



REPORT FROM STATE CIRCLE

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ELECTIONS

[HB 532](#) /[SB 594](#) Elective Franchise – Registration and Voting at Precinct Polling Place (Resnick plus 17/ Pinsky plus 29) proposes an amendment to the Constitution to

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allow an individual to register to vote and vote at a precinct polling place on Election Day. Specifically, the bill gives to the General Assembly the power to allow qualified individuals to register and vote on Election Day. Currently, the voter registration deadline is 21 days before an election, EXCEPT that since 2014, people can register to vote and vote at a polling place during Early Voting. Registration and voting during Early Voting was a success during the last election cycle (1,397 at Primary and 5,687 at General) with very few issues, so advocates say Maryland election officials have proven the process of same-day registration can work. Opponents are concerned about potential registration fraud and adding to voting times on Election Day. Bills in the General Assembly filed in previous years relating to Election Day Registration Have included details of how the program should work. This bill merely gives the General Assembly the power to enact it, and details would be enacted in future years. Hrgs 2/13 1pm W&M; 2/15 1pm EHEA

SB 294 / HB 347 Government Accountability Act of 2018 (President by Request of Administration plus seven / Speaker at request of Administration plus 37) is a bill that would place a constitutional amendment in front of voters on the 2018 General Election ballot to impose term limits for delegates and senators in the General Assembly. The bill proposes that a person who has been elected to two consecutive terms, as with a delegate or senator, shall be ineligible to be elected to serve a third consecutive term to the same office. Hrg 3/1 1pm EHEA; HRU

HB 767 Election Law – Securing Elections from Foreign Interference (Rosenberg) requires the State Board of Elections (SBE) to conduct an annual audit of voter registration infrastructure and to replace or upgrade voter registration technology infrastructure at certain times. The bill prohibits a voting machine from being used in election more than ten years after its manufacture. Maryland was one of 21 states that was notified by the Federal government of potential efforts by a foreign agent to compromise election related data in the state during the 2016 election. This bill would require the State Board of Elections to conduct an annual audit of voter registration infrastructure and mitigate identified vulnerabilities. The bill also requires the SBE to adopt regulations requiring verification of electronically tabulated ballots, including the number of ballots to be audited which will provide a high level of statistical confidence that the an error in tabulation would change the outcome of an election. Additionally, to correct the electronically tabulated result of an election, a full manual recount would have to be performed. W&M

SB 357 Voter Registration Integrity Act of 2018 (Ready plus 13) requires that the State Election Administrator make arrangements with the jury commissioner of each jurisdiction to receive reports of the name and addresses of individuals who indicate they are not citizens of the United States when they are called as prospective jurors. The bill requires the State Board to maintain a list of such individuals, and to publish annually on the SBE website the number of persons who have been removed from the voter registration list in accordance with the bill. Additionally, the bill requires local election directors to remove from the list of registered voters those persons who self-identified as non-citizens. Hrg 2/8 1pm EHEA

SB 547 Election Law – Elections by Mail (Conway) would require that all elections be held by mail. The bill requires the State Board of Elections to adopt regulations for mail balloting, requires local boards of elections to provide ballot drop sites, and provides

deadlines for mailing ballots. The bill was filed last year; it received a hearing in EHEA, but no further action was taken. The fiscal note for last year's bill stated that state and local expenditures for ongoing election costs would decrease when election by mail is fully implemented. Hrg 2/15 1pm EHEA

SB 951 Elections – Absentee Ballot Application – Required Information (Bates plus seven) In an attempt to provide greater security for absentee ballots, requires voters to provide the last four digits of their social security number, a Maryland driver's license number, or a Maryland identification card number with an application for an absentee ballot. Hrg 2/15 1pm EHEA

SB 592 Joint Committee on Election Oversight (Bates plus five) would create an Election oversight Committee consisting of seven senators and seven delegates and staffed by the Department of Legislative Services. The Committee's task would be to improve election administration and campaign finance regulation. The Committee is charged with studying budgets, programs and policies of the State Board of Elections and local boards of election, review election law and court decisions to determine any legislative changes needed and study initiatives in other states regarding election administration and campaign finance regulation. The Committee is required to report by December 1 each year on the work of the Committee and any proposed recommendation. Hrg 2/15 1pm EHEA

Lu Pierson

CAMPAIGN FINANCE

SB 426 Election Laws - Loans to a Campaign Finance Entity (Bates plus ten) would strengthen the law that defines loans (versus contributions) to a candidate's campaign fund, by adding language that any loan to a candidate for their campaign must be repaid no later than the end of the second year of the election cycle immediately following the election cycle for which the loan was made. This law also states that if the loan is not repaid within the time-frame specified by this legislation, a penalty may be assessed against the lender, the candidate's campaign fund, or both.

Loans that are not repaid in a timely manner could become contributions without the same limitations and disclosure requirements. This legislation has been submitted in previous years but has never gotten a committee vote. Hrg 2/8 EHEA

HB 332 Election Law - Use of Campaign Material Purchased Under the Authority of a Prior Treasurer (Rey plus nine) is a technical amendment to the current campaign finance law that allows campaign material that was purchased under the authority of a previous treasurer to be distributed as long as it includes a statement that the use of this material was authorized by the current treasurer. Hrg 2/6 W&M

HB 383 Campaign Finance Entities - Solicitation Disclosures – Expenditures (Ebersole plus five) is another piece of legislation to help the public know more about how campaign contributions are spent by Political Action Committees (PACS). This bill would require a written disclosure prominently displayed on a solicitation for donations to that PAC that states the approximate percentage of expenditures made by the PAC in the previous calendar year that were:

- paid to any individual or organization for the administrative costs of the PAC
- spent on campaign material paid to business entities that are owned or controlled by officers of the PAC or persons exercising control over the PAC or if the officers of the PAC or persons exercising control over the PAC if they have a financial interest in the business entity that is paid for the campaign material.

The legislation also outlines the period of time for which the disclosures must be made if the PAC was formed after January of the previous calendar year. It goes on to say that a contribution that is received by the PAC as the result of a solicitation that does not contain the required disclosure statement shall be refunded to the donor and the Board of Elections may impose a civil penalty on the PAC in an amount not to exceed \$10,000. Any penalties collected as a violation of this requirement would go into the Fair Election Campaign Fund. Hrg 2/6 W&M

[SB 374](#) Public Funding and Small Donor Act for General Assembly Elections (Pinsky plus three) would create a public funding program for candidates running for the House or Senate in the Maryland General Assembly. The candidate would have to prove that he or she is a viable candidate by raising money from small donors in the district. The candidate must raise donations of less than \$250 from at least 350 individuals to qualify, and may then apply for a specified amount of matching funds dependent on the type of race he or she is facing. This bill has been introduced many times before. It would have the same funding sources as the current law regarding public funding for gubernatorial candidates. The public finance fund for gubernatorial campaigns is very low on cash. Due to this lack of funds, the passage of this legislation unlikely. Hrg 2/8 EHEA

Update on Bills previously reported in the RSC:

[SB 375](#) Election Law - Local Public Campaign Financing – Expansion (Pinsky plus three) is the cross file of HB 174 that was described in [RSC-1](#). Hrg 2/8 EHEA

Nancy Soreng

REDISTRICTING REFORM

Since the last RSC, a few bills have been introduced on this topic, and the Supreme Court has set a date for the Maryland redistricting case, [Benisek v. Lamone](#) – March 28, 2018. (Read more about redistricting in the courts and its potential to affect Maryland in [RSC-1](#))

[SB 307](#)/HB 356 General Assembly and Congressional Legislative Redistricting and Apportionment Commission (President, et al/Speaker, et al on behalf of the Administration) this bill seeks a constitutional amendment to establish a multi-partisan redistricting commission for the purpose of drawing both congressional and legislative district lines. The bill sets out a process for selecting nine commission members that would equally represent the party in Maryland with the highest number of registered voters, the party with the second highest number of registered voters and three members from neither of those parties. The process for selecting these members would be carried out by a three-person panel of independent auditors, who would be certified public accountants in the state of Maryland. The bill lays out a specific pooling process for receiving and assessing applications to be on the redistricting commission, and

restrictions for serving on the commission that would limit member's familial relationships to Maryland politicians, or conflict of interests related to their profession (e.g. recently employed registered lobbyists or staffers, donors of \$2,000 or more to a political candidate) and would also be representative of the diversity of Maryland. The bill goes on to outline criteria the redistricting commission must consider when drafting congressional and legislative maps after the decennial census, including adherence to United States Constitutional guidelines and the [Voting Rights Act](#), and further specifying details about compactness of districts, decreasing the possible deviation of population for legislative districts to two percent, and forbidding consideration of incumbent residences or partisan consideration.

This bill also seeks to amend the constitution to define legislative districts being drawn as either one at-large district for three delegates within a senatorial district, or three single-member districts (at present, there can also be one two-member district and one single-member district).

There is a call for complete transparency of the map drawing process by the commission, and an opportunity for public input prior to any maps being drawn. Hrg 3/1 1pm EHEA; 2/26 3pm HRU

[HB 477 Potomac Compact for Fair Representation](#) (Carr plus two) was introduced in 2017 as HB 622. This bill proposes a compact between Maryland and Virginia (primarily, but suggests the ability of other states to join – e.g. Arkansas, Indiana, Kansas, Michigan, Missouri, North Carolina, Oklahoma, Pennsylvania, Utah, West Virginia, or Wisconsin) in creating independent redistricting commissions in each state for the purpose of drawing congressional lines only. These commissioners would be selected through an application process conducted by a non-partisan state agency. It would be comprised of 7 members – 2 from the majority party, 2 from the minority party, 2 of neither, and one selected by a majority of these previous members, who is not a resident of a state party to the compact, and is a prominent academic, former government official, or civic leader known for political independence in judgment. Members of the commission may not hold public office, be a candidate for public office, serve as an officer, employee or paid consultant of a political party or candidate, nor be a registered lobbyist. The bill suggests that the party states may choose to either have single or multi-member congressional districts, but lays out guidelines how multi-member congressional districts ought to be divided.

Maryland would be divided into two 4-member districts, and Virginia would be divided into three multi-seat districts. Two districts electing 3-members each, and one electing 5-members. Guidelines are laid out in the event that a party state is to have fewer than five seats, these members will be elected at large. If states other than Maryland or Virginia join the compact and have six or more congressional delegates, they will be allowed to divide into districts that hold no fewer than three members, and no more than five. Virginia must act in adopting similar legislation by January 1, 2020 in order for it to take effect. Hrg 2/26 3pm HRU

[HB 537 Potomac Compact for Fair Representation](#) (Reznik plus 11) this bill proposes a congressional redistricting reform plan based on a compact between Maryland and Virginia to establish substantially similar processes. The process proposed by this bill is to establish a commission composed individuals who are contracted by a nonpartisan

research agency, and who are not selected by the governor or members of the General Assembly. In Maryland, this agency would be the Department of Legislative Services (Department). The Department would establish the size of the commission and select its members. The commission must include at least one demographer, cartographer, applied mathematician, computer scientist, and a lawyer or legal expert in the field of election and redistricting. Members of the commission will be current full time employees of the Department, unless the needs cannot be met by the current staff. In which case, staff will be hired on a contractual basis to serve on the commission. While serving on the commission, members may not be an elected official, an official subject to senate confirmation, nor a candidate for elected office.

The bill calls for congressional district standards that consist of adjoining territory, are compact, and are of substantially equal population, with due regard given to natural and political subdivision boundaries. The bill calls for public hearings prior to preparation of a plan, the plan may not be amended, and a member of the General Assembly may not introduce a different plan. The plan would become law with a majority vote in both houses.

If a compacting state fails in some way to comply with the agreement and process, the other state is no longer required to comply. Hrg 2/26 3pm HRU

Ashley Oleson

TRANSPARENCY IN GOVERNMENT

HB 352/SB 295 Transparency Act of 2018 (Speaker et al./President et al.) Currently, only audio recordings of floor proceedings are made available, and while committees do provide video of hearings, voting sessions are not recorded. This legislation would require the General Assembly to make available to the public live and archived video streaming of each meeting of the Senate, the House, and a standing committee, to include hearings and voting sessions. Hrgs 2/19 3pm HRU; 2/6 1pm EHEA

HB 704 General Assembly - Live and Archived Video Streaming of Meetings (Szeliga et al.) requires the General Assembly to make available to the public live and archived video streaming of each meeting of the Senate, the House, and a standing committee, to include hearings of the committee. HRU

HB 677 / SB 477 Public Information Act - Required Denials - Physical Addresses, E-Mail Addresses, and Telephone Numbers (Pena-Melnyk et al./Kagan et al.) requires custodians of public records to deny inspection of a distribution list and a request to be added to a distribution list that identifies a physical address, an e-mail address, or a telephone number of an individual if the sole purpose of the inspection is to send news about certain activities or to send informational notices or emergency alerts. Hrgs 2/21 1pm HGO; 2/14 2pm EHEA

SB 396 Open Meetings Act - Training - Application (Conway) amends the law to require only those public bodies that meet in a closed session to have at least one member of the public body designated to receive training on the requirements of the open meetings law. Hrg 2/14 2pm EHEA

[HB 695](#) Open Meetings Act - Closed Meetings - Cybersecurity (Frick) would amend the Open Meetings Act to allow public bodies to meet in a closed session to discuss cybersecurity matters if that body determines a public discussion would be a risk to the following: security assessments of information technology deployments; network security information such as passwords; implementation of security personnel, critical infrastructure, or security devices. Hrg 2/21 1pm HGO

Update on Bills Previously Reported in the RSC:

[SB 97](#) Public Utilities - Transportation Network Services - Disclosure of Records (RSC – 1) Passed the Senate, sent to ECM.

[SB 167](#)/[HB 387](#) Public Information Act - Suits Filed by Custodians - Prohibition (RSC – 1) Unfavorable report JPR. Hrg. 2/8 1pm HGO

Valerie Glenn

ADMINISTRATION OF JUSTICE

Judiciary

[HB 513](#) Circuit Court Judges - Election, Qualifications and Term of Office (Hill plus five) is a constitutional amendment that requires that the governor's appointment of a Circuit Court judge be subject to senate confirmation and to a retention election after one year and every 10 years thereafter. The term of office of Circuit Court judges would be 10 years with retirement at age 70. Hrg 2/21 JUD

[HB 607](#) Circuit Court Judges - Selection and Tenure (West plus two) is a constitutional amendment concerning the selection and retention of Circuit Court judges. Upon a vacancy on the court, the governor, with the advice and consent of the Senate, would appoint a qualified candidate for judge. If the Senate approves the appointment by at least 80% of its members, the appointee would hold the office of Circuit Court judge for a term of 15 years or until the judge reaches the retirement age of 70 years. If the appointee is confirmed by a majority of the Senate, but less than 80%, the judge must face a contested retention election after one year. Other qualified candidates may file to run in that election. The reappointment of a judge does not need Senate confirmation. If a judge is unable to perform the judge's duties due to a physical or mental disability, the judge may be retired by a two thirds vote of the General Assembly and approval of the governor. Hrg 2/21 JUD

Pretrial Detention

[HB 385](#) Criminal Procedure - Incompetency and Criminal Responsibility (Chair, JUD by request of Department of Health) says a court must determine whether a defendant who is incompetent to stand trial because of intellectual disability or mental illness is eligible for pretrial release. The Maryland Department of Health must arrange for such a defendant to be admitted to an appropriate facility, if the court believes the defendant to a threat to self or others. Within 21 days, the court may confer with the State's Attorney and the defendant's counsel to review the defendant's status. Hrg 2/6 JUD

[HB 480](#) / **SB 484 Criminal Procedure - Pretrial Release - Fees** (Mosby plus 11/Conway) says a defendant on pretrial release is not required to pay for any pretrial services or security measures. This includes fees for private home detention monitoring agencies. Hrgs 2/13 JUD; 2/14 JPR

Sentencing

[SB 617 Criminal Procedure - Sentencing - Primary Caretaker](#) (Robinson) says a defendant who is convicted of a nonviolent crime may ask the court to consider the defendant's status as the primary caretaker of a child. The court may place the defendant on probation instead of incarceration with conditions emphasizing rehabilitation. Hrg 2/14 JPR

[SB 346 Criminal Law - Death Penalty - Reinstatement](#) (Cassilly plus seven) reinstates the death penalty in cases of first degree murder after consideration of aggravating or mitigating circumstances (such as age 18 or under, or intellectual incapacity) by a court or a jury. Imposition of a death sentence shall be reviewed by the Court of Appeals. Hrg 2/7 JPR

Sexual Assault

[HB 353/SB 298 Courts - Evidence of Sexually Assaultive Behavior - Admissibility \(Repeat Sexual Predator Prevention Act\)](#) (Speaker at the request of the Administration plus 46/President at the request of the Administration plus 14) says that in a trial for a crime of sexual assault, evidence of the defendant's previous sexual assaultive behavior may be admitted under certain conditions: the state must file a motion of intent to introduce such evidence at least 90 days before the trial; the court must hold a hearing outside the presence of the jury to determine the admissibility of the evidence; the evidence will be used to prove lack of consent or the reliability of a minor victim; and there is clear and convincing evidence of the defendant's prior sexual assaultive behavior. Hrgs 1/30 JUD; 2/17 JPR

[HB 301/SB 270 Courts - Evidence of Sexually Assaultive Behavior - Admissibility \(Repeat Sexual Predator Prevention Act of 2018\)](#) (Atterbeary plus 58/Brochin plus 14) is essentially the same as **HB 353/ SB 298** above. Hrg 1/30 JUD; 2/7 JPR

[HB 522 / SB 582 Public Safety - Maryland Police Training and Standards Commission - Sexual Assault](#) (Queen plus 12/Ramirez plus two) requires the Maryland Police Training and Standards Commission to develop a statewide training and certification curriculum to ensure use of best practices in sexual assault investigations. Hrgs 2/14 JPR; 2/13 JUD

Update on Bills previously reported in the RSC:

[HB 1/SB 2 Family Law - Child Conceived Without Consent - Termination of Parental Rights \(Rape Survivor Family Protection Act\)](#) Passed with amendments 141 - 0/ Passed with amendments 45 - 0 ([RSC - 1](#))

CHILDREN AND FAMILIES

HB 430/SB 379 Education – Child Care Subsidies – Mandatory Funding Levels (Jones plus 25/King plus 31) require the governor to include in the annual budgets increasing amounts for the Child Care Subsidy Program, and provide for adjusting the reimbursement rates to cover increasing percentages of the cost of childcare in each region based on the market rate survey or its equivalent. Hrgs 2/13 APP; 2/14 B&T

HB 524/SB 291 Family Law – Protecting the Resources of Children in State Custody (Moon plus 17/Madaleno plus 23) deal with the responsibility of the Department of Human Services, when applying for Federal benefits for a child in the Department's custody, to work with the child's attorney, to use or conserve the benefits in the child's best interest, and for a child 14 and older that an increasing portion of those benefits not be used to reimburse the State for the costs of care but be reserved for the child to use when exiting the system – all to the degree consistent with Federal regulations. Similar bills were filed in 2015, 2016 and 2017. Hrgs 2/8 JUD & JPR

Update on bills previously reported in the RSC:

HB 600 Child Abuse and Neglect - Training (McComas plus 23) is cross-filed with SB 131 (RSC-1) Hrg 2/8 JUD

HB 500 Crimes – Child Abuse and Neglect – Failure to Report (Sanchez and Barron) is cross-filed with SB 132 (RSC-1) Hrg 2/8 JUD

HB 1/SB 2 Family Law – Child Conceived Without Consent – Termination of Parental Rights (RSC-1) HB 1 passed House, favorable report JPR; SB 2 passed favorable with amendments in the Senate, now before JUD.

SB 132 Crimes – Child Abuse and Neglect – Failure to Report (RSC-1) favorable with amendments report from JPR.

Judy Morenoff

JUVENILE JUSTICE

HB 479 Juvenile Law - Lead Testing and Behavioral Health Assessment (Mosby) establishes a requirement that every juvenile be tested for the presence of lead in the blood stream in addition to a comprehensive behavioral health assessment, provided the parent/guardian consents. Hrg 2/08 JUD

HB 827/SB 669 Juvenile Law - Juvenile Diversion Program (West/Brochin & Smith) requires the Department of Juvenile Services to create a diversion program for juveniles as an alternative to imprisonment and authorizes court to suspend criminal sentences for juveniles and enroll them in the program. Hrgs 1/22 JUD; 2/1 JPR

HB 859 Juvenile Law - Transfer of Cases to Juvenile Court (Clippinger) sets a time limit for transfer of cases to juvenile court, establishes grounds for extension of time limit and requires that reason for time limit must be stated on the public record. Hrg 2/22

1pm JUD

SB 346 Criminal Law - Death Penalty – Reinstatement (Cassilly plus seven) reinstates the death penalty and establishes that a person who commits murder in the first degree when they were under the age of 18 shall only be sentenced to life imprisonment without possibility of parole or imprisonment for life. Hrg 2/07 JPR

SB 657 Workgroup on Establishing an Independent School Board for the Juvenile Services Education System (Kelley plus 27) establishes a Work Group to study the feasibility of a separate, independent school board for the Juvenile Services Education System. Hrg 2/28 EHEA

Update on bills previously reported in the RSC:

HB 555 Juvenile Law – Records – Juveniles Charged as Adults (Sydnor) This bill is cross-filed with SB 257 described in (RSC-1) Hrg 2/8 JUD

SB 91 Juvenile Law – Disclosure of Court Records (RSC-1) favorable with amendments report from JPR

Judy Morenoff & Jill Muth

CORRECTIONS

HB 291 Correctional Services - Inmate Case Record - Educational, Vocational and Job History (Queen plus 14) requires the Department of Corrections to include information about inmates' education, vocational background and job history in inmate case records to aid in the development of plans for programs and treatment to facilitate inmates' rehabilitation. Hrg 1/30 JUD

HB 295 Correctional Services - Diminution Credits - Education (Queen plus 13) adds a one-time diminution credit to reduce an inmate's time in prison by up to 730 days for successfully completing an educational certificate, diploma or degree. Hrg 1/30 JUD

HB 579 Correctional Services - Murder - Diminution Credits (McComas plus 31) Inmates serving a sentence for murder in the first or second degree cannot earn diminution credits to reduce the lengths of their confinement. Hrg 2/13 JUD

SB 598 / HB 797 Correctional Services - Inmates - Menstrual Hygiene Products (Lee plus 22/Queen plus 65) requires each state and local correctional facility to have menstrual hygiene products available for inmates at no cost. Hrgs 2/13 JPR; 2/15 JUD

SB 629 / HB 787 Correctional Facilities - Pregnant Inmates - Medical Care (Kelley plus 20/Dumais plus 40) requires state and local correctional facilities to have a written policy regarding the medical care of pregnant inmates that includes: access to pregnancy testing; prenatal care; maternal substance abuse disorder; high risk pregnancies; miscarriage management; access to abortion; labor, delivery and postpartum care; and accommodations for pumping and storage of breast milk. The Maryland Commission on Correctional Standards shall review each facility's policy

during regular inspections. JPR; Hrg 2/15 JUD

[SB 249](#) / [HB 846](#) Inmates - Life Imprisonment - Parole Reform (Kelley plus 11/Queen plus 16) repeals the requirement that the governor must approve parole of inmates sentenced to life imprisonment with the possibility of parole. The parole must be approved by the Maryland Parole Commission or the Patuxent Board of Review. Hrgs 2/1 JPR; 2/15 JUD

[SB 539](#) / [HB 786](#) Correctional Services - Restrictive Housing - Limitations (Lee plus five/ J. Lewis plus 16) limits and sets conditions for the use of restrictive housing (solitary confinement) for inmates. An inmate convicted of an act inside a correctional facility that is not a violation of Maryland criminal law would not be subject to restrictive housing, but after a third violation, would be subject to an alternative disciplinary sanction. An inmate guilty of an offence in a correctional facility that is a violation of Maryland criminal law will be subject to restrictive housing with conditions: for a first infraction, no more than 15 days; for a second infraction, no more than 30 days; and for a third or subsequent infraction, no more than 45 days. Unless there is clear and convincing evidence that the inmate poses an immediate risk of physical harm to the security of the facility, the inmate or to others, an inmate may not be held in restrictive housing for more than 15 consecutive days, or a total of 90 days in a one year period. Restrictive housing may not be used for non-disciplinary reasons nor for refusing medical treatment.

A vulnerable inmate (18 or younger, 65 or older, pregnant or postpartum, perceived to be LGBT or intersex, has a diagnosed mental illness or physical or developmental disability, or a traumatic brain injury) may not be placed in restrictive housing unless alternative disciplinary sanctions have been attempted and failed.

An inmate in restrictive housing shall be provided with:

- weekly physical and mental health assessments;
- phone calls, visits and mail;
- basic necessities, including food, water, showers, clothing and bedding, and sanitary conditions;
- medical care
- access to recreation, education and programming.

Unless it is necessary for the safety of an inmate, an inmate may not be released directly from restrictive housing to the community. Hrg 2/13 JPR; 2/15 JUD

Update on Bills previously reported in RSC:

[SB 210](#) Correctional Services - Murder - Diminution Credits Hearing 2/1 canceled ([RSC – 1](#))

Marlene Cohn

DOMESTIC VIOLENCE

[HB 30](#) Domestic Violence – Education and Definition of Abuse (Angel) expands the definition of “abuse” as it applies to petitions for domestic violence protective orders to include “harassment” and the “malicious destruction of property.” The bill also requires

the State Board of Education to encourage the county boards to incorporate age-appropriate lessons on domestic violence into the health education curriculum. Hrg 1/18 JUD

[HB 65](#) Criminal Procedure – Domestic Violence – Active Electronic Monitoring – Pretrial Release and Probation (Angel) requires the court and a District Court commissioner to consider including, as a condition of pretrial release for a defendant, an order that the defendant be placed on electronic monitoring if a victim has requested reasonable protections for safety. In addition, the court, a juvenile intake officer, and a District Court commissioner must consider including an order, as a condition of pretrial release or prehearing release of a specified child respondent, that the defendant be placed on electronic monitoring with victim stay-away alert technology (a system of electronic monitoring that is capable of notifying a victim if the defendant is at or near a location from which the defendant has been ordered by the court to stay away). Proposed legislation will provide victims with an added layer of notification and help to provide enhanced security. Hrg 1/18 JUD

[HB 328/SB 121](#) Family Law - Domestic Violence - Definition of Abuse (Dumais, et al./Zirkin) expands the definition of abuse as it applies to petitions for domestic violence protective orders to include misuse of telephone facilities and equipment, misuse of electronic communication or interactive computer service, revenge porn, and visual surveillance. Hrg 2/1 JUD; Hrg 1/23 JUD

Deborah Mitchell

DRUG ABUSE

[SB 702](#) Health Insurance – Behavioral Health Assessments, Services and Treatment for Patients Provided Opioids Coverage (Klausmeier, et al.) requires insurers, nonprofit health service plans, and health maintenance organizations that provide certain benefits to provide coverage for a certain behavioral health assessment and certain services provided by comprehensive pain management programs for opioid weaning or substance use disorder treatment programs. FIN

[HB 649](#) Criminal Law – Opioids – Distribution Causing Death of Minor (Reilly) prohibits the distribution of a certain opioid or opioid analogue, the use of which causes the death of a minor and establishes a penalty of up to 30 years imprisonment for a violation of the Act. It clarifies that certain conduct constitutes distribution under the Act and provides that certain conduct does not establish a defense under the Act. It provides a defense and immunity for certain conduct under the Act. A sentence imposed under the Act shall be consecutive to a certain other sentence. Hrg 2/20 1pm JUD

Update on bills previously reported in the RSC:

[SB 87](#) Controlled Dangerous Substances --- Registration, Schedules, Penalties, and Orders of Impoundment (Chair – Finance Committee) Hrg 1/25 FIN ([RSC-1](#))

[SB 139](#) Higher Education – Heroin and Opioid Addiction and Prevention Policies

Exceptions and Revisions (Conway/Miller) Hrg 1/24 EHEA, Favorable with Amendments. ([RSC-1](#))

Chris Hager

GUN CONTROL

[HB 647](#) Public Safety – Permit to Carry, Wear or Transport a Handgun – Qualifications (Reilly et al.) clarifies that personal protection or self-defense should qualify as a good and substantial reason to wear, carry, or transport a handgun for purposes of issuance of a permit by the Secretary of State Police. Similar to [SB 99](#) ([RSC-1](#)). JUD

[HB 888](#)/[SB 707](#) Criminal Law – Firearms Crimes – Rapid Fire Trigger Activator (Moon et al./Ramirez et al.) bans various rapid fire-trigger activators including bump stocks and other accessories. JUD; JPR

[HB 758](#)/[SB 156](#) Public Safety – Handgun Permit – Church or Religious Organization (Szeliga et al.) requires issuance of a handgun permit to a person who intends to wear, carry, or transport a handgun on the property of a church or religious organization, under specified conditions. The bill states that this would be for the person's self-protection or protection of the church or religious organization during services and gatherings and would require consent of the church or organization. JUD. Unfavorable, withdrawn, JPR

[HB 534](#) Right to Purchase, Own, Possess, and Carry – Medical Cannabis (Patients' Right Act) (Grammer et al.) clarifies that a person may not be denied the right to purchase, own, possess, or carry a firearm based solely on that person being a qualifying patient. Qualifying patient means a person authorized under the law to use medical cannabis. JUD

[SB 602](#) Firearms- Right to Purchase, Own, Possess, and Carry – Use of Medical Cannabis (Hough/Zirkin) provides that a person may not be denied the right to purchase, possess, or carry a firearm solely on the basis that the person is authorized to use medical cannabis. Similar to HB 534 above. Hrg 2/13 1pm JPR

[HB 756](#) Public Safety – Handguns – Trace Information Database (Mosby et al.) requires the Maryland State Police Gun Center to create and maintain a database to track the movement of a firearm from its first sale through the distribution chain to the first retail purchase. This database will also trace information on all seized or recovered handguns used in the commission of a crime and data on the incident. JUD

[HB 757](#) Public Safety – Handguns Used in Crime – Trace Request (Mosby et al.) requires law enforcement agencies that seize or recover a handgun used in the commission of a crime to submit a trace request to the Maryland State Police Gun Center or the Bureau of Alcohol, Tobacco, Firearms and Explosives National Tracing Center. JUD

[HB 760](#) Handguns – School Employees – Handgun Permits and Carrying Weapons on School Property (Impallaria) allows county school boards to authorize

school employees to carry a handgun on school property only if the handgun is secured on the person's body. Requires the Secretary of State Police to issue a handgun permit to a person who is otherwise qualified and who is a school employee. Introduced in 2017 session as HB 611; JUD

[HB 792](#) Firearms – Permit to Wear, Carry, or Transport a Handgun – Expiration and Renewal (Malone et al.) expands the time period in which a permit to wear, carry, or transport a handgun expires from 2 to 5 years after the date on which the permit is issued. It also alters the time period for renewal of a permit to wear, carry, or transport a handgun expires to 5 years. JUD

[SB 472](#) Firearms – Permit to Wear, Carry, or Transport a Handgun – Expiration and Renewal (Hough et al.) expands the time period in which a permit to wear, carry, or transport a handgun expires to 5 years after the issuance. It also alters the time period for renewal of a permit to wear, carry, or transport a handgun to 5 years after the last renewal. Hrg 2/13 1pm; JPR

[HB 819/SB 741](#) Public Safety – Handgun Permit Review Board – Repeal (Atterbeary et al./Madaleno et al.) changes the process by which a person who is denied a handgun permit or renewal of a permit or whose permit is revoked may appeal the decision. This bill would, in effect, eliminate the state's five-member Handgun Permit Review Board, appointed by the governor, which considers appeals from gun owners who are denied concealed-carry permits by the Maryland Secretary of State Police. Instead appeals could be made to the Office of Administrative Hearings by filing a written request with the Secretary of the State Police. JUD; JPR

[SB 497](#) Handgun Permits – Protective Order and Peace Order (Ready et al.) requires the Secretary of State Police to issue a handgun permit to a person seeking, under, or eligible for a protective order. The bill contains stipulations limiting this to persons who have completed a state approved firearms training course and has not been convicted of certain crimes and is not presently an alcoholic, addict or habitual user. The bill would expedite a permit under specific conditions for someone who has a finding that the permit is necessary as a reasonable precaution against apprehended danger. Hrg 2/13 1 pm; JPR

Update on bills previously reported in the RSC:

[HB 101](#) /[SB 197](#) Crimes – Firearms – Penalties ([RSC – 1](#)) Hrg 2/6 1pm JUD

[SB 74](#) Criminal Law-Firearms Crimes – Bump Stock ([RSC – 1](#)) Unfavorable report JPR, withdrawn. Note: Similar legislation introduced and listed above as SB 707.

[SB 156](#) Public Safety – Handgun Permit – Church or Religious Organization ([RSC – 1](#)) Unfavorable report, JPR, withdrawn. Note: HB 758 cross-filed and listed above.

Mary Ellis

HUMAN TRAFFICKING

[HB 06](#) Criminal Law - Human Trafficking - Felony (Chang) establishes that "All

violations” of the State’s prohibition on human trafficking are felony offenses. Classifying all human trafficking violations as felonies will potentially result in more serious consequences for individuals committing these crimes and may deter future offenses.
Hrg 1/16 JUD

HB 346/SB 297 Criminal Law - Crime of Violence - Human Trafficking (Speaker & Adams, et al./President & Bates, et al.) classifies the offense of human trafficking as a crime of violence under a certain provision of law (§ 11-303(b) of the Criminal Law Article (felony human trafficking) to the definition of “crime of violence” under § 14-101 of the Criminal Law Article). Individuals convicted of a crime of violence under § 14-101 of the Criminal Law Article are subject to additional criminal penalties and earn diminution credits at a lower rate than other offenders. Hrg 2/6 JUD; 2/7 JPR

SB 585 Devices Capable of Accessing Content on the Internet - Blocking Capability (Human Trafficking Prevention Act for Maryland) (Robinson) prohibits certain businesses from doing business in the State unless they provide a digital blocking capability for Internet-accessible devices that makes inaccessible certain unlawful electronic or visual depictions or certain websites that facilitate certain unlawful acts; requiring certain businesses to make reasonable and ongoing efforts to ensure that the digital blocking capability functions properly; etc. Lessening accessibility to pornography via products that connect to the Internet can help to decrease the demand for human trafficking and prostitution. Hrg cancelled FIN

Deborah Mitchell

EDUCATION

PreK-12 Public Education Funding

HB 547/SB 373 Education - Head Start Program - Annual Appropriation

(Barron/Currie plus 21) requires the governor to provide \$3 million in state funds for Head Start beginning in FY2020. This represents a \$1.2 million increase over current funding but restores state funding to pre-FY2010 levels. Head Start is mostly federally funded, but state funding may be used for the expansion and improvement of services, including expanding the hours of services, increasing the number of children served, and developing quality improvement measures such as staff development and program improvement. Hrgs 2/8 2pm APP; 2/7 B&T

HB 557 Primary and Secondary Education – Education Trust Fund – Use of Fund

(M. Washington plus ten) prohibits money in the Education Trust Fund from being used to supplant other state funds for education beginning in FY2020. The bill also provides a formula for distributing the funds. APP; W&M

SB 611 Education – Healthy School Facility Fund – Established (Ferguson plus seven) establishes a special nonlapsing fund that must supplement, not supplant regular school construction funds. The governor would be required to appropriate \$15 million per year. Grants would be given for air conditioning, heating, indoor air quality, mold remediation and temperature regulation and awarded based on the severity of the building condition. Hrg 2/21; APP

Aid to Nonpublic Schools

HB 160/SB 185 Budget Bill (Fiscal Year 2019) (The Speaker by request of Administration) increases funding for Broadening Options and Opportunities for Students Today (BOOST) Program from \$5.5 million to 8.5 million. The program provides scholarships for students who are eligible for the free or reduced-price lunch program to attend eligible nonpublic schools. Proponents point to the need to give parents a way of escaping failing public schools. Opponents argue that the state's constitutional responsibility is to adequately and equitably fund public schools and point to discriminatory language in private school handbooks. Hrgs 1/31 APP; 2/2 B&T

HB 644 State Income Tax - Subtraction Modification - Elementary and Secondary Education Expenses (Lam plus two) would forbid withdrawals from a college 529 savings plan that are used to pay K-12 private school expenses from being used for a subtraction from Maryland income. The new federal tax law will allow 529 college savings plans to be used for these expenses tax free. Hrg 2/21 W&M

Curriculum and Teaching

HB 493/SB 638 Teachers and Teacher Preparation Programs – Research-Based Reading Instruction (Stein plus eight/Conway plus five) would require the Professional Standards and Teacher Education Board, on or before January 1, 2022, to require candidates for certification to pass a test on research-based reading instruction. Standards would also be set for research-based reading instruction by teacher preparation programs in the state. W&M; EHEA

HB 823 Education – Public School Teachers – Preparation (Luedtke) requires county school systems to offer a “Teacher Academy of Maryland Program” in high schools beginning in the 2019-2020 school year to encourage students to consider teaching as a career. W&M

SB 301/HB 351 Protect Our Students Act of 2018 (President plus 12 /Speaker plus 47) would change the accountability system developed under the 2017 Protect our Schools Act and the recently approved Maryland Every Student Succeeds Act (ESSA) plan. The “Protect Our Schools Act” called for balancing academic test scores equally with other quality indicators. This act requires rating schools almost entirely on test scores. Hrg 12:45 pm 2/7 EHEA; W&M

Lois Hybl

EDUCATION: ACCOUNTABILITY

HB 355/SB 302 Accountability in Education Act of 2018 (Speaker plus 46/President plus 13) would establish an Education Monitoring Unit in the State, and the framework for the unit. The purpose of the unit is to investigate certain matters concerning the educational system of the State.

The Commission would consist of an Inspector General for a term of seven years. The

Inspector General shall be appointed by the governor. There will also be a nine member Board, of which two members shall be appointed by the Speaker of the House and two members by the President of the Senate, and five members appointed by the Governor. The terms of the members will be four years and will be staggered. The members shall receive no compensation, except for expenses occurring in the execution of their responsibilities. In addition, a staff may be employed and as needed, attorneys, advisors and consultants, may be engaged.

The Commission would have broad authority to investigate any and all manners of complaints. They will be required to investigate all complaints of any nature, including anonymous complaints. A hot line will be created to implement filing of complaints.

The Commission may conduct hearings, during which witnesses will testify under oath. Witnesses will be granted immunity for said testimony. They may use process to compel a witness to testify. A subpoena may be issued to obtain access to documents, except those that are privileged. Failure to respond to a subpoena will be reported to the District Court. Individuals may have an attorney present.

Complaints may be brought against any person or entity employed by a Department of Education, a member of or an employee of a Board of Education, any person or entity providing services or doing business with a public school. Complaints may be brought in any instance of unethical, illegal, or unprofessional conduct.

The Commission will investigate complaints concerning violations of civil rights of students and all persons involved in the educational system. It will investigate all complaints involving situations harmful to a student or students – personal (child abuse) or any involving the teaching-learning situation. If a violation is found to exist, The Commission may work with individuals or entities involved to develop plans to correct the situation. If necessary, other recommendations may be necessary. The outcomes of all investigations will be reported to the complainant(s), the Governor, the House Speaker, the Senate President and the Department of Education. If warranted, a referral will be made to the State's Attorney General. The Commission may make a recommendation as to the action to be taken.

As this is an emergency bill, necessary for the health and safety of the general public if passed by the House and Senate, it will go into effect immediately. W&M, APP; Hrg 2/7 12:45 pm EHEA

Patricia S. Gordon

MEETING BASIC HUMAN NEEDS & EQUALITY OF OPPORTUNITY

SB 513 Food Stamp Program - Time Limit Waiver – Prohibition (Waugh) prohibits a time limit on food stamp benefits imposed on an individual who does not meet work and additional requirements related to the food stamps program. Hrg 2/15 1pm FIN

Minimum Wage

[SB 235](#) Labor and Employment – Minimum Wage Indexing (Robinson, Manno & Smith) increases the minimum wage to the Consumer Price Index, beginning in 2019. 2/20 FIN

[SB 368](#) Labor and Employment – State Minimum Wage Rate – Increase (McFadden et al) increases the minimum wage to \$15/hour by 2022 for large (more than 50 employees) employers and by 2026 for small employers. After that, it is increased for inflation using the Consumer Price Index. The bill proposes keeping an 85% subminimum wage for youth under 20. 2/20 FIN

[HB 664/SB 543](#) Labor and Employment – Payment of the Minimum Wage Required (Fight for Fifteen) (Hettleman et al/Madeleno et al) increases the state minimum wage annually to \$15/hour by July 2023, and increases it annually after that by the percent that the consumer price index increased. The bill would also increase the minimum wage for tipped workers annually (by reducing the tip credit) to \$15/hour by July 2025; remove the subminimum wage for youth under 20; and increase reimbursement for community services by 7.5% in 2020 and by 5.5% annually in the years 2021 through 2025. Hrgs 2/27 ECM; 2/20 FIN

Employment

[HB 431/SB 308](#) Foster Care Recipients and Unaccompanied Homeless Youth – Employment Program (Fostering Employment Act of 2018) (Speaker/ President) requires the Department of Human Services and the Department of Labor, Licensing and Regulation to develop a Fostering Employment Program in coordination with local social services and workforce development boards. The skill training is to include both job readiness and apprenticeships. There is no mention of how the program is to be funded. APP; Hrg 2/15 FIN

[HB 541](#) Labor and Employment – Criminal Record Screening Practices (Mosby et al) prohibits an employer requiring an applicant to disclose if they have a criminal record before they have made a conditional offer of employment to the applicant. The bill allows exceptions to this requirement for employers of less than 15 employees, and employers who provide direct care to minors or vulnerable adults. Hrg 2/13 ECM

Earned Income Tax Credit

[HB 573](#) Income Tax – Earned Income Tax Credit – Eligibility Awareness Campaign (Platt et al) requires the Department of Human Services, in consultation with the Comptroller, to implement and administer an earned income tax credit eligibility awareness campaign to encourage eligible individuals to claim the federal and State earned income tax credits and sets an annual \$100,000 budget for the campaign. There are many low-income Maryland residents eligible for federal and state EITC who do not currently claim them. Hrg 2/14 W&M

Affordable Housing

[HB 545](#) Landlord-Tenant Action – Body Attachment – Prohibition (Jared Kushner

Act) (Ali et al) prohibits a court from issuing a body attachment for a tenant who is a defendant in a landlord-tenant action in which the amount of rent claimed does not exceed \$5,000, exclusive of interest and costs. A body attachment can currently be used to incarcerate a tenant who has failed to pay anything the court determines is owed to the landlord. ET & JUD

[SB 493](#)/HB 472 Real Property – Residential Leases – Collectible Rent (Rent Transparency Act)** (Norman/Stein) states that a landlord may not file for repossession if the tenant’s only breach of lease is a failure to pay a charge for water that is less than \$50. Hrgs 2/15 JPR; 2/13 ET**

Update on bills previously reported in the RSC:

[HB 264](#) Labor and Employment – Labor Organizations – Right to Work ([RSC – 1](#))
Hrg 2/13 ECM

Ruth Crystal & Sakiera Malone

TRANSPORTATION

[HB 372](#) Maryland Metro Funding Act (Korman et al) is a proposal to provide permanent bondable dedicated funds for Metro. Metro needs the three jurisdictions of the District of Columbia, Virginia, and Maryland to agree to fund Metro proportionally through dedicated funds. This gives assurances to the governance body of Metro, residents, and businesses of the durability and dependability of Metro so that the area’s stable economic growth can be supported. Hrg 2/13 APP

Several bills have been introduced concerning “Complete Streets” - streets that accommodate not only motorized vehicles, but bikes and pedestrians as well. Some bills deal with grant funding for the study of Complete Streets when projects are introduced around the state, while other bills concern building into policy the concept of Complete Streets.

[HB 535](#) / [SB407](#) Transportation – Complete Streets Program – Establishment (Lierman et al /Guzzone et al) would require the governor to establish and fund a program so that local jurisdictions could apply for grants when establishing Complete Streets in their jurisdictions. Hrgs 2/15 ET; 2/14 FIN

[HB 744](#) / [SB 850](#) Transportation – Complete Streets Policy – Adoption (Lafferty, Lee et al) requires that jurisdictions accommodate different modes of travel and implement Complete Street concepts to accommodate the needs of users and to enhance communities. Hrg 2/22 ET; FIN

[HB 672](#) Vehicle Laws – Intersections – Prohibited Acts (Carr & Korman) was previously introduced in 2017 as HB 237 and establishes the criteria that vehicles are expected to be able to safely pass completely through an intersection to not “block the box”. Hrg 2/22 ET

Update on bill previously reported in the RSC:

[SB 277](#) Maryland Metro Funding Act Hrg 2/14 B&T ([RSC – 1](#))

Bee Ditzler

ENVIRONMENT: CLIMATE CHANGE

[HB 230](#)/**[SB 290](#)** Regional Greenhouse Gas Initiative – Withdrawal – Legislative Approval Required (Regional Greenhouse Gas Initiative Extension Act) (Korman et al./Pinsky et al.) requires the General Assembly to pass a law to approve Maryland's withdrawal from RGGI. Presently, the State is a full participant in RGGI among Mid-Atlantic and Northeast states and the Governor can withdraw the State at any time. This bill requires that if the State's participation ends the Governor will have to explain why and also produce a plan to reduce carbon dioxide emissions from power plants that considers using Maryland grown, native warm season grasses as a possible method of reducing carbon emissions and the General Assembly will have to pass a law.

Update on Bills Previously Reported in the RSC:

[HB 03](#)/**[SB 138](#)** Environment – U.S. Climate Alliance – Membership ([RSC – 1](#))
Favorable with amendments EHEA (9-2),

Betsy Singer

ENVIRONMENT: LAND USE

[HB 766](#) / **[SB 610](#)** Natural Resources - Forest Conservation Act - Standards and Requirements (Healey et al/Young et al) The Forest Conservation Act of 1991 has proved insufficient to retain important forests in Maryland. This bill substantially strengthens the Act to require that a development project be retained, protected and left in an undisturbed condition unless there is justification approved with written findings by the state or local approval authority. The reasons sufficient for justification are strengthened and shall be outlined in a technical manual published by the Department of Natural Resources. The ratios for reforestation and afforestation are increased to 1 acre for every 1 acre of priority forest removed. The bill states that its purpose is to minimize forest clearing during the development process, ensure the protection and retention of the most desirable forest stands, and establish areas where new forests may be planted to offset losses from unavoidable forest clearing. Hrgs 2/21 1pm EHEA; 2/20 1 pm ET

[SB 119](#) Program Open Space – Acquisition and Development of Land for Education Purposes (Zirkin) would allow local governments to spend open space funds on acquiring and developing land for education purposes as well as recreation and open space, as is now in the law. There is no further explanation as to what kind of education projects would be allowed. Hrg 2/24 1pm EHEA

Susan Cochran

ENVIRONMENT: RENEWABLE ENERGY

HB 878 Public Utilities - Renewable Energy - Electric and Gas Bills (100% Clean Renewable Energy Equity Act of 2018) (Robinson) will increase Maryland's renewable energy goal to 100% by 2035. This bill creates two new programs to incentivize the building of solar and offshore wind in Maryland: 1) To spur solar development the bill creates a Megawatt Block program that provides rebates for in-state solar installation; the rebate declines as more solar capacity is built, thus incentivizing quick additional build out of solar energy starting in January 2019. 2) The bill also creates a new program that requires Maryland utilities to enter into long-term contracts with offshore wind providers leading to the construction of new offshore wind farms in the waters off the coast of Maryland. Hrg 3/5 2pm ECM

SB 732 Renewable Energy and Job Development (Feldman) will expand Maryland's Renewable Portfolio Standard (RPS), which requires utilities to buy a certain percentage of electricity each year from renewable sources, taking it from the current target of 25% by 2020 to 50% by 2030. This bill will strengthen Maryland's RPS by removing incentives for trash incineration, which jeopardizes public health. This bill will make a substantial investment in training for clean energy jobs for minority and women owned businesses working in this field. FIN

Shari Glenn

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

HB 316 Vehicle Emissions Inspection Program - Exemptions - Vehicles with Low Annual Mileage (Wivell) Currently anyone having a car driven less than 5,000 miles annually can be exempted from state inspections. This bill would limit this exemption to individuals meeting certain disability or age requirements. Hrg 2/8 1 pm ET

HB 361/SB 314 Bay Restoration Fund - Fee Exemption, Disbursements, and Financial Assistance (Septic Stewardship Act of 2018) (Speaker plus more than 30/ President plus 14 for the Administration) Users of onsite sewage disposal systems may be exempt from paying a Bay Restoration Fee under certain circumstances, and may obtain financial assistance from the Bay Restoration Fund if their localities have met certain requirements. ET; Hrg 2/13 1pm EHEA

HB 400 Agriculture - Mosquito Control - Notification to Municipalities (Tarlau plus more than 25) Municipalities will be provided notice 24 hours ahead of any pesticide spraying by a higher level of government. Hrg 2/7 1 pm ET

HB 452 /SB 389 Northeast Interstate Dairy Compact – Repeal (Carr/Feldman) would take steps to remove Maryland from the Northeast Interstate Dairy Compact. Hrgs 2/7 1pm ET; 2/6 1pm EHEA

HB 458 Environment – Sale or Transfer of Home with On–Site Sewage Disposal System – Nitrogen Removal Technology Requirement (Lafferty) Homes in the Chesapeake and Atlantic Coastal Bays Critical Area with onsite sewage disposal must

have been or should be upgraded to nitrogen removal technology before being sold or transferred. Hrg 2/14 1pm ET

[HB 515](#) Agriculture - Noxious Weeds - Palmer Amaranth (Ghrist plus four) would add this plant to the state's list of noxious weeds. Hrg 2/14 1pm ET

[HB 538](#) / [SB 651](#) Environment - Expanded Polystyrene Food Service Products – Prohibition (Lierman plus more than 30 /Kagan plus 19) A ban on polystyrene food service products (e.g, Styrofoam) would start on January 1, 2019, with county health departments imposing penalties for violations. ET & ECM/Hrg 2/22 1pm EHEA

[HB 698](#) Agriculture - Industrial Hemp Pilot Program – Establishment (Fraser-Hidalgo plus five) would establish a pilot program to grow hemp for agricultural, industrial, or commercial purposes. Hrg 2/14 1pm ET

[HB 712](#) Natural Resources – Wildlife Tracking Prevention (Luedtke plus ten) would prohibit the buying or selling of certain animal parts or products. Hrg 2/14 1pm ET

[HB 719](#) On-Site Sewage Disposal Systems - Best Available Technology for Nitrogen Removal - Requirement (Lafferty) requires the best technology for onsite sewage disposal systems near waterways that are nitrogen-impaired. ET

[HB 850](#) Solid Waste Management and Recycling – Mattresses and Box Springs (Hill plus 15) Counties are encouraged to find ways to recycle mattresses and box springs, and the State's Office of Recycling will provide assistance. Hrg 2/21 1pm ET

[SB 496](#) Environment - Greywater - Residential Use (Ready plus three) Greywater, defined as household used water, may be used afterwards for other uses such as gardening and lawn watering. Hrg 2/21 1 pm EHEA

Updates on bills previously reported in the RSC:

[HB 104](#)/[SB 149](#) Natural Resources - Electronic Licensing - Voluntary Donations Favorable vote by EHEA in Senate; also favorable EHEA vote for **[SB 183](#)**, the other licensing/donations bill] ([RSC – 1](#))

[HB 116](#) Pesticides - Use of Chlorpyrifos – Prohibition (Stein et al.) Now cross-filed with **[SB 500](#)** (Nathan-Pilliam et al.) Hrg 2/13 1pm EHEA ([RSC – 1](#))

[HB 219](#)/[SB 115](#) Deep Creek Lake Policy and Review Board - Membership and Duties Favorable vote by EHEA in Senate ([RSC – 1](#))

[HB 304](#)/[SB 801](#) Environment - Reduction of Lead Risk in Housing - Elevated Blood Lead Levels (Oaks et al.) Summary is now available for House bill. JPR ([RSC – 1](#))

[SB 94](#) Natural Resources - Unprotected Birds – Pigeons Passed Senate; in House, ET ([RSC – 1](#))

[SB 112](#) Natural Resources - Tidal Fish Licenses Passed Senate; in House, ET ([RSC – 1](#))

[SB 113](#) Natural Resources - Recreational License Incentive Discount Program
Passed Senate; in House, ET ([RSC – 1](#))

[SB 183](#) Natural Resources - Electronic Licensing - Recreational License Donation Fund – Donations Favorable with amendments report by EHEA ([RSC – 1](#))

[SB 203](#) Agriculture - Nutrient Management - Fertilizer Use on Turf Favorable report by EHEA ([RSC – 1](#))

Linda Silversmith

BUDGET

The Governor's budget of \$44.5 billion is approximately 2% higher than last year's budget. General Fund spending at \$17.7 billion is an increase of 3.4% or \$588.1 million. While the Spending Affordability Committee recommended close of the structural deficit, this budget would reduce the structural deficit by \$200 million leaving a balance of \$75 million. By 2023, the structural deficit is projected to be a little over \$1 billion.

State aid to public schools would increase by \$139 million or 2.5% compared to last year. It would fully fund all state formulas for a projected enrollment increase of 1%. An additional \$15.2 million is proposed to assure every county is receiving an increase in their formula funding (otherwise some would not because of declining enrollments).

Tuition for public colleges and universities will increase by 2% as the budget is increased by \$24.4 million or 1.7%. Community colleges would receive an increase of \$4.4 million or 1.5%. Private colleges and universities funded under the Seller formula would receive no increase over last year.

Rates for most providers of health and human services will increase by 1%. Although behavioral health and providers for the developmentally disabled are mandated to increase by 3.5%, the budget would cap them at 2% and 1%. An increase of 6% is budgeted for Medicaid, partly because Maryland is picking up a higher percentage of the costs of the Medicaid expansion population under the Affordable Care Act. The proposed Medicaid budget would be even higher if it were not for slower growth in enrollments, although there is increased enrollment in the Medicaid expansion program. A new data matching program is proposed. It would attempt to insure that all Medicaid recipients are actually eligible for the program. It assumes that \$107.4 million in state and federal funds would be saved through this program.

The governor is proposing an increase in economic development funds which are administered by the Department of Commerce with an increase of 20% or \$25 million. Payments intended to keep or attract new large businesses include \$5 million to Northrop Grumman, \$5 million to Marriott and \$10 million to help attract Amazon.

Most environmental programs are fully funded in the operating budget, although there are some significant cuts in the capital budget (to be discussed in the next issue of RSC).

The proposed public safety budget is \$2.2 billion, 2% lower than last year's budget. As efforts to reduce the number of offenders in prisons are successful, the correctional population is projected to fall below 19,000 for the first time since 1992. Under the 2016 Justice Reinvestment Act, additional funding would be provided to community assistance, substance abuse programs, rehabilitative services and job training. The budget includes 15 new positions in the Department of Health to assist inmates with enrolling in Medicaid before they depart the prison system.

The budget anticipates total state employees of 80,414, a decrease of 102 from last year. State employees will receive a 2% increase effective January 1, 2019. They will also receive a 0.5% increase and a \$500 bonus on April 1, 2019 if general fund revenues exceed the December 2017 estimate by \$75 million. There are also two "health insurance contribution holidays" built into the budget. There will be no additional payments to the poorly funded pension fund beyond the actuarially mandated amounts.

Barbara Hankins

TAXES

[HB 354](#) /SB 299 Income Tax Subtraction Modification – Correctional Officers (Hometown Heroes Act) (Speaker, et al/President, et al on behalf of the Administration) would allow certain retired correctional officers to reduce their Maryland income tax by up to \$15,000. Hrgs 2/7 W&M; 2/21 B&T

[HB 362](#) /SB 312 Income Tax Subtraction Modification – Military Retirement Income (Speaker, et al/President, et al on behalf of the Administration) over three years, would allow military retirement income to be exempt from Maryland Income Tax. Hrgs 2/21 W&M; 2/21 B&T

[HB 363](#) /SB 305 More Jobs for Marylanders Act 2.0 (Speaker, et al/President, et al on behalf of the Administration) changes the eligibility and various other parameters for distressed counties participating in the More Jobs for Marylanders Program. W&M; Hrg 2/21 B&T

[HB 364](#) /SB 310 Cyber Maryland Act of 2018 (Speaker, et al/President, et al on behalf of the Administration) allows for tax exemptions for capital gains and up to 50% of costs to purchase certain cybersecurity equipment. Hrgs 2/21 W&M; 2/21 B&T

[SB 561](#) Maryland Estate Tax Unified Credit (Manno, et al) freezes the unified credit for estate tax purposes to those currently in effect regardless of changes to the Federal Estate Tax. B&T

Update on Bills previously reported in the RSC:

[HB 99](#) / SB 134 Small Business Relief Tax Credit (Speaker/President on behalf of the Administration) Hrgs 2/21 W&M; 1/30 B&T ([RSC – 1](#))

SB 184 / HB365 Income Tax - Personal Exemptions – Alteration (Kasemeyer, et al/Walker, et al) Cross-filed in the House. Hrgs 1/30 B&T; 2/7 W&M ([RSC – 1](#))

SB 191 / HB 589 Income Tax - Itemized Deductions (Serafini, et al/Krebs, et al) Cross-filed in the House. Hrgs 1/30 B&T; 2/7 W&M ([RSC – 1](#))

SB 194 / HB 587 Calculation of Taxable Income - Itemized Deductions - Property Taxes (Serafini, et al/Krebs, et al) Cross-filed in the House. Hrgs 2/7 B&T; 2/21 W&M ([RSC – 1](#))

Barbara Hankins

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