to choose appointments from a list of individuals recommended by the members of the Anne Arundel County House *or* Senate delegations to the General Assembly. While I support increasing the size of this board to 5 members, as passed this legislation would have created ambiguity and confusion about the process for appointments and violated the longheld tradition of the Governor exercising appointment powers.

My first concern is in regards to the requirement that the Governor must select individuals to appoint from a list recommended by either the Anne Arundel County House *or* Senate delegations to the General Assembly. As these delegations may choose different individuals, it is unclear which would constitute the list to choose from. Should the House and Senate delegation recommendations be aggregated into a single list but the delegations are not aligned on the recommended individuals, it is unclear whether the names actually achieve enhanced local influence on the appointments to the Board. This confusion and lack of clear benefit raises serious concerns about the smooth operation of the Board as it carries out its important work.

Second, there is no minimum number of names that would have been required to be included on these lists of recommended individuals. Should the delegations submit only 5 names, this would have effectively provided a subset of the legislature with de facto appointment authority. This authority would set a new precedent regarding appointments to important boards and erode the constitutional power of appointment that resides with the Governor. This authority and oversight has long been an effective system and it is unclear what would motivate a departure from this process. At best, this is unnecessary change and, at worst, this removes important checks and balances from the process.

For these reasons, I have vetoed Senate Bill 503, House Bill 481, and Senate Bill 907.

Sincerely,

Wes Moore
Governor

House Bill 481

AN ACT concerning

Washington County – Board of License Commissioners – Membership

FOR the purpose of requiring that certain numbers of members of the Board of License Commissioners for Washington County belong to certain political parties; and

generally relating to the membership of the Board of License Commissioners for Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 31–102 and 31–201
Annotated Code of Maryland
(2024 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 31–202
Annotated Code of Maryland
(2024 Replacement Volume)

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

Article – Alcoholic Beverages and Cannabis

31–102.

This title applies only in Washington County.

31–201.

There is a Board of License Commissioners for Washington County.

31–202.

(a) (1) The Governor shall appoint three members to the Board.

(2) The appointments shall be made:

(i) if the Senate is in session, with the advice and consent of the Senate; or

(ii) if the Senate is not in session, by the Governor alone.

(b) (1) Each member of the Board shall be:

(i) a resident and voter of the county; and

(ii) an individual of high character and integrity and of recognized business capacity.

[(2) Not more than two members of the Board may belong to the same political party.**]**

(2) (I) TWO MEMBERS OF THE BOARD SHALL BELONG TO THE POLITICAL PARTY THAT RECEIVED THE HIGHEST AGGREGATED NUMBER OF VOTES IN THE PRECEDING ELECTION OF THE BOARD OF COUNTY COMMISSIONERS.

(II) ONE MEMBER OF THE BOARD SHALL BELONG TO THE POLITICAL PARTY THAT RECEIVED THE SECOND HIGHEST AGGREGATED NUMBER OF VOTES IN THE PRECEDING ELECTION OF THE BOARD OF COUNTY COMMISSIONERS.

(c) A member of the Board may not have a pecuniary or other interest in any phase of the manufacture, sale, or distribution of alcoholic beverages.

(d) (1) The term of a member is 6 years.

(2) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2016.

(e) (1) The Governor shall appoint an eligible individual to fill a vacancy during the remainder of the term of office of the individual originally appointed in accordance with subsection (a) of this section.

(2) A member who is appointed after a term has begun serves only for the remainder of the term and until a successor is appointed and qualifies.

(f) (1) The Governor may remove a member for misconduct in office, incompetence, or willful neglect of duty.

(2) The Governor shall give a member who is charged a copy of the charges against the member and, with at least 10 days' notice, an opportunity to be heard publicly in person or by counsel.

(3) If a member is removed, the Governor shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings on the charges.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

May 16, 2025

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 hereby veto House Bill 482 – *Occupational Licensing and Certification – Criminal History – Predetermination Review Process.*

The primary aim of House Bill 482 is to establish a predetermination review process for Marylanders to determine whether their criminal history disqualifies them for certain State licenses or certifications. Many returning citizens will never pursue a license for many good–paying and high–demand occupations due to simple uncertainty about whether they will be denied licensure at the conclusion of their training. The goal of the legislation is to remedy that uncertainty, and Delegate Andrea Fletcher Harrison should be recognized for her leadership in this space. This goal has my full support. In fact, my administration recommended that this policy be adopted in December of 2024 when the Government Efficiency Commission published its first report including recommendations on activating individuals with criminal history in the work force.

However, despite the progress that could be achieved by the establishment of this predetermination review process, the bill was amended in the final days of the legislative session to remove the Department of Health (MDH) and the Department of Public Safety and Correctional Services (DPSCS) from existing law governing disqualifications based on criminal history.

In 2019, the General Assembly passed Chapter 568 of 2019 to establish parameters for when the State may deny an individual an occupational license or certification based upon their criminal history. Specifically, this important law bars departments from denying an occupational license or certificate application because the applicant has previously been convicted of a crime, unless the department determines that: (1) there is a direct relationship between the applicant's previous conviction and the specific occupational license or certificate sought; or (2) the issuance of the license or certificate would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. This law limits the lookback period for criminal background denials to seven years after the applicant completed sentences and the law does not apply to crimes which require registration on the sex offender registry. Based upon a recent review by the Government Efficiency Commission, detailed in the report referenced above, the Department of Health issues 144 credentials, second among principal departments only to the Department of Labor which issues 231 credentials. As a result of this legislation, none of the licenses or certifications issued by the Department of Health would be subject to statute requiring that they may only deny a credential based upon the criminal history of an applicant if the crime was germane to the occupation.

While there are both positive and negative impacts of House Bill 482, it is my view that exempting the Department of Health and its independent licensing boards from existing

standards outweighs the benefits of a predetermination review process. Maryland cannot afford to permanently disenfranchise individuals with criminal histories from large sections of the economy should they pose no risk. My administration has led on providing opportunities for redemption and reintegration into society for individuals who have made poor choices in the past but have faced the legal consequences and are prepared for the next chapter in their lives. Most recently, my administration introduced – and the General Assembly passed – the Expungement Reform Act which expands expungement eligibility and opens pathways to work, wages, and wealth for Marylanders, including returning citizens who have served their time and fulfilled their rehabilitation requirements.

Given the passage of the Expungement Reform Act and other actions that the State has taken to re–enfranchise returning citizens, I know that the General Assembly and my administration share these values. While House Bill 482 is well–intentioned, the amendment unintentionally undercuts those shared values. I look forward to collaborating with the General Assembly to continue making progress on this important issue, and I hope to work directly with Delegate Harrison in that effort. However, for the reasons provided in this letter, I have vetoed House Bill 482.

Sincerely,

Wes Moore
Governor

House Bill 482

AN ACT concerning

Occupational Licensing and Certification – Criminal History – Predetermination Review Process

FOR the purpose of *providing that "department" does not include the Maryland Department of Health or the Department of Public Safety and Correctional Services for purposes of certain provisions prohibiting a department from refusing to issue an occupational license or certificate based on a certain conviction under certain circumstances;* establishing a predetermination review process for occupational licenses and certificates in certain departments of State government; and generally relating to occupational licensing and certification.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 1–209
Annotated Code of Maryland
(2018 Replacement Volume and 2024 Supplement)

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

Article – Criminal Procedure

1–209.

(a) (1) In this section, "department" means:

(i) the Department of Agriculture;

(ii) the Department of the Environment;

(iii) ~~the Maryland Department of Health;~~

~~(iv)~~ the Department of Human Services; **OR**

~~(v)~~ ***(IV)*** the Maryland Department of Labor**[**; or

(vi) the Department of Public Safety and Correctional Services**]**.

(2) "Department" includes any unit of a department specified in paragraph (1) of this subsection.

(b) This section does not apply to a person who**:**

(1) was previously convicted of a crime of violence, as defined in § 14–101 of the Criminal Law Article**; OR**

(2) IS APPLYING FOR LICENSURE OR LICENSE RENEWAL UNDER TITLE 11, SUBTITLE 6 OF THE FINANCIAL INSTITUTIONS ARTICLE.

(c) It is the policy of the State to encourage the employment of nonviolent ex–offenders and remove barriers to their ability to demonstrate fitness for occupational licenses or certifications required by the State.

(d) Except as provided in subsection (f) of this section, a department may not deny an occupational license or certificate to an applicant solely on the basis that the applicant has previously been convicted of a crime, unless the department determines that:

(1) there is a direct relationship between the applicant's previous conviction and the specific occupational license or certificate sought; or

(2) the issuance of the license or certificate would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

(e) In making the determination under subsection (d) of this section, the department shall consider:

(1) the policy of the State expressed in subsection (c) of this section;

(2) the specific duties and responsibilities required of a licensee or certificate holder;

(3) whether the applicant's previous conviction has any impact on the applicant's fitness or ability to perform the duties and responsibilities authorized by the license or certificate;

(4) the age of the applicant at the time of the conviction and the amount of time that has elapsed since the conviction;

(5) the seriousness of the offense for which the applicant was convicted;

(6) other information provided by the applicant or on the applicant's behalf with regard to the applicant's rehabilitation and good conduct; and

(7) the legitimate interest of the department in protecting property and the safety and welfare of specific individuals or the general public.

(f) (1) ~~(I)~~ [This subsection does not apply to a conviction of a crime for which registration on the sex offender registry is required under Title 11, Subtitle 7 of this article.

(2) If a period of 7 years or more has passed since an applicant completed serving the sentence for a crime, including all imprisonment, mandatory supervision, probation, and parole, and the applicant has not been charged with another crime other than a minor traffic violation, as defined in § 10–101 of this article, during that time, a department may not deny an occupational license or certificate to the applicant solely on the basis that the applicant was previously convicted of the crime.]

(G) (1) (I) **AN INDIVIDUAL MAY FILE A REQUEST WITH A DEPARTMENT FOR REVIEW OF THE INDIVIDUAL'S CRIMINAL HISTORY TO DETERMINE WHETHER THE INDIVIDUAL'S CRIMINAL HISTORY WOULD DISQUALIFY THE INDIVIDUAL FROM OBTAINING THE OCCUPATIONAL LICENSE OR CERTIFICATE BEING SOUGHT.**

(II) THE DETERMINATION OF A DEPARTMENT REGARDING WHETHER THE OCCUPATIONAL LICENSE OR CERTIFICATE WOULD BE APPROVED OR DENIED TO THE INDIVIDUAL REQUESTING THE PREDETERMINATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE BINDING ON THE DEPARTMENT UNLESS THERE IS A SUBSEQUENT DIRECT AND MATERIAL ADVERSE CHANGE TO THE INDIVIDUAL'S CRIMINAL HISTORY.

(III) WHEN CONDUCTING A PREDETERMINATION REVIEW REQUESTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, A DEPARTMENT SHALL UTILIZE THE EXISTING RESOURCES OF THE DEPARTMENT.

(2) IF A DEPARTMENT DETERMINES THAT AN OCCUPATIONAL LICENSE OR CERTIFICATE WOULD BE DENIED TO THE INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL~~, IF APPLICABLE, ADVISE THE INDIVIDUAL OF ANY ACTION THAT MAY BE TAKEN BY THE INDIVIDUAL TO REMEDY THE REASON FOR THE DISQUALIFICATION~~ *PROVIDE THE INDIVIDUAL WITH AN EXPLANATION FOR ITS DETERMINATION, INCLUDING THE BASIS UNDER SUBSECTION (D) OF THIS SECTION*.

(3) ~~(I)~~ AN INDIVIDUAL MAY SUBMIT A REVISED REQUEST FOR A PREDETERMINATION TO THE DEPARTMENT THAT MADE A PREDETERMINATION ~~ON THE APPROVAL OR DENIAL OF AN OCCUPATIONAL LICENSE OR CERTIFICATE~~ UNDER PARAGRAPH (1) OF THIS SUBSECTION ~~THAT INCLUDES THE COMPLETION OF ANY RECOMMENDED REMEDIAL ACTIONS.~~

~~**(II) AN INDIVIDUAL MAY SUBMIT A REVISED REQUEST FOR A PREDETERMINATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THE EARLIER OF:**~~

~~**1. 1 YEAR AFTER THE DATE THE INDIVIDUAL RECEIVED THE PREDETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION; OR**~~

~~**2. ON COMPLETION OF THE REMEDIAL ACTIONS RECOMMENDED BY THE DEPARTMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION**~~ *IF:*

(I) 1 YEAR HAS PASSED SINCE THE INDIVIDUAL RECEIVED THE PREDETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION; OR

(II) THERE IS A MATERIAL CHANGE TO THE INDIVIDUAL'S CRIMINAL HISTORY.**

(4) (I) A DEPARTMENT MAY CHARGE A CRIMINAL HISTORY REVIEW FEE TO AN INDIVIDUAL TO CONDUCT A REVIEW UNDER THIS SECTION NOT EXCEEDING $100.

(II) THE FEE CHARGED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE WAIVED IF THE INDIVIDUAL'S INCOME IS AT OR BELOW 300% OF THE FEDERAL POVERTY LEVEL, AS DETERMINED BY THE DISTRICT COURT OF MARYLAND.

~~(G)~~ *(H)* NOTHING IN THIS SECTION MAY BE CONSTRUED TO:

(1) OVERRIDE, SUPERSEDE, OR INVALIDATE ANY COMPACT OR AGREEMENT ALREADY IN PLACE WITH REGARD TO THE REGULATION OF ANY PROFESSION OR OCCUPATION BY A DEPARTMENT; OR

(2) SUPERSEDE THE AUTHORITY OF A DEPARTMENT TO REQUIRE AN APPLICANT OR A LICENSEE TO SUBMIT TO A CRIMINAL HISTORY RECORDS REVIEW IN ACCORDANCE WITH THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, *That, on or before October 1, 2027, the Department of Agriculture, the Department of the Environment, the Department of Human Services, and the Maryland Department of Labor shall each report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1257 of the State Government Article, on the implementation of Section 1 of this Act, including the number of predetermination requests conducted and the costs associated with implementation.*

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1, 2025~~ *July 1, 2025. It shall remain effective for a period of 3 years and, at the end of June 30, 2028, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect*.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

Pursuant to Article II, Section 17 of the Maryland Constitution, I hereby veto Senate Bill 168 – *Confined Aquatic Disposal Construction Moratorium*, House Bill 628 – *Highways – Sidewalks and Bicycle Pathways – Construction and Reconstructio*n, and House Bill 1116 – *Public Safety – State Clearinghouse for Missing Persons*.

I am proud of working together to pass a balanced budget that addresses a projected structural deficit in the backdrop of alarming federal uncertainty; however, because of this context, I find it necessary to veto these bills as unnecessary and duplicative.

While I share the General Assembly's commitment to environmental stewardship and community engagement, Senate Bill 168 is premature and unnecessary. The Maryland Port Administration (MPA) is currently facilitating a comprehensive evaluation of Confined Aquatic Disposal (CAD) through the Dredged Material Management Program. This program includes a diverse CAD Subcommittee under the Bay Enhancement Working Group that is assessing the technical, environmental, and socio–economic aspects of CAD, with a final report expected in 2025. Given the state's current budget constraints, the MPA has no plans to expand dredged material capacity beyond existing projects; therefore, Senate Bill 168 is not needed to maintain conservation efforts to protect the Chesapeake Bay and support our environmental justice communities.

The intent to improve pedestrian and cyclist infrastructure is critical, and I commend the General Assembly's continued effort to address this. However, House Bill 628 introduces unnecessary redundancy and ambiguity into the existing authority of the State Highway Administration (SHA) to prioritize sidewalk improvement projects based on improving safety or increasing pedestrian access. Through the Pedestrian Safety Action Plan, SHA uses a data–driven, safety–focused approach to prioritize sidewalk construction and reconstruction. My administration has been implementing context–driven planning and design throughout state roadway projects that prioritize the safety of vulnerable road users. As written, House Bill 628 is duplicative and potentially impedes SHA's ability to effectively manage and prioritize the safety of other asset classes.

Public safety remains our administration's top priority, but House Bill 1116 is not needed to continue this focus. House Bill 1116 is merely technical and renames the State Clearinghouse for Missing Children, operated by the Maryland State Police (MSP). It changes nothing with regard to the duties and responsibilities related to the Clearinghouse. It does add a new requirement to study to determine whether MSP is able report information about missing persons to the National Missing and Unidentified Persons System. I will direct MSP to assess its capacity in reporting on missing persons in Maryland to the National Missing and Unidentified Persons System without the legislation or name change. My administration looks forward to partnering with the General Assembly to prioritize public safety.

As we face unprecedented challenges with the budget and unpredictable federal front, we must focus and direct agencies' efforts and resources towards our immediate and urgent needs.

For these reasons, I have vetoed Senate Bill 168, House Bill 628, and House Bill 1116.

Sincerely,

Wes Moore
Governor

House Bill 628

AN ACT concerning

Highways – Sidewalks and Bicycle Pathways – Construction and Reconstruction

FOR the purpose of requiring the State Highway Administration to prioritize funding for the construction and reconstruction of sidewalks and bicycle pathways to sidewalks and bicycle pathways that are, or are adjacent to highways that are, subject to a complete streets policy or another similar Vision Zero program; requiring a local government to request certain funding from the Department of Transportation in a certain manner; authorizing certain State funding for the construction or reconstruction of sidewalks or bicycle pathways under certain circumstances; and generally relating to the construction and reconstruction of sidewalks and bicycle pathways.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–630
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

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

Article – Transportation

8–630.

(a) (1) In this section the following words have the meanings indicated.

(2) "Municipal corporation" means a municipality as defined in § 1–101 of the Local Government Article.

(3) "Urban highway" means a highway, other than an expressway, that is:

(i) 1. Constructed with a curb and gutter and an enclosed type storm drainage system;

2. Located in an urban area and on which is located a public facility that creates appreciable pedestrian traffic along the highway from adjacent areas;

3. Located within urban boundaries as defined by the U.S. Census Bureau; or

4. Located within the boundaries of a municipal corporation; and

(ii) Part of the State highway system.

(b) (1) Sidewalks shall be constructed at the time of construction or reconstruction of an urban highway, or in response to the request of a local government unless:

(i) The Administration determines that the cost or impacts of constructing the sidewalks would be too great in relation to the need for them or their probable use; or

(ii) The local government indicates that there is no need for sidewalks.

(2) Sidewalks constructed under this section shall be consistent with area master plans and transportation plans adopted by the local planning commission.

(c) (1) If sidewalks or bicycle pathways are constructed or reconstructed as part of a roadway construction or reconstruction project, the Administration shall fund the sidewalk or bicycle pathway construction or reconstruction as a part of the cost of the roadway project.

(2) Except as provided in paragraphs (3) and (4) of this subsection, if sidewalks or bicycle pathways are constructed or reconstructed in response to a request from a local government **IN ITS ANNUAL PRIORITY LETTER FOR THE DEPARTMENT'S CONSIDERATION FOR INCLUSION IN THE CONSOLIDATED TRANSPORTATION PROGRAM UNDER § 2–103.1 OF THIS ARTICLE** and the adjacent roadway is not being concurrently constructed or reconstructed, the cost to construct or reconstruct the sidewalk or bicycle pathway shall be shared equally between the State and local governments.

(3) If sidewalks or bicycle pathways within a sustainable community as defined in § 6–301 of the Housing and Community Development Article are constructed or reconstructed in response to a request from a local government **IN ITS ANNUAL PRIORITY LETTER FOR THE DEPARTMENT'S CONSIDERATION FOR INCLUSION IN THE CONSOLIDATED TRANSPORTATION PROGRAM UNDER § 2–103.1 OF THIS ARTICLE** and the adjacent roadway is not being concurrently constructed or reconstructed, the cost to construct or reconstruct the sidewalk or bicycle pathway may be funded entirely by the State.

(4) (i) This paragraph does not apply to a priority funding area that is a sustainable community as defined in § 6–301 of the Housing and Community Development Article.

(ii) **IN DETERMINING FUNDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS AND BICYCLE PATHWAYS UNDER THIS PARAGRAPH, THE ADMINISTRATION SHALL PRIORITIZE FUNDING FOR SIDEWALKS**

AND BICYCLE PATHWAYS THAT ARE, OR ARE ADJACENT TO HIGHWAYS THAT ARE, SUBJECT TO:

1. A COMPLETE STREETS POLICY, AS DEFINED IN § 2–112 OF THIS ARTICLE; OR

2. ANOTHER SIMILAR VISION ZERO PROGRAM UNDER SUBTITLE 10 OF THIS TITLE.

(III) If sidewalks or bicycle pathways within an area designated as a priority funding area under § 5–7B–02 of the State Finance and Procurement Article are constructed or reconstructed in response to a request from a local government **IN ITS ANNUAL PRIORITY LETTER FOR THE DEPARTMENT'S CONSIDERATION FOR INCLUSION IN THE CONSOLIDATED TRANSPORTATION PROGRAM UNDER § 2–103.1 OF THIS ARTICLE** and the adjacent roadway is not being concurrently constructed or reconstructed, and if the Administration determines that construction would not occur under this section due to insufficient contribution of funds by the local government, the cost to construct or reconstruct the sidewalk or bicycle pathway shall be shared between the State and local government as follows:

1. 75 percent of the cost shall be funded by the State; and

2. 25 percent of the cost shall be funded by the local government.

[(iii)**] (IV)** If sidewalks or bicycle pathways within an area designated as a priority funding area under § 5–7B–02 of the State Finance and Procurement Article are constructed or reconstructed based on a determination by the Administration that a substantial public safety risk or significant impediment to pedestrian access exists and the adjacent roadway is not being concurrently constructed or reconstructed, then:

1. The Administration shall categorize the sidewalk or bicycle pathway construction project as "system preservation" and give corresponding funding priority to the project; and

2. The cost to construct or reconstruct the sidewalk or bicycle pathway **AND TO ACQUIRE THE NECESSARY RIGHT–OF–WAY** may be funded entirely by the State.

(5) If sidewalks or bicycle pathways are being constructed or reconstructed in response to a request from a local government **IN ITS ANNUAL PRIORITY LETTER FOR THE DEPARTMENT'S CONSIDERATION FOR INCLUSION IN THE CONSOLIDATED TRANSPORTATION PROGRAM UNDER § 2–103.1 OF THIS ARTICLE** and the adjacent roadway is not being concurrently constructed or reconstructed, the local government shall:

(i) Provide public notice and opportunities for community involvement prior to the construction of a sidewalk or bicycle pathway project; and

(ii) Secure any necessary right–of–way that may be needed beyond the right–of–way already owned by the State.

(6) (i) Except as provided in subparagraph (ii) of this paragraph, after sidewalks and bicycle pathways are constructed under this section, they shall be maintained and repaired by the political subdivision in which they are located.

(ii) Subject to approval and the availability of funds, the Administration promptly shall reimburse a political subdivision for the preapproved and documented costs incurred in reconstructing a segment of a sidewalk or bicycle pathway that has deteriorated to the extent that repair is not practical or desirable for public safety.

(d) The Administration may not construct any project that will result in the severance or destruction of an existing major route for pedestrian transportation traffic, unless the project provides for construction of a reasonable alternative route or such a route already exists.

(e) The Administration shall develop guidelines jointly with local governments to carry out the provisions of this section.

(f) The Administration shall maintain and repair all facilities for nighttime illumination that:

(1) Are constructed by the Administration for the safe conduct of vehicular traffic; and

(2) Exist adjacent to urban highways.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

May 16, 2025

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

The Honorable Adrienne A. Jones
Speaker of the House of Delegates
H–101 State House

Annapolis, MD 21401

Dear President Ferguson and Speaker Jones,

Pursuant to Article II, Section 17 of the Maryland Constitution, I hereby veto Senate Bill 909 and House Bill 1037 – *Energy Resource Adequacy and Planning Act*.

I commend the General Assembly's dedication to ensuring Maryland's energy reliability and sustainability. I agree that we must improve the state's energy planning process and ensure greater accountability from PJM in meeting Maryland's long–term energy needs. That is why I have joined our allies across the region to help address this concern and keep costs down. While this legislation proposes the creation of a new Strategic Energy Planning Office (SEPO) to lead a statewide energy planning process, including the development of a comprehensive report on risks to the bulk power system, after careful consideration, I have determined that this legislation is unnecessary at this time due to several factors.

The fiscal impact of this legislation is significant. Establishing and operating this new office would cost between $4.4 million and $5.3 million annually starting in fiscal year 2026, totaling nearly $29 million over five years. This cost would ultimately be passed along to Maryland ratepayers at a time when we are actively working to limit their burden, not add to it. Furthermore, the objectives outlined in this legislation overlap significantly with existing efforts by agencies such as the Public Service Commission (PSC), the Maryland Energy Administration (MEA), and the Power Plant Research Program (PPRP). These agencies are already engaged in comprehensive energy planning and analysis. Establishing a new office with similar responsibilities would lead to delays, redundancy, and inefficient use of resources.

Given these considerations, the goals of this legislation can be achieved more effectively through the optimization of current agency functions and resources. I look forward to working with you and stakeholders to address this.

For these reasons, I have vetoed Senate Bill 909 and House Bill 1037.

Sincerely,

Wes Moore
Governor

House Bill 1037

AN ACT concerning

Energy Resource Adequacy and Planning Act

FOR the purpose of establishing the ~~Integrated Resource~~ Strategic Energy Planning Office ~~in the Public Service Commission~~; requiring the Office to develop a Comprehensive ~~Energy Forecast and conduct a certain study~~ Wholesale Energy Markets and Bulk

Power System Risk Report and examine certain scenarios to support the development of the ~~Forecast; requiring the Office, in consultation with the Commission and the Maryland Energy Administration, to complete certain energy modeling; requiring the Commission, in consultation with the Office, to adopt regulations requiring each electric company to develop a certain integrated resource plan~~ Risk Report; requiring the Office to conduct certain stakeholder processes; requiring the Office to provide certain information to certain persons under certain circumstances; requiring the Public Service Commission to conduct a certain public proceeding; requiring the Commission and the Department of Transportation to complete certain studies; requiring the Maryland Energy Administration to obtain or develop certain power flow analyses; and generally relating to the ~~Integrated Resource~~ Strategic Energy Planning Office and energy resource planning.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 2–110 and 2–110.1
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY adding to
Article – Public Utilities
Section 7–1201 through ~~7–1206~~ 7–1207 to be under the new subtitle "Subtitle 12. ~~Integrated Resource~~ Strategic Energy Planning Office"
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

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

Article – Public Utilities

2–110.

(a) In this section, "public service company" includes an electricity supplier and a gas supplier as those terms are defined in § 1–101 of this article.

(b) (1) The costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel shall be borne by the public service companies that are subject to the Commission's jurisdiction.

(2) The costs and expenses shall be assessed as provided in this section.

(3) The Commission shall pay the money that it collects for the assessment under this section into the Public Utility Regulation Fund in the State Treasury established under § 2–110.1 of this subtitle to reimburse the State for the expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel.

(c) (1) (i) Before each State fiscal year, the Chairman of the Commission shall estimate the Commission's total costs and expenses, including:

1. the compensation and expenses of the Commission, its officers, agents, and personnel;

2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Commission;

3. all other maintenance and operation expenses of the Commission; and

4. all other direct and indirect costs of the Commission.

(ii) The estimate shall exclude the expenses associated with services performed by the Commission for which the Commission is reimbursed under this division.

(iii) **THE ESTIMATE SHALL INCLUDE, AS PROVIDED BY THE STRATEGIC ENERGY PLANNING OFFICE:**

1. THE COMPENSATION AND EXPENSES OF THE STRATEGIC ENERGY PLANNING OFFICE, ITS OFFICERS, AGENTS, AND PERSONNEL;

2. THE COST OF RETIREMENT CONTRIBUTIONS, SOCIAL SECURITY, HEALTH INSURANCE, AND OTHER BENEFITS REQUIRED TO BE PAID BY THE STATE FOR THE PERSONNEL OF THE STRATEGIC ENERGY PLANNING OFFICE;

3. ALL OTHER MAINTENANCE AND OPERATION EXPENSES OF THE STRATEGIC ENERGY PLANNING OFFICE; AND

4. ALL OTHER DIRECT AND INDIRECT COSTS OF THE STRATEGIC ENERGY PLANNING OFFICE.

(IV) The estimate shall include, as provided by the Office of People's Counsel:

1. the compensation and expenses of the Office of People's Counsel, its officers, agents, and personnel;

2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Office of People's Counsel;

3. all other maintenance and operation expenses of the Office of People's Counsel; and

4. all other direct and indirect costs of the Office of People's Counsel.

(2) Based on the estimate, the Chairman shall determine the amount to be paid by each public service company.

(3) The Commission shall send a bill to each public service company on or before May 1 of each year.

(4) (i) The bill shall equal the product of:

1. the estimated total costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel during the next fiscal year; multiplied by

2. the ratio of the gross operating revenues for the public service company derived from intrastate utility and electricity supplier operations in the preceding calendar year, or other 12–month period as the Chairman determines, to the total of the gross operating revenues derived from intrastate utility and electricity supplier operations for all public service companies that are billed under this section over that period.

(ii) To the extent that the Commission requires an electric company to report the gross operating revenue derived from intrastate utility and electricity supplier operation in order to calculate the bill under subparagraph (i) of this paragraph, a small rural electric cooperative described in § 7–502(a) of this article may satisfy the requirement by submitting to the Commission an estimate made in accordance with a formula approved by the Commission from information that the small rural electric cooperative submits to the rural utilities service.

(5) The minimum bill for a public service company shall be $10.

(6) The public service company:

(i) shall pay the bill on or before the next July 15; or

(ii) may elect to make partial payments on the 15th days of July, October, January, and April.

(7) A partial payment shall equal 25% of the bill and may not be less than $10.

(8) During any State fiscal year, the Chairman may change the estimate of costs and expenses of the Commission**, THE ESTIMATE OF COSTS AND EXPENSES OF THE STRATEGIC ENERGY PLANNING OFFICE, AS CHANGED BY THE STRATEGIC ENERGY**

PLANNING OFFICE, and the estimate of costs and expenses of the Office of People's Counsel, as changed by the People's Counsel.

(9) (i) If the estimate is changed, the Commission shall send a revised bill to each public service company that has elected to make partial payments.

(ii) The change shall be apportioned equally against the remaining payments for the fiscal year.

(10) (i) On or before September 15 of each year, the Chairman shall compute**:**

1. the actual costs and expenses of the Commission**[**,**];**

2. THE ACTUAL COSTS AND EXPENSES OF THE STRATEGIC ENERGY PLANNING OFFICE, AS PROVIDED BY THE STRATEGIC ENERGY PLANNING OFFICE FOR THE PRECEDING FISCAL YEAR; and

3. the actual costs and expenses of the Office of People's Counsel, as provided by the People's Counsel for the preceding fiscal year.

(ii) If the amounts collected are less than the actual costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of the People's Counsel, after deducting the amounts recovered under §§ 2–111(a) and 2–123 of this subtitle, on or before October 15, the Chairman shall send to any public service company that is affected a statement that shows the amount due.

(iii) If the amounts collected exceed the actual costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of the People's Counsel for the preceding fiscal year, the Commission shall deduct any excess retained funds from the appropriation for the next fiscal year before the Commission determines the amount to be paid by each public service company for the next fiscal year under paragraph (2) of this subsection.

(11) A public service company shall pay an amount due within 30 days after the statement is received.

(12) The total amount that may be charged to a public service company under this section for a State fiscal year may not exceed:

(i) 0.50% of the public service company's gross operating revenues derived from intrastate utility and electricity supplier operations in the preceding calendar year, or other 12–month period that the Chairman determines, for the costs and expenses of the Commission other than that of the **STRATEGIC ENERGY PLANNING OFFICE AND THE** Office of People's Counsel; plus

(ii) **0.074% OF THOSE REVENUES FOR THE COSTS AND EXPENSES OF THE STRATEGIC ENERGY PLANNING OFFICE; PLUS**

(III) 0.074% of those revenues for the costs and expenses of the Office of People's Counsel.

(d) (1) Within 30 days after the Commission issues a bill under subsection (c) of this section, the party billed may request a hearing as to the amount of the bill.

(2) Any amount of a bill that is not paid within 30 days after the date of determination on a hearing or, if a hearing is not requested, on the date when payment is due, shall bear annual interest at a rate, not less than 6%, that the Commission sets by regulation.

2–110.1.

(a) There is a Public Utility Regulation Fund.

(b) The Fund consists of:

(1) all revenue received through the imposition and collection of assessments under § 2–110 of this subtitle;

(2) fees received by the Commission under § 2–123 of this subtitle for filings and for other services rendered by the Commission;

(3) income from investments that the State Treasurer makes for the Fund; and

(4) any other fee, examination assessment, or revenue received by the Commission under this division.

(c) Notwithstanding subsection (b) of this section, the Commission shall pay all fines and penalties collected by the Commission under this article into the Resiliency Hub Grant Program Fund established under § 9–2011 of the State Government Article.

(d) The purpose of the Fund is to pay all the costs and expenses incurred by the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel that are related to the operation of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel, including:

(1) expenditures authorized under this division; and

(2) any other expense authorized in the State budget.

(e) (1) All the costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and the Office of People's Counsel shall be included in the State budget.

(2) Expenditures from the Fund to cover costs and expenses of the Commission**, THE STRATEGIC ENERGY PLANNING OFFICE,** and Office of People's Counsel may only be made:

(i) with an appropriation from the Fund approved by the General Assembly in the State budget; or

(ii) by budget amendment in accordance with § 7–209 of the State Finance and Procurement Article.

(f) (1) The State Treasurer is the custodian of the Fund.

(2) The State Treasurer shall deposit payments received from the Commission into the Fund.

(g) (1) The Fund is a continuing, special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article, and may not be considered a part of the General Fund of the State.

(2) Unless otherwise provided by law, no part of the Fund may revert or be credited to:

(i) the General Fund of the State; or

(ii) any other special fund of the State.

SUBTITLE 12. ~~INTEGRATED RESOURCE~~ STRATEGIC ENERGY PLANNING OFFICE.

7–1201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

~~(B) "DEMAND ELEMENT" MEANS A SPECIFIC FACTOR OR COMPONENT THAT CONTRIBUTES TO THE OVERALL ELECTRICITY LOAD OR DEMAND.~~

~~(C)~~ (B) "DIRECTOR" MEANS THE DIRECTOR OF THE ~~INTEGRATED RESOURCE~~ STRATEGIC ENERGY PLANNING OFFICE.

~~(D) "FORECAST" MEANS THE COMPREHENSIVE ENERGY FORECAST.~~

~~(E)~~ (C) "OFFICE" MEANS THE ~~INTEGRATED RESOURCE~~ STRATEGIC ENERGY PLANNING OFFICE.

(D) "PJM REGION" HAS THE MEANING STATED IN § 7–701 OF THIS TITLE.

(E) "RISK REPORT" MEANS THE COMPREHENSIVE WHOLESALE ENERGY MARKETS AND BULK POWER SYSTEM RISK REPORT DEVELOPED UNDER § 7–1203 OF THIS SUBTITLE.

7–1202.

(A) THERE IS ~~AN INTEGRATED RESOURCE~~ A STRATEGIC ENERGY PLANNING OFFICE ~~IN THE COMMISSION~~.

(B) (1) THE HEAD OF THE OFFICE IS THE DIRECTOR.

(2) (I) THE DIRECTOR SHALL~~:~~

~~(I)~~ BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE~~; AND~~

~~(II) SERVE AT THE PLEASURE OF THE GOVERNOR~~.

(II) THE TERM OF THE DIRECTOR IS 5 YEARS AND BEGINS ON JULY 1.

(III) AT THE END OF A TERM, THE DIRECTOR CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(IV) A DIRECTOR WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(V) A DIRECTOR MAY SERVE MORE THAN ONE TERM.

(3) THE GOVERNOR MAY REMOVE THE DIRECTOR FOR INCOMPETENCE OR MISCONDUCT IN ACCORDANCE WITH § 3–307 OF THE STATE GOVERNMENT ARTICLE.

(4) THE DIRECTOR IS ENTITLED TO A SALARY AS PROVIDED IN THE STATE BUDGET.

~~(C) (1) THE COMMISSION SHALL PROVIDE THE OFFICE WITH SUFFICIENT STAFF AND RESOURCES TO PERFORM THE FUNCTIONS OF THIS SUBTITLE.~~

(C) (1) THE OFFICE SHALL HAVE THE STAFF PROVIDED FOR IN THE STATE BUDGET.

(2) THE OFFICE MAY HIRE ~~A~~ PRIVATE ~~CONSULTANT~~ CONSULTANTS IF NECESSARY TO CARRY OUT THE REQUIREMENTS OF THIS SUBTITLE.

(D) IN ORDER TO CARRY OUT THE REQUIREMENTS OF THIS SUBTITLE, THE OFFICE SHALL COLLABORATE WITH:

(1) THE MARYLAND ENERGY ADMINISTRATION;

(2) THE COMMISSION;

(3) THE POWER PLANT RESEARCH PROGRAM;

(4) THE MARYLAND CLEAN ENERGY CENTER; AND

(5) THE DEPARTMENT OF THE ENVIRONMENT.

(E) THE OFFICE SHALL COORDINATE WITH THE COMMISSION TO ESTABLISH PROCEDURES AND RULES TO OBTAIN INFORMATION FROM ELECTRIC COMPANIES AND GAS COMPANIES NECESSARY TO ACCOMPLISH THE OFFICE'S DUTIES UNDER THIS SUBTITLE.

7–1203.

(A) (1) EVERY 3 YEARS, THE OFFICE SHALL DEVELOP A COMPREHENSIVE WHOLESALE ENERGY MARKETS AND BULK POWER SYSTEM RISK REPORT.

(2) THE PURPOSE OF THE RISK REPORT IS TO:

(I) ASSESS WHOLESALE ENERGY MARKET FINANCIAL, RESOURCE ADEQUACY, AND RELIABILITY RISKS ASSOCIATED WITH SERVING THE STATE'S LONG–TERM ENERGY NEEDS; AND

(II) IDENTIFY ANY NECESSARY COST–EFFECTIVE SOLUTIONS THAT ENSURE ELECTRIC SYSTEM RELIABILITY WHILE MEETING THE STATE'S ENERGY POLICY GOALS.

(3) THE SOLUTIONS IDENTIFIED IN THE RISK REPORT SHALL SEEK TO:

(I) MINIMIZE THE GROWTH OF THE COST OF ELECTRICITY OR LOWER THE COST OF ELECTRICITY; AND

(II) MINIMIZE ENERGY RESOURCE RELIABILITY RISKS.

(B) (1) THE RISK REPORT SHALL INCLUDE ENERGY AND DEMAND FORECASTS THAT CONTAIN:

(I) REASONABLE, 20–YEAR PROJECTIONS FOR ELECTRICITY LOAD AND ENERGY DEMANDS FOR:

1. TRANSMISSION ZONES; AND

2. ELECTRIC SERVICE TERRITORIES; AND

(II) PROJECTIONS FOR MEETING STATE ENERGY NEEDS AND CLEAN ENERGY GOALS AND LOAD FORECASTS IN THE PJM REGION, INCLUDING:

1. LOW, AVERAGE, AND HIGH PROJECTIONS OF ENERGY DEMAND BASED ON STATE POLICIES AND OTHER REASONABLE ASSUMPTIONS THAT IMPACT THE PROVISION OF ELECTRICITY IN THE STATE; AND

2. OTHER PROJECTIONS AS NECESSARY.

(2) IN COLLECTING THE DATA FOR THE FORECASTS UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE OFFICE SHOULD, BUT IS NOT REQUIRED TO, USE:

(I) HISTORICAL AND PROJECTED INFORMATION FROM ELECTRIC COMPANIES;

(II) LOAD FORECASTS FOR THE PJM REGION;

(III) APPROPRIATE ECONOMETRIC DATA FOR THE STATE; AND

(IV) ANY OTHER INFORMATION THE OFFICE CONSIDERS APPROPRIATE.

(C) (1) THE OFFICE SHALL EXAMINE DIFFERENT WHOLESALE ENERGY MARKET AND BULK POWER SYSTEM SCENARIOS TO SERVE THE FORECASTS UNDER SUBSECTION (B) OF THIS SECTION.

(2) EACH SCENARIO EXAMINED SHALL:

(I) IDENTIFY THE RESULTING WHOLESALE ENERGY MARKET AND BULK POWER SYSTEM FINANCIAL AND RESOURCE ADEQUACY IMPACTS OF SERVING THE FORECASTS WITH THE EXISTING ELECTRIC SYSTEM, KNOWN ADDITIONS TO THE ELECTRIC SYSTEM, AND ELECTRIC SYSTEM RESOURCE RETIREMENTS; AND

(II) IDENTIFY RESOURCE AND DEMAND–SIDE MANAGEMENT SOLUTIONS THAT MAY RESOLVE POTENTIAL RESOURCE ADEQUACY ISSUES AT THE LEAST COST.

(3) FOR A SUBSET OF SCENARIOS THAT ARE PRIMARILY RELIED ON WITHIN THE RISK REPORT, THE OFFICE SHALL, IN ADDITION TO THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION:

(I) IDENTIFY THE RESULTING WHOLESALE MARKET AND BULK POWER SYSTEM RELIABILITY IMPACTS OF SERVING THE FORECASTS WITH THE EXISTING ELECTRIC SYSTEM, KNOWN ADDITIONS TO THE ELECTRIC SYSTEM, AND ELECTRIC SYSTEM RESOURCE RETIREMENTS; AND

(II) IDENTIFY RESOURCE AND DEMAND–SIDE MANAGEMENT SOLUTIONS THAT MAY RESOLVE POTENTIAL RELIABILITY CONSTRAINTS AT THE LEAST COST.

(4) EACH SCENARIO SHALL ALSO EXAMINE:

(I) DIFFERENT ENERGY RESOURCE MIXES TO MEET THE STATE'S ENERGY NEEDS, INCLUDING THE USE OF DEMAND–SIDE MANAGEMENT;

(II) DIFFERENT APPROACHES FOR MEETING THE STATE'S CLEAN ENERGY GOALS;

(III) IMPROVEMENTS TO EXISTING ENERGY RESOURCES AS OPPOSED TO THE DEPLOYMENT OF NEW ENERGY RESOURCES;

(IV) BALANCING THE USE OF ELECTRICITY IMPORTED FROM OUTSIDE THE STATE WITH THE DEVELOPMENT OF NEW ENERGY RESOURCES IN THE STATE;

(V) FINANCIAL AND OTHER RISKS ASSOCIATED WITH RETIRING ENERGY GENERATION RESOURCES;

(VI) DIRECTIONAL ASSESSING OF COST RISKS TO RATEPAYERS; AND

(VII) IMPACTS TO THE WHOLESALE ENERGY MARKET AND BULK POWER SYSTEM IN MEETING THE STATE'S POLICY GOALS RELATED TO ELECTRICITY.

(5) THE SCENARIOS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) AT LEAST ONE SCENARIO THAT EXAMINES THE ACHIEVEMENT OF THE STATE'S CLEAN ENERGY GOALS;

(II) AT LEAST ONE SCENARIO THAT EXAMINES A LEAST–COST APPROACH TO MEETING THE STATE'S PROJECTED ENERGY NEEDS; AND

(III) AT LEAST ONE SCENARIO THAT ASSUMES NO CHANGES IN STATE ENERGY AND CLIMATE POLICIES.

(D) (1) THE RISK REPORT SHALL:

(I) BE INFORMED BY THE FORECASTS AND SCENARIOS REQUIRED UNDER THIS SECTION;

(II) PROVIDE INFORMATION ON THE RISKS ASSOCIATED WITH SERVING THE IDENTIFIED ENERGY FORECASTS AND ACHIEVEMENT OF THE STATE'S CLEAN ENERGY GOALS;

(III) DISCUSS THE POTENTIAL FINANCIAL IMPACTS OF THE DIFFERENT SCENARIOS EXAMINED UNDER SUBSECTION (C) OF THIS SECTION ON THE STATE AND RATEPAYERS;

(IV) IDENTIFY THE FINANCIAL, RESOURCE ADEQUACY, AND RELIABILITY RISKS OF THE WHOLESALE ENERGY MARKETS AND BULK POWER SYSTEM ON RATEPAYERS; AND

(V) SPECIFY THE INPUTS AND ASSUMPTIONS USED IN DEVELOPING THE RISK REPORT.

(2) (I) THE RISK REPORT SHALL ALSO INCLUDE ANY RECOMMENDATIONS OF THE OFFICE REGARDING SHORT– AND LONG–TERM SOLUTIONS TO MINIMIZE WHOLESALE ENERGY MARKET AND BULK POWER SYSTEM FINANCIAL, RESOURCE ADEQUACY, AND RELIABILITY RISKS, INCLUDING STRATEGIES TO IMPLEMENT ANY RECOMMENDATIONS.

(II) THE RECOMMENDATIONS MAY INCLUDE:

1. ENERGY GENERATION, TRANSMISSION, OR DISTRIBUTION RESOURCE DEPLOYMENT OR DEMAND–SIDE MANAGEMENT SOLUTIONS;

2. PROGRAM DEVELOPMENT, INCLUDING:

A. ALTERING OR ADDING TO EXISTING PROGRAMS; OR

B. PROPOSING NEW PROGRAMS;

3. STATUTORY OR REGULATORY CHANGES; AND

4. RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO IMPLEMENT SHORT– AND LONG–TERM RECOMMENDATIONS IDENTIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, INCLUDING:

A. UTILIZING EXISTING OR CREATING NEW MARKET STRUCTURES;

B. UTILIZING EXISTING OR CREATING NEW STATE PROGRAMS;

C. STATE FINANCING OPTIONS, INCLUDING STATE PROCUREMENT AND MULTISTATE PROCUREMENT;

D. ELECTRIC COMPANY PROCUREMENT OR PROGRAMS;

E. EXAMINING THE MIX OF IN–STATE GENERATION VERSUS RELYING ON IMPORTS AND DEMAND–SIDE MANAGEMENT; AND

F. ANY OTHER RECOMMENDATIONS THAT THE OFFICE CONSIDERS APPROPRIATE.

(III) IF THE OFFICE DETERMINES THAT THE IDENTIFIED RISKS ARE ACCEPTABLE OR THAT EXISTING MARKET DESIGNS, PROCESSES, OR POLICIES WILL ADEQUATELY ADDRESS THE RISKS IDENTIFIED IN THE RISK REPORT, THE OFFICE MAY RECOMMEND THAT NO ACTIONS BE TAKEN.

(IV) THE OFFICE SHALL SUPPORT THE RECOMMENDATIONS BY ANALYSES THAT BALANCE AFFORDABILITY, RELIABILITY, AND GREENHOUSE GAS EMISSIONS REDUCTIONS.

7–1204.

(A) (1) THE OFFICE SHALL:

(I) DEVELOP AND MAINTAIN THE TOOLS AND RESOURCES NECESSARY TO COMPLETE THE ANALYSES REQUIRED UNDER THIS SUBTITLE;

(II) COORDINATE WITH PJM INTERCONNECTION, LLC TO DEVELOP AND MAINTAIN THE TOOLS NECESSARY TO COMPLETE THE ANALYSES REQUIRED UNDER THIS SUBTITLE;

(III) HAVE THE ABILITY TO CONDUCT COST–BENEFIT ANALYSES OF ENERGY GENERATION RESOURCES IN WHOLESALE ENERGY MARKETS; AND

(IV) PROVIDE AN OPPORTUNITY FOR STAKEHOLDER FEEDBACK ON ANY REPORTS DEVELOPED BY THE OFFICE.

(2) (I) FOR THE RISK REPORT REQUIRED UNDER § 7–1203 OF THIS SUBTITLE, THE OFFICE SHALL CONDUCT A STAKEHOLDER PROCESS TO SOLICIT FEEDBACK REGARDING THE DEVELOPMENT OF DATA INPUTS THAT WILL INFORM THE FORECASTS AND SCENARIOS FOR DEVELOPING THE RISK REPORT.

(II) THE OFFICE IS NOT REQUIRED TO UTILIZE THE FEEDBACK RECEIVED FROM THE STAKEHOLDER PROCESS CONDUCTED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, BUT SHALL PROVIDE DOCUMENTATION OF THE STAKEHOLDER PROCESS IN THE RISK REPORT.

(3) (I) IN ADDITION TO THE PUBLIC HEARING REQUIRED IN § 7–1206 OF THIS SUBTITLE, AFTER THE PUBLICATION OF THE RISK REPORT OR ANY UPDATE TO THE REPORT, THE OFFICE SHALL CONDUCT A STAKEHOLDER PROCESS TO DEVELOP A REPORT THAT ASSESSES STRATEGIES TO ADDRESS THE IDENTIFIED RISKS AND RECOMMENDATIONS IN THE RISK REPORT.

(II) WHEN ASSESSING STRATEGIES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THERE SHALL BE CONSIDERATION OF:

1. NEW OR EXISTING PROGRAMS;

2. LEVERAGING TECHNOLOGY ENHANCEMENTS;

3. REVISED REGULATORY STRUCTURES;

4. STATE COORDINATION OF FEDERAL SOLUTIONS;

5. UTILIZING MARKET MECHANISMS; AND

6. ANY OTHER FACTORS CONSIDERED APPROPRIATE.

(B) THE OFFICE, IN CONSULTATION WITH THE COMMISSION AND THE MARYLAND ENERGY ADMINISTRATION, SHALL COMPLETE ENERGY MODELING FOR THE RISK REPORT.

(C) (1) ON OR BEFORE NOVEMBER 1 EACH YEAR, THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT AND THE HOUSE ECONOMIC MATTERS COMMITTEE MAY JOINTLY REQUEST THE OFFICE TO ASSESS UP TO FIVE POLICY SCENARIOS.

(2) NOT LATER THAN 1 YEAR AFTER THE DATE THE OFFICE RECEIVES A REQUEST UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE OFFICE SHALL SUBMIT A REPORT OF THE RESULTS OF THE REQUESTED POLICY SCENARIOS TO THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT AND THE HOUSE ECONOMIC MATTERS COMMITTEE IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE.

7–1205.

(A) ON OR BEFORE SEPTEMBER 1, 2028, AND EVERY 3 YEARS THEREAFTER, THE OFFICE SHALL SUBMIT THE RISK REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(B) (1) THE OFFICE MAY SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ANY ADDITIONAL UPDATES TO THE RISK REPORT AT ANY TIME.

(2) THE UPDATES SHALL INCLUDE:

(I) THE STATUS OF AND ANY CHANGES TO THE FORECASTS AND SCENARIOS DEVELOPED UNDER § 7–1203 OF THIS SUBTITLE;

(II) INFORMATION ON ANY NEW FORECASTS AND SCENARIOS THE OFFICE HAS DEVELOPED; AND

(III) ANY OTHER CHANGES TO THE INFORMATION OR RECOMMENDATIONS CONTAINED IN THE REPORT OR ANY PRECEDING UPDATES TO THE REPORT.

(C) ON OR BEFORE SEPTEMBER 1, 2028, AND EVERY 3 YEARS THEREAFTER, THE OFFICE SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH §

2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY THE REPORT REQUIRED UNDER § 7–1204(A)(3) OF THIS SUBTITLE.

7–1206.

(A) BEGINNING ON OR BEFORE SEPTEMBER 1, 2030, AND AT LEAST ONCE EVERY 3 YEARS THEREAFTER, AFTER RECEIVING A REQUEST BY THE OFFICE, THE COMMISSION, IN CONSULTATION WITH THE OFFICE, SHALL CONDUCT A PUBLIC PROCEEDING TO ASSESS THE RESULTS AND RECOMMENDATIONS CONTAINED IN THE RISK REPORT AND ANY UPDATES TO THE REPORT.

(B) THE PUBLIC PROCEEDING SHALL INCLUDE A PUBLIC HEARING AND AN OPPORTUNITY FOR PUBLIC COMMENT ON THE RECOMMENDATIONS OF THE RISK REPORT AND ANY UPDATES TO THE REPORT.

(C) THE OFFICE SHALL CONSIDER ANY FEEDBACK RECEIVED THROUGH THE PUBLIC PROCEEDING AND DETERMINE IF ANY FURTHER CHANGES TO THE RISK REPORT ARE NECESSARY.

(D) THE COMMISSION SHALL CONSIDER ANY FEEDBACK RECEIVED THROUGH THE PUBLIC PROCEEDING AND DETERMINE WHETHER ANY ACTION UNDER ITS JURISDICTION IS WARRANTED.

7–1207.

(A) THIS SECTION DOES NOT APPLY TO:

(1) THE REPORT REQUIRED UNDER § 7–1204(A)(3) OF THIS SUBTITLE; AND

(2) THE REPORT REQUIRED UNDER § 7–1204(C)(2) OF THIS SUBTITLE.

(B) EACH REPORT REQUIRED UNDER THIS SUBTITLE SHALL INCLUDE DOCUMENTATION OF STAKEHOLDER ENGAGEMENT AND ANY FEEDBACK RECEIVED RELATED TO THE DEVELOPMENT OF THAT REPORT.

~~**7–1203.**~~

~~**(A) THE OFFICE SHALL DEVELOP A 25–YEAR COMPREHENSIVE ENERGY FORECAST.**~~

~~**(B) THE PURPOSE OF THE FORECAST IS TO ANALYZE ENERGY SCENARIOS AND POLICY OPTIONS FOR MEETING THE STATE'S ENERGY NEEDS AND**~~

~~GREENHOUSE GAS EMISSIONS REDUCTION GOALS WHILE ENSURING ELECTRIC DISTRIBUTION SYSTEM RELIABILITY AND COST–EFFECTIVENESS CONSISTENT WITH THE LONG–TERM ENERGY NEEDS OF THE STATE.~~

~~(C) THE FORECAST SHALL INCLUDE:~~

~~(1) REASONABLE PROJECTIONS FOR ELECTRICITY LOAD AND DEMAND FROM 2025 THROUGH 2050 THAT INCLUDE:~~

~~(I) STATEWIDE DEMAND ELEMENTS; AND~~

~~(II) DEMAND ELEMENTS FOR SPECIFIC ELECTRIC SERVICE TERRITORIES;~~

~~(2) SCENARIOS FOR MEETING:~~

~~(I) STATE ENERGY NEEDS AND GREENHOUSE GAS EMISSIONS REDUCTION GOALS; AND~~

~~(II) LOAD FORECASTS IN THE PJM REGION, AS DEFINED IN § 7–101 OF THIS TITLE; AND~~

~~(3) A STRATEGY TO MEET THE SCENARIO THAT THE OFFICE DETERMINES BEST MEETS THE NEEDS STATED IN ITEM (2) OF THIS SUBSECTION AND THAT INCLUDES:~~

~~(I) INFORMATION ON THE SCENARIO'S IMPACT ON ENERGY RELIABILITY AND GREENHOUSE GAS EMISSIONS REDUCTIONS;~~

~~(II) THE FINANCIAL IMPACT OF THE SCENARIO ON THE STATE AND RATEPAYERS;~~

~~(III) 1. SHORT– AND LONG–TERM RECOMMENDATIONS FOR THE GENERATION, DISTRIBUTION, TRANSMISSION, AND STORAGE OF ELECTRICITY, SUPPORTED BY ANALYSES THAT BALANCE AFFORDABILITY, RELIABILITY, AND GREENHOUSE GAS EMISSIONS REDUCTIONS; AND~~

~~2. RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO IMPLEMENT THE SHORT– AND LONG–TERM RECOMMENDATIONS;~~

~~(IV) LOCATIONAL VALUE ESTIMATIONS INCLUDING PRIORITY GENERATION AND TRANSMISSION ZONES ATTRACTIVE FOR RESOURCE DEVELOPMENT;~~

~~**(V) A SUMMARY OF RELEVANT REGULATORY AND ADMINISTRATIVE PROCEDURES THAT COULD BE STREAMLINED OR MODERNIZED FOR GREATER EFFICIENCY;**~~

~~**(VI) THE USE OF ALL BEST AVAILABLE TECHNOLOGIES AND TECHNOLOGIES THAT MAY BECOME AVAILABLE IN THE FUTURE;**~~

~~**(VII) SENSITIVITIES RELATED TO VARIOUS LEVELS OF ELECTRIFICATION AND THE ADOPTION OF LOAD FLEXIBILITY AND DISTRIBUTED ENERGY RESOURCES;**~~

~~**(VIII) METHODS FOR ACHIEVING 60%, 80%, AND 100% OF THE STATE'S ENERGY NEEDS THROUGH IN–STATE GENERATION;**~~

~~**(IX) AN INDEPENDENT RATEPAYER IMPACT ANALYSIS;**~~

~~**(X) RELATED INVESTMENTS IN ELECTRICITY AND GAS INFRASTRUCTURE, INCLUDING ANY INTERPLAY BETWEEN THE TWO;**~~

~~**(XI) ECONOMIC DEVELOPMENT AND WORKFORCE OPPORTUNITIES;**~~

~~**(XII) STATE FINANCING OPTIONS, INCLUDING STATE PROCUREMENT AND MULTISTATE PROCUREMENT;**~~

~~**(XIII) UTILITY BUSINESS MODELS, TARIFFS, AND COST RECOVERY;**~~

~~**(XIV) SUPPORTIVE MARKET STUDIES;**~~

~~**(XV) PLANS FOR LEVERAGING AVAILABLE FEDERAL FUNDS; AND**~~

~~**(XVI) KEY FINDINGS FROM THE STUDY REQUIRED UNDER SUBSECTION (D) OF THIS SECTION.**~~

~~**(D) (1) ON OR BEFORE SEPTEMBER 30, 2026, THE OFFICE SHALL CONDUCT A STUDY TO SUPPORT THE DEVELOPMENT OF THE FORECAST.**~~

~~**(2) THE OFFICE SHALL HIRE A PRIVATE CONSULTANT TO MEET THE REQUIREMENTS OF THIS SECTION.**~~

~~**(3) AS PART OF THE STUDY:**~~

~~**(I) THE COMMISSION SHALL STUDY:**~~

~~1. THE VIABILITY OF ENERGY STORAGE AS A TRANSMISSION ASSET;~~

~~2. THE NECESSITY OF AN INDEPENDENT DISTRIBUTION OPERATOR; AND~~

~~3. IN CONSULTATION WITH THE MARYLAND ENERGY ADMINISTRATION, RECONDUCTORING OPPORTUNITIES IN THE STATE;~~

~~(II) THE MARYLAND ENERGY ADMINISTRATION SHALL STUDY THE FEASIBILITY OF PLACING SMALL MODULAR REACTORS ON FORMER ELECTRICITY GENERATION SITES; AND~~

~~(III) THE POWER PLANT RESEARCH PROGRAM SHALL STUDY STATE LAND SUITABLE FOR SOLAR ENERGY DEVELOPMENT.~~

~~(4) THE STUDY SHALL:~~

~~(I) INCLUDE AN ANALYSIS, MADE IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, OF METHODS FOR REDUCING TRANSMISSION–CONSTRAINED AREAS THROUGH THE USE OF EXISTING RIGHTS–OF–WAY;~~

~~(II) INCLUDE THE FEASIBILITY AND EFFICACY OF:~~

~~1. BROADENING THE STATE'S POWER PURCHASE AGREEMENT AUTHORITY;~~

~~2. DEVELOPING ELECTRICITY PROCUREMENT PLANS TO ENSURE ADEQUATE, RELIABLE, AFFORDABLE, EFFICIENT, AND ENVIRONMENTALLY SUSTAINABLE ELECTRICITY SERVICE AT THE LOWEST TOTAL COST OVER TIME, TAKING INTO ACCOUNT ANY PRICE STABILITY BENEFITS; AND~~

~~3. CONDUCTING COMPETITIVE PROCUREMENT PROCESSES TO PROCURE THE RESOURCES IDENTIFIED IN THE PROCUREMENT PLANS UNDER ITEM (II) OF THIS ITEM; AND~~

~~(III) INCLUDE AND INCORPORATE THE RESULTS OF THE STUDIES REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION.~~

~~(5) ON OR BEFORE DECEMBER 31, 2026, THE OFFICE SHALL SUBMIT A REPORT OF ITS FINDINGS AND ANY RECOMMENDATIONS TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE.~~

~~7–1204.~~

~~(A) THE OFFICE, IN CONSULTATION WITH THE COMMISSION AND THE MARYLAND ENERGY ADMINISTRATION, SHALL COMPLETE ENERGY MODELING FOR THE STRATEGY AND SCENARIOS INCLUDED IN THE FORECAST UNDER § 7–1203 OF THIS SUBTITLE, AND FOR ANY CHANGES TO THE STRATEGY SET FORTH IN THE FORECAST, THAT:~~

~~(1) ENABLES COST–BENEFIT ANALYSES OF ELECTRICITY PRICES BY RESOURCE MIX TYPE;~~

~~(2) CONSIDERS THE TIMELINE FOR COMMERCIALIZATION OF ENERGY TECHNOLOGIES AND WHEN THOSE TECHNOLOGIES MAY BECOME COST–EFFECTIVE;~~

~~(3) PROVIDES LOCATIONAL VALUE PLANNING;~~

~~(4) HAS THE ABILITY TO RUN POLICY SCENARIOS ANNUALLY IN ORDER TO PROVIDE EFFECTIVE FEEDBACK TO THE GENERAL ASSEMBLY;~~

~~(5) CONSIDERS WHETHER THE TRANSITION TO DISTRIBUTED RENEWABLE ENERGY IS DELIVERING SUFFICIENT ELECTRIC DISTRIBUTION SYSTEM RELIABILITY OR WHETHER THERE ARE VULNERABILITIES THAT NEED TO BE ADDRESSED;~~

~~(6) STRENGTHENS THE DIVERSITY, SUSTAINABILITY, AND RESILIENCE OF THE ELECTRIC TRANSMISSION SYSTEM;~~

~~(7) ENHANCES THE ELECTRIC DISTRIBUTION SYSTEM AND DEMAND–SIDE MANAGEMENT; AND~~

~~(8) MAY BE UPDATED ANNUALLY BASED ON STRATEGIES, POLICY DECISIONS, AND PERIODIC REASSESSMENTS OF THE STATE'S ENERGY PORTFOLIO TO REMAIN UP–TO–DATE WITH THE EVOLUTION OF ENERGY GENERATION AND TRANSMISSION.~~

~~(B) THE OFFICE SHALL PROVIDE A 45–DAY PERIOD FOR PUBLIC COMMENT ON ANY MODELING COMPLETED UNDER THIS SECTION.~~

~~7–1205.~~

~~ON OR BEFORE SEPTEMBER 1, 2027, AND EVERY 2 YEARS THEREAFTER, THE OFFICE SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A REPORT ON:~~

~~(1) THE STATUS OF THE FORECAST DEVELOPED UNDER § 7–1203 OF THIS SUBTITLE AND ANY CHANGES TO THE STRATEGY SET FORTH IN THE FORECAST; AND~~

~~(2) (I) ANY ENERGY MODELING COMPLETED UNDER § 7–1204 OF THIS SUBTITLE IN THE IMMEDIATELY PRECEDING 2–YEAR PERIOD; AND~~

~~(II) ANY PUBLIC COMMENTS SUBMITTED IN RELATION TO THE MODELING.~~

~~7–1206.~~

~~(A) ON OR BEFORE DECEMBER 1, 2025, THE COMMISSION, IN CONSULTATION WITH THE OFFICE, SHALL ADOPT REGULATIONS REQUIRING EACH ELECTRIC COMPANY TO DEVELOP AN INTEGRATED RESOURCE PLAN TO:~~

~~(1) FACILITATE ACHIEVING THE STATE'S GREENHOUSE GAS EMISSIONS REDUCTIONS GOALS;~~

~~(2) FULFILL THE COMPANY'S OBLIGATION TO CHARGE JUST AND REASONABLE RATES;~~

~~(3) MINIMIZE OR MITIGATE IMPACTS ON RATEPAYERS IN THE STATE;~~

~~(4) ENSURE BOTH SHORT–TERM AND LONG–TERM ELECTRIC DISTRIBUTION SYSTEM RELIABILITY, INCLUDING MEETING THE RESOURCE ADEQUACY NEEDS OF THE STATE;~~

~~(5) STRENGTHEN THE DIVERSITY, SUSTAINABILITY, AND RESILIENCE OF THE ELECTRIC TRANSMISSION SYSTEM;~~

~~(6) ENHANCE THE ELECTRIC DISTRIBUTION SYSTEM AND DEMAND–SIDE MANAGEMENT; AND~~

~~(7) MINIMIZE LOCALIZED AIR POLLUTANTS AND OTHER GREENHOUSE GAS EMISSIONS, WITH PRIORITY INITIALLY GIVEN TO UNDERSERVED COMMUNITIES OR OVERBURDENED COMMUNITIES AS DEFINED IN § 1–701 OF THE ENVIRONMENT ARTICLE.~~

~~(B) (1) ON OR BEFORE JULY 1, 2026, EACH ELECTRIC COMPANY SHALL SUBMIT TO THE COMMISSION THE INTEGRATED RESOURCE PLAN REQUIRED UNDER THIS SECTION.~~

~~**(2) ON OR BEFORE JULY 1, 2031, AND EVERY 5 YEARS THEREAFTER, EACH ELECTRIC COMPANY SHALL PROVIDE TO THE COMMISSION AN UPDATE ON THE INTEGRATED RESOURCE PLAN REQUIRED UNDER THIS SECTION.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) The Public Service Commission shall study the effectiveness of an independent distribution operator.

(2) On or before December 31, 2026, the Public Service Commission shall submit to the General Assembly, in accordance with § 2–1257 of the State Government Article, a report on the study required under paragraph (1) of this subsection.

(b) (1) The Department of Transportation shall study methods for reducing transmission–constrained areas through the use of existing rights–of–way.

(2) On or before December 31, 2026, the Department of Transportation shall submit to the General Assembly, in accordance with § 2–1257 of the State Government Article, a report on the study required under paragraph (1) of this subsection.

(c) (1) (i) The Maryland Energy Administration shall obtain existing power flow analyses for electric system reliability in the State that are related to currently known electric generation facility retirements.

(ii) If the Maryland Energy Administration is unable to obtain the existing power flow analyses under subparagraph (i) of this paragraph, then the Administration, with the support of the Public Service Commission, shall develop a power flow analysis for electric system reliability in the State that is related to currently known electric generation facility retirements.

(iii) On or before January 1, 2026, the Maryland Energy Administration shall submit to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly a report on the power flow analyses required under this paragraph.

(2) (i) On or before December 31, 2025, and on or before December 31, 2026, the Maryland Energy Administration shall provide to the General Assembly, in accordance with § 2–1257 of the State Government Article, an update on the status of the National Renewable Energy Laboratory's analysis on resource adequacy conducted at the request of the Administration.

(ii) On receipt of the National Renewable Energy Laboratory's final analysis on resource adequacy, the Maryland Energy Administration shall submit a final report on the analysis to the General Assembly, in accordance with § 2–1257 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before September 1, 2027, the Strategic Energy Planning Office shall submit to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly a status update on the development of the Comprehensive Wholesale Energy Markets and Bulk Power System Risk Report developed under § 7–1203 of the Public Utilities Article, as enacted by Section 1 of this Act.

SECTION ~~2.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

Pursuant to Article II, Section 17 of the Maryland Constitution, I hereby veto Senate Bill 168 – *Confined Aquatic Disposal Construction Moratorium*, House Bill 628 – *Highways – Sidewalks and Bicycle Pathways – Construction and Reconstructio*n, and House Bill 1116 – *Public Safety – State Clearinghouse for Missing Persons*.

I am proud of working together to pass a balanced budget that addresses a projected structural deficit in the backdrop of alarming federal uncertainty; however, because of this context, I find it necessary to veto these bills as unnecessary and duplicative.

While I share the General Assembly's commitment to environmental stewardship and community engagement, Senate Bill 168 is premature and unnecessary. The Maryland Port Administration (MPA) is currently facilitating a comprehensive evaluation of Confined Aquatic Disposal (CAD) through the Dredged Material Management Program. This program includes a diverse CAD Subcommittee under the Bay Enhancement Working Group that is assessing the technical, environmental, and socio–economic aspects of CAD, with a final report expected in 2025. Given the state's current budget constraints, the MPA has no plans to expand dredged material capacity beyond existing projects; therefore, Senate Bill 168 is not needed to maintain conservation efforts to protect the Chesapeake Bay and support our environmental justice communities.

The intent to improve pedestrian and cyclist infrastructure is critical, and I commend the General Assembly's continued effort to address this. However, House Bill 628 introduces unnecessary redundancy and ambiguity into the existing authority of the State Highway Administration (SHA) to prioritize sidewalk improvement projects based on improving safety or increasing pedestrian access. Through the Pedestrian Safety Action Plan, SHA uses a data–driven, safety–focused approach to prioritize sidewalk construction and reconstruction. My administration has been implementing context–driven planning and design throughout state roadway projects that prioritize the safety of vulnerable road users. As written, House Bill 628 is duplicative and potentially impedes SHA's ability to effectively manage and prioritize the safety of other asset classes.

Public safety remains our administration's top priority, but House Bill 1116 is not needed to continue this focus. House Bill 1116 is merely technical and renames the State Clearinghouse for Missing Children, operated by the Maryland State Police (MSP). It changes nothing with regard to the duties and responsibilities related to the Clearinghouse. It does add a new requirement to study to determine whether MSP is able report information about missing persons to the National Missing and Unidentified Persons System. I will direct MSP to assess its capacity in reporting on missing persons in Maryland to the National Missing and Unidentified Persons System without the legislation or name change. My administration looks forward to partnering with the General Assembly to prioritize public safety.

As we face unprecedented challenges with the budget and unpredictable federal front, we must focus and direct agencies' efforts and resources towards our immediate and urgent needs.

For these reasons, I have vetoed Senate Bill 168, House Bill 628, and House Bill 1116.

Sincerely,

Wes Moore
Governor

House Bill 1116

AN ACT concerning

Public Safety – State Clearinghouse for Missing Persons

FOR the purpose of renaming and transferring the State Clearinghouse for Missing Children to be the State Clearinghouse for Missing Persons*; requiring the Department of State Police to report on the Department's ability to report certain missing persons information to the National Missing and Unidentified Persons System on or before a certain date*; and generally relating to the State Clearinghouse for Missing Persons.

BY repealing and reenacting, with amendments, and transferring

Article – Family Law
Section 9–403
Annotated Code of Maryland
(2019 Replacement Volume and 2024 Supplement)
to be
Article – Public Safety
Section 3–609
Annotated Code of Maryland
(2022 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 9–403 of Article – Family Law of the Annotated Code of Maryland be repealed and reenacted, with amendments, and transferred to be Section(s) 3–609 of Article – Public Safety of the Annotated Code of Maryland, to read as follows:

Article – Public Safety

3–609.

(a) There is a State Clearinghouse for Missing **[**Children**]** **PERSONS** operated by the Department of State Police that is responsible for:

(1) the receipt, collection, and distribution of general information and annual statistics regarding missing **[**children**]** **PERSONS**; and

(2) coordination of law enforcement agencies and other interested **[**persons**]** **INDIVIDUALS** or groups within and outside the State regarding information on **[**children**]** **PERSONS** who have disappeared from, or are thought to be located in, Maryland.

(b) For **[**children**]** **PERSONS** who have disappeared from or are thought to be located in the State, the State Clearinghouse for Missing **[**Children**]** **PERSONS**:

(1) shall publish:

(i) the names of and relevant available information on missing **[**children**]** **PERSONS**; and

(ii) annual statistics regarding missing **[**children**]** **PERSONS**; and

(2) may establish and maintain a list of organizations and groups that provide volunteer search teams or resources relating to missing **[**children**]** **PERSONS**.

(c) The Secretary of State Police may develop, in cooperation with local law enforcement agencies, a plan for voluntary fingerprinting programs for children.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of State Police shall study the Department's capacity to report to the National Missing and Unidentified Persons System information about persons who have disappeared from, or thought to be located in, Maryland.

(b) On or before December 1, 2025, the Department of State Police shall report its findings to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

SECTION ~~2.~~ *3.* AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

May 16, 2025

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

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

Dear President Ferguson and Speaker Jones,

In accordance with Article II, Section 17 of the Maryland Constitution, I hereby veto Senate Bill 149 and House Bill 128 – *Climate Change Adaptation and Mitigation – Total Assessed Cost of Greenhouse Gas Emissions – Study and Reports*, Senate Bill 116 and House Bill 270 – *Data Center Impact Analysis and Report*, and House Bill 1316 – *Primary and Secondary Education – Youth–Centric Technology and Social Media Resource Guide*.

As I wrote in my letter regarding HB 350 – *FY 2026 Budget*, I am proud of the work we did this session to place Maryland's state government on a stronger fiscal footing. In partnership, we turned a deficit into a surplus, and ensured that 94% of Marylanders would either receive a tax break or see no change in their income taxes. Together, we reduced spending by over $2 billion – the single largest cut in a Maryland state budget in sixteen years.

Still, the chaos from Washington, D.C. makes every day more challenging than the last. We face a real and present danger from a White House that continues to attack our economy with reckless abandon. In this time of profound uncertainty, we must evaluate every expenditure with a critical eye towards our future.

Our current budget situation requires us to reconsider bills that create expensive and labor intensive studies. While such bills can be a first step to addressing complex issues and allow the signaling of support for an issue, the practice has become so commonplace that it is now a significant financial and staff burden on the state government. In addition, such reporting requirements have at times delayed prompt action on important issues, and in the face of the onslaught from the current administration in Washington, D.C., the State needs to respond to important issues more quickly. Studies can serve a purpose, but their overuse is a drag on the State government.

Prior to the 2025 legislative session, the Department of Legislative Services (DLS) was tracking a total of 3,901 mandated reports, a number which excludes the reports required annually by the Joint Chairmen's Report. Many of these reports are never read and simply collect dust on shelves, but nonetheless, executive branch agencies are required to dedicate funding and staff time to each, in many cases, with restrictions on their budget appropriations if they fail to comply. While it is impossible to calculate the total amount of staff time and state funding necessary to complete and file these reports, it is a reasonable assumption that the cost runs to the tens of millions of dollars.

Collectively, these three bills would have required significant coordination across multiple agencies and institutions: the Comptroller's Office, Maryland Department of the Environment (MDE), and Commerce to study the cost of greenhouse gas emissions; the University of Maryland's School of Business, MDE, Maryland Energy Administration and the Department of Legislative Services to conduct a resource–intensive analysis of the environmental, energy, and economic impacts of data center development; and the University of Maryland Baltimore's School of Mental Health's National Center for School Mental Health and the Maryland State Department of Education to develop a social media resource guide and conduct a needs assessment. In total, these efforts would cost at least $1.28 million – an unsustainable commitment given the state's current fiscal constraints and the growing uncertainty posed by the federal Administration in Washington, D.C.

While I look forward to collaborating with the General Assembly to continue to make progress on these important issues, for the reasons provided in this letter, I have vetoed Senate Bill 149, House Bill 128, Senate Bill 116, House Bill 270, and House Bill 1316.

Sincerely,

Wes Moore
Governor

House Bill 1316

AN ACT concerning

Primary and Secondary Education – ~~Student~~ Youth–Centric Technology and Social Media Resource Guide

FOR the purpose of requiring the National Center for School Mental Health at the University of Maryland School of Medicine, in consultation with the State Department of Education, to develop and publish a ~~student~~ youth–centric technology and social media resource guide for public school students in a certain manner; requiring the guide to be distributed ~~for certain school years~~ beginning in a certain school year in a certain manner and updated ~~each year~~ periodically; and generally relating to a ~~student~~ youth–centric technology and social media resource guide for public school students.

BY adding to
Article – Education
Section ~~7–2201 through 7–2205~~ 7–9B–01 through 7–9B–04 to be under the new subtitle "Subtitle ~~22. Student~~ 9B. Youth–Centric Technology and Social Media Resource Guide"
Annotated Code of Maryland
(2022 Replacement Volume and 2024 Supplement)

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

Article – Education

SUBTITLE ~~22. STUDENT~~ 9B. YOUTH–CENTRIC TECHNOLOGY AND SOCIAL MEDIA RESOURCE GUIDE.

~~7–2201.~~ 7–9B–01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "CENTER" MEANS THE NATIONAL CENTER FOR SCHOOL MENTAL HEALTH AT THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE.

(C) "GUIDE" MEANS THE ~~STUDENT~~ YOUTH–CENTRIC TECHNOLOGY AND SOCIAL MEDIA RESOURCE GUIDE.

(D) (1) "YOUTH–CENTRIC TECHNOLOGY" MEANS PRODUCTS, PLATFORMS, AND SOFTWARE THAT IS DESIGNED FOR USE BY CHILDREN OR THAT IS FREQUENTLY USED BY CHILDREN.

(2) "YOUTH–CENTRIC TECHNOLOGY" INCLUDES:

(I) SOCIAL MEDIA PLATFORMS;

(II) ONLINE GAMES;

(III) ARTIFICIAL INTELLIGENCE PRODUCTS;

(IV) NONALGORITHM–DRIVEN VIRTUAL COMMUNICATION PLATFORMS;

(V) E–COMMERCE PLATFORMS;

(VI) SMART PHONES;

(VII) LAPTOPS; AND

(VIII) ANY OTHER PRODUCT, SERVICE, OR DEVICE AN INDIVIDUAL CAN USE TO COMMUNICATE WITH OTHER INDIVIDUALS THROUGH THE INTERNET.

~~7–2202.~~ **7–9B–02.**

(A) (1) BEGINNING IN THE 2027–2028 SCHOOL YEAR, THE NATIONAL CENTER FOR SCHOOL MENTAL HEALTH AT THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE, IN CONSULTATION WITH THE DEPARTMENT, SHALL DEVELOP AND PUBLISH A ~~STUDENT~~ YOUTH–CENTRIC TECHNOLOGY AND SOCIAL MEDIA RESOURCE GUIDE THAT MEETS THE REQUIREMENTS UNDER ~~SUBSECTION (C) OF THIS SECTION AND § 7–2203~~ § 7–9B–03 OF THIS SUBTITLE.

(2) ~~FOR THE 2027–2028 SCHOOL YEAR, THE~~ THE GUIDE SHALL COVER COMMONLY USED ~~TECHNOLOGY PRODUCTS~~ YOUTH–CENTRIC TECHNOLOGY FOR ~~PERSONAL~~:

(I) PERSONAL USE BY CHILDREN; AND

(II) DELIVERING EDUCATION TO CHILDREN.

(3) ~~FOR THE 2028–2029 SCHOOL YEAR, THE GUIDE SHALL COVER THE INFORMATION UNDER PARAGRAPH (2) OF THIS SUBSECTION AND COMMONLY USED TECHNOLOGY PRODUCTS USED IN EDUCATION DELIVERY TO CHILDREN.~~

~~(4) FOR THE 2029–2030 SCHOOL YEAR, THE GUIDE SHALL BE PUBLISHED INTO A MULTIMEDIA PRODUCT COVERING THE INFORMATION UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION~~ THE CENTER SHALL COMPLETE THE GUIDE BEFORE THE 2027–2028 SCHOOL YEAR.

(4) THE CENTER SHALL PERIODICALLY UPDATE THE GUIDE.

(B) THE PURPOSE OF THE GUIDE IS TO PROVIDE:

(1) AGE–APPROPRIATE INFORMATION AND BEST PRACTICES FOR YOUTH–CENTRIC TECHNOLOGY THAT:

(I) ENCOURAGES STUDENTS AND PARENTS AND GUARDIANS TO UNDERSTAND HOW YOUTH–CENTRIC TECHNOLOGY AND SOCIAL MEDIA CAN BE USED AND MISUSED BY DEVELOPERS AND USERS; AND

(II) PROMOTES INFORMED DECISION MAKING WHEN USING YOUTH–CENTRIC TECHNOLOGY; AND

(2) INFORMATION AND GUIDANCE ON THE SAFE USE OF YOUTH–CENTRIC TECHNOLOGY, INCLUDING THE INTERNET AND SOCIAL MEDIA BY STUDENTS IN PREKINDERGARTEN THROUGH GRADE 12.

(C) (1) ON OR BEFORE SEPTEMBER 1, 2026, THE CENTER SHALL COMPLETE A NEEDS ASSESSMENT TO ~~IDENTIFY~~ ASSIST IN THE DEVELOPMENT OF THE GUIDE.

(2) THE NEEDS ASSESSMENT SHALL INCLUDE A REVIEW OF:

~~(1)~~ (I) EXISTING STATE AND FEDERAL RESOURCES ~~TO ASSIST IN DEVELOPING THE GUIDE~~ FOR CONTRIBUTION TO THE DEVELOPMENT OF THE GUIDE;

~~(2)~~ (II) EXISTING EFFORTS TO EDUCATE FAMILIES ON THE IMPACT OF YOUTH–CENTRIC TECHNOLOGY AND SOCIAL MEDIA ON THE MENTAL HEALTH OF YOUTH IN THE STATE; AND

~~(3)~~ (III) GAPS IN THE EXISTING RESOURCES AND EDUCATION EFFORTS.

~~(C) THE GUIDE DEVELOPED UNDER THIS SECTION SHALL INCLUDE:~~

~~(1) AGE–APPROPRIATE INFORMATION AND BEST PRACTICES THAT:~~

~~(I) ENCOURAGE STUDENTS AND CAREGIVERS TO UNDERSTAND HOW TECHNOLOGY AND SOCIAL MEDIA CAN BE USED AND MISUSED BY DEVELOPERS AND USERS; AND~~

~~(II) PROMOTE INFORMED DECISION MAKING WHEN USING TECHNOLOGY, SOCIAL MEDIA, AND THE INTERNET;~~

~~(2) INFORMATION AND GUIDANCE ON SAFE INTERNET, TECHNOLOGY, AND SOCIAL MEDIA USAGE BY STUDENTS IN PREKINDERGARTEN THROUGH GRADE 12, INCLUDING:~~

~~(I) SOCIAL MEDIA PLATFORMS;~~

~~(II) ONLINE GAMES;~~

~~(III) ARTIFICIAL INTELLIGENCE PRODUCTS;~~

~~(IV) NON–ALGORITHM–DRIVEN VIRTUAL COMMUNICATION PLATFORMS;~~

~~(V) E–COMMERCE PLATFORMS;~~

~~(VI) SMART PHONES;~~

~~(VII) LAPTOPS; AND~~

~~(VIII) ANY OTHER PRODUCT, SERVICE, OR DEVICE AN INDIVIDUAL CAN USE TO COMMUNICATE WITH OTHER INDIVIDUALS THROUGH THE INTERNET; AND~~

~~(3) IF THE CENTER FINDS A GAP IN AVAILABLE INFORMATION RELATING TO A SPECIFIC CATEGORY OF TECHNOLOGY OR SOCIAL MEDIA, A REFERENCE TO THE LACK OF AVAILABLE INFORMATION.~~

~~(D) THE GUIDE MAY INCLUDE OTHER STATE, FEDERAL, NONPROFIT, OR PUBLIC RESOURCES.~~

~~7–2203.~~ **7–9B–03.**

(A) (1) THE GUIDE DEVELOPED UNDER ~~§ 7–2202~~ § 7–9B–02 OF THIS SUBTITLE SHALL INCLUDE A SERVICE AND PRODUCT LANDSCAPE REVIEW OF YOUTH–CENTRIC TECHNOLOGY THAT CONTAINS:

~~(1)~~ (I) THE NAME OF A SPECIFIC PRODUCT OR SERVICE;

~~(2)~~ (II) THE PURPORTED FUNCTION OF THE PRODUCT OR SERVICE;

~~(3)~~ (III) ANY PRIVACY, SAFETY, OR SECURITY CONCERNS WITH REGARD TO WHETHER AND HOW DATA IS CAPTURED, STORED, OR SHARED BY THE PRODUCT OR SERVICE;

~~(4)~~ (IV) WHETHER THE PRODUCT OR SERVICE AFFECTS ADDICTIVE QUALITIES IN A USER AND, IF SO, HOW;

~~(5)~~ (V) WAYS IN WHICH A STUDENT IN PREKINDERGARTEN THROUGH GRADE 12 COULD ACCESS A SPECIFIC PRODUCT OR SERVICE, INCLUDING WHETHER A SPECIFIC PRODUCT OR SERVICE IS AVAILABLE THROUGH A DEVICE PROVIDED BY A PUBLIC SCHOOL;

~~(6)~~ (VI) ANY INFORMATION ON THE POTENTIAL HARMFUL IMPACT ON A USER, INCLUDING EMOTIONAL, PSYCHOLOGICAL, AND PHYSICAL IMPACTS; AND

~~(7)~~ (VII) POSITIVE AND NEGATIVE IMPACT POTENTIAL ON ACADEMIC GROWTH AND LEARNING.

(2) IF THE CENTER FINDS A GAP IN AVAILABLE INFORMATION RELATING TO A SPECIFIC YOUTH–CENTERED TECHNOLOGY IN THE COURSE OF THE LANDSCAPE REVIEW, THE CENTER SHALL MAKE A REFERENCE TO THE LACK OF AVAILABLE INFORMATION IN THE GUIDE.

(B) THE GUIDE MAY INCLUDE OTHER STATE, FEDERAL, NONPROFIT, OR PUBLIC RESOURCES.

(C) (1) THE GUIDE SHALL BE WRITTEN IN PLAIN ENGLISH AND CLEARLY DISPLAY CONTACT INFORMATION FOR THE CENTER.

(2) ON REQUEST, THE CENTER SHALL PROVIDE TRANSLATED COPIES OF THE GUIDE.

~~7–2204.~~ 7–9B–04.

~~FOR THE 2027–2028, 2028–2029, AND 2029–2030 SCHOOL YEARS~~ BEGINNING WITH THE 2027–2028 SCHOOL YEAR, ON OR BEFORE THE FIRST DAY OF EACH SCHOOL YEAR, THE GUIDE SHALL BE:

(1) POSTED ON THE WEBSITES OF THE DEPARTMENT AND EACH COUNTY BOARD; AND

(2) ~~UPDATED EACH YEAR BEFORE THE BEGINNING OF THE SCHOOL YEAR; AND~~

~~(3)~~ DISTRIBUTED TO:

(I) EACH PUBLIC SCHOOL; AND

(II) THE PARENT TEACHER ORGANIZATION FOR EACH PUBLIC SCHOOL.

~~7–2205.~~

~~(A) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION IN THE FOLLOWING AMOUNTS TO THE CENTER TO FUND THE RESEARCH AND DEVELOPMENT OF THE STUDENT TECHNOLOGY AND SOCIAL MEDIA RESOURCE GUIDE:~~

~~(1) FOR FISCAL YEAR 2027, $100,000; AND~~

~~(2) FOR EACH OF FISCAL YEARS 2028 AND 2029, $125,000.~~

~~(B) ON OR BEFORE JULY 1, 2027, AND EACH YEAR THEREAFTER, THE CENTER SHALL SUBMIT A REPORT ON THE EXPENDITURE OF FUNDS USED TO CONDUCT RESEARCH ON, DEVELOP, AND UPDATE THE STUDENT TECHNOLOGY AND SOCIAL MEDIA RESOURCE GUIDE REQUIRED UNDER THIS SUBTITLE TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Senate Bills Enacted

Bill No.	Sponsor	Chapter
SB 3	Senator Ellis	716
SB 4	Senator Hayes	216
SB 5	Senator Lam, et al	722
SB 9	Chair, Education, Energy, and the Environment Committee	143
SB 11	Senator Watson	191
SB 17	Senator Simonaire, et al	783
SB 19	Senator West	223
SB 23	Senator Bailey	555
SB 26	Senator Kramer	608
SB 32	Senator Gile	646
SB 36	Senators Kagan and Augustine	14
SB 37	Senator Hester, et al	438
SB 40	Senator Muse	521
SB 41	Senator Rosapepe	292
SB 43	Senator Augustine	116
SB 46	Senator Watson, et al	188
SB 47	Senator Gile	353
SB 48	Senators Simonaire and M. Jackson	247
SB 49	Senator Gile	204
SB 50	Senator Simonaire, et al	535
SB 51	Senator Ellis	406
SB 52	Senator Augustine	22
SB 54	Senator Folden	492
SB 57	Senator Simonaire	362
SB 60	Senator Augustine	685
SB 63	Senator Muse	518
SB 67	Senators Simonaire and M. Jackson	248
SB 68	Senators Brooks and A. Washington	241
SB 72	Senator Lam	732
SB 73	Senator Simonaire, et al	533
SB 80	Senators Kramer and Smith	183
SB 81	Senator Kagan	160
SB 84	Senator Corderman	127
SB 85	Senators Simonaire and M. Jackson	251
SB 89	Senators Simonaire and M. Jackson	249

Bill No.	Sponsor	Chapter
SB 92	Senator Corderman	575
SB 93	Senator Kramer	310
SB 94	Senator Ellis	715
SB 96	Senator Brooks	548
SB 102	Senator Gile	350
SB 103	Senator Simonaire	534
SB 109	Senator Feldman	299
SB 114	Senators Simonaire and M. Jackson	250
SB 117	Senator Hester	460
SB 120	Senator Muse	516
SB 123	Senator Simonaire	275
SB 125	Senator Gile	477
SB 126	Senator West	229
SB 127	Senator Kagan	163
SB 131	Senator Simonaire, et al	176
SB 138	Senator Kagan	15
SB 142	Senator Sydnor	146
SB 144	Senator M. Washington	199
SB 147	Senator Simonaire	361
SB 148	Senator Ellis	405
SB 150	Senator Watson	66
SB 152	Senator West	157
SB 154	Senators Hettleman and Guzzone	457
SB 156	Senator Lewis Young	720
SB 158	Senator West	222
SB 160	Senator Waldstreicher	509
SB 162	Senator Simonaire	360
SB 163	Senator M. Washington	760
SB 164	Senator Kagan	513
SB 172	Senator Simonaire	267
SB 174	Senator Benson	10
SB 175	Senators Lewis Young and Brooks	384
SB 178	Senator Simonaire, et al	179
SB 181	Senator Hettleman, et al	102
SB 182	Senator Simonaire	268
SB 183	Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)	72

Bill No.	Sponsor	Chapter
SB 184	Chair, Judicial Proceedings Committee (By Request – Departmental – Secretary of State)	80
SB 186	Senators Bailey and Mautz	171
SB 187	Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)	50
SB 194	Chair, Budget and Taxation Committee (By Request – Departmental – General Services)	76
SB 196	Chair, Budget and Taxation Committee (By Request – Departmental – Transportation)	54
SB 197	Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)	88
SB 199	Chair, Judicial Proceedings Committee (By Request – Departmental – Office of Crime Prevention and Policy)	90
SB 200	Chair, Budget and Taxation Committee (By Request – Departmental – Teachers and State Employees Supplemental Retirement Plans)	616
SB 202	Chair, Judicial Proceedings Committee (By Request – Departmental – State Police)	92
SB 203	Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation), et al	52
SB 204	Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)	230
SB 205	Chair, Judicial Proceedings Committee (By Request – Departmental – Human Services)	38
SB 207	Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)	366
SB 208	Chair, Finance Committee (By Request – Departmental – Disabilities)	419
SB 210	Chair, Finance Committee (By Request – Departmental – Transportation)	56
SB 212	Chair, Finance Committee (By Request – Departmental – Aging)	34
SB 213	Chair, Finance Committee (By Request – Departmental – Health)	30
SB 214	Chair, Finance Committee (By Request – Departmental – Alcohol, Tobacco, and Cannabis Commission)	58
SB 215	Chair, Finance Committee (By Request – Maryland Cannabis Administration)	120
SB 217	Chair, Finance Committee (By Request – Departmental – Health)	32

Bill No.	Sponsor	Chapter
SB 222	Chair, Finance Committee (By Request – Departmental – Transportation)	365
SB 223	Chair, Finance Committee (By Request – Departmental – Aging)	36
SB 224	Chair, Finance Committee (By Request – Departmental – Health)	28
SB 226	Chair, Finance Committee (By Request – Departmental – Agriculture)	40
SB 228	Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)	415
SB 229	Chair, Finance Committee (By Request – Departmental – Health)	26
SB 230	Chair, Finance Committee (By Request – Departmental – Human Services)	418
SB 231	Chair, Finance Committee (By Request – Departmental – Public Employee Relations Board)	607
SB 236	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Planning)	62
SB 238	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Housing and Community Development)	233
SB 239	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Information Technology)	167
SB 240	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Agriculture)	44
SB 244	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Information Technology)	165
SB 245	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Planning)	60
SB 246	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Military)	618
SB 248	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Service and Civic Innovation)	94
SB 249	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Agriculture)	42
SB 250	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Environment)	432
SB 251	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – State Ethics Commission)	74
SB 252	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Education)	318

Bill No.	Sponsor	Chapter
SB 253	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Commerce)	445
SB 255	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Military)	20
SB 257	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – State Board of Elections)	279
SB 258	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Natural Resources)	46
SB 259	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – State Board of Elections)	281
SB 260	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – General Services)	78
SB 261	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Labor)	84
SB 262	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – State Board of Elections)	125
SB 263	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Labor)	86
SB 265	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Environment)	442
SB 266	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Planning)	64
SB 267	Chair, Education, Energy, and the Environment Committee (By Request – Departmental – State Board of Elections)	283
SB 269	Senator M. Jackson	378
SB 271	Senator M. Jackson	133
SB 273	Senator M. Jackson	531
SB 274	Senator Love, et al	151
SB 275	Senator Simonaire, et al	253
SB 276	Senator Simonaire, et al	255
SB 277	Senator Simonaire, et al	260
SB 278	Senator Simonaire, et al	258
SB 279	Senator Simonaire, et al	5
SB 280	Senator Simonaire, et al	261
SB 281	Senator Simonaire, et al	264
SB 282	Senator Simonaire, et al	265
SB 284	Senator McCray	826
SB 285	Chair, Finance Committee (By Request – Office of the Attorney General)	98
SB 286	Senator West	227

Bill No.	Sponsor	Chapter
SB 293	Senator Feldman, et al	302
SB 294	Senator Feldman, et al	628
SB 295	Senator McCray	735
SB 296	Senator Augustine	665
SB 299	Senators Carozza and Feldman	703
SB 302	Senator Lam	201
SB 304	Senator McCray	808
SB 305	Senators Beidle and Hettleman	117
SB 307	Senator Simonaire, et al	8
SB 308	Senator Simonaire, et al	276
SB 309	Senator Simonaire, et al	269
SB 310	Senator Simonaire	246
SB 313	Senator M. Washington	320
SB 315	Senators Brooks and Kagan	47
SB 318	Senator Lewis Young, et al	387
SB 326	Senator Waldstreicher, et al	511
SB 327	Senator Hettleman	106
SB 333	Senators West and Folden	148
SB 334	Senator Waldstreicher, et al	190
SB 335	Senators Bailey and Mautz	554
SB 337	Senator Kagan	304
SB 338	Baltimore County Senators	582
SB 341	Senator McCray	372
SB 347	Senator Love	499
SB 348	Senator Love, et al	152
SB 349	Senator Love	497
SB 352	Senator Salling, et al	414
SB 354	Senator Salling, et al	412
SB 356	Senator Smith, et al	652
SB 357	Senator Gile, et al	610
SB 358	Senator King	326
SB 359	Senator King	239
SB 360	Senators Hester and Smith	219
SB 363	Senator Bailey	174
SB 365	Senator Kagan, et al	314
SB 369	Senator Watson, et al	613
SB 371	Senator Beidle	306
SB 372	Senator Beidle, et al	481

Bill No.	Sponsor	Chapter
SB 373	Senator Beidle	653
SB 374	Senator Beidle, et al	656
SB 375	Senator Kramer	184
SB 376	Senator Kramer, et al	680
SB 378	Senator A. Washington, et al	368
SB 381	Senator Love, et al	463
SB 390	Senator Smith	466
SB 391	Senator Smith	449
SB 396	Senator McKay, et al	573
SB 399	Senator McKay	572
SB 400	Senator Gile	344
SB 407	Senator Beidle, et al	674
SB 418	Carroll County Senators	155
SB 421	Senator McKay	158
SB 423	Senator Beidle	675
SB 425	Senator M. Jackson	529
SB 431	The President (By Request – Administration), et al	2
SB 432	The President (By Request – Administration), et al	95
SB 436	Senator Waldstreicher	503
SB 443	Senator Smith, et al	465
SB 445	Senator McCray	371
SB 451	Senator King, et al	327
SB 453	Senator King	723
SB 456	Senators McKay and Augustine	357
SB 457	Senator M. Jackson (Chair, Joint Committee on Pensions)	768
SB 459	Senator Gile	710
SB 471	Senator Rosapepe	298
SB 474	Senator Beidle	670
SB 491	Senator Gile, et al	271
SB 495	Senator Ellis	701
SB 502	Senator Corderman, et al	130
SB 511	Senator Henson	335
SB 513	Senator Henson, et al	540
SB 516	Senator King, et al	123
SB 522	Senator Charles	295
SB 525	Senator Charles, et al	181
SB 529	Senator Brooks	338
SB 533	Senator Folden, et al	493

Bill No.	Sponsor	Chapter
SB 540	Senator Charles, et al	522
SB 544	Senators Bailey and M. Jackson	761
SB 547	Senator James, et al	741
SB 548	Senator James, et al	484
SB 550	Senators McCray and Hayes	170
SB 561	Senators Hershey and Mautz	213
SB 566	Senator Sydnor	569
SB 568	Anne Arundel County Senators	817
SB 571	Anne Arundel County Senators	818
SB 572	Anne Arundel County Senators	472
SB 581	Senator Henson	100
SB 589	Senator Augustine	691
SB 590	Senator King, et al	447
SB 594	Senator Ellis	699
SB 596	Washington County Senators	428
SB 597	Senators Corderman and McKay	383
SB 598	Senator Hettleman	68
SB 599	Senators Hettleman and Augustine	666
SB 600	Senator McCray	571
SB 602	Senator Brooks, et al	543
SB 603	Senator Zucker, et al	348
SB 605	Senator Zucker	678
SB 606	Senator West	525
SB 608	Senators Augustine and Smith	114
SB 612	Senator M. Jackson (Chair, Joint Committee on Pensions)	771
SB 617	Senator Gile	354
SB 618	Senator Smith, et al	448
SB 619	Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)	849
SB 621	Chair, Judicial Proceedings Committee (By Request – Maryland Judiciary)	141
SB 622	Chair, Judicial Proceedings Committee (By Request – Maryland Judiciary)	138
SB 623	Senator Bailey	408
SB 633	Senator Kagan	313
SB 636	Frederick County Senators	825
SB 639	Senator McKay	778
SB 641	Senator Gallion	743

Bill No.	Sponsor	Chapter
SB 645	Senator Kagan	311
SB 646	Senator Muse	689
SB 653	Senator McCray	736
SB 662	Senator Ferguson	814
SB 663	The President (By Request – Office of the Comptroller)	630
SB 664	The President (By Request – Office of the Comptroller)	632
SB 665	The President (By Request – Office of the Comptroller)	635
SB 666	Senator Guzzone	288
SB 667	Senator Guzzone	289
SB 669	Senator Hettleman, et al	667
SB 670	Frederick County Senators	823
SB 674	Senator Hettleman	293
SB 676	Senator Gile	708
SB 680	Senator Carozza	398
SB 684	Senator Augustine	662
SB 685	Senator Augustine	277
SB 689	Senator Gile	203
SB 692	Senator M. Jackson (Chair, Joint Committee on Pensions)	766
SB 693	Senator M. Jackson (Chair, Joint Committee on Pensions)	775
SB 695	Senator Beidle	309
SB 696	Senator Beidle	480
SB 705	Senators Hester and Hershey	846
SB 707	Senator Zucker	453
SB 717	Senator Carozza	399
SB 718	Senator Carozza	402
SB 719	Senator Carozza	70
SB 721	Senator Henson	537
SB 722	Senators Henson and Augustine	329
SB 730	Charles County Senators	82
SB 731	Charles County Senators	785
SB 734	Senator McKay	358
SB 738	Frederick County Senators	835
SB 740	Senator Folden, et al	757
SB 744	Harford County Senators	809
SB 745	Harford County Senators	789
SB 746	Harford County Senators	792
SB 748	Senator Kramer	682
SB 749	Senator Kramer	11

Bill No.	Sponsor	Chapter
SB 758	Senator Kagan	512
SB 764	Senator Zucker, et al	487
SB 765	Senator Zucker, et al	471
SB 767	Senator M. Jackson	132
SB 768	Senator M. Jackson (Chair, Joint Committee on Pensions)	776
SB 773	Senator Hershey	692
SB 774	Senators Hershey and Zucker	208
SB 775	Senators Kagan and M. Jackson	18
SB 776	Senator Beidle	671
SB 784	The President (By Request – Department of Legislative Services)	142
SB 785	Senator Ready	296
SB 788	Senator M. Washington	806
SB 789	Senator M. Washington, et al	322
SB 790	Senator Augustine	686
SB 792	Senator Mautz	24
SB 795	Senator Mautz	726
SB 798	Wicomico County Senators	794
SB 800	Dorchester County Senators	799
SB 802	Dorchester County Senators	821
SB 810	Senator M. Jackson (Chair, Joint Committee on Pensions)	772
SB 811	Senator James, et al	112
SB 813	Howard County Senators	585
SB 814	Senator Watson, et al	187
SB 820	Senators Watson and Rosapepe	570
SB 826	Senator McKay	791
SB 829	Senator Hayes	621
SB 830	Senator Hayes	308
SB 833	Senator Charles	528
SB 839	Dorchester County Senators	829
SB 842	Senator Beidle	305
SB 844	Senators Hershey and Lam	211
SB 846	Senator Hettleman	334
SB 848	Senator Guzzone	436
SB 849	Senator Guzzone	640
SB 854	Senator Lewis Young	644
SB 856	Senator Henson	539
SB 858	Senator Henson	541

Bill No.	Sponsor	Chapter
SB 861	Senator Corderman	379
SB 862	Senator M. Jackson (Chair, Joint Committee on Pensions)	765
SB 867	Senator Hester	218
SB 869	Senator Mautz	833
SB 871	Senator Hester	495
SB 872	Senator Jennings	272
SB 880	Senator Guzzone, et al	242
SB 888	Senator Henson	838
SB 891	Senators M. Washington and Kagan	196
SB 894	Senator M. Washington	195
SB 896	Senator Love	489
SB 900	Senator Augustine	658
SB 901	Senator Augustine, et al	431
SB 902	Senator Augustine	661
SB 910	Caroline County Senators	830
SB 911	Senator Attar, et al	285
SB 915	Baltimore County Senators	421
SB 921	Senator Gile	707
SB 923	Senator Gile, et al	342
SB 930	Senator Gile	475
SB 931	Senator Feldman	623
SB 937	The President, et al	625
SB 939	Senator Hayes	811
SB 946	Senator Carozza, et al	550
SB 956	Senator West	740
SB 962	Senator Mautz	727
SB 963	Senator Mautz	409
SB 964	Dorchester County Senators	424
SB 968	Howard County Senators	586
SB 975	Senator Lam	728
SB 979	Senator Guzzone	638
SB 981	Senator Hershey, et al	694
SB 1000	Senator Hettleman	332
SB 1005	Senator Benson	641
SB 1008	Senator Hayes	4
SB 1013	Senator Attar	827
SB 1026	Senator Beidle	118
SB 1028	Senator Gile	450

Bill No.	Sponsor	Chapter
SB 1030	Senators Attar and Hettleman	562
SB 1036	Senator Guzzone	803
SB 1039	Senator Sydnor	144

House Bills Enacted

Bill No.	Sponsor	Chapter
HB 1	Delegate Ebersole, et al	437
HB 3	Delegate Bagnall	352
HB 4	Delegate Smith	517
HB 9	Delegate Charkoudian, et al	496
HB 11	Delegate Sample–Hughes, et al	660
HB 12	Chair, Economic Matters Committee (By Request – Departmental – Alcohol, Tobacco, and Cannabis Commission)	57
HB 15	Delegates Qi and Charkoudian	198
HB 18	Delegate Palakovich Carr	712
HB 19	Chair, Health and Government Operations Committee (By Request – Departmental – Health)	416
HB 22	Delegate Valentine	128
HB 25	Chair, Environment and Transportation Committee (By Request – Departmental – Environment)	441
HB 27	Delegate Cardin	224
HB 31	Delegates Kaufman and Hornberger	546
HB 32	Delegate Charkoudian, et al	115
HB 33	Chair, Health and Government Operations Committee (By Request – Departmental – Service and Civic Innovation)	93
HB 36	Chair, Health and Government Operations Committee (By Request – Departmental – Aging)	33
HB 39	Delegate Fair, et al	651
HB 40	Chair, Environment and Transportation Committee (By Request – Departmental – Natural Resources)	45
HB 41	Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)	282
HB 43	Delegate J. Lewis	642
HB 46	Chair, Health and Government Operations Committee (By Request – Departmental – Transportation)	364
HB 49	Chair, Environment and Transportation Committee (By Request – Departmental – Environment)	844
HB 54	Chair, Health and Government Operations Committee (By Request – Departmental – Health)	25
HB 59	Chair, Ways and Means Committee (By Request – Departmental – Housing and Community Development)	231
HB 63	Chair, Economic Matters Committee (By Request – Departmental – Labor)	83

Bill No.	Sponsor	Chapter
HB 71	Delegate Edelson	317
HB 73	Chair, Health and Government Operations Committee (By Request – Departmental – General Services)	75
HB 75	Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)	126
HB 88	Delegate Cardin	221
HB 89	Delegate Embry	156
HB 92	Chair, Economic Matters Committee (By Request – Departmental – Labor)	85
HB 94	Chair, Health and Government Operations Committee (By Request – Departmental – Health)	27
HB 99	Delegate Rogers	819
HB 100	Delegate Bagnall	351
HB 102	Chair, Economic Matters Committee (By Request – Departmental – Labor)	363
HB 104	Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)	39
HB 107	Delegate Pruski	205
HB 114	Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)	41
HB 121	Delegate Charkoudian	439
HB 123	Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)	87
HB 124	Delegates Rosenberg and Boyce	508
HB 127	Chair, Environment and Transportation Committee (By Request – Departmental – Housing and Community Development)	232
HB 131	Delegate Stein, et al	461
HB 133	Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)	71
HB 136	Chair, Judiciary Committee (By Request – Departmental – Office of Crime Prevention and Policy)	89
HB 146	Delegate Cardin	228
HB 150	Chair, Ways and Means Committee (By Request – Departmental – Education)	319
HB 158	Chair, Health and Government Operations Committee (By Request – Departmental – Aging)	35
HB 161	Delegates Atterbeary and Fair	245
HB 163	Delegate Hartman	488
HB 170	Chair, Health and Government Operations Committee (By Request – Departmental – Health)	29

Bill No.	Sponsor	Chapter
HB 176	Delegate Solomon	609
HB 179	Delegate Toles, et al	192
HB 181	Chair, Health and Government Operations Committee (By Request – Departmental – Military)	19
HB 182	Delegate Stewart, et al	505
HB 185	Delegate Mireku–North, et al	238
HB 189	Chair, Judiciary Committee (By Request – Departmental – Transportation)	49
HB 191	Delegate Foley	520
HB 197	Delegate Pasteur, et al	240
HB 199	Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)	280
HB 208	Delegate Pruski	206
HB 209	Chair, Health and Government Operations Committee (By Request – Departmental – Information Technology)	166
HB 214	Chair, Appropriations Committee (By Request – Departmental – Disabilities)	420
HB 222	Delegate Stein, et al	385
HB 225	Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)	51
HB 226	Delegate Bagnall	346
HB 227	Delegates Adams and Crosby	212
HB 228	Chair, Appropriations Committee (By Request – Departmental – Military)	617
HB 230	Chair, Environment and Transportation Committee (By Request – Departmental – State Ethics Commission)	73
HB 235	Chair, Health and Government Operations Committee (By Request – Departmental – Information Technology)	164
HB 236	Delegate Valentine, et al	574
HB 239	Chair, Economic Matters Committee (By Request – Departmental – Secretary of State)	79
HB 241	Delegate Simpson	145
HB 243	Delegate Boyce	501
HB 246	Chair, Judiciary Committee (By Request – Departmental – Human Services)	37
HB 249	Delegate Palakovich Carr	476
HB 251	Chair, Appropriations Committee (By Request – Departmental – Human Services)	417
HB 256	Chair, Health and Government Operations Committee (By Request – Departmental – Health)	31

Bill No.	Sponsor	Chapter
HB 258	Delegate Wells	215
HB 259	Chair, Judiciary Committee (By Request – Departmental – State Police) and Delegate Conaway	91
HB 260	Delegate Cardin, et al	180
HB 261	Delegate Forbes	225
HB 262	Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture) and Delegate Holmes	43
HB 265	Delegate Bagnall, et al	356
HB 268	Delegate Charkoudian, et al	693
HB 272	Chair, Environment and Transportation Committee (By Request – Departmental – Planning)	61
HB 273	Delegate Allen	580
HB 275	Delegate Crutchfield	532
HB 276	Chair, Health and Government Operations Committee (By Request – Departmental – General Services)	77
HB 277	Delegate Ruth, et al	547
HB 279	Chair, Environment and Transportation Committee (By Request – Departmental – Planning)	59
HB 284	Chair, Health and Government Operations Committee (By Request – Departmental – Transportation)	53
HB 286	Chair, Environment and Transportation Committee (By Request – Departmental – Planning)	63
HB 288	Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)	55
HB 292	Delegate Holmes, et al	519
HB 293	Delegate Pippy, et al	150
HB 297	Delegate Kerr, et al	721
HB 300	Delegate Kerr, et al	162
HB 301	Delegate Moon	135
HB 302	Delegate Moon	134
HB 309	Delegate Cardin	510
HB 313	Delegate Korman	491
HB 315	Delegates Cardin and Conaway	220
HB 322	Delegate Wims	124
HB 323	Delegate Forbes	226
HB 324	Delegates Korman and Atterbeary	301
HB 325	Delegate Wims, et al	328
HB 331	Delegate White Holland, et al	664
HB 334	Delegate Kerr, et al	719

Bill No.	Sponsor	Chapter
HB 337	Delegate Lehman, et al	403
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Joint Resolutions

Signed by the President of the Senate
and the Speaker of the House of Delegates
or Enacted by Operation of the Maryland Constitution

No Joint Resolutions were enacted by either chamber of the General Assembly in 2025.

Simple Resolutions

No Simple Resolutions were adopted by either chamber of the General Assembly during the 2025 Session.

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§ 21–809 (b)(4)(i) amended 587
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2009 Chapter 485, § 1(3) Item ZA00(B–1) added 643
2011 Chapter 396, § 1(3) Item DW01.10(A) amended 603
2011 Chapter 397, § 16(c) amended 604
2012 Chapter 154, § 2 amended 620
2012 Chapter 154, § 2 amended 621
2012 Chapter 444, § 1(3) Item DW01.10(A) amended 603
2012 Chapter 444, § 1(3) Item RB22(G) added 643
2012 Chapter 444, § 1(3) Item ZA03(AS) amended 643
2013 Chapter 200, § 2 amended 620
2013 Chapter 200, § 2 amended 621
2013 Chapter 201, § 2 amended 620
2013 Chapter 201, § 2 amended 621
2013 Chapter 424, § 1(1) amended 603
2013 Chapter 424, § 1(3) Item DW01.10(A) amended 603

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2013 Chapter 424, § 1(3) Item QB06.04(A) amended 603
2013 Chapter 424, § 1(3) Item RB22(G) added 643
2013 Chapter 424, § 1(3) Item ZA03(C) amended 643
2013 Chapter 424, § 1(3) Item ZA03(AK) amended 643
2013 Chapter 424, § 1(3) Item ZA03(AS) amended 643
2013 Chapter 424, § 1(3) Item ZA03(AY) amended 643
2013 Chapter 425, § 16(c) amended 604
2014 Chapter 463, § 1(1) amended 603
2014 Chapter 463, § 1(3) Item DW01.10(A) amended 603
2014 Chapter 463, § 1(3) Item RB22(F) added 643
2014 Chapter 463, § 1(3) Item ZA00(W) amended 643
2014 Chapter 463, § 1(3) Item ZA01(I) amended 643
2014 Chapter 463, § 1(3) Item ZA02(C) amended 643
2014 Chapter 463, § 1(3) Item ZA02(Q) amended 643
2014 Chapter 463, § 1(3) Item ZA02(AR) amended 643
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2014 Chapter 463, § 1(3) Item ZA02(BR) amended 643
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2014 Chapter 463, § 1(3) Item ZA02(CL) added 643
2014 Chapter 463, § 1(3) Item ZA03(C) amended 643
2014 Chapter 463, § 1(3) Item ZA03(Y) amended 643
2014 Chapter 463, § 1(3) Item ZA03(AF) amended 643
2014 Chapter 463, § 1(3) Item ZA03(BC) amended 643
2014 Chapter 463, § 1(3) Item ZA03(BH) amended 643
2014 Chapter 463, § 1(3) Item ZA03(BL) amended 643
2014 Chapter 463, § 1(3) Item ZA03(BM) amended 643
2014 Chapter 463, § 1(3) Item ZA03(BN) amended 643
2014 Chapter 463, § 1(3) Item ZA03(BW) added 643
2014 Chapter 464, § 16(c) amended 604
2015 Chapter 489, § 16(c) amended 604
2015 Chapter 495, § 1(1) amended 603
2015 Chapter 495, § 1(3) Item DW01.08(A) amended 603
2015 Chapter 495, § 1(3) Item DW01.11(A) amended 603
2015 Chapter 495, § 1(3) Item RB22(F) added 643
2015 Chapter 495, § 1(3) Item ZA00(C) amended 643
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2015 Chapter 495, § 1(3) Item ZA01(B) amended 643
2015 Chapter 495, § 1(3) Item ZA02(F) amended 643
2015 Chapter 495, § 1(3) Item ZA02(AW) amended 643
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2015 Chapter 495, § 1(3) Item ZA03(BE) amended 643
2015 Chapter 495, § 1(3) Item ZA03(BI) amended 643
2015 Chapter 495, § 1(3) Item ZA03(BJ) amended 643
2016 Chapter 27, § 1(1) amended 603
2016 Chapter 27, § 1(3) Item DE02.01(D) amended 603
2016 Chapter 27, § 1(3) Item DW01.08(B) amended 603
2016 Chapter 27, § 1(3) Item DW01.11(A) amended 603
2016 Chapter 27, § 1(3) Item RB22(E) added 643
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2016 Chapter 27, § 1(3) Item ZA00(Y) amended 643
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2016 Chapter 27, § 1(3) Item ZA00(AS) amended 643
2016 Chapter 27, § 1(3) Item ZA01(A) amended 643
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2016 Chapter 27, § 1(3) Item ZA01(G) amended 643
2016 Chapter 27, § 1(3) Item ZA01(H) amended 643
2016 Chapter 27, § 1(3) Item ZA02(K) amended 643
2016 Chapter 27, § 1(3) Item ZA02(L) amended 643
2016 Chapter 27, § 1(3) Item ZA02(N) amended 643
2016 Chapter 27, § 1(3) Item ZA02(P) amended 643
2016 Chapter 27, § 1(3) Item ZA02(Q) amended 643
2016 Chapter 27, § 1(3) Item ZA02(AD) amended 643
2016 Chapter 27, § 1(3) Item ZA02(AY) amended 643
2016 Chapter 27, § 1(3) Item ZA02(BR) amended 643
2016 Chapter 27, § 1(3) Item ZA02(CG) added 643
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2016 Chapter 27, § 1(3) Item ZA03(D) amended 643
2016 Chapter 27, § 1(3) Item ZA03(L) amended 643
2016 Chapter 27, § 1(3) Item ZA03(T) amended 643
2016 Chapter 27, § 1(3) Item ZA03(AS) amended 643
2016 Chapter 27, § 1(3) Item ZA03(AU) amended 643
2016 Chapter 27, § 1(3) Item ZA03(AY) amended 643
2016 Chapter 27, § 1(3) Item ZA03(BJ) amended 643
2016 Chapter 27, § 1(3) Item ZA03(BK) amended 643
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2016 Chapter 27, § 1(3) Item ZA03(BR) amended 643
2016 Chapter 27, § 1(3) Item ZA03(BS) amended 643
2016 Chapter 27, § 1(3) Item ZA03(BV) added 643
2016 Chapter 27, § 1(3) Item ZA03(BW) added 643
2016 Chapter 385, § 2 amended 416
2016 Chapter 386, § 2 amended 416
2017 Chapter 22, § 1(1) amended 603
2017 Chapter 22, § 1(3) Item DE02.01(E) amended 603
2017 Chapter 22, § 1(3) Item DW01.11(A) amended 603
2017 Chapter 22, § 1(3) Item DW01.11(B) amended 603

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2017 Chapter 22, § 1(3) Item RB21(A) amended 603
2017 Chapter 22, § 1(3) Item RB21(B) amended 603
2017 Chapter 22, § 1(3) Item RB22(A) amended 603
2017 Chapter 22, § 1(3) Item RB22(E) added 643
2017 Chapter 22, § 1(3) Item ZA00(O) amended 643
2017 Chapter 22, § 1(3) Item ZA00(U) amended 643
2017 Chapter 22, § 1(3) Item ZA00(BD) amended 643
2017 Chapter 22, § 1(3) Item ZA01(B) amended 643
2017 Chapter 22, § 1(3) Item ZA01(F) amended 643
2017 Chapter 22, § 1(3) Item ZA02(G) amended 643
2017 Chapter 22, § 1(3) Item ZA02(G–1) amended 643
2017 Chapter 22, § 1(3) Item ZA02(J) amended 643
2017 Chapter 22, § 1(3) Item ZA02(M) amended 643
2017 Chapter 22, § 1(3) Item ZA02(N) amended 643
2017 Chapter 22, § 1(3) Item ZA02(Q) amended 643
2017 Chapter 22, § 1(3) Item ZA02(S) amended 643
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2017 Chapter 22, § 1(3) Item ZA02(AM) amended 643
2017 Chapter 22, § 1(3) Item ZA02(AO) amended 643
2017 Chapter 22, § 1(3) Item ZA02(AQ) amended 643
2017 Chapter 22, § 1(3) Item ZA02(AR) amended 643
2017 Chapter 22, § 1(3) Item ZA02(AS) amended 643
2017 Chapter 22, § 1(3) Item ZA02(BI) amended 643
2017 Chapter 22, § 1(3) Item ZA02(BN) added 643
2017 Chapter 22, § 1(3) Item ZA02(BO) added 643
2017 Chapter 22, § 1(3) Item ZA02(BP) added 643
2017 Chapter 22, § 1(3) Item ZA02(BQ) added 643
2017 Chapter 22, § 1(3) Item ZA03(A–1) amended 643
2017 Chapter 22, § 1(3) Item ZA03(E) amended 643
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2017 Chapter 22, § 1(3) Item ZA03(AU) amended 643
2017 Chapter 22, § 1(3) Item ZA03(AV) amended 643
2017 Chapter 22, § 1(3) Item ZA03(BD) amended 643
2017 Chapter 22, § 1(3) Item ZA03(BJ) amended 643
2017 Chapter 22, § 1(3) Item ZA03(BK) amended 643
2017 Chapter 22, § 1(3) Item ZA03(BO) amended 643
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2017 Chapter 340, § 2 amended 620
2017 Chapter 340, § 2 amended 621

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2018 Chapter 9, § 1(1) amended 603
2018 Chapter 9, § 1(3) Item DE02.01(B) amended 603
2018 Chapter 9, § 1(3) Item DW01.08(A) amended 603
2018 Chapter 9, § 1(3) Item DW01.11(A) amended 603
2018 Chapter 9, § 1(3) Item DW01.11(B) amended 603
2018 Chapter 9, § 1(3) Item ZA00(M) amended 643
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2018 Chapter 9, § 1(3) Item ZA00(BU) amended 643
2018 Chapter 9, § 1(3) Item ZA02(L) amended 643
2018 Chapter 9, § 1(3) Item ZA02(P) amended 643
2018 Chapter 9, § 1(3) Item ZA02(AH) amended 643
2018 Chapter 9, § 1(3) Item ZA02(AY) amended 643
2018 Chapter 9, § 1(3) Item ZA03(AS) amended 643
2018 Chapter 9, § 1(3) Item ZA03(AU) amended 643
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2019 Chapter 14, § 1(1) amended 603
2019 Chapter 14, § 1(3) Item WA01(B) amended 603
2019 Chapter 14, § 1(3) Item ZA00(AJ) amended 643
2019 Chapter 14, § 1(3) Item ZA00(AJ–1) added 643
2019 Chapter 14, § 1(3) Item ZA00(BB) amended 643
2019 Chapter 14, § 1(3) Item ZA01(A) amended 643
2019 Chapter 16, § 16(c) amended 604
2019 Chapter 737, § 1(3) Item ZA02(K) amended 643
2019 Chapter 737, § 1(3) Item ZA02(N) amended 643
2019 Chapter 737, § 1(3) Item ZA02(AD) amended 643
2019 Chapter 737, § 1(3) Item ZA02(AS) amended 643
2019 Chapter 737, § 1(3) Item ZA02(BR) amended 643
2019 Chapter 737, § 1(3) Item ZA03(L) amended 643
2019 Chapter 737, § 1(3) Item ZA03(BK) amended 643
2019 Chapter 737, § 1(3) Item ZA03(BM) amended 643
2019 Chapter 737, § 1(3) Item ZA03(BO) amended 643
2019 Chapter 737, § 1(3) Item ZA03(BR) amended 643
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2020 Chapter 537, § 1(3) Item DW01.08(B) amended 603
2020 Chapter 537, § 1(3) Item QR02.02(A) amended 603
2020 Chapter 537, § 1(3) Item RM00(C) amended 603
2020 Chapter 537, § 1(3) Item WA01(B) amended 603
2020 Chapter 537, § 1(3) Item ZA00(AG) amended 643
2020 Chapter 537, § 1(3) Item ZA00(BF) amended 643
2020 Chapter 537, § 1(3) Item ZA00(CF) amended 643
2020 Chapter 537, § 1(3) Item ZA01(A) amended 603
2020 Chapter 537, § 1(3) Item ZA01(A) amended 643
2020 Chapter 538, § 16(c) amended 604
2020 Chapter 553, § 4 amended 620
2020 Chapter 553, § 4 amended 621
2020 Chapter 553, § 5 amended 620

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2020 Chapter 553, § 5 amended 621
2020 Chapter 595, § 1(3) Item ZA00(AS) amended 643
2020 Chapter 595, § 1(3) Item ZA02(M) amended 643
2020 Chapter 595, § 1(3) Item ZA02(P) amended 643
2020 Chapter 595, § 1(3) Item ZA02(AH) amended 643
2020 Chapter 595, § 1(3) Item ZA02(AY) amended 643
2020 Chapter 595, § 1(3) Item ZA03(AU) amended 643
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2021 Chapter 55, § 19 repealed 237
2021 Chapter 63, § 1(1) amended 603
2021 Chapter 63, § 1(3) Item DE02.01(D) amended 603
2021 Chapter 63, § 1(3) Item VE01(B) amended 603
2021 Chapter 63, § 1(3) Item ZA00(AP) amended 643
2021 Chapter 63, § 1(3) Item ZA00(BL) amended 643
2021 Chapter 63, § 1(3) Item ZA01(C) amended 643
2021 Chapter 63, § 1(3) Item ZA03(U) amended 643
2021 Chapter 63, § 1(3) Item ZA03(AE) amended 643
2021 Chapter 63, § 1(3) Item ZA03(AE–1) added 643
2021 Chapter 63, § 1(3) Item ZA03(AQ) amended 643
2021 Chapter 80, § 2 amended 215
2021 Chapter 80, § 2 amended 216
2021 Chapter 81, § 2 amended 215
2021 Chapter 81, § 2 amended 216
2021 Chapter 153, § 2 amended 416
2021 Chapter 154, § 2 amended 416
2021 Chapter 576, § 1(3) Item ZA00(AJ) amended 643
2021 Chapter 576, § 1(3) Item ZA01(I) amended 643
2021 Chapter 576, § 1(3) Item ZA02(C) amended 643
2021 Chapter 576, § 1(3) Item ZA03(C) amended 643
2021 Chapter 576, § 1(3) Item ZA03(AF) amended 643
2021 Chapter 576, § 1(3) Item ZA03(AS) amended 643
2021 Chapter 576, § 1(3) Item ZA03(BR) amended 643
2021 Chapter 628, § 2 amended 567
2021 Chapter 728, § 2 amended 620
2021 Chapter 728, § 2 amended 621
2021 Chapter 728, § 3 amended 620
2021 Chapter 728, § 3 amended 621
2021 Chapter 778, § 2 amended 721
2021 Chapter 778, § 2 amended 722
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2022 Chapter 117, § 2 amended 621
2022 Chapter 271, § 4 amended 660
2022 Chapter 271, § 4 amended 661
2022 Chapter 272, § 4 amended 660
2022 Chapter 272, § 4 amended 661
2022 Chapter 344, § 1(1) amended 603

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2022 Chapter 344, § 1(3) Item DW01.10(A) amended 603
2022 Chapter 344, § 1(3) Item DW01.11(A) amended 603
2022 Chapter 344, § 1(3) Item KA05(B)(5) amended 643
2022 Chapter 344, § 1(3) Item RB30(A) amended 603
2022 Chapter 344, § 1(3) Item VE01(B) amended 603
2022 Chapter 344, § 1(3) Item ZA00(DV–3) amended 643
2022 Chapter 344, § 1(3) Item ZA00(GB–1) amended 643
2022 Chapter 344, § 1(3) Item ZA01(B) amended 643
2022 Chapter 344, § 1(3) Item ZA02(Z) amended 643
2022 Chapter 344, § 1(3) Item ZA02(FC) amended 643
2022 Chapter 344, § 1(3) Item ZA02(FC–1) added 643
2022 Chapter 344, § 1(3) Item ZA03(DG) amended 643
2022 Chapter 626, § 1(3) Item ZA02(AS) amended 643
2022 Chapter 626, § 1(3) Item ZA03(BI) amended 643
2022 Chapter 641, § 2(b) amended 620
2022 Chapter 641, § 2(b) amended 621
2022 Chapter 641, § 2(d) amended 620
2022 Chapter 641, § 2(d) amended 621
2022 Chapter 675, § 5 amended 416
2022 Chapter 696, § 3 amended 25
2022 Chapter 696, § 3 amended 26
2022 Chapter 697, § 3 amended 25
2022 Chapter 697, § 3 amended 26
2023 Chapter 102, § 1(1) amended 603
2023 Chapter 102, § 1(3) Item DE02.01(C) amended 603
2023 Chapter 102, § 1(3) Item DW01.08(A) amended 603
2023 Chapter 102, § 1(3) Item DW01.08(B) amended 603
2023 Chapter 102, § 1(3) Item DW01.10(A) amended 603
2023 Chapter 102, § 1(3) Item DW01.11(A) amended 603
2023 Chapter 102, § 1(3) Item ML10(A) amended 603
2023 Chapter 102, § 1(3) Item RB24(A) amended 603
2023 Chapter 102, § 1(3) Item RB30(A) amended 603
2023 Chapter 102, § 1(3) Item ZA00(AE) amended 643
2023 Chapter 102, § 1(3) Item ZA00(BE) amended 643
2023 Chapter 102, § 1(3) Item ZA00(CY) amended 643
2023 Chapter 102, § 1(3) Item ZA00(DN) amended 603
2023 Chapter 102, § 1(3) Item ZA00(ET) amended 643
2023 Chapter 102, § 1(3) Item ZA00(HP) amended 643
2023 Chapter 102, § 1(3) Item ZA00(JT) amended 643
2023 Chapter 102, § 1(3) Item ZA02(CS) amended 643
2023 Chapter 102, § 1(3) Item ZA02(DC) amended 643
2023 Chapter 102, § 1(3) Item ZA03(A) amended 643
2023 Chapter 102, § 1(3) Item ZA03(U) amended 643
2023 Chapter 102, § 1(3) Item ZA03(CA) amended 643
2023 Chapter 102, § 1(3) Item ZA03(CG) amended 643
2023 Chapter 102, § 1(3) Item ZA03(CP) amended 643

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2023 Chapter 103, § 16(c) amended 604
2023 Chapter 111, § 6 amended 604
2023 Chapter 122, § 3 amended 441
2023 Chapter 122, § 3 amended 442
2023 Chapter 123, § 3 amended 441
2023 Chapter 123, § 3 amended 442
2023 Chapter 136, § 3 amended 215
2023 Chapter 136, § 3 amended 216
2023 Chapter 137, § 2 amended 620
2023 Chapter 137, § 2 amended 621
2023 Chapter 137, § 2(b) amended 620
2023 Chapter 137, § 2(b) amended 621
2023 Chapter 137, § 2(d) amended 620
2023 Chapter 137, § 2(d) amended 621
2023 Chapter 137, § 3 amended 620
2023 Chapter 137, § 3 amended 621
2023 Chapter 137, § 4 amended 620
2023 Chapter 137, § 4 amended 621
2023 Chapter 137, § 5 amended 620
2023 Chapter 137, § 5 amended 621
2023 Chapter 138, § 2 amended 620
2023 Chapter 138, § 2 amended 621
2023 Chapter 138, § 2(b) amended 620
2023 Chapter 138, § 2(b) amended 621
2023 Chapter 138, § 2(d) amended 620
2023 Chapter 138, § 2(d) amended 621
2023 Chapter 138, § 3 amended 620
2023 Chapter 138, § 3 amended 621
2023 Chapter 138, § 4 amended 620
2023 Chapter 138, § 4 amended 621
2023 Chapter 138, § 5 amended 620
2023 Chapter 138, § 5 amended 621
2023 Chapter 141, § 1(3) Item ZA00(DV–3) amended 643
2023 Chapter 141, § 1(3) Item ZA01(A) amended 643
2023 Chapter 141, § 1(3) Item ZA02(FC) amended 643
2023 Chapter 222, § 5 amended 416
2023 Chapter 223, § 5 amended 416
2023 Chapter 256, § 2 amended 721
2023 Chapter 256, § 2 amended 722
2023 Chapter 257, § 2 amended 721
2023 Chapter 257, § 2 amended 722
2023 Chapter 260, § 2 amended 604
2023 Chapter 261, § 2 amended 604
2023 Chapter 466, § 2 amended 182
2023 Chapter 467, § 2 amended 182
2024 Chapter 2, § 2(g) amended 98

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2024 Chapter 2, § 2(g) amended 99
2024 Chapter 3, § 2(g) amended 98
2024 Chapter 3, § 2(g) amended 99
2024 Chapter 28, § 2 repealed 314
2024 Chapter 28, § 2 repealed 315
2024 Chapter 29, § 2 repealed 314
2024 Chapter 29, § 2 repealed 315
2024 Chapter 410, § 6 amended 604
2024 Chapter 448 amended 749
2024 Chapter 497, § 4 repealed 845
2024 Chapter 497, § 4 repealed 846
2024 Chapter 624, § 2 amended 712
2024 Chapter 624, § 3 amended 712
2024 Chapter 625, § 2 amended 712
2024 Chapter 625, § 3 amended 712
2024 Chapter 635, § 1(g) amended 214
2024 Chapter 635, § 1(j) amended 214
2024 Chapter 635, § 2 amended 214
2024 Chapter 717, § 8(42) repealed 604
2024 Chapter 717, § 8(85) amended 237
2024 Chapter 717, § 8(85) amended 409
2024 Chapter 717, § 8(85) amended 410
2024 Chapter 717, § 8(86) amended 237
2024 Chapter 717, § 8(86) amended 409
2024 Chapter 717, § 8(86) amended 410
2024 Chapter 717, § 8(87) added 237
2024 Chapter 717, § 8(87) added 409
2024 Chapter 717, § 8(87) added 410
2024 Chapter 717, § 9 amended 604
2024 Chapter 720, § 1(1) amended 603
2024 Chapter 720, § 1(3) Item DE02.01(F) amended 603
2024 Chapter 720, § 1(3) Item MA01(C) amended 603
2024 Chapter 720, § 1(3) Item ML10(A) amended 603
2024 Chapter 720, § 1(3) Item RB24(A) amended 603
2024 Chapter 720, § 1(3) Item RB30(A) amended 603
2024 Chapter 720, § 1(3) Item RM00(B) amended 603
2024 Chapter 720, § 1(3) Item RQ00(B) amended 643
2024 Chapter 720, § 1(3) Item SA24(A)(12) amended 643
2024 Chapter 720, § 1(3) Item SA24(D)(2) amended 643
2024 Chapter 720, § 1(3) Item SA24(D)(6) amended 643
2024 Chapter 720, § 1(3) Item SA24(G)(2) amended 643
2024 Chapter 720, § 1(3) Item VE01(B) amended 603
2024 Chapter 720, § 1(3) Item ZA00(C) amended 643
2024 Chapter 720, § 1(3) Item ZA00(FD) amended 643
2024 Chapter 720, § 1(3) Item ZA00(FH) amended 643
2024 Chapter 720, § 1(3) Item ZA02(BC) amended 643

Acts of the General Assembly of Maryland (continued)

2024 Chapter 720, § 13 repealed 603
2024 Chapter 720, § 14 repealed 603
2024 Chapter 720, § 15 repealed 603
2024 Chapter 720, § 16 repealed 603
2024 Chapter 722, § 1(3) Item ZA00(GB–1) amended 643
2024 Chapter 761, § 3 amended 142
2024 Chapter 763, § 1 amended 455
2024 Chapter 818, § 2 amended 416
2024 Chapter 818, § 3 amended 416
2024 Chapter 819, § 2 amended 416
2024 Chapter 819, § 3 amended 416
2024 Chapter 936, § 1(a) without amendments 112
2024 Chapter 936, § 1(a) without amendments 113
2024 Chapter 936, § 1(i) amended 112
2024 Chapter 936, § 1(i) amended 113
2024 Chapter 936, § 2 amended 112
2024 Chapter 936, § 2 amended 113
2024 Chapter 937, § 1(a) without amendments 112
2024 Chapter 937, § 1(a) without amendments 113
2024 Chapter 937, § 1(i) amended 112
2024 Chapter 937, § 1(i) amended 113
2024 Chapter 937, § 2 amended 112
2024 Chapter 937, § 2 amended 113
2024 Chapter 945, § 1(g) amended 110
2024 Chapter 945, § 2 amended 110
2024 Chapter 946, § 1(g) amended 110
2024 Chapter 946, § 2 amended 110
2024 Chapter 963, § 4 amended 143
2024 Chapter 1026, § 2 amended 813
2024 Chapter 1026, § 2 amended 814
2024 Chapter 1027, § 2 amended 813
2024 Chapter 1027, § 2 amended 814

2025

Public Local Laws

(Sections added, amended, repealed, or reenacted without amendment)

Chapter

Anne Arundel County
§ 17–11–215 amended 472
§ 17–11–215 amended 473

Garrett County
§ 30.21 (A) amended 778
§ 30.21 (A) amended 779

Howard County
§ 20.400 amended 638

Prince George's County
§ 10–218.01 amended 638

St. Mary's County
§ 113–13 amended 599
§ 113–21C. (1) amended 599
§ 113–21C. (2) amended 599

Somerset County
§ 2–101 (a) without amendments 399
§ 2–101 (a) without amendments 400
§ 2–101 (b) amended 399
§ 2–101 (b) amended 400
§ 7–401 added to be under the new subtitle "Subtitle 4. Emergency Services Tax" 69
§ 7–401 added to be under the new subtitle "Subtitle 4. Emergency Services Tax" 70
§ 9–104 (a) amended 399
§ 9–104 (a) amended 400

Certifications

(Results of Referenda on Enactments
of the Maryland General Assembly)

**Published under Authority of
Section 2–1254 of the
State Government Article**

Certifications

Results of Referenda on Enactments of the Maryland General Assembly

There were no certifications or results of referenda for 2025
per the State Board of Elections