



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: Ruth Crystal
Asst. Editor: Ashley Oleson

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EDUCATION

Pre-K to 12 Public School Funding

The heavily amended [SB 1030 The Blueprint for Maryland's Future \(RSC-4\)](#) passed. It lays out the vision for the Kirwan proposals and new funding for beginning steps over the next three school years. The new funds will cover conversion of more half-day pre-school programs to full-day, intensive tutoring to make sure students can read on grade level by 3rd grade, extra supports for schools with concentrated poverty, additional funding for special education services, incentive grants to school systems for teacher salary increases, a Teacher Collaborative Grant Program to develop state-of-the-art professional development and mentoring programs. The bill also establishes the Maryland Office of the Inspector General for Education to investigate reports of fraud, waste and abuse, contingent on the Governor releasing fiscal 2020 funding to implement the bill. Finally, the bill requires the Governor to include \$355 million in the fiscal 2021 budget and \$500 million in fiscal 2022 to implement the bill, with \$130 million of the fiscal 2022 mandate contingent on additional revenues. A workgroup will also need to develop formulas for sharing the cost of these mandates between the state and counties in the coming years.

School Construction

The current capital budget allocation for school construction is \$500 million. [HB 727 The Build to Learn Act \(RSC-4\)](#) passed the House but had no committee vote in the Senate. It was meant to speed up additional construction by establishing a non-lapsing fund using \$125 million of lottery revenues each year to generate \$2.2 billion in new revenue bonds for school construction. It incorporated plans to relieve overcrowding and the need for portable classrooms and to renovate and replace aging schools. Separate school construction bills to address various issues failed. [HB 156/SB 172 Public Charter School Facility Fund \(RSC-2\)](#) also failed.

School Climate and Discipline

[HB 725 Public Schools - Student Discipline - Restorative Approaches \(RSC-3\)](#) passed in amended form. It defines restorative practices and states that a local school board's discipline regulations must provide for restorative practices. The legislation requires technical assistance and training and annual reporting of discipline data. [HB 704 Maryland Longitudinal Data System \(MLDS\) - Student Data and Governing Board \(RSC-3\)](#) passed adding juvenile delinquency records and elementary and secondary school discipline records to the types of data that are collected and analyzed by the MLDS Center This will be helpful to researchers analyzing the effect of discipline practices on arrest records. However, [HB 1229 Restorative Schools Fund and Grants – Establishment \(RSC-3\)](#) and [HB 1208 Board of Restorative Practices in Schools – Establishment \(RSC-3\)](#) received unfavorable reports in EHEA.

Although [HB 256 State Department of Education – Guidelines on Trauma-Informed Approach \(RSC-2\)](#) did not pass, language emphasizing the need for trauma-informed practices was included in **SB 1030**.

Other safe schools bills which did not pass were [HB 148/SB 165 Safe Schools Maryland Act of 2019 \(RSC-3\)](#), [HB 439 Public Schools – School Resource Officers – Prohibited Conduct \(RSC-2\)](#) and [SB 576 Student Victim of Violent Crime \(RSC-3\)](#).

Curriculum and School Services

[SB 661 Primary and Secondary Education - Community Schools – Established \(RSC-3\)](#) passed. The bill defines expectations for community schools and expresses intent that the Concentration of Poverty School Grant Program in **SB 1030** be used to offset the fiscal 2020 and 2021 cost for community schools with at least 80% of students in poverty.

[SB 734 Education - Students with Reading Difficulties - Screenings and Interventions \(RSC-3\)](#) passed and requires screening and supplemental reading instruction, notification to parents, and technical support and training opportunities for local boards. Again, the funds for tutoring in **SB 1030** are to help with costs.

While [HB 1242 Public School Students – Vision Services – Reporting \(RSC-3\)](#) passed with amendments to make it mostly a bill for study and reporting.

[HB 657/SB896 Arts Education in Maryland Schools Alliance Grant \(RSC-3\)](#) both passed requiring the Governor to include at least \$100,000 per year for FY2021-2023 to collect data on fine arts instruction.

[HB 1369 Task Force to Evaluate Existing School Civic Literacy Programs \(RSC-4\)](#) never had a hearing.

Aid to Nonpublic Schools

After final budget negotiations, the **Broadening Options and Opportunities for Students Today (BOOST) (RSC-2)** program received less than the \$10 million originally requested, but nearly \$6.6 million in new funding in fiscal 2020, as well as nearly \$1.0 million in funding from fiscal 2019 that is carried forward. Separate bills prohibiting discrimination by nonpublic schools that receive scholarship funds failed but budget language added the requirement that, in addition to employment and admissions, participating nonpublic schools may not discriminate in retention, expulsion, or otherwise against any student. In addition, the participating schools may not discriminate against students on the basis of gender identity or expression.

Lois Hybl

CHILDREN AND FAMILIES

[HB 248/SB 181 Child Care Subsidies \(RSC-2\)](#) and [HB 338/SB 218 Summer SNAP for Children \(RSC-2\)](#) both important to the welfare of children in lower income families were each returned passed. [HB 529/SB 406 Prenatal and Infant Care Grant Funding and Task Force \(RSC-3\)](#) were each passed enrolled.

Several bills related to child abuse and neglect passed while others did not. Those passed and approved by the Governor included: [SB 24 Kinship Caregivers \(RSC-1\)](#), [HB 787/SB 568 Child Abuse and Neglect – Failure to Report \(RSC-3\)](#), and [HB 1007/SB 739 Child Advocacy Centers \(RSC-3\)](#). [HB 911 Unaccompanied Minors in Need of Shelter \(RSC-3\)](#) also passed but has not yet been signed.

[HB 519/SB 697 Parentage and Adoption \(RSC-3\)](#) also passed.

Judy Morenoff

HEALTH

Maryland will receive \$17.3 million from the US Department of Health and Human Services for expanded Opioid treatment. This brings the total to \$33.1 million for expanded treatment through a two-year grant. Some Public Health officials fear the epidemic will not peak until 2025 or 2027. The General Assembly approved legislation that would provide counseling and treatment with three federally approved medications (methadone, buprenorphine and naltrexone) in the State-run detention center and every county jail.

Bills Passed and signed by the Governor

[SB 28 \(RSC-1\)](#) **Health Insurance – Coverage Requirements for Behavioral Health Disorders - Short-Term Limited Duration Insurance.**

Bills Passed

[HB 768/SB 759 Health Prescription Drug Affordability Board \(RSC-3\)](#) went back and forth between the Houses and Conference Committees. The passed bill will establish the board with a timeline for reporting in December 2020. The Governor has until May 31 to sign it.

[HB 814/SB 804 Maryland Easy Enrollment Health Insurance Program](#) residents may check a box that they are uninsured on their tax return and the Maryland Exchange will assess their eligibility for help with insurance.

[SB 36/HB 127 \(RSC-1\)](#) **Health Insurance – Health Benefits Plans – Special Enrollment for Pregnancy**

[SB 773](#) – **Health Care Malpractice Qualified Expert – Qualification (RSC-3)** Passed with amendments.

[HB 124/SB 229 Tanning Devices – Use by Minors \(RSC-2\)](#) Passed with amendments.

[HB 258/SB 239 Health Insurance – Individual Market – Provider Fee \(RSC-2\)](#) codifies the fee until 2025.

[HB 506/SB 970 Maryland Department of Health – Special Supplemental Nutrition Program for Women, Infants and Children \(RSC-3\)](#)

[HB 1274](#) Opioid Restitution Fund ([RSC-3](#))

[HB 25/SB 195](#) Prescription Drug Monitoring Program – Revisions ([RSC-2](#)) The House concurred with the Senate’s amendments.

[HB 1169](#) Business Regulation - Tobacco Products and Electronic Smoking Devices - Revisions the age to buy cigarettes was increased with vaping amended out.

Bills that failed but will likely return next year

Malpractice and vaping bills will continue to return year after year, as will bills to shore up the Affordable Care Act.

[HB 399/SB 311](#) End of Life Option Act (Roger E. Israel and Roger “Pip” Moyer Act) The bill passed the House but was amended in the Senate where it failed on a tie vote after one member abstained from voting.

[HB 15](#) Pediatric Autoimmune Neuropsychiatric Disorders ([RSC-1](#)) is likely to be back because of the children it affects.

[SB 708/HB 1185](#) Electronic Nicotine Delivery Systems – Prohibition and Requirements ([RSC-3](#))

Neilson Andrews

MEETING BASIC HUMAN NEEDS & EQUALITY OF OPPORTUNITY

Minimum Wage

[HB 166/SB 38](#) Fight for Fifteen ([RSC-2](#)) is law after a Gubernatorial veto was overridden. The bill increases minimum wage to \$15/hour by 2025 with a longer phase-in for employers with 14 or fewer employees and exemptions for tipped workers and youth.

Employment

[HB 994/SB 839](#) Criminal Record Screening (Ban the Box) ([RSC-3](#)) was passed enrolled by both houses. This bill prohibits an employer from requiring an applicant to disclose a criminal record on an application unless the employer provides services to minors or vulnerable adults.

Affordable Housing

[HB 451/SB 812](#) Fair Housing Opportunity Act ([RSC-2](#)) received an unfavorable report in both houses.

[HB 473/SB 941](#) Definition of Rent ([RSC-2](#)) received an unfavorable report in both houses.

[HB 785/SB 715 Repair of Dangerous Defects \(RSC-3\)](#) received an unfavorable report in the House and was never voted on in JPR.

Ruth Crystal

TRANSPORTATION

In the transportation sector, two bills passed that have significant environmental impacts. [HB 277 \(RSC-2\)](#) authorizes the governor to include Maryland in a regional agreement to help reduce greenhouse gas (GHG) from the transportation sector. There is a requirement to report annually for three years to the General Assembly of initiatives and progress to limit GHG. The state may withdraw from the compact with approval of the General Assembly. A bill not reported on is [HB 1255](#), transitioning to zero emissions school bus use. This bill provides state grants to local authorities for purchase of electric school buses, installing electrical infrastructure, allowing for transition plans, and funding pilot programs.

Several bills provide improvements for pedestrians, bicyclists, and transit riders. [HB 885 \(RSC-3\)](#) establishes Vision Zero across Maryland. The goal of having zero pedestrian road deaths was first established in Sweden and the global program has grown each year to now include all of Maryland. This has impacts on speed limits and the manner in which road projects are designed and implemented. [HB 1281 \(RSC-3\)](#) provides \$3.8 million in the budget annually for grants in support of various types of bike infrastructure focusing on the connection of trails and roads and helps provide “last-mile” connections. The bill with amendments now alters the development of the Central Maryland Regional Transit Plan with a focus on improving transit and adding more oversight provisions.

Access to transportation throughout the state will be studied by a task force established in [HB 923 \(RSC-3\)](#). The task force will make recommendations for ways to improve transportation access to employment, further education, and health and human services.

Numerous bills were not passed that might impact the expansion of I-495 and I-270 as proposed by Governor Hogan. The bills concerned issues of the environment (water, air and land), equity, fiscal considerations, acquiring land, Public Private Partnerships, and unequal treatment of various areas of the state.

Bee Ditzler

ENVIRONMENT: CLIMATE CHANGE

[HB 472 Constitutional Amendment - Environmental Rights \(RSC-2\)](#) establishes a provision within the Maryland Bill of Rights for a constitutionally protected right to a safe, healthy environment in order to create lasting protections for breathable air and drinkable water. Although it had little support this year, it is expected to be re-introduced in the next legislative session.

Betsy Singer

ENVIRONMENT: LAND USE

The effort to revise and improve the **Forest Conservation Bill of 1991** hit a roadblock last year, so in 2019 a new strategy was pursued. Three bills were proposed this year. Two bills passed: **[HB 272/SB 234 State and Local Forest Conservation Funds \(Fee-in-Lieu\)](#)** to improve how the funds were administered, and **[HB 735/SB 729 Technical Study on Changes in Forest Cover and Tree Canopy in Maryland](#)**. The third bill did not pass: **[HB 120/SB 203 No Net Loss of Forest Definition](#)** which would have made a difference in calculation of tree loss.

Susan Cochran

ENVIRONMENT: RENEWABLE ENERGY

[SB 387/HB 669 Environment - Water Quality Certifications \(Pipeline and Water Protection Act of 2019\)](#) ([RSC-1](#)) Despite being passed out of the House and the Senate, the bill was not sent to the Governor's desk by the deadline and thus died. As a major step in oversight of fossil fuel infrastructure, this bill will likely be introduced again in the 2020 session.

[HB 1158/SB 516 Clean Energy Jobs Act](#) ([RSC-3](#)) passed the House with amendments and passed the Senate. It has not been signed by the Governor as of April 24. If it is vetoed by the governor, it may be brought for a veto override in the special session.

Shari Glenn

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

Bills that passed

[HB 109/SB 285 Environment - Expanded Polystyrene Food Service Products – Prohibition](#) ([RSC-1](#)) Passed and enrolled. Ban takes effect in July 2020. Maryland is the first state to enact this “Styrofoam” ban for food service materials.

[HB 298/SB 448 Oysters - Tributary-Scale Sanctuaries - Protection and Restoration](#) ([RSC-2](#)) General Assembly over-rode the Governor's veto. The aim is to protect oyster sanctuaries by preventing overharvesting.

[HB 36 Surface Mining - Zone of Dewatering Influence - Water Supply Replacement](#) ([RSC-1](#)) Passed and approved by the Governor.

[HB 50 Department of Agriculture - Maryland Produce Safety Program](#) ([RSC-1](#)) Passed and approved by the Governor.

[HB 170 Jane E. Lawton Conservation Loan Program - Eligible Borrowers](#) ([RSC-2](#)) Passed and approved by the Governor.

[HB 1353 Agriculture – Nuisance Insects](#) ([RSC-4](#)) Passed and approved by the Governor.

[SB 54](#) Surface Mining - Zone of Dewatering Influence - Contested Case Hearing ([RSC-1](#)) Passed and approved by Governor.

[HB 190](#) Environment - Failing On-Site Sewage Disposal System – Definition ([RSC-2](#)) Passed and enrolled.

[HB 428/SB 269](#) Comprehensive Flood Management Grant Program - Awards for Flood Damage and Mandatory Funding ([RSC-2](#)) HB 428 Passed and enrolled.

[HB 720/SB 830](#) Natural Resources - Fishery Management Plans – Oysters ([RSC-3](#)) Passed and enrolled.

[HB 904/SB 546](#) Agriculture - Nutrient Management - Monitoring and Enforcement ([RSC-3](#)) Senate version passed and enrolled.

[SB 370](#) Environment - Recycling - Commercial Properties (Office Buildings) ([RSC-2](#)) Passed and enrolled.

[HB 213/ SB 143](#) Cownose Ray Fishery Management Plan and Moratorium on Con-tests ([RSC-2](#)) Passed.

[HB 406](#) Wetlands and Waterways Program - State-Owned Lands - Structural Shoreline Stabilization ([RSC-2](#)) Passed.

[HB 417](#) Water Pollution Control - Public Notification of Sewer Overflows and Treatment Plant Bypasses – Alteration ([RSC-2](#)) Passed.

[HB 510](#) Composting - Food Waste - Acceptance for Final Disposal ([RSC-3](#)) Passed.

[HB 703/SB 505](#) Environmental Violations - Reporting Requirements ([RSC-3](#)) Passed.

[HB 1233](#) Environment - Reduction of Lead Risk in Housing - Elevated Blood Lead Levels and Environmental Investigations (Maryland Healthy Children Act) ([RSC-3](#)) Passed.

[HB1253/SB 481](#) Environment - Drinking Water Outlets in School Buildings - Elevated Level of Lead and Grant Program ([RSC-3](#)) Passed.

[HB 1366/SB 662](#) Maryland Association of Environmental and Outdoor Education Grant (Maryland Green Schools Act of 2019) ([RSC-4](#)) Passed.

[SB 1031](#) Environment – Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund – Funding, Reallocation, and Reimbursements ([RSC-4](#)) Passed.

[HB 28/SB 939](#) Natural Resources - Shellfish Nursery Operations - Wetlands License Requirements ([RSC-2](#)) Passed.

[SB 471/HB 652](#) will modify provisions governing the administration of antimicrobial drugs to cattle, swine, or poultry, including by, among other things, (1) expressly prohibiting the drugs from being administered in feed or water unless ordered by a licensed veterinarian through a specified drug prescription or a veterinary feed directive; (2) limiting the duration for which the drugs may be administered; (3) altering the penalty for violating the provisions. Many years of overuse of antibiotics has contributed to creation of drug-resistance bacteria.

Bills that did not pass

[HB 275/SB 270](#) Pesticides - Use of Chlorpyrifos – Prohibition ([RSC-2](#)) Passed in the House but failed by one vote in the Senate. Chlorpyrifos is a possible human carcinogen. At least one other state (Hawaii) has voted for a ban.

A few other bills that did not pass were a pipeline and water protection act, a clean air act, and a bill to add the right to a clean and healthy environment to the state bill of rights.

Linda Silversmith

BUDGET

Unlike last year, this year's budget was faced with a significant reduction in the revenue estimate part way through the Session (\$139 million for FY 2019 and \$138 million for FY 2020). It was also committed to begin funding the Maryland Future Fund (Kirwan recommendations). Through a combination of budget reductions, enactment of a revenue bill (see [Taxes](#) below) and shifting of funds a balanced budget was achieved.

[HB 100](#) The Operating Budget provides \$46.6 billion in appropriations for fiscal 2020, an increase of \$1.8 billion or 4.0%. General fund appropriations will increase by nearly \$1.5 billion or 8.4%. About one third of the increase is to the Rainy Day Fund and brings the fund to 6% of General Revenues. The budget includes \$172 million in construction projects (\$127 million for schools) that would otherwise have been paid by state debt at a higher cost. Funding for public education increased by a total of \$388.3 million mostly to meet formula requirements. The budget provides for a 3% pay increase for state employees and a 5% increase for law enforcement union members. Additional funding is provided for provider rate increase and expansion of services in the Developmental Disabilities Administration.

The General Assembly identified \$150.3 million in special funds to be used for The Blueprint for Maryland's Future (see [Taxes](#) below). Medicaid's funding is reduced by a

net of \$235.1 million due to declining enrollments. The budget for Food Supplement Program benefits were reduced by \$71.0 million to align funding with actual spending. Higher education increased by \$118.9 million or 2.6% in current unrestricted and restricted funds. Tuition is assumed to increase by 2%.

[HB 1407](#) Budget Reconciliation and Financing Act Legislation (BRFA) Actions taken under the BRFA resulted in reductions of \$148.5 million between FY 2019 and FY2020. Reductions were primarily made to Medicaid's "favorable caseload trends" and other programs such as vacancies in the correctional departments.

[HB 101](#) Capital Budget The fiscal 2020 capital budget totals \$4.944 billion. Transportation projects will receive \$3.002 billion. \$1.092 billion for non-transportation projects is funded with General Obligation bonds, \$816.1 million with pay-as-you-go funds in the operating budget, and \$34 million from Academic Revenue Bonds for the University System of Maryland.

[SB 1030](#) The Blueprint for Maryland's Future establishes a policy to transform Maryland's education system and align it with the recommendations of the Kirwan Commission. The FY 2020 budget and the BRFA of 2019 rearrange various funds in order to pay for at least part of the needed funding. In total, \$255.7 million is available for the Blueprint for Maryland's Future in fiscal 2020.

Barbara Hankins

TAXES

While a few significant tax bills passed during the Session, most of the bills reported on never got out of committee.

Among the bills that passed certainly the most important is **[HB 1301](#) Sales and Use Tax – Collections from Marketplace Facilitators**. This bill requires online "facilitators" (e.g. Amazon, Etsy) which pass through other sellers to collect sales and use tax. It is one of the bills which was passed to help balance the budget. In addition to licensing and collecting sales tax, it requires that any revenues in excess of \$100 million per year are to be paid into the Blueprint for Maryland's Future Fund (Kirwan recommendations).

Other tax bills that passed include **[HB 175](#) Maryland Research and Development Tax Credit – Sunset Extensions**, and **[HB 380/SB 265](#) Income Tax Subtraction Modification, Mortgage Forgiveness Debt Relief – Extension** both of which extend already existing legislation.

Significant bills that did not pass include the targeted tax credits submitted for the Governor – **[HB 149/SB 170](#) Retirement Fairness Act of 2019**, **[HB 154/SB 171](#) Income Tax Subtraction Modification – Qualified Retired Public Safety Employees (Hometown Heroes Act of 2019)**, **[HB 231/SB 151](#) Income Tax Subtraction Modification - Volunteer Fire, Rescue and Emergency Medical Services Members**, **[HB 41/SB 88](#) Student Debt Relief Act of 2019**, and **HB 46/SB 88 Small Business Relief Tax Credit**. Also failing to pass was the Governor's bill **[HB 151/SB 168](#) Clean Cars**

Act of 2019 which would have expanded the excise tax credit to include fuel cell electric vehicles with a maximum credit of \$3000.

Barbara Hankins

CAMPAIGN FINANCE

Of the 17 campaign finance bills that were described in *Report from State Circle* this session, only three passed and are awaiting the governor's signature. Two of them **[HB 878](#)** **Late Fees and Certificates of Nomination** ([RSC-3](#)) and **[SB 123](#)** **Coordinated Expenditures and Donations – Investigation** ([RSC-1](#)) were designed to strengthen the effectiveness of our current campaign finance laws. **HB 878** increases the penalties for campaign finance violations. **SB 123** gives the State Board of Elections subpoena power, when necessary, to investigate potential violations of laws that prohibit candidates from coordinating with “independent” campaign committees.

None of the bills to expand public campaign financing to General Assembly candidates, candidates for the Circuit Court or local election of members of the Board of Education received a vote. However, the third campaign finance bill that did pass, had to do with local jurisdictions that put public campaign finance programs in place. **[HB 830](#)** **County Public Campaign Financing - Administration** ([RSC-4](#)) requires a county government that establishes a public campaign finance system, to provide the funding and staff necessary for the operation, administration and auditing of the program. The bill originally had a provision that required any late filing penalty incurred by a campaign that is funded with public funds, be paid personally by the officers of the campaign fund and not with moneys collected from small donors or taxpayers. This provision was deleted by amendment.

Nancy Soreng

ELECTIONS

This legislative session has been a very busy one regarding elections. Some of the bills that passed include **[SB 230](#)** ([RSC-2](#)) which requires that local boards will release a report of the unofficial results of the absentee ballot vote tabulation at the end of each day of canvassing; **[SB 364](#)** ([RSC-3](#)) which establishes a program which local boards may use for high school students to serve as pages on election day; and **[HB 237](#)** ([RSC-2](#)) which will open the Early Voting Centers at 8:00 AM during general elections and at 10:00 AM for primary elections. But the bills that have the most impact are those that will allow citizens to register and vote on Election Day.

Upon overwhelming approval of the voters in the general election last November, the Maryland constitution was amended to allow citizens to register to vote on Election Day. The bills to implement this, **[HB 286](#)** ([RSC-2](#)) / **[SB 449](#)** ([RSC-3](#)) passed, which means that citizens are now allowed to register to vote, or change the address of an existing registration, on Election Day at the polling place. After showing proof of residency, the voter will be issued a voter authority card and allowed to vote (the ballot will be provisional if the new residency is at another precinct).

Bills that would allow unaffiliated voters to participate in primary elections, either by voting [HB 423 \(RSC-2\)](#) or by affiliating on primary election day and then voting [SB 489/HB 530 \(RSC-3\)](#) did not make it out of committees. A bill to study and make recommendations regarding voting by mail, [SB 476 \(RSC-3\)](#), also did not get out of committee.

[HB 565 / SB 363 \(RSC-2 & 3\)](#) which were written to address issues of privacy of votes for people with disabilities but which would have been technically challenging to implement, were referred for interim study over the summer. It is expected that new legislation will be written for the next session based on the recommendations that emerge from the study.

Dona Sauerburger

REDISTRICTING REFORM

[SB 1050/HB 1430 Congressional Districting Plan - Sixth and Eighth Congressional Districts](#) was emergency legislation introduced by the Governor based on the recommendations of the [Emergency Commission on Sixth Congressional District Gerrymandering](#) he formed on November 26, 2018. This commission formation was in response to [an order of the U.S. District Court](#) in the case of [Benisek v. Lamone](#) which found Maryland's Sixth Congressional District to be unconstitutionally gerrymandered. The recommendations adjust the boundaries of both the sixth and eighth Congressional districts of Maryland based on input from the public and commission research and deliberations. Due to the late introduction, the bills would have been heard by the Senate Rules Committee and the House Rules Committee, but they never received a hearing.

As reported in [RSC-5](#), all of the redistricting reform bills previously introduced in the House received unfavorable reports. None of the bills in the Senate received votes. Redistricting reform legislation for the 2020 session will be influenced by the Supreme Court decisions in [Benisek v. Lamone](#) and joint cases of [League of Women Voters v. Rucho](#) and [Common Cause v. Rucho](#). Opinions on these cases are expected in June 2019 and have potential implications for not only the way Maryland redistricts, but the entire nation.

Ashley Oleson

TRANSPARENCY

[SB 184/HB 71 State Board of Elections - Open Meetings - Video Streaming and Recording \(State Board of Elections Transparency Act\)](#) Passed

Elaine Apter

ADMINISTRATION OF JUSTICE

[HB 77/SB 395 Criminal Law - Decriminalization of Attempted Suicide \(RSC-3\)](#) which states simply that "attempted suicide is not a crime in the State" repeals a long-standing but rarely enforced common law. [HB 88 Criminal Law - Alcohol Offenses - Civil Offenses \(Decriminalization of Petty, Nonviolent Offenses\) \(RSC-2\)](#) will help to reduce the number of criminal violations that lead to incarceration. That bill was

passed with a new name, **Criminal Law and Civil Offenses** and incorporated the provisions of [SB 149/HB 542 Task Force to Study Crime Classifications and Penalties \(RSC-2\)](#) establishing a task force to review all penalties for civic and criminal violations and reporting findings and recommendations to the Governor and General Assembly by the end of 2020.

Two bills enhancing protections for women were passed. [SB 999/HB 1337 Criminal Law - Assault - Pregnancy \(Laura and Reid's Law II\) \(RSC-5\)](#) did not pass. However, [SB 561/HB 757](#) which was originally titled **Criminal Law - Homicide - Fetus (Laura and Reid's Law)** was amended to include the added penalties for assaulting a pregnant woman in [SB 999](#) and renamed **Crime of Violence Against Pregnant Person - Enhanced Penalties** (also dedicated to Laura and Reid) and the amended bill was passed. [HB 122/SB 209 Protective Orders - Relief Eligibility - Rape and Sexual Offences \(RSC-2\)](#) expands eligibility for protective orders to all victims of rape and sexual offenses, not just those with a prior domestic relationship with the offender.

[HB 263/ SB 551 Criminal Procedure - Pretrial Release Services Program - Victim Notification \(RSC-3\)](#) would have required that all counties have a pretrial services program and that a validated risk assessment service program be used to evaluate defendants before trial. The bill passed the House but did not get out of the Senate committee.

A few bills were introduced that would have made changes in judicial selection and the naming of courts. These would have required Constitutional amendments. Typically, such bills are considered in election years since they require voter approval at the polls.

Marlene Cohn

CORRECTIONS

Two bills passed protecting pregnant women and minors from imprisonment in restrictive housing or solitary confinement. [HB 1001/SB 774 Correctional Services - Restrictive Housing - Reporting by Correctional Units and Requirements Relating to Minors \(RSC-3\)](#) included amendments that enhance services provided for minors in restrictive housing and allow an aggrieved minor to seek legal recourse. [HB 745/SB 809 Correctional Facilities - Restrictive Housing - Pregnant Inmates \(RSC-3\)](#) requires medical treatment plans for pregnant inmates and protects pregnant or postpartum women from placement in solitary confinement unless a risk assessment is provided in writing every 24 hours and medical supervision is provided.

Also passed, [HB 116/SB 846 Public Health - Correctional Services - Opioid Use Disorder \(RSC-2\)](#) requires written plans and treatment for addicted inmates during pre-trial, post-trial and reentry. The bill was amended to provide special treatment for pregnant women, required application for federal funding and implementation by all local detention centers by 2020.

[HB 78/SB 527 Correctional Services - Inmates – Labor \(RSC-1\)](#) passed. It requires a

yearly report on inmate labor, wage scales, job classifications and number of inmates employed.

Marlene Cohn

DOMESTIC VIOLENCE

[SB 129](#)/HB 712 Criminal Law – Continuing Course of Conduct With a Child – Unit of Prosecution ([RSC-1](#)), approved by Governor.

Deborah Mitchell

DRUG ABUSE

[HB 17](#)/[SB 857](#) Natalie M. LaPrade Medical Cannabis Commission –Processing and Dispensing Medical Cannabis allows institutions to purchase medical cannabis for research purposes and allows edible cannabis products to be distributed for use by a qualifying patient or caregiver. Emergency bill. Returned passed.

[HB 25](#)/[SB 195](#) Prescription Drug Monitoring Program – Revisions requires the Prescription Drug Monitoring Program to review data for indications of possible misuse or abuse of a monitored prescription drug and to report the possible misuse or abuse. Passed enrolled.

[SB 28](#) Coverage Requirements for Behavior Health Disorders – Short Term Limited Duration Insurance alters the definition of “health benefit plan” related to coverage requirements to allow inclusion of short-term limited duration health insurance for the diagnosis and treatment of mental illness and emotional, drug use, and alcohol use disorders. Approved by Governor.

[HB 116](#)/[SB 846](#) Opioid Use Disorder Examinations and Treatment requires local correctional facilities to conduct an assessment of the mental health and substance use status of each inmate to determine whether opioid treatment or medication-assisted treatment for opioid addiction is appropriate. The bill was amended to provide special treatment for pregnant women, required application for federal funding and implementation by all local detention centers by 2020. Passed Enrolled.

Chris Hager

HUMAN TRAFFICKING

[HB 5](#)/[SB 146](#) Commercial Driver's Licenses – Recognition, Prevention, and Reporting of Human Trafficking ([RSC-1](#)), Passed enrolled.

Deborah Mitchell

IMMIGRATION

Three bills concerning immigrants passed both Houses:

[SB 144/HB 214](#) which provides a path to permanent residence for assisting law enforcement.

[HB 262/SB 537](#) which provides in-state tuition at all MD public institutions of higher education.

[HB 433/SB 853](#) which requires citizenship or permanent residency for police officer certification.

Carole Conors

JUVENILE JUSTICE

Passed

[HB 659](#) **Juvenile Law-Continued Detention- Minimum Age** (Shetty) ([RSC-3](#)) prohibits continued detention of a child under the age of 12 except for crimes of violence. This bill passed both houses.

[HB 606/SB 856](#) **Juvenile Justice Reform Council** ([RSC-3](#)) creates a Juvenile Justice Reform Council tasked with developing a statewide framework of policy based on applicable data to reduce juvenile crime and invest in public safety. The bill was passed enrolled.

Failed to Pass

[SB 452/HB 11](#) **Juveniles Charged as Adults – Confidentiality of Records** ([RSC-1](#)) required that photos and video of a child taken during arrest or booking be subject to juvenile confidentiality laws until a determination has been made about whether a child will be tried as an adult. Passed with different amendments in both houses and died because conference committee could not agree.

[SB 13/HB 867](#) **Juveniles- Reportable Offenses** ([RSC-1](#)) required that the Department of Juvenile Services notify school leadership of a student's arrest record and/or gang membership. This bill also requires that DJS inform school leadership of what educational services the student received in their facilities. This bill passed the Senate but not the House.

Jill Muth



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