



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401-1991

JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

Memorandum

To: Members of the AELR Committee
Standing Committee Chairs

From: Georgeanne Carter, AELR Committee Counsel
Kathleen P. Kennedy, AELR Committee Counsel
Kelvin V. Lucas, AELR Committee Counsel

Date: November 21, 2025

Re: **Synopses of Regulations received from 11/7/2025 through 11/20/2025**

Enclosed please find synopses of regulations received by the Joint Committee on Administrative, Executive, and Legislative Review (AELR) during the weeks noted above.

The Office of Policy Analysis prepares analyses of the regulations to determine if there are any problem areas, to ensure that the regulations comply with statutory authority and legislative intent, and to assess the fiscal impact of the regulations. If any regulation is of particular interest to you, please feel free to contact us at 410-946-5350 and we will supply you with a copy of the regulation along with the legal and fiscal analysis.

GC/KPK/KVL/bal

cc: Sally Robb
Matthew Jackson

Elections, State Board of

Proposed Regulations

DLS Control No. 25-266

Board of Elections: Meetings and Training:

Judges' Manuals and Training: COMAR 33.02.03.05

Inspection and Copying of Public Records:

Confidentiality of Certain Information: COMAR 33.04.02.02 – .04 and .06

Election Day Activities:

Order and Decorum: COMAR 33.07.04.02

Identification Requirements: COMAR 33.07.07.01 – .03

Election Judges: COMAR 33.07.11.02

Language Assistance Program: COMAR 33.07.12.01 – .06

Canvassing:

Definitions; General Provisions: COMAR 33.08.01.02 and .02-1

Absentee Ballots:

Issuance and Return: COMAR 33.11.03.08

Provisional Voting:

Canvass of Ballots — Procedures: COMAR 33.16.05.03

Special Elections by Mail:

Issuance and Return: COMAR 33.21.03.04

According to the board, the purpose of this action is to (1) amend Regulation .05 under COMAR 33.02.03 to implement HB586, enacted in 2025, requiring election judges to work during the voting period to earn pay for training; (2) amend Regulation .02-.04 & .06 under COMAR 33.04.02 to clarify statewide address confidentiality procedures. The regulation reflects recent legislation regarding judges and their families. Additionally, clarification is provided regarding differences in processes used for individuals who seek confidentiality through SBE versus those who seek confidentiality through the Address Confidentiality Program of the Secretary of State; (3) amend Regulation .02 under COMAR 33.07.04 to allow for use of cell phones and electronic devices in polling places to obtain interpretation services, including from LanguageLine Solutions; (4) amend Regulation .01-.03 under COMAR 33.07.07 Election Day Activities; Challengers and Watchers to provide clarification that challengers and watchers should be registered Maryland voters. They also specify who can sign certificates on behalf of a central committee, outline the requirements and deadline for the submission of paperwork for accreditation of challengers and watchers, and how to submit documentation for substitutions. Additionally, the revisions seek to provide clearer wording for the permissive and prohibited activities and remove the text that describes the transmission by modem of election results as we no longer transmit results by modem at the polling places. Finally, they define a group of registered voters who may be challengers and watcher; (5) amend Regulation .02 under COMAR 33.07.11.02 Compensation of Election Judges to implement HB586, enacted in 2025, which requires students who serve as election judges to choose between earning pay or service credit; (6) adopt Regulation COMAR 33.07.12 Election Day Activities; Language Assistance Program to implement HB983, enacted in 2025, which requires in-language assistance in elections in counties with substantial

populations of eligible voters who are not fully fluent in English. These regulations describe the notification of coverage and support SBE will provide to LBEs, and the services LBEs will provide where coverage applies; (7) amend Regulation .02 under COMAR 33.08.01 Canvassing, Definitions; General Provisions – Board Responsibilities to update the process of swearing in of the LBE Boards of Canvassers to reflect the need for canvassers to be sworn in prior to early canvassing. It also clarifies the expiration of the oath, which will be 35 days after the local board certifies the election; (8) amend Regulation .02-1 under COMAR 33.08.01 Canvassing, Definitions; General Provisions – Board Counsel to update the process of swearing in of Local Board Counsel to reflect the need for counsel to be sworn in prior to early canvassing. It also clarifies the expiration of the oath, which will be 35 days after the local board certifies the election; (9) amend Regulation .08 under COMAR 33.11.03 Absentee Ballots; Issuance and Return – When Ballots are Timely to codify the existing practice of the local boards for untimely mail-in ballots received after canvass is completed. Specifically, the board of canvassers need not be reconvened to reject the ballots; (10) amend Regulation .03 under COMAR 33.16.05 to implement HB 839 of the 2025 MGA Session. The law requires LBEs to count votes for nonpartisan Board of Education contests, even if the voters vote the wrong party's ballot, in a primary election; and (11) amend Regulation .04 under COMAR 33.21.03 Special Elections by Mail; Issuance and Return – Transmission of Ballots to reflect when SB262, enacted in 2025, changed the timing of special elections, and lengthened the time in advance of special elections when mail ballots must be sent.

Comptroller of the Treasury

Proposed Regulation

DLS Control No. 25-268

Comptroller of the Treasury: Office of the Comptroller:

General Regulations: COMAR 03.01.01.01

According to the office, the purpose of this action is to limit the authority of the custodian of records to disclose or allow a request for inspection or copying of any part of a public record that contains personal sociological information and to increase the per page fee for physical copies to adjust for inflation and more accurately reflect the agency's cost to provide physical copies.

Natural Resources, Department of

Proposed Regulation

DLS Control No. 25-265

Department of Natural Resources: Boating–Speed Limits and Operation of Vessels:

South River: COMAR 08.18.25.04

According to the department, the purpose of this action is to extend the current speed zone in Duvall Creek, located in the South River, to begin at the start of the Duvall Creek entrance channel. The proposed action extends the current speed zone limit of 6 knots during the boating season approximately 300 yards to the southwest. The proposed action aligns the speed zone with

the start of the channel and addresses safety and wake concerns by controlling boat speeds directly at the channel entrance.

Transportation, Department of

Proposed Regulations

DLS Control No. 25-264

Department of Transportation: State Highway Administration:

Vehicle Equipment – Portable Variable Messaging Signs - Authorization:

COMAR 11.04.19.01 – .03

According to the department, the purpose of this action is to authorize a tow truck to display a portable variable messaging sign mounted on the tow truck while at the scene of a crash or a disabled vehicle. The portable variable messaging sign must conform to the standards established in the Manual on Uniform Traffic Control Devices adopted by the State Highway Administration (SHA) and display only those messages approved by SHA.

Proposed Regulation

DLS Control No. 25-269

Department of Transportation: Motor Vehicle Administration--School Vehicles:

School Vehicle Drivers: COMAR 11.19.05.01

According to the department, the purpose of this action is to update the requirement for an employer or owner of the school vehicle to maintain a copy of their school vehicle drivers medical examiner's certificate to ensure that a medical exam has happened within the previous 12 months; and monitor the driver in a licensing monitoring system approved by the Administration.

Proposed Regulation

DLS Control No. 25-270

Department of Transportation:

Motor Vehicle Administration — Vehicle Registration:

Issuance of Chesapeake Bay Commemorative Plates: COMAR 11.15.15.02

According to the department, the purpose of this action is to clarify the distribution of funds for the issuance of Chesapeake Bay Commemorative Plates.

Proposed Regulation

DLS Control No. 25-271

Department of Transportation:

Motor Vehicle Administration — Licensing of Businesses and Occupations:

Assessment of Fines: COMAR 11.12.07.01

According to the department, the purpose of this action is to establish and standardize the assessment of fines on business or occupations that are licensed as a new or used vehicle dealer and title service agents.

Proposed Regulation

DLS Control No. 25-272

Department of Transportation:

Motor Vehicle Administration — Vehicle Registration:

Issuance of Special Agriculture Registration Plates: COMAR 11.15.30.02

According to the department, the purpose of this action is to clarify the distribution of funds for the issuance of Special Agriculture Registration Plates.

Maryland Department of Health

Proposed Regulations

DLS Control No. 25-277

Maryland Department of Health: Medical Care Programs:

Health Homes: COMAR 10.09.33.01, .04, and .06 – .09

According to the department, the purpose of this action is to (1) change references from the eMedicaid system to the Administrative Services Organization system as the operation system of record through which providers report services, measure outcomes, and submit claims for health home services; and (2) update limitations to promulgate existing reimbursement policies currently provided in subregulatory guidance.

Proposed Regulations

DLS Control No. 25-278

Maryland Department of Health: Medical Care Programs:

Telehealth Services: COMAR 10.09.49.02, .07, and .08

According to the department, the purpose of this action is to (1) permanently expand telehealth services, in accordance with the Preserve Telehealth Access Act of 2025; (2) remove previous sunset dates, making telehealth coverage changes that began during the Public Health Emergency and were extended by the Preserve Telehealth Access Act of 2023 permanent; and (3) amend the definition of telehealth to include audio-only communication in accordance with the Preserve Telehealth Access Act of 2025.

Proposed Regulation

DLS Control No. 25-279

Maryland Department of Health: Maryland HealthChoice Program:

Access: COMAR 10.67.05.05

According to the department, the purpose of this action is to align with the State's vision for advanced primary care as the foundation of our health system. This change aligns with the American Academy of Family Physicians definition of primary care as clinicians.

Labor, Maryland Department of

Proposed Regulation

DLS Control No. 25-284

Maryland Department of Labor: State Board of Individual Tax Preparers:

General Regulations: COMAR 09.38.01.05

According to the department, the passage of this amendment will strengthen consumer protections for Maryland residents who pay for tax preparation services. It will prohibit tax preparers from having an individual's income tax refund check made payable to the preparer, depositing it into an account they the preparer controls, or requiring clients to use a refund method that benefits the preparer. The amendment also ensures that preparers follow reasonable practices to protect client data.

Lottery and Gaming Control Agency, Maryland State

Proposed Regulations

DLS Control No. 25-288

Maryland State Lottery and Gaming Control Agency: Gaming Provisions:

Enforcement of Voluntary Exclusion Program: COMAR 36.03.06.01 and .03

Video Lottery Facility Minimum Internal Control Standards: COMAR 36.03.10.38

Video Lottery Terminals:

Video Lottery Technical Standards: COMAR 36.04.01.13

Instant Bingo Machines in Anne Arundel and Calvert Counties:

Instant Bingo Minimum Internal Control Standards: COMAR 36.07.04.14

Technical Standards: COMAR 36.07.06.08

Sports Wagering Provisions:

Enforcement of Voluntary Exclusion Program: COMAR 36.10.10.01

Sports Wagering Licensee Minimum Internal Control Standards:

COMAR 36.10.13.29 and .41

According to the agency, the purpose of this action is to ensure that technology related to the Voluntary Exclusion Program complies with all legal requirements and can only be accessed by facility operators in the continental U.S.; establishes criteria for advertising pertaining to responsible gaming messages; clarifies language about the filing of W-2G forms for the IRS for jackpot payouts; clarifies the definition of sports wagering licensee for the purpose of enforcement under the Voluntary Exclusion Program and explains the responsibility of the licensee when violations occur; describes the use of rewards programs for Class A and B Sports Wagering Facility licensees.

Proposed Regulations

DLS Control No. 25-289

Maryland State Lottery and Gaming Control Agency: Gaming Provisions:

Video Lottery Facility Minimum Internal Control Standards:

COMAR 36.03.10.11, .12, and .43

Facility Standards: COMAR 36.03.11.04

Table Games:

Table Game Procedures: COMAR 36.05.03.04 and .05

Skill-based Amusement Devices:

General Standards: COMAR 36.08.04.01

Sports Wagering Provisions:

Specific Requirements for Sports Wagering Facility Licensees: COMAR 36.10.04.03

Enforcement of Voluntary Exclusion Program: COMAR 36.10.10.03

Sports Wagering Licensee Minimum Internal Control Standards:

COMAR 36.10.13.34

Sports Wagering Requirements and Limitations: COMAR 36.10.14.06

Sports Wagering Technical Standards: COMAR 36.10.18.04 and .06

According to the agency, the purpose of this action is to establish a manner for storing and providing a video recording or photograph on any event caught by the surveillance system; increase the use of electronic formats for operating surveillance; enhance protections for Video Lottery Facility employees who collect cash storage and table game drop boxes; specify surveillance requirements for certain table games; improve the procedures for distributing and removing value chips, coins, and plaques at gaming tables; set a minimum and maximum value for skills-based amusement game prizes; adjust the bonds for Class A-1 sports wagering facilities to align with revenues; increase the visibility of gambling assistance messages across the various advertising platforms; enhance protections for sports wagering facility employees who collect cash storage and drop boxes; specify how funds may be accessed in a reserve account; expand upon reporting requirements for geolocation systems and information security.

Retirement and Pension System, State

Proposed Regulations

DLS Control No. 25-267

State Retirement and Pension System: Membership:

Membership in the Employees' System or the Teachers' System - General:

COMAR 22.04.02.02 – .04

According to the State Retirement Agency, the purpose of this action is to clarify and update the provisions in COMAR 22.04.02 that address membership in the Employees' Systems and the Teachers' Systems. The State Retirement Agency is recommending repealing COMAR 22.04.02.02 because it is obsolete. To the extent that lecturers at the University of Maryland Global Campus are eligible for membership in both the Teachers' Pension System and

the Optional Retirement Program, provisions of the State Personnel and Pensions Article require an individual to make an irrevocable election at the commencement of employment regarding which plan the individual wishes to be a member.

Additionally, these proposed regulations also repeal COMAR 22.04.02.03C. If an individual who is a member of the Teachers' Retirement System or the Teachers' Pension System is no longer eligible for membership in their system due to a change in employment that will now place them in another State or local retirement or pension system, that individual will be enrolled in their new plan. Existing provisions of the State Personnel and Pensions Article provide that this individual would be eligible to transfer prior service credit in their old system to their new system.