



REPORT FROM STATE CIRCLE

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111 Cathedral Street, Suite 201, Annapolis MD 21401
lwvmd.org | 410-269-0232 | stateoffice@lwvmd.org

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Co-Presidents: Elaine Apter & Richard Willson

Editor: Judith Heimann
Asst. Editor: Ashley Oleson

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HEALTH

[SB 1011](#)/HB 1167 Protect Maryland Health Care Act (Feldman/Pena Melnyk) This is one of the bills dropped following Federal action to eliminate the ACA. It would establish a reinsurance fund to lower the carriers' exposure in the individual market. While it appears to be sitting in committee, it may be combined with other bills. See **[SB 878](#)** below for another significant bill trying to protect the State health insurance market. Reassigned to FIN and B&T; HGO

[HB 1024](#)/SB 986 State Employees and Retiree Health and Benefits Program – Contraceptive Drugs and Devices and Male Sterilization (Hettleman/A. Kelly) would require the state health insurance program to be in compliance with the bill passed last year requiring coverage of contraceptives and sterilization by state regulated health insurance products. The State is a self-insured entity under the Federal ERISA law, so they do not have to comply with any law that covers state regulated insurance products. Hrgs 2/23 APP; 3/14 FIN

[HB 1283](#) Health Insurance – Prescription Contraceptives – Coverage for Single Dispensing (A. Kelly) changes the 6-month prescription to 12-months with a single copay and increases the dispensing fee for the pharmacists. Hrg. 3/1 HGO

[HB 1400](#) State Employees and Retiree Health and Benefits Program – Employees of Qualifying Organizations (Morhaim) would broaden current law to allow all 501(c)3 (non-profit) organizations and some boards of education to participate in the state health insurance program. It would also establish a task force to study Cooperative Purchasing of Health Insurance and to report back by January, 2018. Hrg 3/1 APP

[HB 1430](#) Health Occupations – Podiatric Physicians (Barnes) would change the name of Podiatrists to Podiatric Physicians. The Physician community is opposed to the bill. Hrg 3/1 HGO

[HB 1516](#), Healthy Maryland Program - Establishment (Healthy Maryland Act, 2018) (Barron) would establish a program to see that every Marylander has health insurance under a single-payer program. Hrg 2/1 HGO

Update on Bills Previously Reported in RSC:

[SB 878](#)/HB 1312 Health insurance - Medicaid Buy-In Task Force (Feldman/A. Kelly) This bill was significantly amended in FIN and passed 46-0 in the Senate to create the Maryland Health Insurance Coverage Protection Commission to monitor the Federal changes to the ACA and to make recommendations for coverage for Marylanders including a Medicaid Buy-in plan. The bill could have a significant effect on coverage in Maryland. It is now in HGO, Hrg. 3/1. (**[RSC 3](#)**)

[HB 326](#)/SB 288 Public Health – Overdose and Infectious Disease Prevention Supervised Drug Consumption Facility Program received an unfavorable report in

Senate. ([RSC 3](#))

[SB 309](#) / **HB 359 Health – Reporting Overdose Information** Hrg 2/13 HGO; passed Senate and is in HGO with an amendment that takes out the immunity for emergency personnel. ([RSC 3](#))

[HB 736](#) /**SB576 Pharmacy Benefits Managers – Pharmacies and Pharmacists – Information on and Sales of Prescription Drugs** received a favorable report in FIN. ([RSC 3](#))

[SB 30](#)/**HB 1581 Healthcare Malpractice Qualified Expert, Limitation on Testimony in Personal Injury Claims, Repeal** received a favorable report from JPR; Hrg 3/7 JUD ([RSC 1](#))

[SB 132](#), **Crimes – Child Abuse and Neglect Failure to Report** Passed the Senate with amendments. 1st reading House JUD ([RSC 1](#))

Nielson Andrews

MEETING BASIC HUMAN NEEDS & EQUALITY OF OPPORTUNITY

Affordable Housing

[HB 1224](#)/**SB 1218 Youth Homelessness Act of 2018** (M. Washington plus 54/Smith) would create a grant program at the Dept. of Housing & Community Development to fund housing and supportive services for unaccompanied homeless youth statewide. It would address disproportionate representation of youth of color and LGBTQ youth and prioritize youth engagement and leadership. Hrg 3/13 APP; SRU

Basic income

[HB 1729](#) / **SB 1164 Family Investment Program – Temporary Cash Assistance** (Valentino-Smith et al/ Madaleno) would require the governor to provide sufficient funds in the budget to ensure that the value of temporary cash assistance (the state assistance program for adults without dependent children), combined with food stamps is equal to an increasing percentage of the state minimum living level. That percentage is currently 61%, the bill would increase the percentage annually till it reached 71% in FY2024. Hrgs HRU; 3/14 B&T

Update on Bills Previously Reported in RSC:

[HB 264](#) **Labor and Employment – Labor Organizations – Right to Work** unfavorable report ([RSC 1](#))

[HB 1314](#) **Healthy Working Families Act – Exemptions – Modifications (Healthy**

Working Families Exemption Equity Act) hearing canceled ([RSC 3](#))

Ruth Crystal

TRANSPORTATION

Update on Bill Previously Reported in RSC:

[HB 372](#) Maryland Metro Funding Act ([RSC 2](#)) Favorable with amendment (19-7) APP

Bee Ditzler

ENVIRONMENT: CLIMATE CHANGE

Update on Bills Previously Reported in the RSC:

[HB 03/SB 138](#) Environment – U.S. Climate Alliance – Membership ([RSC 1](#));
Favorable House (101-33) Favorable EHEA (36-10)

[HB 230/SB 290](#) Regional Greenhouse Gas Initiative – Withdrawal – Legislative Approval Required (Regional Greenhouse Gas Initiative Extension Act) ([RSC 2](#))
Passed House (87-48) Passed Senate (43-3)

[HB 993/SB 898](#) Maryland Pension Climate Change Risk Act ([RSC 3](#)) Favorable APP
(19-7)

[HB 1350/SB 1006](#) Sea Level Rise Inundation and Coastal Flooding – Construction, Adaptation, Mitigation, and Disclosure ([RSC 3](#)) Hrg 3/7 ET; 3/6 EHEA

Betsy Singer

ENVIRONMENT: RENEWABLE ENERGY

[SJ 11](#) Coastal Area - Protection From Offshore Oil and Gas Drilling (Mathias, et al)
This resolution expresses the strong and unequivocal opposition of the General Assembly of Maryland to the draft proposed National Outer Continental Shelf Oil and Gas Leasing Program for 2019-2024, and the implementation of any offshore oil or gas leasing, exploration, development, or production in the Atlantic Ocean; urging the Secretary of the Interior of the United States to remove Maryland from the proposed leasing program; etc. Hrg 3/8, 1pm EHEA

Update on Bills Previously Reported in RSC:

[HB 1453/SB 732](#) Renewable Energy and Job Development (Frick/Feldman) ([RSC 2](#))
Hrg. 3/5, 2 pm ECM; 3/6, 1 pm FIN.

[HB 878](#) **100% Clean Renewable Energy Equity Act of 2018** (Robinson) ([RSC 2](#)) Hrg. 3/5, 2 pm ECM

[HB 939](#) **Regional Carbon Cost Collection Initiative** (Kramer) Hrg. 3/5, 2pm ECM ([RSC 3](#))

[HB 1135](#) / [SB 1058](#) **Renewable Energy - Offshore Wind Projects - Distance Requirements** (Adams/Hershey) ([RSC 3](#)) Hrgs 3/8, 1pm ECM; 3/6, 2pm FIN

Shari Glenn

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

[HB 947](#)/[SB 958](#) **Natural Resources - Chesapeake and Atlantic Coastal Bays 2010 Trust Fund - Purpose and Authorized Use of Funds** (Beitzel/Edwards) renames the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to be the Chesapeake Bay and State Waters Trust Fund and modifying its purpose. Hrgs 2/21 ET; 3/06 1 pm, EHEA

[HB 1077](#)/[SB 1070](#) **Wetlands and Waterways Program – State–Owned Lakes – Structural Shoreline Stabilization** (Beitzel/Edwards) limits the application fee to \$250 and requires the Department of the Environment and the Department of Natural Resources to identify three appropriate stabilization practices. Hrg 2/21, ET/re-referred to EHEA

[HB 1566](#)/[SB 854](#) **Public Utilities - Water and Sewage Disposal Companies – Acquisition** (W. Miller plus 14/Klausmeier) establishes a fair market value for a water company or sewage disposal company that is going to be sold. Hrgs 3/08 1 pm, ECM; 3/13 1 pm, FIN

[HB 1765](#) **On–Site Sewage Disposal Systems – Watershed Implementation Plan and Bay Restoration Fund Disbursements and Financial Assistance** (Lafferty) lets a local jurisdiction count a reduction in nitrogen from a certain upgrade to an onsite sewage disposal system toward a nitrogen load reduction required in a watershed implementation plan and allowing some of the Bay Restoration Fund to be used for the pumping out of an on-site sewage disposal system at least once every 5 years. Re-referred to ET

[SB 926](#) **Natural Resources - Oyster Planting - Substrate Material** (Hershey) Natural oyster material must be used as substrates in oyster restoration projects; special procedures (analyses, hearings) are needed for any exceptions. Hrg 2/27 EHEA

Update on Bills Previously Reported in RSC:

HB 116/SB 500 Pesticides - Use of Chlorpyrifos – Prohibition (Stein, et al/Nathan-Pilliam, et al.). ET; senate bill recommitted to EHEA ([RSC 1](#), [RSC 2](#))

HB 219/SB 115 Deep Creek Lake Policy and Review Board - Membership and Duties SB now in House ET; HB now in Senate EHEA ([RSC 1](#), [RSC 2](#), [RSC 3](#))

HB 316 Vehicle Emissions Inspection Program - Exemptions - Vehicles with Low Annual Mileage (Wivell) Unfavorable report by ET ([RSC 2](#))

HB 361/SB 314 Bay Restoration Fund - Fee Exemption, Disbursements, and Financial Assistance (Septic Stewardship Act of 2018) (Speaker plus 30+/President plus 14 – for the Administration) Unfavorable report on Senate bill by EHEA ([RSC 2](#), [RSC 3](#))

HB 400 Agriculture - Mosquito Control - Notification to Municipalities (Tarlau, et al.) Passed House; in Senate in EHEA ([RSC 2](#), [RSC 3](#))

HB 452/SB 389 Northeast Interstate Dairy Compact – Repeal (Carr/Feldman) Each bill has passed in its chamber and crossed over to the other chamber ([RSC 2](#), [RSC 3](#))

HB 458 Environment – Sale or Transfer of Home With On–Site Sewage Disposal System – Nitrogen Removal Technology Requirement (Lafferty) Hrg was changed from 2/14 to 2/23, ET

HB 515 Agriculture - Noxious Weeds - Palmer Amaranth (Ghrist plus four) Favorable report with amendments by ET ([RSC 2](#))

HB 698 Agriculture - Industrial Hemp Pilot Program – Establishment (Fraser-Hidalgo plus five) Favorable report with amendments by ET; passed House, now in Senate EHEA ([RSC 2](#))

SB 94 Natural Resources - Unprotected Birds – Pigeons (chair, EHEA, for Dept. of Natural Resources) Passed Senate. In House Hrg 3/21 1 pm, ET ([RSC 1](#))

SB 100 Reservoir, Dam, or Waterway Obstruction Plans - Designation of Approval Authority (chair, EHEA, for Dept. of the Environment) Passed Senate. In House, ET ([RSC 1](#))

SB 112 Natural Resources - Tidal Fish Licenses (chair, EHEA, for Dept. of Natural Resources) Now in House, Hrg 3/21 1 pm, ET ([RSC 1](#), [RSC 2](#))

SB 113 Natural Resources - Recreational License Incentive Discount Program (chair, EHEA, for Dept. of Natural Resources) in House, Hrg now for 3/21 1 pm, ET

([RSC 1](#), [RSC 2](#))

[SB 119](#) Program Open Space – Local Funds – Acquisition and Development of Land for Education Purposes (Zirkin) No movement out of committee. ([RSC 1](#))

[SB 183](#) Natural Resources - Electronic Licensing - Recreational License Donation Fund – Donations Passed Senate. In House Hrg 3/21 1 pm, ET ([RSC 1](#))

[SB 203](#) Agriculture - Nutrient Management - Fertilizer Use on Turf (Middleton & Guzzone) Passed Senate. In House, Hrg 3/21 1 pm, ET ([RSC 1](#), [RSC 2](#))

[SB 496](#) Environment - Greywater - Residential Use (Ready plus three). Favorable report with amendments by EHEA, but then on Special Order until 3/5 (Sen. Jennings) adopted ([RSC 2](#))

Linda Silversmith

BUDGET

[SB187](#) / [HB161](#) Budget Reconciliation and Financing Act of 2018 (BRFA) As reported in [RSC 1](#), BRFA is one of the three bills introduced by the President of the Senate and the Speaker of the House for the Governor. Its purpose is to amend or alter actions taken with regard to last year's budget bill. This year's BRFA is exceptionally long, at least partially because of the Bureau of Revenue Estimates reduction of the General Fund Estimate by \$73.2 million, and the Spending Affordability Committees' estimate of a general fund deficit of \$63.2 million. According to the Bill Analysis by the Department of Legislative Services (DLS), "the bill's actions enhance revenues and transfer funds, provide mandate relief, require fund swaps and cost shifts, and implement cost control and other administrative measures." The overall impact on the general fund would be an increase in FY2018 if \$9.0 million and in FY2019 \$404.4 million.

The bill authorizes the transfer of \$9 million from the University System of Maryland's fund balance to the general fund in FY2018. Among the many actions that would reduce current mandates ("mandate relief") the bill would reduce the appropriation for the Rainy Day Fund by \$193 million; repeal the requirement that the governor budget an additional \$50 for the state pension fund (this year only); reduce the mandated rate increase of 3.5% to 1% for community service providers under the Developmental Disabilities Act and from 3.5% to 2% for community providers under the behavioral health program; repeal the mandated funding for the Baltimore Regional Neighborhood Initiative Program; reduce the minimum amount of funding that must be provided for State contributions to eligible 529 accounts; and halves the amount for state matches for eligible county teachers' stipends from \$4000 to \$2000. It would repeal the requirement that funding from admissions and amusement taxes be used as a factor in calculating the award to the State Arts Council and prohibits it from being used in the future.

BRFA would increase to 90% (up from 50%) the amount each county and Baltimore City must reimburse the State Department of Assessments and Taxation for costs related to real property and other valuations, information technology and the Office of the Director. It would limit the growth in FY 2019 provider rates set by the Interagency Rates Committee to no more than 1% in FY 2019, and would raise the mandated cap on federal expenditures for Temporary Assistance for Needy Families (TANF) in excess of \$249.9 million. The bill would also prohibit the General Assembly from increasing the required spending in the budget bill without reducing required funding in another program for the same fiscal year. The negative impact on local government would be \$43.2 million. All counties and Baltimore City would be affected.

Barbara Hankins

TAXES

[HB 43](#) Income Tax – Subtraction Modification – Perpetual Conservation Easements (Jackson, et al.) would exempt the first \$100,000 profit from sale of conservation easements to the State from the Maryland Income Tax. Second Reading Passed with Amendments W&M

[HB 96](#) Income Tax – Subtraction Modification – Living Organ Donors (Busch et al.) would allow a deduction of up to \$7500 from the Maryland Income Tax for applicable expenses of organ donors. Hrg 2/8 W&M, In the Senate, First Reading

[HB 1226/SB 517](#) Career Apprenticeship Investment Act (Barnes, et al/Rosapepe et al.) would increase the amount the governor is required to include in the annual budget from \$1 million to \$3 million to fund a tax credit and scholarship program that support apprenticeship opportunities in the state. It also establishes matching grant programs to expand apprenticeship opportunities in workforce shortage areas of the state and creates state and local publicity programs. Favorable with Amendments Report FIN; Hrg 2/20 APP

Update on Bills Previously Reported in RSC:

[HB 365](#) Income Tax - Personal Exemptions – Alteration Favorable with Amendments Report by W&M

[SB 194](#) Calculation of Taxable Income - Itemized Deductions - Property Taxes Hrg B&T 2/21 ([RSC 1](#), [RSC 2](#), [RSC 3](#))

[SB 877](#) Promoting ext-Raordinary Innovation in Maryland's Economy (PRIME Act) Hrg B&T 2/28 ([RSC 3](#))

[HB 308](#) Maryland Estate Tax - Unified Credit Favorable with Amendments Report W&M

Barbara Hankins

ELECTIONS

A number of important election related bills are moving through the General Assembly. One bill, however, may indicate that recent news reports of election interference by foreign governments is having an impact on how legislators are addressing these concerns. [SB 190 – Election Law – International Election Observers](#) is a bill that clarifies how Maryland election officials provide for international election observers to participate in the state’s election process. Under current law, election judges must allow certain individuals access to the polling place or early voting center, including voters, individuals who accompany a voter who needs assistance, accredited challengers and watchers, a member of the State Board of Elections (SBE) or local election boards, anyone under 18 years old who accompanies a voter and other individuals authorized by SBE or a local board. SBE has been authorizing international election observers to enter polling places for many years. This bill specifies international election observers authorized by SBE as one of the types of individuals who must be admitted to a polling place. There was quite heated testimony on the Senate floor about the bill, a number of amendments were proposed, and one adopted that struck the bill’s requirement that international election observers be allowed to obtain a list of registered voters. The bill has been recommitted to EHEA Committee.

[HB 1331 Election Law – Cybersecurity](#) (A. Washington and Kaiser) requires the State Election Administrator to notify numerous people and entities if there is a security incident involving an election system owned, operated or maintained by SBE or local boards of election, or a system provided, supported or maintained by an election service provider. The bill also specifies that if a voter requests an absentee ballot be delivered by the internet, the delivered ballot shall be accompanied by a notification that the ballot submitted by the voter is not the ballot that will be counted. Current practice is that ballots delivered over the internet and marked by voters, because they are printed on regular paper and not an official ballot, are copied at the election board onto a regular ballot that can be tabulated with the optical scan voting equipment. Hrg 2/27 W&M

Update on Bills Previously Reported in RSC:

[HB 532 Elective Franchise – Registration and Voting at Precinct Polling Place](#) passed the House with amendments (91-47) on 3/8. The cross-filed SB 594 was heard in EHEA on 2/25. ([RSC 2](#))

[SB 333 Election Law – Ballot Request and Canvassing Procedures](#) which requires additional information to be provided by a voter in order to receive an absentee ballot online, received a favorable report with amendments from EHEA and is now in the Senate. ([RSC 3](#))

[HB 152 Secure and Accessible Registration Act \(SARA\)](#) and the cross-filed [SB 1048](#) have both been heard in their respective committees, but are awaiting further action by the committees. These bills, as described in RSC 1, require that individuals who

complete transactions with specific agencies will be considered to have registered to vote, unless they decline or are not eligible. ([RSC 1](#))

Lu Pierson

CAMPAIGN FINANCE

[SB 875/](#)HB 981 Online Electioneering Transparency and Accountability Act (Zucker/A. Washington, Korman) updates our campaign finance laws to reflect the growing amount of election activity that takes place digitally. “Online platform” is defined as a public website, web application, or digital application, including a social network or search engine that during the prior year has typically had 100,000 or more unique monthly U.S. visitors. An “Online political advertisement” is defined as any electronic communication that is placed or promoted for a fee on an online platform; is distributed or transmitted to 5,000 or more individuals; refers to a clearly identified candidate or ballot issue; and does not propose a commercial transaction.

The bill requires the retention of records by the online platform for at least one year after the general election following the date when the online political advertisement was distributed or transmitted. These records must be available for public inspection at the offices of the online platform during normal business hours and provided to the State Board of Elections (SBE) on request.

This legislation also says that if a person using a foreign Internet Protocol address, or a person using foreign currency, purchases an online political advertisement, the online platform must provide to SBE (within 48 hours) a digital copy of the online political advertisement and, the amount paid to them.

The bill was heard in W&M on February 20th. At the hearing on March 1 in the Senate EHEA committee, the sponsor mentioned that a number of amendments to tighten the language are in the works.

[HB 1287](#) Election Law - Business Entity Campaign Contributions – Prohibition (Moon plus two) would prohibit a business entity from directly making a contribution to a campaign finance entity. “Business entity” includes a corporation, a sole proprietorship, a general partnership, a limited partnership, a limited liability company (LLC), a real estate investment trust, or other entity. 22 states completely prohibit corporations from contributing to political campaigns. Another 22 states impose restrictions on corporation contributions. However, this bill has been submitted in previous session and has not gotten out of committee. Hrg 3/6 W&M

[HB 1703](#) Election Law - Failure to File Campaign Finance Report or Affidavit - Injunctive Relief (West) would amend election law that currently allows the Secretary of State to seek a court order for failing to appropriately file a campaign finance report to allow the Chair or Vice Chair of the State Board of Elections to seek an injunction for

improperly filing required campaign finance reports. It also raised the maximum penalty from \$250 to \$1,000. Hrg HRU

Update on Bills Previously Reported in RSC:

[HB 755](#) Campaign Finance - Illegal Contributions - Fair Campaign Financing Fund ([RSC 3](#)) was amended and received a favorable report from W&M. It will be taken up by the full House on March 6.

Nancy Soreng

REDISTRICTING REFORM

Hearings were held on all the redistricting reform bills this past week in both the House and the Senate.

Those closely following the issue are anxiously awaiting the Supreme Court case [Benisek v. Lamone](#) which will be held on March 28. The subject of this case is Maryland's 6th Congressional district, and petitioners have charged that their right against retaliation for political beliefs guaranteed by the 1st Amendment of the United State's Constitution has been violated via a partisan gerrymander rendering them unable to express their beliefs via their vote. Whatever decision the court makes could affect the way Maryland's redistricting process is conducted after the upcoming census in 2020, or perhaps even require changes to the current election districts prior to the 2018 election.

Ashley Oleson

TRANSPARENCY IN GOVERNMENT

[HB 715](#) Public Service Commission - Application for a Certificate of Public Convenience and Necessity - Public Notice and Hearing (Lewis, R.) would establish additional notification, public hearing, and public comment requirements for the certificate of public convenience and necessity (CPCN) application. The bill would require the Public Service Commission (PSC) to provide specific notification to the existing recipients of these notifications, as well as each resident in each county or municipal corporation in which any part of the generating station, overhead transmission line, or qualified generator lead line is proposed to be constructed. The bill would require the PSC to provide notification on its social media accounts, in a searchable manner on its website, and through a text alert notification to users who sign up for that service. The bill also requires the PSC to accept comments electronically and in writing, in addition to the existing process of holding public hearings. The bill would also require the public hearings to be recorded or webcast, and made available to the public prior to the comment deadline. Finally, the bill directs PSC to consider public comments as well as the potential health impacts on residents when taking final action on a CPCN application. Hrg 2/15 1pm ECM

Update on Bills Previously Reported in RSC:

HB 1281 State Highway Administration - Project Planning Documents - Public Access ([RSC 3](#)) Hrg 3/9 1pm ET

HB 1638/SB 788 Public Information Act - Revisions ([RSC 3](#)) Hrg 3/7 1pm HGO

SB 97 Public Utilities - Transportation Network Services - Disclosure of Records ([RSC 1](#)) Hrg 3/15 1pm ECM

SB 396 Open Meetings Act - Training - Application ([RSC 2](#)) Third reading passed unanimously. First reading HGO.

SB 984 General Provisions - Open Meetings Act - Application to Governor's Cabinet and Governor's Executive Council ([RSC 3](#)) Hrg 3/7 1pm EHEA

Valerie Glenn

ADMINISTRATION OF JUSTICE**Judiciary**

HB 1779 Courts - Mandatory Retirement Age (Valario plus five) a Constitutional amendment changing the mandatory retirement age for judges from 70 to 73 years. First reading, HRU

HB 1611 Courts - Concealment of Public Hazard and Sexual Harassment (Sunshine in Litigation Act) (Morales plus ten) provides that a court may not issue an order or judgment that conceals information about a public hazard that may be useful to help protect the public from injury. An affected member or a representative of the news media may contest an order, judgment or agreement that violates this provision. Any agreement or contract that conceals sexual harassment or information about sexual harassment would be contrary to public policy and unenforceable unless the victim requests concealment and that request was not made as a result of deception, threat or undue influence of the opposing party. Hrg 3/7 JUD

Pretrial Detention

HB 1397 Criminal Procedure - Pretrial Release - Defendant on Parole (Hornberger plus three) provides that a judicial officer may not authorize pretrial release for a defendant charged with a crime of violence while on parole. Hrg 3/13 JUD

Criminal Justice Reform

HB 1383/SB 1212 Procedure - Expungement - Expansion (Maryland Record Expungement Designed to Enhance Employment (REDEEM) Act of 2018) (Mosley

plus 14/ Rameriz plus six) states that a person charged with a crime or who is the subject of an invalidated or fugitive warrant who is acquitted or the warrant dismissed, that person is entitled to an automatic expungement of all police or court records relating to the matter. The records shall be removed to a secure area where persons without a legitimate reason cannot access them and the records may be destroyed after 3 years. If a person is convicted of a non-violent misdemeanor that carries the maximum penalty of three years or less, that person may petition for expungement. A person convicted on a non-violent felony may not petition for expungement until five years after that person's sentence has been served, including parole. Hrg 3/13 JUD; SRU

Sentencing

[SB 1100](#)/ [HB 1529](#) Criminal Law - Assault - Sentencing (Violence Prevention Education Act) (Muse/ Ali plus three) provides that, as a condition of sentencing, the Court will require a person convicted of assault to participate in a program that addresses mental health, violence prevention and substance or alcohol abuse. The program should last at least 12 weeks and be certified by the Office of Health Care Quality of the Maryland Department of Health. Hrg 3/8 JPR; 3/13 JUD

Sexual Assault

[HB 1700](#) Criminal Procedure - Sexual Assault Evidence Collection Kits - Analysis (Hettleman) states that an investigating law enforcement agency that receives a sexual assault evidence collection kit shall submit it to a forensic laboratory for analysis within 30 days of receipt, unless there is clear evidence disproving the allegation of sexual assault. The victim must consent to the analysis and may request to remain anonymous. The victim must be notified when the kit is sent to analysis and of the results. Results should be entered into the Combined DNA Index system. By January 1, 2019, each state and local law enforcement agency shall adopt written policies and procedures on handling sexual assault evidence kits. Hrg 3/14 cancelled JUD

Update on Bills Previously Reported in RSC:

[SB 170](#) Criminal Procedure - Violation of Conditions of Release Cross filed with **[HB 388](#)** (Miller plus 17) First reading JPR; Passed House 136 - 0 ([RSC 1](#))

[SB 617](#)/ [HB1166](#) Criminal Procedure - Sentencing - Primary Caretaker Unfavorable report, JPR ([RSC 2](#))

[HB 761](#) Courts - Aggravated Murder Court Unfavorable report, JUD ([RSC 3](#))

[HB 685](#) Criminal Procedure - Pretrial Release - Grace Period for Failure to Appear Unfavorable report, JUD ([RSC 3](#))

[HB 1082](#) Justice Reinvestment Act - Modifications Cross filed with **[SB 593](#)** (Kelley) Hrg 2/28 JPR ([RSC 3](#))

[HB 678](#) Criminal Law - Subsequent Offenders (Career Criminal Truth in Sentencing Act) Unfavorable report, JUD ([RSC 3](#))

Marlene Cohn

CORRECTIONS

[HB 1289](#) Correctional Services - Arrested Persons - Mental Disorder Screenings (Lam plus five) requires the Department of Public Safety and Correctional Services and the Maryland Department of Health to jointly establish a uniform mental disorder screening procedure for arrested persons. Requires that each person confined in a correctional facility be screened for a mental disorder as soon as possible. Within 72 hours after an arrested person is found to have a mental disorder, a qualified mental health professional shall conduct an assessment of that person's need for mental health services. The Department of Public Safety and Correctional Services must report on the implementation of this act and any recommendations for updating correctional staffing standards to the governor and General Assembly by July, 2019. Hrg 3/13 JUD

[HB 1733](#) Local Correctional Facilities - Requirement for Prerelease Programs (Haynes) requires each county that receives state funding for public safety to establish a prerelease program for persons confined in a correctional facilities. Such a program shall provide rehabilitative services including job training, drug treatment and mental health treatment. At any time during a person's confinement, the judge who ordered the confinement may approve the transfer of that person to a pre-release center, if recommended by the director of the correctional facility. If an inmate earns money during a stay at a prerelease center, the director would deduct the state's expenses for food, clothing, lodging, travel and a reasonable amount to repay the state or county for the services of a court appointed attorney. HRU

Update on Bills Previously Reported in the RSC:

[SB 210](#) Correctional Services - Murder - Diminution Credits Cross filed with **HR 579** (McComas plus 31) Hrg 213 JUD ([RSC 1](#))

[HB 291](#) / **SB 1137 Correctional Services - Inmate Case Record - Educational, Vocational and Job History** Passed House 113 - 20 ([RSC 2](#))

[HB 295](#) / **SB 1113 Correctional Services - Diminution Credits - Education** Unfavorable report JUD, withdrawn ([RSC 2](#))

[SB 578](#) / **HB 797 Correctional Services - Inmates - Menstrual Hygiene Products** Passed Senate with amendments 46 - 0 ([RSC 2](#))

[SB 629](#) / **HB 787 Correctional Services - Pregnant Inmates - Medical Care** Passed House 107 - 29 ([RSC 2](#))

Marlene Cohn

DRUG ABUSE

[HB 325/SB 446 Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis Quantity](#) (Morhaim, et al) makes certain violations relating to the use or possession of certain quantities of certain controlled dangerous substances a civil offense rather than a misdemeanor. Applies penalties for a first or second finding of guilt involving the use or possession of less than 10 grams of marijuana to a first or second finding of guilt. Hrg 1/30 JUD

[HB 499/SB 577 Involuntary Commitment](#) (Kipke, et al) allows for the involuntary admission of individuals who have experienced a drug overdose to certain facilities or a Veterans' Administration hospital and alters circumstances to allow a petition for an emergency evaluation to be made for certain individuals who have experienced a drug overdose. It also alters the circumstances under which a court is required to endorse a petition for an emergency evaluation. Hrg 2/27 HGO

[HB 922 Maryland Department of Health - "Pill Mill" Tip Line](#) (Kipke, et al) requires the Maryland Department of Health, on or before December 1, 2018, to establish a tip line through which a person may report an individual who the reporting person suspects is prescribing medication or overprescribing medication. Hrg 2/27 HGO

[SB 522/HB 653 Health Care Providers - Opioid Prescriptions - Discussion of Information and Risks](#) (Klausmeier plus six) requires health care providers to discuss certain information and risks associated with the prescription of opioids with the patient or with the parent or guardian if the patient is a minor. The discussion is to be held before issuing an initial prescription and before issuing a third prescription in the same course of treatment. The bill also requires health care providers to obtain a written acknowledgment and include the acknowledgment in the patient's medical record. Hrg 2/15 EHEA

[SB 921/HB 1531 Task Force on the Premature Discharge of Patients with Substance Use Disorders](#) (Hershey) establishes a Task Force on the Premature Discharge of Patients With Substance Use Disorders to study certain practices and procedures at certain facilities, and to make recommendations on necessary changes to improve patient treatment, training for staff, and reporting on early patient discharge. It requires the Task Force to report its findings and recommendations to the governor and the General Assembly on or before January 1, 2019. Hrg 3/1 FIN

[HB 268 Natalie M. LaPrade Medical Cannabis Commission - Provider Applications - Opioid Use Disorder](#) (Morhaim) encourages the Natalie M. LaPrade Medical Cannabis Commission to approve certain provider applications for patients who have an opioid use disorder. Hrg 1/30 HGO

Updates on Bills Previously Reported in RSC:

[HB 924/SB 1222 Emergency Medical Care – Administration of Opioid Antidotes –](#)

Immunity Hrg 3/7 JUD ([RSC 3](#))

[HB 326](#)/ SB 288 Public Health - Overdose and Infectious Disease Prevention Supervised Drug Consumption Facility Program Unfavorable report Senate FIN. ([RSC 3](#))

[HB 359](#)/SB 309 Health - Reporting of Overdose Information Passed Senate 2/21. HGO 2/22 ([RSC 3](#))

[HB 771](#) Public Health - Opioid Overdoses - Prohibition and Rehabilitation Order Hrg 2/27 HGO & JUD ([RSC 3](#))

[HB 02](#)/SB 01 Natalie M. LaPrada Cannabis Commission Reform Act House special order adopted 3/2. Senate FIN ([RSC 1](#))

[SB 139](#) Higher Education – Heroin and Opioid Addiction and Prevention Policies Exceptions and Revisions. Senate passed with amendments. House hrg 3/20 ([RSC 1](#), [RSC 2](#))

[HB 649](#) Criminal Law – Opioids – Distribution Causing Death of Minor Hrg 2/20 JUD ([RSC 2](#))

[HB 80](#) Public Health – Opioid Maintenance Therapy Programs – License Renewal – hearing cancelled ([RSC 1](#))

[SB 702](#) /HB 1344 Health Insurance – Behavioral Health Assessments, Services and Treatment for Patients Provided Opioids Coverage Hrgs 2/28 FIN; 3/1 HGO ([RSC 2](#))

Chris Hager

GUN CONTROL

[HB 1774](#) Task Force to Study the Effectiveness of the Enforcement of Restrictions on the Possession of Regulated Firearms (Krimm) establishes a task force to study the effectiveness of the state's gun laws. The task force would make recommendations by the end of the year on whether current laws are adequate. JUD

[SB 1226](#) Primary and Secondary Schools – Armed School Resources Officers (Jennings et al) requires each public school to have an armed school resources officer present on school grounds during regular school hours every school day. Contains provisions for State Police to assume duty if school cannot and authorizes private schools to have armed officers. SRU

Mary Ellis

JUVENILE JUSTICE

Update on Bills Previously Reported in the RSC:

**[HB 1550/SB 863](#) Juvenile Law - Juvenile Court Jurisdiction (Sydnor/Kelley) ([RSC-3](#))
Hrgs 3/6 JPR; 3/1 JUD**

**[HB 479/SB 1066](#) Juvenile Law - Lead Testing and Behavioral Health Assessment
(Mosby/Conway) ([RSC 2](#)) Hrgs 3/8 JPR; 2/8 JUD**

**[HB 859](#) Juvenile Law - Transfer of Cases to Juvenile Court (Clippinger) ([RSC 2](#)) Hrg
2/22 JUD**

**[HB 122/SB 938](#) Criminal Procedure- Sentencing Guidelines- Previously
Adjudicated Delinquent (Anderson/Kelley) ([RSC-3](#)) Hrg 3/06 JPR/Recommitted
2/22 JUD**

**[HB 1524/SB 1134](#) Juvenile Justice Coordinating Council (Clippinger/Ferguson)
([RSC-3](#)) Rereferred 2/23 JPR/Hrg 3/01 JUD**

**[HB 1702/SB 1147](#) Juveniles- Reportable Offenses (Washington County Delegation)
([RSC-3](#)) Rereferred 2/26 JPR/Re-referred 2/26 JUD**

**[HB 1607](#) Education- Juvenile Services Education Program- Management and
Operations (Luedtke) ([RSC-3](#)) Hrg 3/1 W&M**

**[HB 102/SB 198](#) Criminal Gang Offenses – Penalties, Procedure, and Elements
(Speaker plus 47 – by request – Administration/President plus 12 – by request –
Administration) ([RSC 1](#)) Hrgs 2/06 JUD; 1/30 JPR**

**[SB 91](#) Juvenile Law - Disclosure of Court Records (Chair, JPR, by request –
Departmental – Juvenile Services) ([RSC 1](#)) Passed JPR, Favorable with
amendments (46-0), FR JUD 2/9**

**[HB 555/SB 257](#) Juvenile Law – Records – Juveniles Charged as Adults (Sydnor/
Kelley plus 11) ([RSC 1](#)) Hrg 2/01, 2pm JPR; 2/08 JUD**

**[HB 1411/SB 346](#) Criminal Law - Death Penalty – Reinstatement (McComas plus
20/ Cassilly plus 7) ([RSC 2](#)) Hrgs 2/07 JPR; 3/13 JUD**

**[HB 1244/SB 657](#) Workgroup on Establishing an Independent School Board for the
Juvenile Services Education System (Hettleman plus 23/ Kelley plus 27) ([RSC 2](#)) Hrg
2/28 EHEA; 2/22 JUD**

**[HB 827/SB 669](#) Juvenile Law - Juvenile Diversion Program (West/Brochin & Smith)
([RSC 2](#)) Hrg 3/06 JPR; JUD Hrg Canceled**

[HB 1023/SB 861](#) **Juvenile Law - Witnesses - Body Attachment** (Clippinger/Ferguson) ([RSC-3](#)) Hrg 3/6 JPR; 2/22 JUD

Judy Morenoff & Jill Muth

EDUCATION

Public School Funding

[HB 1595](#) **Education - Per Pupil Adequacy Target Grant – Established** (Valentino-Smith plus 24). The goal of this bill is to provide extra funds to school systems that are funded below 80% of the Per Pupil Adequate Funding Target determined by the Department of Legislative Services (DLS) for FY2015. To be eligible, the county government must provide 2 percent more than the required local share under the current formula. The state would provide enough funds for the school system to reach 87.9% of the FY2019 Per Pupil Adequate Funding Target. Hrg 3/8 W&M, APP

[HB 1643](#) **Income Tax - Credit for Contributions to the Maryland Excellence in Education Fund** (Frick plus 15) says people who contribute to this special state fund could receive a 95 percent credit against their state income tax. The fund would be used to supplement, not supplant funds for school construction projects; public primary and secondary education programs; or scholarships at institutions of higher education for low-income students. Hrg 3/7 W&M

Public School Construction

[HB 1495/SB 1183](#) **Public School Construction Assessment and Maintenance Reform Act** (A. Washington/Ferguson) requires the Interagency Committee on School Construction (IAC) to adopt Educational Facilities Sufficiency Standards (a uniform set of criteria and measures for evaluating the physical condition and educational suitability of public elementary and secondary school facilities in the state) and a Maryland School Facility Condition Index by January 2019. This index is meant to help determine the relative adequacy of elementary and secondary school buildings in the state. Developing this index would implement a recommendation of the 21st Century School Facilities Commission (Knott Commission). Hrg 3/8 APP; SRU

[HB 1783/SB 1243](#) **21st Century School Facilities Act** (Jones/DeGrange plus two) requires the development of the School Facility Condition Index (as in HB 1495) but includes other recommendations of the Knott Commission. Some recommendations included are provisions for alternative financing by public private partnerships (P3), exploring efficiencies in design, construction, regional cooperation and use of buildings, requirements for preventive maintenance schedules, relief from LEED Silver Certifications if a state-based environmental standard is met, and a goal of budgeting \$400 million annually for school construction. The bill calls for more task forces to implement recommendations. Hrg 3/8 APP; SRU

Update on Bills Reported Previously in RSC:

HB 557 Primary and Secondary Education - Education Trust Fund - Use of Fund (RSC 2). Hrg 3/8 APP

HB 1697/SB 1122 Education – Commercial Gaming Revenues – Constitutional Amendment (RSC 3) Hrg 3/8 APP; 3/9 B&T

HB 823 Education - Public School Teachers – Preparation (RSC 2) Favorable with amendments W&M.

HB 1216 Career Preparation Expansion Act (RSC 3). Hrg 3/9 ECM

HB 1415/SB 1092 Education - Commission on Innovation and Excellence in Education (RSC 3). Hrg 3/7 W&M; 3/7 EHEA.

Correction: **HB 1565** (not HB 1561) Nonpublic Elementary and Secondary Schools - Discrimination – Prohibition (RSC 3) is the correct bill number.

HB 1599 Career Education Policy Act (RSC 3). Hrg 3/8 W&M.

SB 373 Education – Head Start Program – Annual Appropriation (The Ulysses Currie Act) (RSC 1) Passed Senate with amendments, APP.

Lois Hybl

CHILDREN AND FAMILIES**Update on Bills Previously Reported in the RSC:**

HB 1/SB 2 Family Law – Child Conceived Without Consent – Termination of Parental Rights (RSC 1) Both bills approved by Governor.

HB 191 Family Law – Marriage – Age Requirements (RSC 1) Hrg 2/1 JUD

HB 430/SB 379 Education – Child Care Subsidies – Mandatory Funding Levels (RSC 2) Hrgs 2/13 APP, 2/14 B&T

HB 500/SB 132 Crimes – Child Abuse and Neglect – Failure to Report (RSC 1) Hrg 2/8 JUD. SB 132 passed senate, now in JUD. 1/23 JPR

HB 524/SB 291 Family Law – Protecting the Resources of Children in State Custody (RSC 2) Hrgs 2/8 JUD and JPR

HB 600/SB 131 Child Abuse and Neglect – Training (RSC 1) Hrgs 2/8 JUD, 1/23 JPR

HB 806 Education – Summer Meals Expansion Grant Pilot Program (RSC 3) Hrg 2/22 W&M

HB 1152/SB 965 Family Law – Age of Majority – Jurisdiction of the Court (RSC 3) Hrgs 2/22 JUD, 2/21 JPR

HB 1476 Education – Supplemental Prekindergarten Grant – Eligibility (RSC 3) Hrg 3/8 W&M

HB 1610 State Occupied Building – Child Care Centers – Requirements and Renovations (RSC 3) Hrg 3/7 HGO

HB 1685/SB 912 Maryland Prenatal and Infant Care Coordination Services Grant Program Fund (Thrive by Three Fund) (RSC 3) HB 1685 referred by HRU to HGO, SB 912 Hrg 3/1 FIN

Judy Morenoff

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