



REPORT FROM STATE CIRCLE

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CAMPAIGN FINANCE

HB 676 Campaign Finance – Judges of the Circuit Court (Washington) does two things. First, it sets up a public campaign finance program for candidates for Judge of the Circuit Court. Secondly, it prohibits candidates for Circuit Court Judge who choose not to participate in, or did not qualify for the public funding program, from accepting any donations from lawyers or law firms. The public fund for judicial candidates works differently than other public financing programs in that to qualify, candidates must collect 5,000 signatures from residents of the county where they are running. Once they qualify, they are prohibited from accepting any other contributions or spending any funds other than the public funds they receive. If the election is contested, a candidate will receive \$25,000 for the primary election and \$25,000 for the general election. If it is uncontested, they will receive \$10,000. All unused funds must be returned to the State Board of Elections. Hrg. 2/26 W&M

HB 711 Election Law - Online Platforms - Anonymous Foreign Political Communications (Rosenberg) would require an online platform to report anonymous foreign political communications that attempt to influence an election for state office, a state or local agency, or public opinion regarding a state or local policy issue to the State Board of Elections within 48 hours after learning the communication was delivered to 500 or more Maryland residents. An online platform is described as any public website, web application or digital application that has 100,000 or more unique US visitors per month and receives payment for digital communications. Anonymous communication is defined as not having a clear and conspicuous disclosure of the identity of the foreign agent who is disseminating the communication. A digital platform that fails to report such activity in a timely fashion would be subject to a fine up to \$50,000. The fine would be deposited in the Public Campaign Finance fund. The bill goes on to describe in detail what must be included in the report. Hrg. 2/26 W&M

HB 784 Election Law - False Statements - Correction and Prohibition (Rosenberg) requires the Attorney General (AG) to communicate accurate information to the public if the AG receives a credible report that a materially false statement about an endorsement or voting requirements has been or is being communicated and the state and local Board of Election have not taken adequate steps to promptly communicate accurate information to correct the materially false statement. The bill goes on to say that procedures and standards for determining when and how the AG should act will be developed in conjunction with the State Board of Elections, local Boards of Election, civil rights organizations, voting rights organizations and other interested community organizations. Hrg. 2/26 W&M

HB 878 Election Law - Campaign Finance Reports - Late Fees and Certificates of Nomination (Kaiser plus nine) increases the fees for late filing of campaign finance reports. The current fine is \$10 for each day a report is late with a maximum fee of \$500. This bill raises that to \$20 for each day of the first 7 days the report is late, \$35 for the following 7 days and \$50 for each day thereafter with a maximum fine of \$1,500. It goes on to say that a certification of nomination can be withdrawn for failure to file a campaign report or pay the fines. If a vacancy occurs due to this violation, it will be filled

according to current procedures for replacing a candidate who withdraws or can no longer run for office. Hrg. 2/26 W&M

HB 1017 Maryland Small Donor Incentive Act (Mosby) would establish a public campaign finance program for candidates for the General Assembly. Unlike last year's bill **HB 785 Maryland Small Donor Incentive Act** it does not require the Governor to include a \$1 million appropriation each year to pay for the program. Instead, it relies on voluntary contributions made through the State Board of Election's website, fees, fines and penalties related to campaign finance violations, surplus campaign funds donated by candidates no longer running for office, contributions made through a voluntary check-off on the state income tax return and interest on the fund.

Qualifying candidates would be accommodated on a first-come, first-served basis. The bill establishes an initial limit on the number of participating candidates during an election cycle; and allows for an increase or decrease in the number participating in correlation to the amount of available funding. Before raising any contributions, a candidate must establish a publicly funded campaign account for receiving contributions and making expenditures. To qualify for public funding a Senate candidate must collect at least \$15,000 from at least 200 individuals and a House of Delegates candidate, at least \$5,000 from at least 100 individuals. A contributions may not exceed \$250 and must be from a single individual residing in a candidate's constituency. A contribution from a business entity, a political party, a regulated lobbyist, the campaign finance entity of a candidate, a political action committee or any other political committee is not allowed. Hrg. 3/5 W&M

HB 1026 Campaign Finance Reports - Business Contributors - Registration Status (Mosby) would require the State Department of Assets and Taxation to electronically transmit the names of businesses that are registered with them to the State Board of Elections. Then the Board of Elections would electronically cross reference this list with their record of businesses that are listed as contributors on campaign finance reports. This process will make it easier to identify which businesses that contribute to campaigns may not be legitimate entities. Hrg. 3/5 W&M

HB 1035 Election Law - Websites - Reporting of Politically Biased Algorithms (Fisher plus 17) would require an online social network or search engine that has 50,000,000 or more unique monthly US visitors for most months in year to file a report with the State Board of Elections if it uses a politically biased algorithm. A politically biased algorithm is defined as one that is designed to promote the success or defeat of candidate or position on a question by more frequently displaying content that either favors or disfavors a particular candidate, political party or position. The report must be filed within 7 days after using the algorithm and every seventh day after that as long as they are using the politically biased algorithm. The report must contain: name of the candidate, political party or question that the algorithm was designed to promote or defeat, the dates the algorithm was in use, digital copies of the campaign material or other content that the algorithm causes users to view, the number of users exposed to the content and any money or thing of value received by the online platform to

implement the politically biased algorithm. A civil penalty of not more than \$50,000 could be assessed for failing to comply with this reporting requirement. Hrg. 3/5 W&M

Update on bills previously reported in the RSC:

HB 1025 Election Law - Coordinated Expenditures and Donations – Investigation (Mosby) cross filed with SB 123 ([RSC-1](#)) Hrg. 3/5 W&M

Nancy Soreng

ELECTIONS

HB 706 Election Law - Absentee Ballot Requests, Delivery, and Marking (Washington plus 11) would discontinue sending absentee ballots to voters by fax and internet unless the voter is overseas in uniformed service; disabled and unable to mark the ballot by hand; or unable to vote unless the ballot is sent electronically. It would continue to send absentee ballots by mail or with in-person transaction. Hrg. 2/26, 1pm W&M

HB 747 Election Law - Automatic Voter Registration Agencies - Links to Online Voter Registration (Fisher plus three) would add to the list of automatic voter registration systems (where applicants are informed that unless they decline, their transaction automatically registers them to vote or updates their registration record). Current law specifies that by July 2019, these automatic voter systems will be done by the MVA, the MD Health Benefit Exchange, and the mobility certification office in the MTA; this bill would add automatic voter registration where people apply for or renew hunting and fishing licenses, and at a variety of other agencies such as the VA, Health Dept., Higher Education Commission, and any other agency that the Automatic Voter Registration Agency and State Board jointly identify as appropriate. Hrg. 2/26, 1pm W&M

HB 992 Election Law - Qualification of Voters - Proof of Identity (Parrott plus 15) would require that in order to receive a regular ballot, voters must verify their identity and address by presenting a government-issued photo ID and sign the authorization card. Those who cannot comply would receive a provisional ballot. This bill would also waive the fee required for getting a government-issued ID from the Transportation Administration if the purpose is for providing identification when voting. Hrg. 2/26, 1pm W&M

HB 996/SB 304 Election Law - Absentee Ballot Deposit Boxes (Cain/Kagan) would provide a secure and locked deposit box for the return of absentee ballots at each early voting center, as well as at least one designated site in each county on election day. Hrg. 2/26, 1pm W&M; 2/21, 1pm EHEA

SB 364 Election Law - Election Day Page Program – Establishment (Simonaire plus eight) would establish a program to train students to assist election judges and help voters who are elderly or disabled to enter and exit the polling places and stimulate the

interest of students in the election process. Students would have to be in 6th grade or higher, and less than 16 years old. Hrg. 2/21, 1pm EHEA

SB 384 Election Law - Voter Data - Security and Reporting of Breach (Kagan) would develop best practices for people who received voter registration information to store and secure it and would make anyone who failed to report to the state administrator any breach in the security of that information as soon as possible guilty of a misdemeanor. Hrg. 2/28, 1pm EHEA

SB 449 Election Law - Election Day Voter Registration (Pinsky plus 19) would allow individuals to register to vote on election day at any precinct polling place within their county of residence, with appropriate documentation. Upon registering, individuals would receive a regular ballot if their residence is assigned to that precinct, and a provisional ballot if not. Hrg. 2/21, 1pm EHEA

SB 476 Department of Legislative Services - Voting by Mail - Study (Kramer) would have the Department of Legislative Services, in coordination with the State Board of Elections and the Maryland Association of Election Officials, study and make recommendations regarding the administrative, technological, legal, security, and fiscal requirements to implement voting by mail and the return of mail-in ballots by alternate methods. The report would be submitted to the General Assembly by December 1, 2019. Hrg. 2/21, 1pm EHEA

SB 489/HB 530 Ballot Access - Voter Registration - Affiliating With a Party (Kagan and Washington/Qi plus 22) would allow voters who chose not to affiliate with a political party to change to a party affiliation at any time that individuals may register to vote, which currently includes early voting (if HB 286 passes, it would also include election day). If an unaffiliated voter changes to affiliate with a party at a polling center, that voter would receive a ballot for a primary election and could vote for candidates in that political party. Hrgs. 2/21, 1pm EHEA; 2/19, 1pm W&M

SB 651 Election Law - Local Boards of Elections - Membership (Young) would make each local board of elections have 5 regular members, rather than 3 regular members and two substitutes; Prince George's and Montgomery counties would have 5 regular members plus 2-3 substitutes. All members of the board would be affiliated with one of the two major political parties; proportions would be specified such that a majority of board members and substitutes would be affiliated with the majority party. Hrg. 2/28, 1pm EHEA

SB 782/HB 578 Election Law - Early Voting - Reporting of Precinct Results (Waldstreicher/Stein plus two) would require that the statement of election results by precinct which is prepared by each board of canvassers would include all votes cast on an early voting day. Hrg. 2/28, 1pm EHEA; 2/19, 1pm W&M

Update on bills previously reported in the RSC:

HB 79/SB 461 Election Law – Early Voting Centers – Establishment and Hours
Hrg. 2/5, 1pm W&M ; 2/14, 1 pm EHEA ([RSC-1](#))

HB 237 Election Law - Early Voting Centers - Hours of Operation Favorable Report
by W&M ([RSC-2](#))

SB 411 Election Law - Polling Places at Continuing Care Retirement Communities
Hrg. 2/21, 1pm EHEA ([RSC-2](#))

HB 286 Election Law - Registration and Voting at Precinct Polling Places
Favorable with Amendments Report W&M ([RSC-2](#))

SB 385 Election Law - Primary Elections - Voting by Unaffiliated Voters Hrg. 2/21,
1pm EHEA ([RSC-2](#))

SB 606/HB 322 Election Law - References to Absentee Voting in Public
Communications - Voting by Mail (Hester) Cross-filed with HB 322 Hrg. 2/21, 1pm
EHEA ([RSC-2](#))

SB 936/HB 252 Election Law - Eligible Detainees - Information on Voting Rights
(Carter) Cross-filed with HB 252 SRU ([RSC-2](#))

HB 565/SB 363 Election Law - Voting Systems - Accessibility for Voters With
Disabilities (Mosby et al.) Cross-filed with SB 363. Hrgs. 2/19, 1pm W&M; 2/28, 1pm
EHEA ([RSC-2](#))

HB 85/SB 313 General Assembly – Special Election to Fill a Vacancy in Office
Hrgs. 1/31, 1pm W&M; 2/14, 1pm EHEA ([RSC-2](#))

SB 32 Election Law - Early Voting Centers - Reduced Days of Operation
Unfavorable Report by EHEA; Withdrawn ([RSC-1](#))

Dona Sauerburger

REDISTRICTING REFORM

HB 724 Legislative Districts - Single-Member Delegate Districts (One Person One
Vote Act of 2019) (Buckel et al.) calls for a constitutional amendment mandating that
each legislative district to be divided into single-member districts. The law now allows
for the division of senatorial districts into three single-member districts; one at large
district with three delegates; or, two districts with one containing two delegates, and the
other one delegate. Hrg. 3/4 2pm HRU

HB 1048 Legislative Districts – Standards (Malone plus three) calls for an
amendment to the Maryland Constitution restricting the criteria that may be used when

drawing legislative districts; disallowing consideration of voter registration, voting history, and political party affiliation. Hrg. 3/4 2pm HRU

HJ 03 Redistricting – Congressional Districts – Standards (Parrott plus three) is a joint resolution calling for the current standards for legislative redistricting in Maryland – that districts should be compact, contiguous, and give due regard to natural boundaries and political subdivisions – to be applied to the Congressional redistricting process. This resolution is being proposed on the basis that the case [*League of Women Voters Pa. v. The Commonwealth of Pennsylvania*](#) has established similar criteria for Pennsylvania's Congressional districting via a ruling of their state Supreme Court and an appeal of that ruling to the Supreme Court of the United States was denied, and thus, it did not disagree. Hrg. 3/4 2pm HRU

Update on Bills Previously Reported in the RSC:

SB 90/HB 43 Elections - Legislative and Congressional Redistricting and Apportionment - Commission and Process Hrg. 3/4 2pm HRU ([RSC-1](#))

SB 91/HB 44 Legislative and Congressional Redistricting and Apportionment Hrg. 3/4 2pm HRU ([RSC-1](#))

HB 67 Potomac Compact for Fair Representation Hrg. 3/4 2pm HRU ([RSC-2](#))

HB 463/SB 110 Congressional Districts – Standards Hrg. 3/4 2pm HRU ([RSC-1](#); [RSC-2](#))

Ashley Oleson

TRANSPARENCY IN GOVERNMENT

Update on bills previously reported in the RSC:

HB 71/SB 184 State Board of Elections - Open Meetings - Video Streaming and Recording (State Board of Elections Transparency Act) Hrg. 2/28 1pm EHEA ([RSC-1](#))

SB 207/HB 232 Transparency Act of 2019 (Governor) Hrg. 2/25 2pm HRU ([RSC-2](#))

Elaine Apter

BUDGET

The Capital Budget **HB 100/SB 125** funds the construction of buildings and infrastructure. In order for a project to be classified as a capital improvement, it must meet the following criteria (1) a project must have a useful life greater than or equal to the life of bonds sold to finance the project (the State constitution limits the length of the bonds to 15 years), and (2) the cost of the project must be at least \$100,000. Monies derived from the issuance of State construction bonds may only be used for capital projects. The Board of Public Works must approve individual contracts prior to the

expenditure of Capital Funds. Not all capital projects are funded with general obligation (GO) bonds. Other sources may include use of unused capital funds from prior years, academic revenue bonds, what are called Pay-As-You-Go (PAYGO) projects which are paid from current funds, and federal funds. Because of expected future deficits, the Spending Affordability Committee recommended that we try to limit borrowing and use more PAYGO funds.

This year's Capital Budget as submitted by the Governor totals \$1.854 billion. This does not include transportation projects which are budgeted separately. Proposed sources of funding for this year's capital budget are \$1.110 billion in GO bonds, \$34.0 million in Academic Revenue Debt, \$731 million in PAYGO funds.

\$320 million of the capital budget is devoted to school construction. Close to another \$100 million from various current funds are also proposed to be used for school construction.

Higher education will receive \$330 million from bonds and other sources to support such projects as \$171 million for UM campuses, \$85.2 million for community colleges, \$42 million for Morgan State University, \$17 million for St. Mary's College of Maryland and \$25.6 million for the Maryland Independent College and University Association colleges.

\$538.5 million would be devoted to environmental programs and projects. Included are projects proposed by the Department of Natural Resources, Department of Agriculture, Department of the Environment and the Maryland Environment Service.

\$143 million would be allocated to fund capital facilities renewal - \$35.8 million for the Department of General Services Facilities Renewal Fund, \$11 million for Department of Natural Resources facilities and the other departments which need facilities upgrades. \$56.2 million provides funds for the Capital Regional Medical Center which is to be located in Prince George's County.

Barbara Hankins

TAXES

HB 231/SB 161 Subtraction Modification - Volunteer Fire, Rescue and Emergency Medical Services Members (Speaker/President for Governor) would increase already existing subtraction from gross income for qualified volunteer fire, rescue, and emergency medical service members who have served in that capacity for at least 25 years from the current \$6500 in 2020 and \$7000 in 2021 to \$8000 in 2021 and \$10,000 in 2022. This also applies to certain individuals who have served in the U. S. Coast Guard Auxiliary, the Maryland Defense Fund and The Maryland Civil Air Patrol. Hrg. 3/6 W&M; 2/27 B&T

HB 718/SB 875 Income Tax – Subtraction Modifications – Military Retirement Income (Speaker for the Governor) In the case of military retirement income, military retirees under the age of 55, \$500 of their retirement income can be subtracted from the

federal adjusted gross income to determine Maryland adjusted gross income for Maryland Income Tax purposes. If the retiree is over the age of 55, the first \$15,000 is subtracted. For taxable years 2020 and 2021, one half would be deductible. For taxable year 2021 and beyond, 100% would be deductible. Hrgs. 3/6 W&M; 2/27 B&T

HB 922/SB 190 Corporate Income Tax – Rate Reduction (Mangione et al./West et al.) would reduce the corporate income tax rate from the current 8.25% to 6% over a period of 9 years. Hrgs. 3/6 W&M; 2/5 B&T

HB 598 Calculation of Taxable Income – Itemized Deductions – Property Taxes (I. Miller et al.) would allow an individual who itemizes his/her expenses on the federal income tax but cannot deduct their entire property tax to do so on the state income tax. Hrgs. 2/27 W&M; 2/5 B&T

SB 265/HB 380 Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief – Extension (Zucker et al./Walker) would continue the current practice that treats mortgage forgiveness as non-taxable income. Hrgs. 2/6 B&T FAV; 2/13 W&M

SB 377 Corporate Income Tax – Combined Reporting (Pinsky et al.) Entities that are part of a combined group would be required to file their income taxes as a combined group. Hrg. 2/20 B&T

Updates on bills for previously reported in RSC:

HB 41 Student Debt Relief Act of 2019 Hrg. 2/28 APP ([RSC-1](#))

HB 46 Small Business Relief Tax Credit – Expansion Hrg. 3/6 W&M ([RSC-1](#))

HB 149 Retirement Tax Fairness Act of 2019 Hrg. 3/6 W&M ([RSC-2](#))

HB 150 More Opportunities for Marylanders Act of 2019 Hrg. 3/6 W&M ([RSC-1](#))

HB 154 Income Tax Subtraction Modification - Qualified Retired Public Safety Employee (Hometown Heroes Act of 2019) Hrg. 3/6 W&M ([RSC-2](#))

Barbara Hankins

ADMINISTRATION OF JUSTICE

Judiciary

HB 487 Judicial Elections - Retention and Frequency (Dumais) A constitutional amendment to increase the number of years between retention elections for appeals court judges from 10 years to 12 years. An additional constitutional amendment providing a retention election for Circuit Court Judges every 12 years after one year in office. If a judge is unable to discharge his or her duties efficiently due to sickness,

physical or mental infirmity, the General Assembly may retire a judge from office by a 2/3 vote and the Governor's approval. Hrg. 2/20 1pm JUD

[HB 914](#) Task Force to Study the Maryland Orphans' Courts (Buckel plus three) Establishes a task force to examine the composition and purpose of the Maryland Orphans' Courts and make recommendations on how to modernize it. The Task Force must report its findings and recommendations to the General Assembly by January 1, 2020. Hrg. 2/26 1pm HGO

Pretrial Policy

[SB 408](#) Criminal Procedure - Pretrial Release - Assault on a Law Enforcement Officer (Police Protection Act) (Ready plus five) Prohibits a District Court Commissioner from authorizing pretrial release of a defendant charged with first or second degree assault on a law enforcement officer. However, a judge may authorize pretrial release of such a defendant with suitable bail and/or other conditions that will ensure that the defendant will not flee or harm another person or the community. Hrg. 2/21 12pm JPR

[HB 263](#)/ [SB 551](#) Criminal Procedure - Pretrial Release Services Program - Victim Notification (Atterbeary/Lee plus four) When determining whether a defendant should be released awaiting trial, a judicial officer must consider the recommendation of a pretrial services program that has used a validated risk assessment to evaluate the defendant and that will provide an adequate level of supervision over the defendant as directed by the judicial officer. Also, the judicial officer must consider whether a pretrial services program has requested protection for an alleged victim. (Fifteen counties have pretrial services program of varying effectiveness.) The bill also enhances the current provisions for notifying victims. Hrgs. 2/12 1pm; 2/12 12pm JPR

[HB 758](#)/ [SB 659](#) Criminal Procedure - Pretrial Release - Reimbursement of Special Condition Costs (Moon plus four/Washington) Requires a county to reimburse a defendant for any costs incurred to satisfy special conditions for release imposed by a judicial official if the defendant is not found guilty. Hrgs. 2/26 1pm JUD; 2/21 12pm JPR

Sentencing

[SB 295](#) Criminal Law - Death Penalty - Law Enforcement Officers and First Responders(Salling plus three) The murder of a law enforcement officer or first responder may be considered as an aggravating circumstance by a judge or jury in determining whether a person convicted of first degree murder should be subject to a death penalty. Provides procedures for handling persons on death row including solitary confinement and details the expenses incurred and the timing of the execution. Authorizes the Court of Appeals to adopt rules for death penalty procedures. Hrg. 2/12 12pm JPR

[HB 877](#) Crimes - Controlled Dangerous Substances – Sentences (Hettleman plus 13) A person who is convicted of manufacturing, distributing, dispensing or possessing

a specified large amount of a drug considered a controlled substance by the US Drug Enforcement Agency is guilty of a felony and is subject to imprisonment not exceeding five years or fine not exceeding \$100,000 or both. Under current law, those penalties are mandatory minimums. This bill would make them maximum penalties. The bill would also remove mandatory minimum sentences for repeat offenders and “drug kingpins.” Hrg. 3/15 1pm JUD

Criminal Justice Reform

HB 77/SB 395 Criminal Law - Decriminalization of Attempted Suicide (Moon plus 11/Waldstreicher plus two) Repeals the rarely prosecuted common law offense of attempted suicide and effectively decriminalizes the act of attempted suicide. Hrgs. 1/29 1pm JUD; 2/20 12pm JPR

Update on bills previously reported in RSC:

SB 149 Task Force to Study Crime Classifications and Penalties Passed Senate 40-0; Cross filed with HB 542 (Cox plus 13) Hrg. 2/19 1pm ([RSC-2](#))

SB 191 Compensation to Individuals Erroneously Convicted, Sentenced and Confined or Whose Conviction or Adjudication is Reversed Cross filed with HB 1184 (Dumais and Rosenberg) Hrg. 2/27 1pm JUD ([RSC-2](#))

HB 88 Criminal Law - Alcohol Offenses - Civil Offenses (Decriminalization of Petty Nonviolent Offenses Act) Reassigned to ECM Hrg. 2/22 1pm ([RSC-2](#))

Marlene Cohn

CORRECTIONS

HB 294/SB 621 Correctional Services - Diminution Credits – Education (Wilkins plus eight/Carter plus two) authorizes a one-time diminution credit to reduce the term of confinement for an inmate who completes a technical or vocational training program, a GED or an associate or bachelor's degree. This credit is not available to an inmate serving a sentence for a violent crime, some sexual offences or as a large-scale drug dealer or “kingpin.” Hrgs. 2/12 1pm JUD; 2/21 12pm JPR

HB 715/SB 419 Correctional Services - Prerelease Unit for Women - Requirement to Operate (Crutchfield plus 60/ Washington plus 14) requires, rather than authorizes, the Commissioner of Corrections to operate a prerelease unit for women to receive rehabilitative services such as educational guidance, vocational training and medical and psychological treatment. Hrgs. 2/26 1pm JUD; 2/21 12pm JPR

HB 745/ SB 809 Correctional Facilities - Restrictive Housing - Pregnant Inmates (W.Fisher plus 37/ Lee plus 17) requires correctional facilities to have a written policy regarding the medical care of pregnant inmates. A pregnant inmate may not be involuntarily placed in restrictive housing (solitary confinement) during pregnancy and eight weeks post-partum unless there is a written determination that restrictive housing

is temporarily necessary because of a serious risk of physical harm or a credible flight risk that cannot be prevented by other means. Such a determination shall be reviewed and affirmed in writing at least every 24 hours with a copy given to the inmate. If the pregnant inmate is confined in isolation, it must be in the least restrictive setting and the inmate must be medically assessed every 8 hours. If the pregnant inmate is overdue, she shall be housed in the infirmary as an admitted patient. Hrgs. 3/12 1pm JUD; 2/21 12pm JPR

HB 1001/SB 774 Correctional Services - Restrictive Housing - Reporting by Correctional Units and Requirements Relating to Minors (J.Lewis plus 32/Smith plus seven) Every Correctional Unit shall submit a yearly report to the Governor's Office of Crime Control and Prevention and the General Assembly that includes the number of inmates placed in restrictive housing (involuntary solitary confinement) during the year, including data on race, age, gender, classification of housing and the reason for the placement. The report shall include the number of inmates confined with serious mental illness, pregnant inmates and incidents of death, self-harm or attempts at self-harm. The report should also include the average and median lengths of stay and the number of inmates released from restrictive housing directly into the community. A minor may not be placed in restrictive housing unless there is an immediate and substantial risk to the minor, other inmates or staff or to the security of the facility. A minor in solitary must be provided with daily physical and mental health assessments and with the same privileges provided to inmates not in solitary, such as visits, phone calls, etc. as well as maximized access to recreation, education and programs. Hrgs. 3/12 1pm JUD; 2/21 12pm JPR

HB 1002 Correctional Services - Restrictive Housing - Direct Release (J.Lewis plus 31) An inmate shall not be placed in restrictive housing within 180 days of a release date unless the warden certifies in writing, based on clear and convincing evidence, that the inmate poses a great risk of harm to others and to the security of the facility or is a flight risk, and no other alternatives are available. More than 180 days before an inmate in restrictive housing is released into the community, the Commissioner of Corrections shall provide a transitional process for the inmate that includes: resocialization, programing in a group setting; mental health counseling; assistance in finding housing and access to state and federal benefits; reentry planning and referral services as offered to other inmates, such as substance abuse treatment, job readiness and pre-employment training, violence and conflict prevention. The Commissioner of Corrections shall document the justification for releasing an inmate directly from restrictive housing into the community and shall provide that inmate with a release plan tailored to the inmate's specific needs including notification of available community resources. Hrg. 3/12 1pm JUD

Update on bills previously reported in RSC:

HB 78 Correctional Services - Inmates - Labor Cross filed with SB 527 (Smith) Hrg. 2/12 12pm JPR; Passed House 109-30 ([RSC-1](#))

[SB 148](#) Correctional Services - Murder - Diminution Credits Cross filed with HB 764 (McComas plus 14) Hrg. 3/12 1pm JUD ([RSC-2](#))

Marlene Cohn

DOMESTIC VIOLENCE

Update on bills previously reported in the RSC:

[HB 122/SB 209](#) Protective Orders – Relief Eligibility – Rape and Sexual Offenses, JUD Favorable Report with Amendments; Hrg 2/6 12:00pm JPR, ([RSC-1](#))

[SB 129/HB 712](#) Criminal Law – Continuing Course of Conduct With a Child – Unit of Prosecution, JPR Favorable Report with Amendments; Hrg. 3/6, 1pm JUD ([RSC-1](#))

Deborah Mitchell

DRUG ABUSE

[SB 771/HB 656](#) Cannabis - Legalization, Taxation, and Regulation (Smith/Luedtke plus eight) substitutes “cannabis” for “marijuana”. Purpose is to set parameters for legal use of cannabis, including age limits and thresholds of use or possession of cannabis. Establishes Cannabis Regulatory Division in the Office of the Comptroller. Hrgs. 2/26 1pm JUD; 3/6 1pm JUD

[HB 632](#) Constitutional Amendment - Cannabis - Use, Possession, Cultivation, and Sale (Moon plus 29) amends the Maryland Constitution to allow the possession of up to one ounce of cannabis and up to six cannabis plants to most individuals at least 21 years of age. Hrg. 3/5 1pm JUD

Update on bills previously reported in the RSC:

[HB 25](#) Prescription Drug Monitoring Program – Revisions Hrg. 2/20 1pm HGO ([RSC-1](#))

[HB 35](#) Opioid Maintenance Therapy Programs - Medical Director Requirement and Qualifications Unfavorable report, HGO withdrawn ([RSC-1](#))

[HB 116/SB 846](#) Opioid Use Disorder Examinations and Treatment Hrgs. 2/19 1pm JUD; 2/27 1pm FIN ([RSC-1](#))

Chris Hager

GUN CONTROL

[SB 882/HB740](#) Criminal Law – Firearms – Computer–Aided Fabrication and Serial Number (3–D Printed Firearms and Ghost Guns) (Smith/Dumais) Adds to Criminal Law “Computer–Aided Firearm Fabrication” to prohibit a person from transporting into

the State a firearm that is not imprinted with a serial number; manufacture, possess, sell, offer to sell, transfer, purchase, or receive a firearm that is not imprinted with a serial number; prohibits a person from using a computer-aided fabrication device to manufacture a firearm; and establishes penalties for violation as a misdemeanor subject to five years in prison and a fine up to \$5,000.00. Hrg. 2/27 12pm JPR

Update on bills previously reported in the RSC:

HB 92/SB 113 Public Safety – Handgun Permits – Payment of Fees. JUD favorable Report, Hrg. 2/5 12pm JPR

SB 114 Firearms – Handgun Permit – Preliminary Approval Hrg. 2/5 12pm JPR

HB 95 Public Safety – Firearms Disqualifications – Antique Firearm known as Shadé’s Law Hrg. 2/25 10am JUD

HB 96 Public Safety – Regulated Firearms – Transfer Hrg. 2/25 10am JUD

Gloria Salas Kos

HUMAN TRAFFICKING

Update on bills previously reported in the RSC:

HB 5/SB 146 Commercial Driver's Licenses – Recognition, Prevention, and Reporting of Human Trafficking, JPR Favorable Report with Amendments; ET Favorable Report with Amendments ([RSC-1](#))

Deborah Mitchell

IMMIGRATION

HB 817 State and Local Correctional Facilities – Undocumented Immigrants – Transfer to United States Department of Homeland Security (Keep Our Communities Safe Act of 2019) (Szeliga plus 26) would have state or local correctional facilities with custody of undocumented immigrants serving sentences due to a criminal conviction turned over to the US Dept. of Homeland Security if requested by the US Dept. of Homeland Security. Hrg. 3/12 JUD

SB 599/HB 1273 Immigration Enforcement – County Boards of Education, Public Institutions of Higher Education, and Hospitals – Policies (Nathan-Pulliam/Wilkins plus 19) limits immigration enforcement in hospitals, public schools, and higher education facilities. These entities must adopt and publish policies for their staffs, volunteers and other persons to understand the requirements and shall consult with the Attorney General in doing so, developing and assuring safety to all state residents regardless of immigration status. Hrgs. 2/27 JPR; 3/5 JUD

HB 1165/SB 718 State Government – Government Agents – Requests for and Use of Immigration Status Information (Atterbear plus 14/Washington) forbids state,

county or municipality agents or employees from requesting immigration or citizenship status information about people or their family members or acquaintances. The terms “agents” and “employee” include public schools and higher education facilities, court employees, juvenile services employees, Human Services employees, and hospital employees as well. People must not be coerced into providing information about immigration or citizenship status. Possible consequences pertaining to those whose immigration or citizenship status may be questioned must not be mentioned. Hrgs. 3/5 JUD; 2/22 JPR

SB 817/HB 913 Correctional Facilities and Police Officers – Procedures – Immigration Status (Smith plus 14/Moon plus 56) Employees of state or local correctional facilities as well as police officers in Maryland must release those held in custody on the state law release date unless there is a federal judicial warrant to give the inmate to the federal government. State officers and agents may not detain a person beyond the state-law release date or notify federal immigration authorities of the release date, location, etc. for immigration enforcement purposes. Police are defined in the bills to include park police, transit police, sheriffs, building guards, etc. Additionally, during a stop, search, arrest procedure, the officer must not inquire about the person’s immigration or citizenship status. Hrgs. 3/5 JUD; 2/21 JPR

HB 856/SB 953 Health Care Facilities – Hospitals and Related Institutions – Discrimination Protections (K. Young plus nine) is about the providing of medical services and assures that there will be no discrimination on several bases including sexual orientation and citizenship. Hrgs. 3/4 HGO; SRU

Update on bills previously reported in the RSC:

SB 144/HB 214 Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness SB 144 was heard in JPR on 1/31 and HB 214 was heard in JUD 2/6. ([RSC-2](#))

HB 224/SB 742 State and Local Government – Correctional Units – Detention Agreements and Contracting for Privatization of Facilities (Pinsky) SB 742 is a cross file of HB 224. HB 224 was heard in HGO 2/5; SB 742 in JPR 2/13. ([RSC-2](#))

HB 262/SB 537 Higher Education – Tuition Rates – Exemptions HB 262 was heard in APP 2/5 and SB 537 will be heard in EHEA on 2/20. ([RSC-2](#))

HB 318 Public Institutions of Higher Education – Residency Requirement – Determination of In-State Tuition Status was heard in APP on 2/12. ([RSC-2](#))

HB 433/SB 853 Maryland Police Training and Standards Commission – Police Officer Certification – Eligibility (Freedom to Serve Act) (Fraser-Hidalgo plus six) Cross filed with SB 853. HB 433 will be heard in JUD on 2/19 and SB 853 will be heard in JPR on 2/20. ([RSC-2](#))

Carole Conors

JUVENILE JUSTICE

HB 555 Juvenile Law - Juvenile Court Jurisdiction - Attempted Carjacking

(Malone) provides that juvenile court does not have jurisdiction over a child 16 or older alleged to have committed attempted carjacking or attempted armed carjacking. Hrg. 2/21 JUD

HB 581/SB 899 Juvenile Law – Probation (Valentino-Smith plus three/Carter) requires that terms of probation be consistent for a juvenile’s rehabilitative needs, and specifies duration of probation terms. Hrg. 2/21 JUD; 2/14 SRU

HB 659 Juvenile Law - Continued Detention - Minimum Age (Shetty plus 26) prohibits continued detention of a child under the age of 12 except for crimes of violence. Hrg. 2/21 JUD

SB 452 Juveniles Charged as Adults - Confidentiality of Photos and Videos

(Carter plus four) establishes that juvenile record confidentiality laws apply to juveniles who are waiting for determination on whether their cases will be transferred out of juvenile court. Hrg. 3/7 12pm JPR

SB 401/HB 495 Juvenile Law - Informal Adjustment (Carter/Valentino-Smith plus four) allows courts to refer certain matters to Juveniles Services for informal adjustment when it is in the best interest of the public and the child, and requires charges to be dismissed if informal adjustment is completed. Hrg. 2/20 JPR; 2/21 JUD

SB 623 Juvenile Law - Police and Court Records - Access by Counsel (Carter) establishes that the laws relating to confidentiality of juvenile records do not apply to the juvenile’s counsel. Hrg. 3/7 12pm JPR

SB 624 Juveniles Charged as Adults - Transfer of Jurisdiction - Community Detention (Carter) authorizes a court to assign community detention of a juvenile and requires that children placed in adult facilities be housed separately than the adults and supervised to ensure their safety. Hrg. 3/7 12pm JPR

SB 625 Juvenile Law - Court Records – Sealing (Carter) repeals the provision that requires juvenile records be sealed until a minor reaches the age of 21 and requires juvenile records to be sealed when the court’s jurisdiction is terminated. Hrg. 3/7 12pm JPR

SB 626 Juvenile Court – Jurisdiction (Carter) establishes that the court does not have jurisdiction over children of at least 14 alleged to have committed a crime which would be punishable by life imprisonment if the child were an adult, or over children of at least 16 alleged to have committed violent crimes or traffic violations. Hrg. 3/7 12pm JPR

SB 688/HB 827 Juvenile Law – Sex Trafficking – Immunity, Services, and Investigations (Child Sex Trafficking Screening and Services Act of 2019) (Lee

plus four/Lierman plus 13) requires that a minor believed to be involved in prostitution be treated as a sexual abuse victim and be provided with access to services and be provided with immunity. Hrg. 3/7 12pm JPR; 2/21 JUD

SB 823/HB 694 Juvenile Proceedings - Fines, Fees, and Costs (Smith/Barron plus 13) Repeals provisions authorizing juvenile court to impose fines and court costs. Hrg. 3/7 12pm JPR; 2/21 JUD

SB 824/HB 418 Juvenile Law - Waiver and Transfer of Jurisdiction (Smith/Moon and Sydnor) repeals the provision that requires the juvenile court to assume that a child committed a delinquent act in order to consider whether to waive its jurisdiction, and alters the process for the transfer of jurisdiction between juvenile and adult court. Hrg. 3/7 12pm JPR; 2/21 JUD

SB 856/HB 606 Juvenile Justice Reform Council (Zirkin/Clippinger plus two) establishes a Juvenile Justice Reform Council in the Governor's Office of Crime Prevention. Hrg. 2/20 12pm JPR; 2/21 JUD

Update on bills previously reported in the RSC:

SB 72 Membership – Department of Juvenile Services State Advisory Board (RSC-1) Passed Senate, in the House for First Reading 2/1 JUD

SB 13/HB 867 Juveniles – Reportable Offenses (RSC-1) Hrgs. 1/24 JPR; 2/21 JUD

SB 221/HB 1223 Workgroup on Establishing an Independent School Board for the Juvenile Services Education System (RSC-2) Hrgs. 2/6 EHEA; 2/21 JUD

Jill Muth

EDUCATION

Pre-K to 12 Public Education Funding and Program

Long term recommendations of the **Commission on Innovation and Excellence in Education** (Kirwan Commission) **January 2019 Interim Report**. The report contains their recommendations and overall estimated statewide costs to be phased in over a ten-year period. The Commission still needs to recommend how costs should be divided between the state and local school systems. The full report can be accessed [here](#). Page 137 of the report has a table showing estimated combined state and local yearly cost increases for each of the major recommendations.

The press release states “The Commission’s recommendations include:

1. expanding full-day preschool that is free for all low-income three- and four-year-olds;
2. assuring an abundant supply of the highly qualified and diverse teachers and school leaders it will take to get our students to these standards by raising licensure standards, bringing pay up to the level of high-status professions, implementing a statewide framework for teacher career advancement, and organizing teachers’ work the way work is organized in highly professional modern work places;

3. setting a standard for College and Career Readiness at the level required to virtually guarantee success in the first year of a community college program and then tasking Maryland's schools with getting most students to that standard by the end of tenth grade and almost all there before they leave high school, a very large increase over current achievement levels;
4. providing substantially increased financial support and a wide array of additional services for students who will need a lot of support to achieve the new standards, including special education, low-income, and non-English speaking students, with particular attention to children growing up in concentrated poverty; and
5. creating an Independent Oversight Board to implement, monitor, and report out on the progress of schools, districts, and State agencies and hold all State and local entities involved accountable for carrying out their assigned roles."

School Buildings

HB 1000/SB 586 School Maintenance Incentive Funding Act of 2019 (Valentino-Smith plus five/Rosapepe) requires a yearly state appropriation to each county for the lesser of the county's maintenance expenditures or 3 percent of the operating budget to be used for maintenance of schools and equipment. Hrgs. 3/7 APP; 3/5 B&T

Curriculum and Special Needs

HB 657/SB 896 Arts Education in Maryland Schools Alliance Grant (McIntosh and Rosenberg/Ferguson) requires a \$600,000 annual appropriation for an Arts Education in Maryland Schools Alliance Grant for an Artlook Map Maryland Project. This data map is meant to allow families, teachers, and school leadership to access and contribute to data about arts education in individual schools and school districts across the state. Hrg. 2/19 APP; SRU

HB 690/SB 734 Education - Students With Reading Difficulties - Screenings and Interventions (Luedtke plus 85/Zucker plus nine) Beginning in the 2020-21 school year, each county shall insure that any child age 4 or older who has reading difficulties shall be tested using an appropriate instrument that can diagnose dyslexia and other reading difficulties. The bill lists extensive requirements for follow-up special instruction and a website and handbook that give school staff and parents information on resources. There are yearly requirements for data collection on students screened and referred for supplemental reading instruction. Hrgs. 2/21 W&M; 2/26 EHEA

HB 733/SB 661 Primary and Secondary Education - Community Schools – Established (Ebersole plus three/Washington) establishes community schools in the state and defines the role of the community school coordinator, a governance structure in the school and the requirement to conduct a needs assessment. The purpose is to establish school-community partnerships to support activities to help students and families overcome the in-school and out-of-school barriers that prevent children from learning and succeeding over the course of their lives by having an integrated focus on academics, health and social services, youth and community development, and familial and community engagement. The bill lists possible interventions and a requirement to post information about activities and results on the school website. Local school system

approval is required. Costs are to be considered when establishing adequate funding levels of schools. Hrgs. 2/28 W&M; 3/6 EHEA

[HB 1242/SB 915 Public School Students - Vision Services and the Vision for Maryland Program](#) (Hill plus 17/Lam and Young) adds to current requirements for vision screening. County boards would be required to follow up with students who failed vision screenings and did not get follow-up exams and glasses and to coordinate with the Vision for Maryland Program to ensure that these services are provided free of charge, especially for students with individual education programs. Hrg. 3/7 W&M; SRU

Discipline and School Climate

[SB 165/](#)HB 148 Safe Schools Maryland Act of 2019 (President by request of Governor plus 14/Speaker by request of Governor plus 33) establishes the Safe Schools Maryland Program in the Maryland Center for School Safety to establish procedures for anonymous reporting of behaviors of concern and other dangerous, violent, or unlawful activities. Any document sent to – or information reported to – MCSS or a local school system under the program is confidential and not subject to disclosure under the Maryland Public Information Act. Hrgs. 2/6 EHEA; 3/7 W&M

[SB 576](#) Student Victim of Violent Crime - Option to Transfer or Require Offender to Transfer Schools (Salling) allows a victim or perpetrator of a violent crime to be transferred to another school. Hrg. 3/6 EHEA

[HB 704](#) Maryland Longitudinal Data System - Student Data and Governing Board (Washington and Charkoudian) allows the Maryland Longitudinal Data System (MLDS) to collect data on school discipline records and juvenile justice records. Current law prohibits the MLDS from collecting this data, which is necessary to measure the impacts of the school-to-prison pipeline in Maryland. Hrg. 2/21 W&M

[HB 950](#) State Department of Education - School Discipline - Data Collection (Washington plus four) adds requirements on how discipline data is collected by the Maryland State Department of Education (MSDE). MSDE would have to disaggregate discipline-related data in an electronic spreadsheet format for the Maryland Report Card in a form that is more readable and useful to researchers and policymakers. This bill will also create a new way to identify “high suspending” schools. Hrg. 2/28 W&M

[HB 725/SB 766](#) Public Schools - Student Discipline - Restorative Approaches (Charkoudian plus 33/Smith) codifies restorative approaches to discipline and requires principals to implement restorative approaches before more punitive discipline practices. County boards are required to develop multi-year plans to adopt restorative approaches. Principals would be allowed to use suspensions if required to eliminate immediate danger.

“Restorative approaches” means a relationship-focused student discipline model that is primarily proactive and preventive; emphasizes building strong relationships and setting clear behavioral expectations that contribute to the well-being of the school community;

in response to behavior that violates those expectations, focuses on accountability for any harm done by the problem behavior; and addresses ways to repair the relationships affected by the problem behavior with the voluntary participation of an individual who was harmed. Hrgs. 2/28 W&M; 3/6 EHEA

[HB 1208](#) Board of Restorative Practices in Schools – Establishment (A. Washington) establishes a permanent board within MSDE with requirements for specific officials and representatives of non-profit groups to be appointed. The board would oversee implementation of restorative practices and research on results and report recommendations to the General Assembly yearly in October. Hrg. 2/28 W&M

[HB 1229](#) Restorative Schools Fund and Grants – Establishment (Cain plus five) establishes a non-lapsing fund to provide grants to local school systems and individual schools for training on and implementation and evaluation of restorative approaches. It requires the Governor to appropriate at least \$3 million each year for the fund. Hrg. 2/28 W&M

Update on bills previously reported in the RSC:

[HB 153](#)/SB 159 The Building Opportunity Act Hrgs. 2/28 APP; 2/27 B&T ([RSC-2](#))

[HB 156](#)/SB 172 Public Charter School Facility Fund Hrgs. 2/26 APP; 2/26 EHEA ([RSC-2](#))

[SB 848](#) Nonpublic Elementary and Secondary Schools - Discrimination – Prohibition (McCray plus seven) Cross file of HB 295 Hrg. 2/14 JPR ([RSC-2](#))

[HB 356](#) Primary and Secondary Education - Nonpublic Schools - Required Information Hrg. changed to 3/7 W&M ([RSC-2](#))

[HB 496](#) Department of the Environment – Public and Nonpublic Schools – Inspections for Environmental Hazards Hrg. 2/20 ET ([RSC-2](#))

Lois Hybl

CHILDREN AND FAMILIES

[HB 519](#)/SB 697 Family Law – Parentage and Adoption (Dumais/Smith plus seven) provides that a child conceived by means of assisted reproduction during the marriage of the mother with the consent of the mother's spouse is the legitimate child of both spouses for all purposes (e.g., inheritance, custody, visitation) and also deals with such a child born to parents who have not married. (By deleting current law's references to "husband" and "father" and substituting "spouse" and "parent", the bill expands the law to cover additional couples.) Hrgs. 2/21 JUD; 3/6 JPR

[HB 520](#)/SB 406 Prenatal and Infant Care Coordination – Grant Funding and Task Force (Lierman plus 25/Ferguson plus 14) requires the Governor to include \$5,000,000 (an increase from \$50,000) in annual budgets for the Maryland Prenatal and Infant

Coordination Services Grant Program Fund, establishes a Task Force on Maryland Maternal and Child Health, and requires that Task Force to report by 11/1/19. Hrgs. 2/27 HGO; 2/14 FIN

HB 911/SB 930 Unaccompanied Minors in Need of Shelter – Consent to Shelter and Supportive Services (Krimm plus 11/Washington) provides that an unaccompanied minor in need of shelter has the same capacity as an adult to consent to shelter and supporting services, defines a range of services, and requires notification to a parent, guardian, or adult relative - or to another adult identified by the minor in need. Hrgs. 2/28 JUD; SRU

HB 912/SB 984 Child Protection – Reporting – Threat of Harm (Valentino-Smith plus six/Augustine) provides that an individual may notify a local social service department or law enforcement agency if the individual has reason to believe that a verbal threat of imminent severe bodily harm or death has been made by the child's parent or anyone else with temporary or permanent care, custody or responsibility for supervision – and that the child is at substantial risk of abuse. Hrgs. 2/28 JUD; SRU

HB 1007/SB 739 Child Advocacy Centers – Expansion (Shetty plus 15/Lee, Carter, Waldstreicher, & West) requires the Governor's Office of Crime Control and Prevention to ensure, to the greatest degree practicable, that every child in the state has access to a child advocacy center, requires the child advocacy centers to assist in the response to or investigation of certain offenses against children, requires establishment of a Maryland statewide organization of child advocacy centers to set standards, provide training, etc. Hrgs. 3/7 APP; 3/6, 12pm JPR

HB 1252 Child Abuse And Neglect – Training of Health Care Professionals (McComus plus five) requires the Department of Health to provide certain boards with a list of recommended courses relating to the obligation to report child abuse and neglect and the identification of abused and neglected children, requires those boards to provide information about recommended courses to health care professionals and advertise the availability of recommended courses. Hrg. 2/28 JUD

Update on bills previously reported in RSC:

HB 122/SB 209 Protective Orders – Relief Eligibility – Rape and Sexual Offenses favorable with amendments JUD ([RSC-1](#))

HB 248/SB 181 Education – Child Care Subsidies – Mandatory Funding Level HB 248 passed House, first reading in Senate, SB 181 favorable report B&T ([RSC-2](#))

SB 24 Family Law – Kinship Caregivers passed Senate, first reading JUD ([RSC-1](#))

Judy Morenoff

HEALTH

HB 378 Public Health – State Provided Health Care Benefits (Reznik, et al.) would establish a state-run single-payer health insurance program (HealthcareMaryland Program). The Health Department would develop a commission to oversee the program and it appears that it would be managed care products, consistent with the ACA. It would be funded through a payroll tax of 10 percent of total wages, with certain exemptions, paid to a new Health Care Coverage Fund. Enrollment would be through the Exchange or through the Department of Motor Vehicles. Those insured through employment, Medicare, and Tricare would be exempt. The bill was not cross filed and there was no analysis of the cost at this writing. Hrg. 3/14 HGO.

HB 768/SB 759 Health Prescription Drug Affordability Board (Peña-Melnyk plus 97/Klausmeier and Lam) would create a Drug Affordability Board to monitor and protect the citizens of the State from the rise in the cost of prescription drugs. Hrgs. 3/6 HGO; 3/6 FIN

SB 410 Health Insurance – Coverage of Insulin – Prohibition on Deductible, Copayments, and Coinsurance, (Beidle, et al) would make the coverage of insulin a mandated benefit with no copay. It is in answer to the exponential rise in the cost of insulin in the last couple of years. Hrg. 3/6 FIN

HB 419/SB 577 Pharmacist – Administering Injectable Medication and Biological Products (K. Young/Young and Rosapepe) would allow pharmacists to inject drugs and give out biologicals just as any medical provider. It would also require Medicaid and the Children's Health Plan to cover the administration cost. This would be an increase in pharmacists allowed scope of practice and will be opposed by the medical community. Hrgs. 2/19 HGO; 2/26 EHEA

HB 696/SB 430 Maryland Health Care Commission – Authorized Prescribers – Reporting of Financial Gratuities or Incentives, (Peña-Melnyk/Kelley) would require any medical provider with prescribing authority to notify the Commission within 30 days of payment of any incentive given by a pharmaceutical company or distributor. Hrgs. 2/21 HGO; 2/20 FIN

SB 869/HB 1320 Maryland No-Fault Birth Injury Fund (Kelley, et al./Cullison and Kipke) would establish a Maryland No-fault Injury Fund which would fund the treatment and care of neurologically impaired infants. It would also establish a Prenatal Clinical Advisory Commission to establish best practices in obstetrics. Hrgs. 3/13 JPR; 2/15 HRU

HB 630/SB 420 Health – Abortions – Reporting Requirements (Wivell, et al./Carozza, et al.) would institute new reporting requirements for all institutions performing abortions, including patient demographics and reasons for the abortion. HGO; Hrg. 3/15 FIN

[SB 482](#)/HB 846 Maryland Medical Assistance Program – Managed Care Organizations– Behavioral Health Services (Kelley/Lewis) would have the Department of Health include designated funds for behavioral health treatment and services in the Medicaid budget for the Medicaid Managed Care Organizations beginning in 2021. The original hearing in FIN for 2/20 was canceled. Hrgs. 3/15 FIN; 3/6 HGO

[SB 708](#)/HB 1185 Electronic Nicotine Delivery Systems – Prohibition and Requirements (Beidle/Carey) would strengthen the restrictions on selling electronic vaping equipment and vaping to minors. There are also advertising restrictions. Hrgs. 3/14 FIN; 2/27 ECM

[HB 506](#)/SB 970 Maryland Department of Health – Special Supplemental Nutrition Program for Women, Infants and Children (Valentino-Smith et al./Peters) would require the Department of Health to report on the WIC Program each December for three years. The report would contain how many were eligible, how many took advantage of the program and how many eligible did not take advantage of it. Hrgs. 2/19 APP; 2/18 SRU.

[HB 1274](#) Opioid Restitution Fund (Rosenberg) would establish a special, non-lapsing fund for any settlement revenues from the Attorney Generals' class action suits. The revenue would not go to the General Fund, but would be used for naloxone, treatment and services for the addicted. The bill does not indicate that it is at the request of the AG. Hrg. 2/21 APP

[HB 455](#) Physicians – Discipline – Procedures and Effects (Kipke/West) would require disciplinary boards to obtain a third peer review if the first two reviewers had different opinions on the case. It would also forbid hospitals and insurance companies from taking adverse actions against the physician until the third report is in. Hrg. 2/19, HGO **[SB 372](#)** is virtually the same bill with a couple of additions. Hrg. 2/26 EHEA

[SB 322](#) Medical Malpractice – Notice of Intent to File Claim (Cassilly) alters the process for a plaintiff when filing a claim against a medical provider at the Alternative Dispute Resolution Office. The plaintiff must notify the provider of the intent to file and must give the provider the reasons behind the claim. It does prohibit the provider from adding to the claim if additional information is found on discovery. Hrg. 2/14 JPR

[SB 323](#) Medical Malpractice – Discovery (Cassilly) allows the medical defendant to obtain the credentials and other information on the expert who attests to a claim before the Alternative Dispute Resolution Office and forbids any action against the defendant until the expert is qualified. This bill may be in answer to last year's effort by the trial bar to reduce the qualification requirements of expert witnesses. Hrg. 2/14 JPR

[SB 773](#) Health Care Malpractice Qualified Expert – Qualification (Smith) would eliminate the ability of the defense to obtain information on how much an expert witness makes from testifying during discovery. There are provisions if an expert's testimony of

income, etc. are proved false during deposition. This is a trial bar bill making it easier to have professional expert testifiers in malpractice cases. Hrg. 3/6 JPR

[SB 813](#) Personal Injury or Wrongful Death – Noneconomic Damages (Smith) would increase the allowed cap on non-economic damages in both malpractice and personal injury cases. Both the medical community and car insurance companies will be active on this bill. Hrg. 3/6 JPR

Update on bills previously reported in the RSC:

[HB 27](#) Clean Indoor Air Act – Use of Electronic Cigarette Devices – Prohibition, Unfavorable report ECM ([RSC-2](#))

[SB 28](#) Health Insurance – Coverage Requirements for Behavioral Health Disorders - Short-Term Limited Duration Insurance 2/7 Passed 3rd Reader and 2/8 Hrg. HGO ([RSC-1](#), [RSC-2](#))

Neilson Andrews

MEETING BASIC HUMAN NEEDS & EQUALITY OF OPPORTUNITY

Affordable Housing

[SB 715](#)/[HB 785](#) Residential Lease - Repair of Dangerous Defects - Relief (Washington/Wells) If a residential rent property has a serious and substantial defect that the landlord has not repaired within 30 days, in addition to allowing the tenant to withhold rent or place it in escrow, the court may allow tenant to make the repairs and obtain alternative housing and order the landlord to compensate the tenant for costs incurred. Hrg. 2/28 JPR; Hrg. 3/5 ET

The following two bills both cover requirements on rental registration and lead paint abatement in court cases for eviction. The Senate bill requires copies of the documents, the House bill just requires statement that property is registered/licensed and has a lead paint certificate.

[SB 831](#) Landlord and Tenant - Repossession for Failure to Pay Rent - Procedure for Lead-Affected Property(Carter) If a tenant fails to pay rent, before the landlord can repossess the property, the landlord must present a current certificate of lead-free or limited lead-free housing, a current risk reduction certificate for the property and a copy of any required (by local jurisdiction) rental registration, permit or license. The court shall dismiss the complaint if landlord is unable to produce the documents. Hrg. 2/28 JPR

[HB 1068](#) Landlord Tenant - Repossession for Failure to Pay Rent - Lead Risk Reduction Compliance (Rosenberg) states that before a landlord can repossess a property for nonpayment of rent, the landlord must state that (if applicable in the

jurisdiction) the property is registered or licensed and state the lead paint inspection certificate number (or reason the property was not able to be inspected). Hrg. 3/8 ET

[HB 1045](#)/SB 917 Land Use - Comprehensive Plans - Housing Element

(Lierman/Lam and Young) amends requirements of local comprehensive plans to require a housing section that addresses the need for low and moderate income housing in the jurisdiction, and gentrification if applicable. Hrg. 3/5 ET; SRU

Other

[HB 1016](#) General Assembly - Analysis of Proposed Legislation - Racial Impact (J.

Lewis) requires the Department of Legislative Services to prepare a racial impact analysis for each bill that creates or substantially alters a misdemeanor or felony offense including the estimated number of cases it will affect, the anticipated impact on each minority group and its effect on correctional facilities. A committee will not be permitted to vote on a bill unless the racial impact analysis accompanies it. Hrg. 2/25 HRU

[SB 839](#)/HB 994 Labor and Employment - Criminal Record Screening Practices

(Ban the Box) (Carter/Mosby et al.) An employer may not require an applicant to disclose whether applicant has a criminal record or criminal accusations brought against the applicant on an application unless the employer provides services or direct care to minors or vulnerable adults. The employer may require the applicant to disclose this information during the first in-person interview. This bill was introduced in 2018 as SB 484. Hrg. 3/15 FIN; Hrg. 3/5 ECM

Update on bills previously reported in the RSC:

[HB 339](#) Family Investment Program - Temporary Cash Assistance - Funding Hrg. 2/12 APP ([RSC-2](#))

[HB 473](#)/SB 941 Residential Leases - Definition of "Rent" (Lee) Hrg. 2/19 ET ([RSC-2](#))
SB 941 cross filed SRU

[SB 38](#) Maryland Health Working Families Act - Employers with On-Site Health Clinics - Exemption Hrg. 1/31 FIN ([RSC-1](#))

[SB 280](#) Labor and Employment-Payment of Wages - Minimum Wage and Enforcement (Fight for Fifteen) Hrg. 2/21 FIN ([RSC-2](#))

[SB 433](#)/HB 680 Responsible Workforce Development Percentage Price Preference Act (Cullison) House bill cross filed ([RSC-2](#)) Hrg. 3/5 EHEA; Hrg. 2/26 HGO

[SB 456](#) Family Investment Program - Temporary Cash Assistance-Funding (Guzzone) Cross file of HB 339 ([RSC-2](#)) Hrg. 2/20 B&T

[SB 550](#) Food Stamp Program - Minimum Benefit for Disabled Individuals - State Supplement (Guzzone et al.) Cross file of HB 226 ([RSC-2](#)) Hrg. 3/14 FIN

[SB 812](#) Fair Housing Opportunities Act of 2019 (Smith et al.) Cross file of HB 451 ([RSC-2](#)) Hrgs. canceled JPR and ET

[HB 584](#) Earned Income Tax Credit - Individuals Without Qualifying Children - Eligibility and Refundability (Wilkins et al.) Cross file of SB 263 ([RSC-2](#)) Hrg. 2/20 W&M

[HB 585](#) Earned Income Tax Credit - Individuals Without Qualifying Children - Calculation and Refundability (Wilkins) Cross file of SB 262 ([RSC-2](#)) Hrg. 2/20 W&M

Ruth Crystal

TRANSPORTATION

[HB 426](#) 21st Century Funding Transportation Act (Korman) The current manner of funding the transportation sector largely relies on fuel taxes. With more fuel-efficient cars, taxing gasoline produces less revenue even though the gas tax has risen. This bill suggests other taxes that might be applied to the Transportation Trust Fund that aren't currently used. Hrg. 2/19 1pm W&M

[HB 695/SB 788](#) Transportation Climate Accountability Act (Stewart plus 54/Rosapepe plus three) Maryland is required by law to cut both its greenhouse gas emissions and water runoff pollution. This bill requires the state to study the environmental impacts of a private-public partnership transportation project before a pre-solicitation report is submitted. It further requires measurements of environmental impact during construction and after completion of projects. Hrg. 2/26 1pm ET; 2/27 1pm EHEA

[HB 771/SB 630](#) Transportation – Regional Transportation Authority Study (Bridges plus 21/Carter) authorizes a study of regional transportation throughout Maryland. Transportation systems coordinate with others in various ways and deliver a variety of services to different populations sometimes dependent on locality. This comprehensive study of the various regional transportation systems would be completed with findings delivered by October 31, 2019. Hrg. 2/28 1pm ET / 2/27 1pm B&T

[HB 885](#) Transportation – Vision Zero – Establishment (Palakovich Carr plus 38) standardizes and helps implement a state-wide system for making our roads safer. Specifically, a coordinator would be responsible for planning and implementing a system to develop strategies among state and local authorities that result in zero deaths of pedestrians, bicyclists and drivers on state highways. Hrg. 2/28 1pm ET

[HB 923/SB 642](#) Task Force to Study Transportation Access (Stein plus nine/Klausmeier plus six) describes the composition of the task force and its scope of studying available transportation around Maryland. The study includes: reviewing

existing transportation needs; reaching out to various agencies for input; examining barriers; accessing services available through MTA, WMATA, and regional transportation systems; reviewing current efforts and making recommendations for unfulfilled needs. Hrgs. 2/28 1pm ET; 2/27 1pm FIN

HB 1091 Public-Private Partnerships – Reforms (Soloman plus four) requires an independent rating system be implemented before the Board of Public Works approves a public-private partnership contract for transportation. The rating system would include the credit rating of a funding source, terms and provisions, defining non-compete transit clauses, the terms of agreement and specific contingencies. Hrg. 2/26 1pm ET

HB 1281/SB 787 Transportation – Bikeways Network Program – Funding (Lierman/Rosapepe plus two) helps to further define the goals and use of appropriations with the purpose of providing grant support for developing a bicycling network. It establishes criteria for awarding dollars from the Transportation Trust Fund and specific operational amounts for bicycling systems in Maryland. Hrgs. 3/7 1pm APP & ET; 3/5 1:45pm B&T

Bee Ditzler

ENVIRONMENT: CLIMATE CHANGE

SB 702/HB 1235 Healthy Climate Initiative (Kramer plus two) would require the Secretary of the Maryland Department of the Environment to charge a fee for carbon emissions to producers of electricity, natural gas distribution, and fossil fuels, and to establish a Healthy Climate Infrastructure Fund and a Rebate Fund. Most of the revenue would be returned to rate payers in a monthly dividend and remaining fees used to invest in vulnerable communities. Hrgs. 3/5 FIN; 3/8 ECM

HB 514 Greenhouse Gas Emissions Reductions – Statewide Greenhouse Gas Inventory and Carbon Sequestration (Stein and Barve) requires that the statewide greenhouse gas emissions inventory establish a greenhouse gas emissions reduction target. If the target is exceeded, the Department of the Environment shall issue a contract for the sequestration of carbon equivalent to the amount of carbon emissions that exceeded the target. Hrg. 3/8 ECM; ET

Update on bill previously reported in the RSC:

HB 472 Constitutional Amendment - Environmental Rights Hrg. 2/20 ET ([RSC-2](#))

Betsy Singer

ENVIRONMENT: LAND USE

HB 735/SB 729 Task Force on Forest Conservation in Maryland (Healy et al./Guzzone et al.) establishes a task force to conduct a technical analysis of our forest land, evaluating the health and quality of the forests and the extent of forest cover. Past studies will be examined. Recommendation will be made to achieve no net loss of

forests. A public hearing will subject the study to public scrutiny and comment. A report will be due in one year. Hrgs. 2/19 EHEA; 2/22 ET

Susan Cochran

ENVIRONMENT: RENEWABLE ENERGY

The following three bills address the same issue of modifying the RPS (Renewable Energy Portfolio Standard) and will need to be reconciled so that House and Senate versions agree:

[HB 1158/SB 516 Clean Energy Jobs Act](#) (Lisanti/Feldman) raises the amount of energy Maryland is required to derive from renewable energy sources to 50% by the year 2030; dedicates funding to workforce development programs, especially women-owned, minority-owned, and veteran-owned businesses; phases waste incineration out of tier one energy sources and expands incentives for solar and wind-energy projects; establishes the requirement for a plan to reach 100% clean energy by the year 2040. **Update:** Amendment in HB 1158 to phase waste incineration out of tier one energy sources. Hrgs. 3/8 ECM; 3/5 FIN

[SB 548 Renewable Energy Portfolio Standard - Eligible Sources](#) (Hough) removes waste incineration as a tier one energy source within the Renewable Energy Portfolio Standard. Hrg. 3/5 FIN

[HB 961 Public Utilities - Renewable Energy Portfolio Standard - Tier 1 Sources](#) (Mosby) removes waste incineration as a tier one energy source within the Renewable Energy Portfolio Standard. Hrg. 3/8 ECM

[HB 1235/SB 708 Healthy Climate Initiative](#) (Fraser-Hidalgo/Kramer) makes polluters pay a steadily rising fee for emitting carbon pollution. Some of the revenue will be used to invest in vulnerable, front-line communities, and most of it will be returned to Marylanders in a monthly dividend. Hrgs. 3/8 ECM; 3/5 FIN

[HB 246 General Assembly - Fiscal Notes - Environmental Impact Statements](#) (Shetty) requires the fiscal note for each bill to have an environmental impact statement. Hrg. 2/25 HRU

Update on bills previously reported in the RSC:

[SB 387 Environment - Water Quality Certifications \(Pipeline and Water Protection Act of 2019\)](#) Hrg. 2/19 EHEA ([RSC-1](#))

[HB 151/SB 168 Clean Cars Act of 2019](#) Hrgs. 2/13 E&T; 2/12 FIN ([RSC-2](#))

[SB 100/HB 499 Civil Actions - Interstate Pipeline Liability Act](#) Hrg. 1/30 JPR canceled; Hrg. 2/27 JUD ([RSC-2](#))

Shari Glenn

ENVIRONMENT: STORMWATER, BAY, PHOSPHORUS, PESTICIDES, RECYCLING, AIR, & OTHER

[HB 499/SB 100](#) Civil Actions - Interstate Pipeline Liability Act (Fraser-Hidalgo plus four/Zirkin) Because the operation of an interstate pipeline facility can be a hazardous activity, the operator of such a pipeline has to be responsible for some types of possible damages. Hrgs. 2/27, 1pm JUD; 1/30 JPR

[HB 502](#) Environment - Office of Recycling - Mattresses and Box Springs (Hill plus nine) The office of recycling in the MD Dept. of the Environment must encourage local governments to find ways to recycle or reuse mattresses and box springs instead of having them end up in landfills or incinerated. MDE must also provide reports on this. Hrg. 2/27, 1pm ET

[HB 510](#) Composting - Food Waste - Acceptance for Final Disposal (Cassilly plus two) Operators of waste disposal facilities may not accept separately collected food waste for final disposal unless they have the capacity to do food composting. Hrg. 2/27, 1pm ET

[HB 703/SB 505](#) Environmental Violations - Reporting Requirements (Lafferty plus five/Elfreth plus four) would require certain jurisdictions to report to the MD Dept. of the Environment on cases of violation of sediment and erosion control laws as well as on regulations and building and grading permits, and then for MDE to provide annual reports on these. Hrgs. 2/22, 1pm ET; 2/27, 1pm EHEA

[HB 720/SB 830](#) Natural Resources - Fishery Management Plans – Oysters (Barve plus two/Elfreth) The MD Dept. of Natural Resources and the Univ. of MD Center for Environmental Sciences will convene a stakeholder group to develop recommendations for better oyster management. Hrgs. 2/33, 1pm ET; 2/27, 1pm EHEA

[HB 752](#) Environment - Lead Hazards - Environmental Investigation, Reporting, and Risk Reduction (Holmes) The MD Dept. of the Environment is to adopt regulations for conducting investigations regarding lead exposures in children and pregnant women and then must report regularly on these. Hrg. 3/6, 1pm ET

Also see **[HB 1233](#) Environment - Reduction of Lead Risk in Housing - Elevated Blood Lead Levels and Environmental Investigations (Maryland Healthy Children Act)** (R. Lewis and Holmes) Hrg. 3/6 ET and **[HB 1253/SB 481](#) Environment - Drinking Water Outlets in School Buildings - Elevated Level of Lead and Grant Program** (Solomon plus 30/McCray) Hrgs. 3/6 ET; 2/27 EHEA

[HB 904/SB 546](#) Agriculture - Nutrient Management - Monitoring and Enforcement (Stewart plus three/Pinsky plus eight) A voluntary certification program would be established through the MD Dept. of Agriculture for individuals working with phosphate management tools (PMTs). Hrgs. 3/6, 1pm ET; 2/27, 1pm EHEA

[HB 921](#) Environment - Conowingo Dam - Water Quality Certification (Jacobs plus 14) would be an emergency measure during the relicensure for this dam to ensure the removal of certain trash and debris. Hrg. 2/27, 1pm ET

[HB 1142](#) Environment - Hazardous Materials - Disposal of Synthetic Turf and Turf Infill (Lehman) calls for proper disposal of synthetic turf and turf infill, handling them as hazardous materials and not allowing them to be burned. Hrg. 3/1, 1pm ET

[HB 1194/SB 760](#) Natural Resources - Whistleblower Program – Establishment (Lierman plus five/ Klausmeier) The MD Dept. of Natural Resources would be required to establish a Whistleblower program. Hrg. 3/6, 1pm ET; 2/27, 1pm EHEA

[SB 542](#) Community Healthy Air Act (Lam plus eight) would establish a committee on air quality to advise the MD Dept. of the Environment on the methodology to use to assess air quality. Hrg. 2/27, 1pm EHEA

[SB 851](#) Bay Restoration Fund - Authorized Uses, Mandatory Appropriation, and County Authority to Incur Indebtedness (West and Young) would require the Governor to appropriate \$10 million to the Bay Restoration Fund to help homeowners with their septic systems. Hrg. 2/27, 1pm EHEA

[HJ 8](#) Conowingo Dam - Pollution Cleanup – Costs (Jacobs plus 13) This resolution would say that the General Assembly's view is that Exelon, owner of the Conowingo Dam, must pay a portion of the cleanup costs for the dam's federal certification and at least 25% of the costs associated with the Susquehanna River's watershed implementation plan. Hrg. 2/25, 1pm SRU

Update on bills previously reported in the RSC:

[SB 939](#)/HB 28 Natural Resources - Shellfish Nursery Operations - Wetlands License Requirements (Klausmeier) cross file of HB 28 assigned to SRU. HB 28 favorable report with amendments by ET ([RSC-2](#))

[HB 36](#) Surface Mining - Zone of Dewatering Influence - Water Supply Replacement Passed House. Now in EHEA ([RSC-1](#))

[HB 50](#) Department of Agriculture - Maryland Produce Safety Program Favorable report by ET ([RSC-1](#))

[SB 54](#) Surface Mining - Zone of Dewatering Influence - Contested Case Hearing Passed Senate. Now in ET. ([RSC-1](#))

[HB 275/SB 270](#) Pesticides - Use of Chlorpyrifos – Prohibition Hrg. 2/27, 1pm EHEA ([RSC-2](#))

[HB 298/SB 448](#) Oysters - Tributary-Scale Sanctuaries - Protection and Restoration Hrgs. 2/22, 1pm ET; 2/27, 1pm EHEA ([RSC-2](#))

[HB 410/SB 267](#) Task Force on Prohibiting Debris From Entering Storm Drains or Stormwater Inlets Hrg. 2/20, 1pm ET; 3/5, 1pm EHEA ([RSC-2](#))

[HB 411](#) Environment - Sale and Application of Coal Tar and Coal Tar Pavement Products – Prohibition Hrg. 2/20, 1pm ET ([RSC-2](#))

[HB 428/SB 269](#) Comprehensive Flood Management Grant Program - Awards for Flood Damage and Mandatory Funding Hrg. changed to 3/6, 1pm B&T ([RSC-2](#))

[HB 496](#) Department of the Environment - Public and Nonpublic Schools - Inspections for Environmental Hazards Hrg. 2/20, 1pm ET ([RSC-2](#))

[HB 669/SB 387](#) Environment - Water Quality Certifications (Pipeline and Water Protection Act of 2019) (Fraser-Hidalgo plus 40) cross file of SB 387 Hrgs. 3/7, 1pm ECM; 2/19, 1pm EHEA ([RSC-2](#))

Linda Silversmith