



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: June 6, 2025

Re: **Synopses of Regulations received from 5/9/2025 through 6/5/2025**

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. 25-126

Board of Elections: Voter Registration:

Definitions; General Provisions: COMAR 33.05.01.04

Election Day Activities: Election Judges: COMAR 33.07.11.01 and .03

Voting Systems-System Requirements and Procedures:

EVS Voting Solution: COMAR 33.10.01.30

Absentee Ballots: Definitions; General Provisions: COMAR 33.11.01.04 and .05

Issuance and Return: COMAR 33.11.03.06

Recounts: Recount Procedures - In General: COMAR 33.12.04.07

Early Voting: Early Voting Centers: COMAR 33.17.02.02

Appeals Process for Public Buildings: COMAR 33.17.08.01 – .10

According to the board, the purpose of this action is to:

- amend 33.07.11.01 to clarify the definition of a returning election judge for the purpose of receiving the \$100 bonus payment;
- amend 33.11.01.04 to set forth the minimum deployment of drop boxes that each county must have for an election. The regulation ensures that the vast majority of voters are within a certain radius of at least one drop box;
- amend 33.11.03.06 to provide for a process to address mail-in ballot return envelopes that are returned without ballots;
- amend 33.17.02.02 and Adopt 33.17.08.01-.10 to provide a framework for a public building to appeal its designation as an early voting center by the local boards;
- adopt 33.07.11.03 to set forth the forms that can be required by a local board of elections, based on the minimum amount of information needed for application and service;
- adopt 33.10.01.30 and Adopt 33.05.01.04 to require that any employee or contractor who works with the voting system or voter registration database undergo a background check;
- adopt 33.11.01.05 to meet the requirements set forth under Election Law Article, § 8-401 requiring that SBE adopt about: (1) notice to absent uniformed services voters and overseas voters concerning a special election and (2) the process for absent uniformed services voters and overseas voters to: (i) request an absentee ballot for a special election; and (ii) return an absentee ballot by mail in a timely manner; and

- adopt 33.12.04.07 to clarify that election results will not be updated if a recount is requested but ended prior to completion.

Proposed Regulation

DLS Control No. 25-139

Board of Elections: Campaign Financing:

Campaign Accounts: COMAR 33.13.06.01

According to the board, the purpose of this action is to provide a legal definition of a method of obtaining contributions through a third-party payment processor.

Proposed Regulation

DLS Control No. 25-140

Board of Elections: Campaign Financing:

Campaign Accounts: COMAR 33.13.06.03

According to the board, the purpose of this action is to mandate that a payment transfer from the third-party processor to the committee shall occur within 7 days after the contribution has been deposited.

Proposed Regulation

DLS Control No. 25-141

Board of Elections: Campaign Financing:

Campaign Accounts: COMAR 33.13.06.05

According to the board, the purpose of this action is to clarify that using a third-party payment processor as a financial institution is prohibited.

Assessments and Taxation, Department of

Proposed Regulation

DLS Control No. 25-123

Department of Assessments and Taxation: Real Property Assessments:

Open Space Easement Valuation: COMAR 18.02.10.01

According to the department, the purpose of this action is to bring COMAR 18.02.10.01 into parity with current state law.

Proposed Regulation

DLS Control No. 25-136

Department of Assessments and Taxation: Real Property Assessments:

Agricultural Use Assessments: COMAR 18.02.03.03

According to the department, the purpose of this action is to amend existing regulatory language to clarify the use of the term Silviculture, ensure accurate spelling, and explicitly require a Forest Management Plan or Forest Conservation and Management Agreement (FCMA) for silvicultural activities; and to provide greater specificity for the categories of "Raising of ornamental plants" and "Aquaculture."

Proposed Regulation

DLS Control No. 25-137

Department of Assessments and Taxation: Real Property Assessments:

Agricultural Use Assessments: COMAR 18.02.03.06

According to the department, the purpose of this action is to alter the criteria for qualifying woodland parcels under certain agricultural and forestry programs by clarifying that parcels must consist of at least 5 contiguous acres of woodland to be eligible for associated benefits as stipulated under Tax Property 8-209(h)(v) ; prohibiting the use of alternative methods to meet the minimum acreage requirement; and establishing that parcels enrolled in a Forest Conservation Management Agreement (FCMA) that do not meet the minimum size standard will remain assessed at the market rate for the duration of the agreement.

Transportation, Department of

Proposed Regulations

DLS Control No. 25-122

Department of Transportation:

Motor Vehicle Administration — Administrative Procedures:

Motor Vehicle Fees: COMAR 11.11.05.02 – .04 and .06

According to the department, the purpose of this action is to adjust the fees charged for certain transactions for vehicle titling, driver's license and identification cards, vehicle registration, and miscellaneous services in order to reflect the cost of providing the services and products covered by these fees in compliance with Transportation Article, §12- 120, Annotated Code of Maryland.

Maryland Department of Health

Proposed Regulations

DLS Control No. 25-119

Maryland Department of Health: Board of Physicians:

Supervised Medical Graduates: COMAR 10.32.25.01 – .07

According to the department, the purpose of this action is to establish a pathway for qualified individuals to utilize their education and clinical skills while bolstering the healthcare

workforce. This action establishes regulations that authorize unlicensed individuals who meet the qualifications to perform delegated medical duties under the supervision of a licensed physician.

Proposed Regulations

DLS Control No. 25-120

Maryland Department of Health: Board of Pharmacy:

Transfer and Outsourcing of Prescriptions and Prescription Orders:

COMAR 10.34.04.01, .03, and .06 – .09

According to the department, the purpose of this action is to (1) clarify and update policies and procedures, (2) clarify and update standards for quality assurance, and (3) update required reference materials.

Proposed Regulations

DLS Control No. 25-125

Maryland Department of Health: Board of Physicians:

Licensure of Polysomnographic Technologists:

COMAR 10.32.06.02, .04, .06, .07, and .09 – .13

According to the department, the purpose of this proposal is to update existing regulations for clarity, consistency with other Board regulations, and to reflect statutory changes pursuant to 2017 sunset legislation: Chapter 218: “State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation.”

Specifically, the proposal includes but is not limited to: (1) restructuring of COMAR 10.32.06.04 to clarify the pathways to licensure. A definition of the phrase “enrolled in a sleep technologist program” has been added to support the proposed revisions to Regulation .04, (2) adding a statement to Regulation .09 about non-refundable fees for consistency with other Board regulations, (3) removing duplicative language from Regulation .11 regarding reporting requirements, (4) changing the “Board” to a “disciplinary panel” in Regulations .10, .12, and .13 pursuant to 2017 sunset legislation, (5) renaming Regulation .12 to reflect all topics covered, (6) revising certain section titles under Regulation .12, and (7) other revisions or technical corrections as needed.

Proposed Regulation

DLS Control No. 25-127

Maryland Department of Health:

Board of Nursing - Electrology Practice Committee:

Sterilization Procedures: COMAR 10.53.09.04

According to the department, the purpose of this action is to bring the Board’s regulations in conformance with the American Electrology Association’s Infection Prevention Standards (Rev. 01/2019), which are based upon recommendations by the Centers for Disease Control and Prevention and in conformance with the current standard of practice of electrologists.

Proposed Regulations

DLS Control No. 25-128

Maryland Department of Health:

Board for Certification of Residential Child Care Program Professionals:

Certification - Residential Child Care Program Administrators:

COMAR 10.57.02.02, .04, .05, .07, and .09

Certification - Residential Child and Youth Care Practitioners:

COMAR 10.57.03.03, .05, and .08 – .10

Code of Ethics: COMAR 10.57.05.04

Fees: COMAR 10.57.07.02

According to the department, the purpose of this action is to (1) update application procedures for Residential Child Care Program Administrators, (2) make clarifying language corrections, (3) update certificate issuance by electronic means, (4) update certification procedures and requirements for Residential Child and Youth Care Practitioners, (5) make clarifying changes to the code of ethics, and (6) repeal fees for late renewal, preceptor authorization, and lost/destroyed/duplicate license.

Proposed Regulation

DLS Control No. 25-129

Maryland Department of Health: Board of Pharmacy:

Pharmacy Equipment: COMAR 10.34.07.01-1

According to the department, the purpose of this action is to (1) clarify and update policies and procedures, (2) clarify and update standards for quality assurance, and (3) update required reference materials.

Proposed Regulations

DLS Control No. 25-135

Maryland Department of Health: Tissue Banks:

Tissue Banks: COMAR 10.50.01.03 – .11

According to the department, the purpose of this action is to set minimum, reasonable standards for permitting of Tissue Banks in Maryland. This chapter is intended to maximize safety and quality of Tissue Bank operations and tissue components received by Marylanders, while updating and establishing reasonable standards for the growing industry.

The updated regulations will: (1) reflect current Maryland law, (2) delete obsolete terminology, (3) address concerns brought forth by the industry, and (4) reflect current quality and safety standards of medical laboratories.

Labor, Maryland Department of

Proposed Regulations

DLS Control No. 25-142

Maryland Department of Labor: Board of Plumbing:

State Plumbing Code: COMAR 09.20.01.01 – .07

According to the department, the purpose of this action is to update the editions of the State Plumbing Codes adopted by the Board of Plumbing and to repeal modification provisions that are no longer necessary.

Higher Education Commission, Maryland

Proposed Regulations

DLS Control No. 25-132

Maryland Higher Education Commission: Financial Aid:

Cybersecurity Public Service Scholarship Program:

COMAR 13B.08.20.02 – .11 and .13

According to the commission, the purpose of this action is to (1) include program eligibility for part-time applicants, (2) update the definition for both full-time and part-time enrollment for both undergraduate and graduate students, and (3) expand the maximum timeframe a part-time student may be eligible for the award.

Institute for Emergency Medical Services Systems, Maryland

Proposed Regulation

DLS Control No. 25-133

Maryland Institute for Emergency Medical Services Systems:

EMS Operational Programs:

Medical Direction: COMAR 30.03.03.03

According to the institute, the purpose of this action is to update the licensure requirements for medical directors of jurisdiction EMS operational programs to be consistent with the Maryland Medical Practice Act in allowing federally employed physicians who are working in Maryland in their federal capacity to practice medicine in Maryland without a Maryland license.

Education, State Board of

Proposed Regulations

DLS Control No. 25-121

State Board of Education: Certification:

General Provisions: COMAR 13A.12.01.04

Administrators and Supervisors: COMAR 13A.12.04.02

Suspensions and Revocations: COMAR 13A.12.05.02

According to the board, the purpose of this action is to expand the use of the Temporary Professional License to social workers licensed by the Department of Health to allow them a two-year period to complete a course in special education content. This will allow these individuals to accept an offer of employment before completing the coursework required for educator licensure.

Proposed Regulations

DLS Control No. 25-124

State Board of Education: General Instruction Programs:

Maryland Seal of Biliteracy Program: COMAR 13A.03.07.02 – .04 and .06

According to the board, the purpose of this action is to update terminology and assessment references to align with current Department-approved practices.

Proposed Regulations

DLS Control No. 25-130

State Board of Education: Special Instructional Programs:

Programs for Non-English and Limited-English Proficient Students:

COMAR 13A.05.07.01 – .05

According to the board, the purpose of this action is to align regulations with federal law and current practices in local education agencies.

Proposed Regulations

DLS Control No. 25-131

State Board of Education: State School Administration:

Language Access: COMAR 13A.01.10.01 – .04

According to the board, the purpose of this action is to affirm and clarify local education agencies' existing obligations under Title VI of the Civil Rights Act.

Proposed Regulations

DLS Control No. 25-138

State Board of Education: Certification:

Disciplinary Actions and Denials: COMAR 13A.12.06.01 – .04, .08, and .09

According to the board, the purpose of this action is to make changes in terminology of existing definitions.