



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: January 16, 2026

Re: **Synopses of Regulations received from 12/19/2025 through 1/15/2026**

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
Michelle Firmin

Elections, State Board of

Proposed Regulations

DLS Control No. 25-335

Board of Elections:

Election Day Activities:

Non-Voting Hours Procedures: COMAR 33.07.10.01

Canvassing:

Post Election Verification and Audit: COMAR 33.08.05.01, .06, .08, and .09

Voting Systems--Certification and General Requirements:

State Board Certification - Preliminary Submissions: COMAR 33.09.03.05

Absentee Ballots: Post-Election Procedures: COMAR 33.11.06.01

Early Voting: Non-Voting Hours Procedures: COMAR 33.17.07.03

Same Day Registration and Address Changes: Public Notice: COMAR 33.19.02.01

According to the board, the purpose of this action is to propose changes to existing regulations. Changes to regulations in Subtitle 8 (items 1-4) change the format of the audit. The additional changes listed in items 5-8, change processes for storing and identifying batches of ballots so that they can be identified for the risk limiting audit. The change to item 9 enables SBE to request information from vendors during procurement of the new voting system needed to determine compatibility of the system with risk limiting audits.

Agriculture, Department of

Emergency/Proposed Regulations

DLS Control No. 26-002

Department of Agriculture: Office of the Secretary:

Urban Agriculture Grant Program: COMAR 15.01.21.02 and .04 – .06

According to the department, the purpose of this action is to (1) amend existing Regulation .02 that defines certain terms; (2) specify that providing a measurable community benefit includes improving local food access; and (3) alter the basis for determining the amount of grant funds to be awarded by accessing the degree to which the project impacts a Healthy Food Priority Area, a newly defined term.

Natural Resources, Department of

Proposed Regulations

DLS Control No. 25-328

Department of Natural Resources: Fisheries Service:

Fish: COMAR 08.02.05.02

Striped Bass: COMAR 08.02.15.02, .09, .10, and .12

Gear: COMAR 08.02.25.03

According to the department, the purpose of this action is to implement the Atlantic States Marine Fisheries Commission's (ASMFC) Addendum III to Amendment 7 to the Interstate Fishery Management Plan for Atlantic Striped Bass. The Addendum implements a standard method of measuring total length for size limit regulations and allows Maryland to change its Chesapeake Bay recreational season baseline. The proposed action: (1) modifies the definition of total length. Addendum III specifies that when measuring total length of a striped bass, it must be a straight-line measurement with the upper and lower forks of the tail squeezed together; (2) reestablishes the catch and release season for April, (3) reestablishes the season from May 1 through May 15 where an individual may harvest one fish per person per day between 19-24 inches total length; (4) removes the July 16 through July 31 no targeting closure and establishes a no targeting closure from August 1 through August 31; (5) changes the end date of the recreational season to December 5 of each year; (6) reorganizes the regulations to simplify the recreational and charter boat seasons making them easier to find and read; (7) adjusts the gear and bait rules to align with the recreational seasons; and (8) allows for more access to recreational fishing opportunities without increasing mortality or total number of fish removed.

Environment, Department of the

Proposed Regulations

DLS Control No. 25-336

Department of the Environment:

Regulation of Water Supply, Sewage Disposal, and Solid Waste:

Packaging and Paper Products - Producer Responsibility:

COMAR 26.04.14.01 – .12

According to the department, the purpose of this action is to establish requirements pertaining to producer responsibility plans for producers of covered materials and to establish certain requirements pertaining to the implementation of the program pursuant to Environment Article §§9-2501 through 9-2512, Annotated Code of Maryland.

These regulations clarify the types of entities and individuals that meet the definition of producer. They also identify covered materials, exempt and excluded packaging and paper products, covered services, and covered entities. The regulations include a timeline for implementation.

The regulations also establish categories of covered materials for registration; registration requirements for producers and Producer Responsibility Organizations (PRO); minimum requirements for Alternative Collection Programs; requirements for record keeping, reporting and production of records for producers and PROs; and Advisory Council membership and voting requirements.

Alcohol, Tobacco, and Cannabis Commission

Proposed Regulations

DLS Control No. 25-332

Independent Agencies: Alcohol and Tobacco Commission:

Alcoholic Beverages: COMAR 14.23.01.01 and .19

Maryland Cigarette Sales Below Cost Act: COMAR 14.23.02.01

Alcoholic Beverage Trade Practices: COMAR 14.23.04.01, .10, and .12

According to the commission, the purpose of this action is to correct references to the title of the Commission, remove a restriction on the sale of multipacks containing alcoholic beverages which are also sold as single product cases, remove a requirement for pre-approval of brand promotional items where the total cost remains under \$600, and increase the maximum retail spending amount by brand owners, suppliers, and licensed wholesalers when conducting promotional events.

Proposed Regulations

DLS Control No. 25-327

Independent Agencies: Maryland Technology Development Corporation:

Seed Funds: COMAR 14.04.05.05

Pava LaPere Innovation Acceleration Grant Program: COMAR 14.04.11.01 and .02

According to the commission, the purpose of this action is to amend regulations COMAR 14.04.05.05 Seed Funds and COMAR 14.04.11.01 and .02 Pava LaPere Innovation Acceleration Grant Program. Amendments to COMAR 14.04.05.05 Seed Funds repeal the eligibility requirement for applicants to Seed Funds (Cybersecurity Investment Fund, GAP Fund, Life Science Investment Fund, and Technology Commercialization Fund) that the business has raised not more than \$10 million of dilutive funding. Amendments to the Pava LaPere Innovation Acceleration Grant Program expand the definition of “Postsecondary Institution” to include any public or private college or university located within the Baltimore-Towson-Columbia MSA, and further refines the definition for the term “Student;” and makes an applicant eligible to receive a grant if at the time of the award, at least 50% of the applicant is owned by one or more students.

Maryland Department of Health

Proposed Regulations

DLS Control No. 25-325

Maryland Department of Health: Board of Acupuncture:

General Regulations: COMAR 10.26.02.02 – .09

According to the department, the purpose of this action is to (1) update definitions and procedures; (2) make technical corrections; (3) update requirements for renewal, reinstatement, and reactivation; (4) add a new regulation that defines and establishes qualifications and procedures for acupoint injection therapy; and (5) add a new regulation that establishes requirements for the name under which a licensee may practice.

Proposed Regulations

DLS Control No. 26-003

Maryland Department of Health: Board of Morticians and Funeral Directors:

Crematories — Definitions: COMAR 10.29.16.02

Crematories – Permit, Licensing, and Fees: COMAR 10.29.17.02 – .04, .06, and .07

Crematories – Inspections, Complaints, Investigations, Grounds for Discipline, and

Penalties: COMAR 10.29.18.02, .03, and .06

Crematories — [Cremation] Crematory Procedures:

COMAR 10.29.19.01 – .03, .05 – .08, and .10 – .12

Crematories — Code of Ethics: COMAR 10.29.20.02

General Regulations: COMAR 10.29.22.01

According to the department, the purpose of this action is to (1) make technical corrections; and (2) update Regulations pursuant to Chs. 599 and 600, Acts of 2024 to regulate an option for the final disposition of human remains to include alkaline hydrolysis.

Labor, Maryland Department of

Proposed Regulation

DLS Control No. 25-334

Maryland Department of Labor: Real Estate Commission:

Residential Property Disclosure/Disclaimer Statement: COMAR 09.11.07.01

According to the department, the purpose of this action is to update the Maryland Real Estate Commission's Real Property Disclosure/Disclaimer Statement form. In response to comments received following the publication of the original proposal, the Commission decided to modify its original proposal. In this reproposal, the Real Estate Commission has: re-numbered the questions in the Disclosure section (pages 1-3); added question 21.A. to the Disclosure section on page 3; deleted the second sentence from the NOTE that mentioned a right for a home inspection; and relocated the first sentence to above the Purchaser signatures in both the Disclosure section on page 3 and Disclaimer section on page 4.

Proposed Regulations

DLS Control No. 26-001

Maryland Department of Labor: Commissioner of Financial Regulation:

Credit and Other Regulation: COMAR 09.03.10.01 and .06

According to the department, the purpose of this action is to enable Maryland's earned wage access laws as a result of the Legislature's adoption of Ch. 847 (H.B. 1294), Acts of 2025, which created a reporting requirement for earned wage access providers.

This action establishes the Office of Financial Regulation's (OFR's) process for reporting with: (1) definitions for certain undefined terms used by earned wage access providers; and (2) a description of the information earned wage access providers must submit to OFR.

Emergency/Proposed Regulations

DLS Control No. 26-007

Maryland Department of Labor: Division of Labor and Industry:

Inflatable Amusement Attractions: COMAR 09.12.66.02, .03, and .09 – .21

According to the department, the purpose of this action is to incorporate by reference the American Society for Testing and Materials, F2374-22 and amend related regulations to include reference to applicable sections of F2374-22, amend to include certain defined terms, clarify certain requirements related to weather and anchorage, amend certain reporting requirements, update fire extinguisher requirements and amend to clarify location and clearance requirements.

Education, State Board of

Proposed Regulation

DLS Control No. 25-329

State Board of Education: Students:

General Regulations: COMAR 13A.08.01.10-1

According to the board, the purpose of this action is to ensure that all student rights are adequately protected. This new regulation adds a requirement that each local education agency (LEA) adopt a policy on student expression.

Proposed Regulation

DLS Control No. 25-330

State Board of Education: Certification:

Administrators and Supervisors: COMAR 13A.12.04.10

According to the board, the purpose of this action is to align regulations with federal regulations allowing reciprocity for certain licenses held by military service members, as well as to acknowledge interstate licensure compacts entered into by Maryland licensing agencies.

Proposed Regulations

DLS Control No. 25-331

State Board of Education: Special Instructional Programs:

Programs for Library Media Services: COMAR 13A.05.04.01 – .03

According to the board, the purpose of this action is to align regulations with the requirements in the Freedom to Read Act and provide clarity to ensure consistency across the local school systems.

Proposed Regulations

DLS Control No. 25-333

State Board of Education: Local School Administration:

Maryland Public Charter School Program: COMAR 13A.02.10.01 – .16

According to the board, the purpose of this action is to create a framework for the operation of public charter schools within Maryland local education agencies (LEAs) and establish a funding formula for public charter schools.

Proposed Regulation

DLS Control No. 26-004

State Board of Education: Students:

General Regulations: COMAR 13A.08.01.05

According to the board, the purpose of this action is to introduce new definitions and requirements to local education agency (LEA) student attendance policies mandated under COMAR 13A.08.01.05 Student Attendance Policy.