



REPORT FROM STATE CIRCLE

Published by the League of Women Voters of Maryland, Inc.

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January 25, 2020

Issue No. 1

Maryland General Assembly website: <http://mgaleg.maryland.gov>

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EDUCATION

Commission on Innovation and Excellence in Education (Kirwan Commission)

Legislation - Legislation covering policy recommendations and funding formulas to implement the Kirwan Commission recommendations is expected to be the major Pre-K to 12 legislation this session. It would phase in over 10 years the recommendations for increased early childhood education, high quality and diverse teachers and leaders, college and career readiness, more resources to help students succeed, especially in schools with high concentrations of poverty and an independent accountability board with the authority to ensure that the commission's recommendations are successfully implemented and produce the desired results. When fully phased in after 10 years, \$3.8 million extra in state and local funding would be spent annually. Introduction of the bill is expected at the end of January.

HB 7 Environment - Public and Nonpublic Schools - Inspections for Mold Hazards and Mold or Moisture Problems (Healey) requires the Department of the Environment

to adopt regulations for periodic inspections for the presence of mold hazards and mold or moisture problems in each occupied public or nonpublic school facility in the state. Annual reports to the Governor and the General Assembly on the findings and remediation would be required. Hrg. 1/28, 1pm W&M; ET hearing canceled

SB 133 Education - High School Students - Graduation and Attendance Credit for Vocational Training (West and McCray) authorizes county boards of education to award credit to a high school student toward a high school diploma or a postsecondary credential, or both, for one vocational course per semester in a career and technical education program approved by the county board. The time spent in a vocational course would also count for attendance. EHE

HB 208 Public Schools - Provision of Menstrual Hygiene Products (Reznik plus 51) requires that local boards of education provide dispensers with free menstrual hygiene products in at least two bathrooms in each public school by October 2020 and in all restrooms by August 2024. W&M

Public Funding of Nonpublic Schools

HB 150 Budget Bill (Fiscal Year 2021) (Speaker by Request of Administration) **Broadening Options and Opportunities for Students Today (BOOST)**. The BOOST program provides scholarships to students eligible for free and reduced price lunches to attend eligible nonpublic schools. The FY21 appropriation of \$10 million is an increase of \$3.4 million over the FY20 appropriation. APP

Lois Hybl

EDUCATION: SCHOOL CONSTRUCTION

HB 1/SB 1 Built to Learn Act of 2020 (Speaker et al./President et al.) establishes definitions, procedures, additional funds and acceptable funding mechanisms for the design, construction and improvement of public school facilities.

The Maryland Stadium Authority is responsible for school facilities construction and improvements. The source of payment for costs related to financing public school facilities will be the newly established non-lapsing Supplemental Public School Construction Facilities Fund and the non-lapsing Supplemental Public School Construction Financing Fund as well as bond proceeds held under trust agreement.

The Interagency Commission on School Construction shall approve public school projects to be funded. Percentages of the proceeds of authorized bonds are listed by county with over 80 percent going to the six largest counties and the remainder to the remaining counties. Prince George's County is permitted to employ a different approach to its construction and financing, incorporating public/private partnerships.

Prior to seeking approval from the Board of Public Works for public school facilities bond issues, the Maryland Stadium Authority must inform the General Assembly of the aggregate amount of funds needed and how the debt will be serviced. Unless authorized, the Board of Public Works may not approve issuance of bonds that

constitute tax or nontax supported debt if there would be outstanding and unpaid more than \$2,200,000,000 for public school facility construction/renovation.

The bill establishes a Public School Facilities Priority Fund administered by the Interagency Commission to provide state funds for facility needs of the highest priority schools in state as identified by the statewide facilities assessment. The purpose of the Fund is to address issues such as air conditioning, heating, indoor air quality, mold, temperature regulation, plumbing. In fiscal years 2023-2026, the Governor shall appropriate \$40,000,000 to the Fund. For fiscal year fiscal year 2027 and beyond, the Governor shall appropriate \$80,000,000.

The Governor's annual budget submission shall include at least the following amounts as supplemental funding for public education from the Education Trust Fund:

\$125,000,000 in fiscal year 2020; \$250,000,000 in Fiscal Year 2021; \$375,000,000 in fiscal year 2022; 100 percent of the funds in fiscal year 2023 and thereafter. Beginning in fiscal year 2020 and thereafter the Governor shall in the annual budget indicate how this money is used to supplement and not supplant PreK-12 education spending. Hrg. 1/23, 1pm APP; B&T

Kathy Vanston

EDUCATION: SCHOOL DISCIPLINE

SB 78 Public Schools-Student Discipline Regulations – Remedial Measures

(Hough) Current law provides that schools have disciplinary measures, educational and behavioral interventions, restorative approaches, counseling and student and parent conferencing for individuals violating school community behavioral expectations. This amends existing law to provide that an individual violating behavioral expectations will apologize to the harmed individual and provide restitution for injury or loss, be subject to schedule modification to minimize contact with the harmed individual and have a parent or guardian meet with appropriate school staff. Hrg. 1/22, 1pm EHE

HB 202 Restorative School Funds and Grants – Establishment (Cain et al.)

establishes a Restorative Schools Fund administered by the State Department of Education. The fund will provide grants to local school systems and individual schools for staff training and implementation of restorative approaches to build and sustain positive learning communities. The grants would be used for activities such as training staff in restorative approaches, gathering and analyzing school discipline data and the relationship between student behavior and disciplinary consequences, addressing disproportionate application of discipline, promoting racially equitable practices and promoting student family engagement in restorative approaches. Hrg. 1/30, 1pm W&M

Kathy Vanston

EQUALITY OF OPPORTUNITY

HB 123/SB217 Labor and Employment – Wage History and Wage Range (Young et al./Lee et al.) requires an employer to provide an applicant with the wage range for the position which the applicant applied for and prohibits an employer from retaliating

against an applicant because the applicant did not provide their wage history. ECM; Hrg. 2/13, FIN

[HB 231](#) Housing Opportunities Made Equal Act (Lierman) recognizes that equality, fairness, and opportunity for Maryland residents often require government action and that security, mobility, and economic opportunity are enhanced by the location of a person's home. This bill will expand the housing policy of the State to include providing for fair housing to all citizens regardless of their source of income. This Act will not prevent private landlords from considering relevant, nondiscriminatory factors in screening rental applicants, including an applicant's ability to comply with lease terms and prior tenancy history. This Act does not apply if the building contains 5 or fewer units and the owner maintains the dwelling as the owner's principal residence. Anne Arundel County, Baltimore County, Frederick County, Howard County, Montgomery County, Prince George's County, the City of Annapolis, the City of Baltimore, and the City of Frederick already have laws prohibiting discrimination based on a person's source of income. Hrg. 2/4, ENT

Ruth Crystal

HEALTH

[SB 112](#) Health Insurance – Health Information – Disclosure Between Carriers (Finance Chair for the Maryland Insurance Commissioner) would mandate carriers, who both have a relationship with a patient, to disclose to each other pertinent information for case management and care coordination for the patient. It protects health information when the patient moves from one carrier to another. Hrg. 1/14, 1pm FIN

[SB 124](#) Maryland Health Benefit Exchange, Establishment of State-Based Health Insurance Subsidies Program (Feldman) would create a subsidy program through the Maryland Health Benefit Exchange for eligible citizens who purchase individual policies through the exchange. Funding would come from the State-Based Health Insurance Subsidies Program and would be divided between the reinsurance program and the insurance program. Hrg. 2/2, 2pm FIN

[HB 3/SB233](#) Business Regulation – Flavored Tobacco Products – Prohibition (Davis) would prohibit the sale of flavored tobacco, chewing and vaping products. The bill basically covers all types of tobacco, chewing, snuffing, etc. The language seems to include menthol cigarettes. It would also establish a fine of \$1,000 and/or 30 days in jail. It is an emergency bill and would be enacted upon passage in both houses. Hrg. 2/6, 1pm ECM, HGO; 2/13 1pm B&T

[SB 3](#) Electronic Smoking Devices, other Tobacco Products and Cigarettes, Taxation and Regulation (McCray) would regulate and tax all tobacco products and would mandate the State include \$20 million in funds for an anti-smoking, vaping, etc. annual campaign. B&T

[SB 54](#) Electronic Smoking Devices – Added Flavoring – Prohibition on Shipping, Import or Sale (Lam and Kelley) is a much simpler bill than HB3, as it just prohibits

vaping products. It also is an emergency bill. The fiscal note estimates that it would cause a reduction in revenue of \$7.2 million in fiscal year 2021 and \$8 million by 2025.

HB 53 Public Health - Contraceptive Devices – Minors (Parrott, Hartman, Arikan, and Metzgar) would prohibit the insertion or implantation of a rod or intrauterine device in a minor without the minor’s parent’s written permission. HGO

HB 66 Public Health – Immunizations – Minor Consent (Grammar) allows a provider to give immunizations to a minor 14 years of age as long as the provider feels the minor is mature enough to consent, even if the parent is not present or objects. HGO

Neilson Andrews

TRANSPORTATION

HB 72/SB 123 Maryland Transportation Authority – Video Streaming and Archiving – Open Meetings (Carr et/Feldman) requires that the Maryland Transportation Authority must video stream most public meetings and specifies that the unedited video be available for viewing for at least four years. This bill was previously introduced in 2019. Hrg. 1/29, HGO

HB 111 Electric Vehicle Recharging Equipment for Multifamily Units Act (Korman et al.) specifies that owners of multifamily units be allowed to install electric charging stations and assume certain costs. It requires Homeowner Associations and others to assume some responsibility to ensure legal installations. Hrg. 2/04, ENT

HB 194 State Highway Administration – Highway Work Permits – Pedestrian Access (Pedestrian Access Act of 2020) (Korman plus 24) regulates and governs construction along a highway that may impede pedestrians and requires a work permit with provisions to help accommodate pedestrians. ENT

HB 205/SB 105 Southern Maryland Rapid Transit Projects – Requirements and Funding (Davis, D.M. plus 32/Ellis) requires the governor to include funding from the Transportation Trust Fund and other sources to complete the design and all necessities to build this rapid transit project with all legislation to be effective July 1, 2020. Hrg. 1/09, B&T; ENT

HB 292/SB 229 Toll Roads, Highways, and Bridges – County Government Consent Requirement – Expansion (Lehman plus 24/ Lee plus15) expands from nine counties on the Eastern Shore to all counties in the state, the existing prohibition on state agencies to build toll lanes, highways, or bridges without the consent of a majority of the affected counties. If passed, it would take effect October 1, 2020. ENT; FIN

Bee Ditzler

ENVIRONMENT

LWVMD anticipates introduction of bills in the 2020 General Assembly to include veto-override for a bill to protect certain oyster beds in the Chesapeake Bay. We also anticipate re-introduction of the Maryland Sustainable Buildings Act and bills to phase out the six remaining coal plants in Maryland.

We will also follow bills that call for net zero emissions standards for new government buildings; promote electric busses and cars; require the Public Service Commission to factor in climate change in its decisions; allow local governments and communities to establish Community Choice Energy programs; and incentives for composting and carbon sequestration in soils. We also anticipate bills to reform the Greenhouse Gas Reduction Act to ensure its original intent and to enhance emission reduction goals.

Betsy Singer

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

HB 08 Illegal Dumping and Litter Control Law - Yard Waste (Arentz) expanding this law to include yard waste and establishing penalties. Hrg. 1/29, 2pm ENT

HB 13/SB 28 Solid Waste Management - Prohibition on Releasing a Balloon Into the Atmosphere (Hartman plus six; Lam plus three) would prohibit the knowing release of certain types of balloons into the atmosphere and provide penalties for doing so. Hrgs. 1/29, 2pm ENT; 1/23, 1pm EHE

HB 78/SB 172 Bay Restoration Fund - Authorized Uses (Watson/Hester) would alter the criteria for the use of these funds to include climate resiliency, flood control, and local stormwater management. Hrgs. 1/29, 2pm ENT; 1/29, 1pm EHE

HB 136 Environment - On-Site Wastewater Services – Regulation (Stein) would establish a state board in the Dept. of the Environment to regulate on-site wastewater services, including the individuals who perform them, developing minimum standards and overseeing county enforcement. Hrg. 2/3, 1pm ENT

HB 161 Nutrient Management - Professional Fertilizer Applicators - Requirements and Penalties (Chair, E&T, for Dept. of Agriculture) Application of commercial fertilizers to certain properties will require the use of licensed professionals, the employer of a violator can be penalized. Hrg. 2/5, 1pm ENT

HB 165 Solar Photovoltaic Recycling (Miller plus five) would establish a fee for the installers of solar generating facilities and use the funds for technological improvements in the recycling of photovoltaics. ECM

HB 177 Environment - Water Infrastructure Assets - Authorization of Emergency Actions and Establishment of Emergency Reserve (Chair, ENT; Barve) would establish a Water Infrastructure Emergency Fund as part of the Bay Restoration Fund so the Dept. of the Environment can act to protect against waterway constructions that are failing. ENT; APP

HB 179 Maryland Recycling Act - Recyclable Materials and Resource Recovery Facilities – Alterations (Charkoudian plus 20) would alter the state's definition of

recyclable materials to exclude incinerator ash and repeal the authority of a county to use a resource recovery facility to meet 5% of the waste reduction in its recycling plan. ENT; ECM

HB 209 Plastics and Packaging Reduction Act (Lierman plus 43) would prohibit stores from providing carryout plastic bags to customers, have stores charge (modestly) for durable carryout bags, and establish a Single-Use Products Work Group. ENT; ECM

HB 229 Pesticides - Use of Chlorpyrifos – Prohibition30 (Stein plus 30) would prohibit the use of the pesticide chlorpyrifos in the state and require the Dept. of Agriculture to provide education about this. ENT

HB 296 Environment - Single-Use Plastic Straws - Use in a Food Service Business (Love plus 10) would prohibit restaurants from providing single-use plastic straws unless requested by the person placing the order. ENT; ECM.

SB 07 Maryland Green Building Council – Membership (chair, B&T, for Dept. of General Services) would remove the Secretary of Housing and Community Development (or designee) from membership and add instead the Secretary of Labor (or designee). ENT

SB 86 Natural Resources - Fishing and Hunting Rights (Simonaire) says that residents have the right to hunt and fish subject to certain regulations. Hrg. 1/23, 1pm EHE

SB 92 Secretary of Agriculture - Weed Control Law (Chair, EHE, for Dept. of Agriculture) would allow the Secretary of Agriculture to enter into agreements with state subdivisions concerning work related to noxious weeds or other plant species. Favorable report, EHE

SB 114 Natural Resources - Nuisance Organisms - Pilot Projects and Northern Snakeheads (Chair, EHE, for Dept. of Natural Resources) would authorize the Dept. of Natural Resources to conduct pilot programs concerning nuisance organisms. Hrg. 1/23, 1pm EHE

Linda Silversmith

BUDGET

The Maryland budget is developed by the Governor's Office and the Office of Management and Budget. It is required to be submitted to the Legislature on the third Wednesday in January. Prior to the final development of the budget, the Spending Affordability Committee (SAC) submits a report outlining some of the parameters of the Maryland economy and the projections of the Board of Estimate and makes recommendations as to how much the budget should, at most, increase. At the end of the year, the budget must be balanced.

The Senate and House of Delegates alternate in carrying the budget bill. This year it's the Senate's turn. The budget bills filed by the President of the Senate and the Speaker of the house for the Administration are [SB 190](#)/[HB 250](#) the **Operating Budget**, [SB 191](#)/[HB 151](#) the **Capital Budget** and [SB 192](#)/[HB 152](#) **Budget Reconciliation and Financing Act (BRFA)**.

The SAC starts its report by pointing out that the Maryland economy has generally underperformed relative to the nation. U.S. employment growth since 2010 has averaged 1.7% while Maryland's growth has been 1.1%. However, the lack of growth in employment and wages with the resulting reduction in projected income is offset by \$120.8 million special fund revenue primarily for Medicaid.

The SAC, in the last several years, has focused on reducing the state's continuing structural deficit, i.e. a projected deficit in the General Fund at the end of the year. The baseline estimate for fiscal 2021 projects general fund growth of 4.8%. The fiscal 2021 general fund ending cash balance is projected to be a shortfall of \$206.1 million while the structural deficit is projected to be \$419 million. By FY 2025, those numbers are projected to be \$1.486 billion and \$1.236 billion. These projections assume normal economic growth. These imbalances are forecast before accounting for any recommendations from the Commission on Innovation and Excellence in Education (Kirwan Commission).

The recommendation of the SAC is that the fiscal 2021 general fund budget maintain structural balance. It believes this will put the state in a better position to address future slowdowns in the economy and address policy priorities such as K-12 education. Because of these projections the SAC recommends an end of year minimum 2021 general fund balance of at least \$100 million, a Rainy Day Fund balance of at least 6% of general fund revenue and other measures to preserve cash.

As far as the capital budget is concerned, the SAC recommends that the recent policy of 1% growth be maintained and that the General Assembly consider the use of pay-as-you-go funds to pay for capital expenditures.

On Wednesday, January 15, the governor released his \$47.9 billion spending plan for fiscal 2021. Calling it an "accountability" budget, "it reflects the most important and urgent priorities of Marylanders – crime, education, transportation, and the environment – while holding the line on unaffordable spending." We will have more information about the budgets in future issues of *Report from State Circle*.

Barbara Hankins

TAXES

[HB 45](#)/[SB 122](#) **Economic Development - Opportunity Zone Incentives - Alteration of the More Jobs for Marylanders and Opportunity Zone Enhancement Programs** (Palakovich Carr/McCray) proposes changes which would limit the benefits to tax years 2019-2021 and places new requirements on businesses which participate in the program. Hrgs. 1/28, 1pm W&M; 1/15, 1pm B&T

HB 71 Maryland Funding Accountability and Transparency Act – Nonbudgeted State Agencies (Carr, et al.) would require the Department of Budget and Management to include a searchable website containing expenditures by state agencies that are not included in the state budget. Hrg. 1/28 1pm W&M

SB 02 Digital Advertising Gross Revenues – Taxation (Miller & Ferguson) would impose a tax on the total gross revenues from digital advertising services on digital interfaces in the State. Establishes a presumption that such services are in the state if they appear on users located within the State of Maryland. B&T

SB 24 Small Business Fairness Act (Young) would require retail trade and food service companies with multiple locations to compute their Maryland income tax reflecting all locations of the business. B&T

SB 58 Expansion of Commercial Gaming – Referendum – Sports Wagering (West) would allow the State Lottery and Gaming Control Commission to issue wagering licenses to holders of video lottery operator or horse racing licenses. The revenues generated to the State would be used for dedicated purposes including public education. A referendum would be needed to implement this bill. B&T

SB 108 Income Tax – Credit for Qualified Commuters (Ellis) would allow a tax credit against the personal income to commuters who live more than 5 miles from a rapid transit station. It is estimated that if passes, it would cost the state \$345 million per year when fully implemented. Hrg. 1/15, 1pm B&T

SB 146 Income Tax – Subtraction Modification – Expenses of Medical Cannabis Grower, Processor, Dispensary or Independent Testing Laboratory (Young and Feldman) would allow businesses in the cannabis industry to subtract their expenses on their Maryland income tax returns. Hrg. 1/22, 1pm B&T

HB 185/SB 223 Commission on Tax Policy, Reform and Fairness (Dumais, et al./Feldman, et al.) would establish a Commission to examine the current tax system and suggest reforms. W&M; B&T

Barbara Hankins

CAMPAIGN FINANCE

HB 22 Election Law - Campaign Material - Alteration of Definition (Cardin) has two additions to similar legislation that was introduced last year. Currently, all campaign material is required to contain an authority line that identifies the Treasurer of the campaign and the name of the campaign. Current law does not require automated or pre-recorded oral communications to provide such disclosure. This bill would require that. Also, current law only applies to campaign material produced for the benefit of a candidate or a ballot question. This legislation would add the disclosure requirement to material sent out by a political party. The bill says that in order to meet the definition of “campaign material,” the material must contain text, graphics, or images that are primarily related to campaign activity for an election. Hrg. 1/16, W&M

HB 34/SB 87 Campaign Finance - Contributions, Expenditures, or Donations by Foreign-Influenced Corporations or Foreign Principals (Palakovich & Carr/Lam) states that a foreign influenced corporation (defined as a corporation in which a single foreign owner has 1% or more interest in the corporation and participates directly in the decision-making process with respect to the corporation's political activities in the United States, or two or more foreign owners hold a 5% more interest in the corporation) may not make a contribution to a campaign finance entity, make an independent expenditure or an electioneering communication, or make a donation to a person that makes independent expenditures or electioneering communications. In order to enforce this, within 7 days after making a campaign or independent expenditure contribution, the Chief Executive Officer of any corporation that makes a political contribution must sign an oath stating that the corporation is not a foreign-influenced corporation on the date the contribution was made. It goes on to state that if the treasurer of a campaign finance entity knowingly receives a contribution in violation of this law, they may not use the contribution and must return it to the contributor. Hrg. 1/28, W&M

HB 216 Election Law - Campaign Material - Definition and Authority Line for Telephone Calls (Cardin plus four) is very similar to HB 22 described above. The key difference is that it specifies that campaign material that is published, distributed or disseminated through the telephone shall include an authority line at the beginning of the telephone call, and it includes all election-related telephone calls, not just automated or pre-recorded oral communications.

SB 129 Election Law - Campaign Finance - Protection of Contributor Information (Simonaire) Campaign finance reports must be filed by the treasurer of a campaign for a candidate or a ballot measure with the State Board of Elections (SBE) on a regular basis. These reports are available to the public on the SBE website. This bill states that contributor information may not be used for commercial or solicitation purposes and that contributor information may not be published in newspapers, magazines or other media for the purpose of facilitating commercial solicitation. Hrg. 1/28, EHE

Nancy Soreng

ELECTIONS

HB 37/SB 145 Election Law - References to Absentee Voting in Communications - Mail-In Voting (Palakovich & Carr/Hester) Maryland law permits any voter to request an absentee ballot without providing an explanation of absence - the option for absentee voting is the voter's choice. Local Boards of Elections often refer to this option as "voting by mail" or similar language. Nonetheless, some voters assume that they may use an absentee ballot only if they will be away from their home precinct on election day. This bill would require the state and local Boards of Elections, in any communications to voters about absentee ballots, to refer to "mail-in voting" and "mail-in ballots." Hrg. 1/16, 1:30pm W&M; 1/28, 2pm EHE

HB 51/SB 91 Election Law - Individuals Released From Correctional Facilities - Voter Registration (Bartlett/Kagan) A person imprisoned for a felony in Maryland loses

their right to vote but they can register again as soon as they are released. Many former prisoners, however, may be unaware that they can register to vote. This bill would require that each person being released from prison be provided a voter registration form and be informed that they may register immediately upon their release. Hrg. 1/16, 1:30pm W&M; 1/28, 2pm EHE

HB 103/SB 10 General Assembly – Special Election to Fill a Vacancy in Office

(Moon plus eight/Lam and Hough) When a vacancy occurs in the House of Delegates or Senate, the Governor appoints a person to fill the vacancy. The central committee of the party to which the previous member belonged (in the county or counties within that district) makes recommendations to the Governor to fill such vacancies. This bill provides that if a vacancy occurs 21 days or more before the candidate filing deadline in a presidential election year, a special election shall be held to fill the vacancy at the same time as the regular elections in that year. The Governor would still have authority to appoint a person to fill the vacancy, but that person would serve only until a successor was elected. A vacancy that occurred later than the 21st day before the filing deadline would continue to be filled by appointment by the Governor. Hrg. 1/29, 1pm W&M; 1/22, 1pm EHE

HB 142 Election Law – Voting Order Priority – Individuals Who Need Extra

Assistance (Guyton plus 10) On election day, voters often wait in line to check in to vote. This bill would require that election judges give priority to voters with mobility impairments that make it difficult for them to stand in line (and persons assisting such voters) and voters accompanied by a young child or a child with a disability. Such voters would move to the head of the line at each step of the voting process (check-in, ballot marking, and ballot scanning). The State Board of Elections would be authorized to promulgate guidelines for election judges to determine whether a requesting voter qualified for this priority. Hrg. 1/29, 1pm W&M

HB 197 Election Law - Qualification of Voters - Proof of Identity (Parrott plus 26)

Under current law, a voter must verify their identity by stating their name, the month and day of their birth, and their address. This bill would require election judges to verify the identity and address of each voter by examining a government-issued photo identification card. If the voter is unable to provide the required identification card or reports that they have changed their address, the voter will be directed to vote on a provisional ballot. The bill would add to the list of prohibitions against impersonating a voter the use of a false form of identification. The bill also amends the law regarding issuance of identification cards to waive any fee for a person 18 years or older who seeks to obtain identification for the purpose of voting.

HB 245 Election Law – Institutions of Higher Education – Voter Registration and Voting by Students (Student Voter Empowerment Act of 2020) (Luedtke and

Mosby) Both voter registration and voting by citizens aged 18 to 35 continues to be lower than for others. This bill would require several measures to increase voter participation. The State Board of Elections would be required to maintain a web page with information about voting in Maryland and links to information about registration

requirements and absentee ballot procedures in other states. Each public institution of higher education would be required to designate a staff person as student voting coordinator who would develop a plan for providing information to all students regarding voter registration and voting by mail, during early voting, or on election day; to include on its website a link to the state's web page with information about how students can register and vote; to make reasonable accommodations for an early voting center or election day voting location if requested by the local Board of Elections; and to include on class registration websites a link to the online voter registration system. Both public colleges and any private colleges that receive capital or operating grants from the state would be required to report on the effectiveness of voter participation efforts to the Maryland Higher Education Commission, which would be required to compile an annual report to the General Assembly. The bill would also require that public and private colleges that award bachelor degrees, have an enrollment of more than 4,500 students, and provide on-campus housing would be required to collaborate with the local Board of Elections to provide a polling place and recruit election judges to staff it on election day.

HB 268 Election Law - Deadline for Selection of Lieutenant Governor (Barve, Palakovich, Carr, and Stein) The Maryland constitution requires that a candidate for Governor list the name of their candidate for Lieutenant Governor at the time they file for office. This proposed amendment to the constitution would allow the candidate for Governor the option to name a Lieutenant Governor candidate up to 21 days following the primary election. This would create the option for a candidate who did not win the nomination for Governor to be chosen as the Lieutenant Governor candidate by the person who won the nomination.

SB 22 Election Law - Polling Places at Continuing Care Retirement Communities (West) Continuing care retirement communities often have large numbers of voters who may have difficulty traveling to a polling place off the campus of the community. This bill would require a local Board of Elections to establish a polling place on the campus of a retirement community with more than 200 residents if the facility requests establishment of a polling place, provides a suitable location, and assists in the recruitment of election judges to staff the polling place. Hrg. 1/22, 1pm EHE

SB 33 Election Law - Voting by Absentee Ballot - Prepaid Postage for Return of Ballots (Kagan) Absentee ballots must be mailed by voters at their own expense and the amount of postage may vary based on the weight of the envelope, particularly when there are multiple pages. This bill would require the Boards of Elections to enclose postage paid envelopes for the return of absentee ballots. The costs of postage would be shared by the state and local Boards of Elections. Hrg. 1/22, 1pm EHE

SB 56/HB 140 Election Law - Petitions and Ballot Questions - Plain Language Requirement (Kagan/Guyton plus 15) When citizens petition to place a question on the ballot, the petition must include language explaining its purpose. Voters often find the technical, legal language difficult to understand. This bill would require that the explanation be written to be understood by a person with no more than a 6th grade education. If such a petition results in a measure being placed on the ballot, the

explanation from the Board of Elections would also be required to be written so that a 6th grader could understand it. Hrg. 1/28, 2pm EHE; 1/29, 1pm W&M

SB 89 State Board of Elections - Certification of Voting Systems - Standards

(Kagan) The voting system now in use in Maryland is designed to support elections in which the winner is the candidate with the largest number of votes, whether or not that is a majority of all those voting. The lease on that system is about to expire and the State Board of Elections will need to request proposals for a new system or a continuation and/or upgrade of the existing one. This bill would require that any new voting system also accommodate the use of ranked choice voting (sometimes called an instant runoff election). The bill does not require the use of ranked choice voting but requires that any new voting systems support it if a county or the state authorizes it for any election. Hrg. 1/28, 2pm EHE

Ralph Watkins

REDISTRICTING REFORM

HB 182/SB 204 Potomac Compact for Fair Representation (Reznik et al./Elfreth and Lam) 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 of 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. 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 also 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. It would additionally require 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.

Ashley Oleson

ADMINISTRATION OF JUSTICE

HB 11 Judges - Election, Retention and Mandatory Retirement Age (Cardin) proposes several Constitutional amendments affecting judges at all levels. Changes the mandatory retirement age from 70 to 73 and provides for retention elections at the next general election following one year from the date that the vacancy occurred that the judge was selected to fill and every twelve years (formerly fifteen) thereafter. Circuit

Court judges would continue to be elected. All references to judge's gender were removed. Hrgs. 2/12, 1pm JUD; 2/12, 1pm W&M

Marlene Cohn

POLICE ACCOUNTABILITY

HB 128 Law Enforcement - Department of State Police - Body-Worn Cameras

(Crosby plus three) requires the Department of State Police to adopt policies and procedures for the use of body-worn cameras, consistent with the policies of the Maryland Police Training and Standards Commission. The Department of State Police would be required to issue body-worn cameras to police employees while on duty, beginning on or before January 1, 2021. Hrg. 1/28, 1pm JUD

HB 166 Criminal Procedures - Law Enforcement Procedures - Use of Force

(Washington plus six) establishes the conditions when a police officer is justified in using force against a person. A police officer is justified in using force against a person if:

- there is probable cause to believe that the person committed a crime;
- the force is used to prevent a person's escape from lawful custody;
- the force is used to prevent the commission of a crime;
- the police officer uses no more force than is reasonably necessary.

A police officer is justified in using deadly force if:

- the police officer reasonably believes that deadly force is necessary to protect the police officer or another person from the threat of serious bodily injury or death;
- the police officer's actions are reasonable given the totality of circumstances.

A trier of fact shall consider the following factors when assessing whether the police officer's beliefs and actions were reasonable:

- did the injured or deceased person possess or appear to possess a deadly weapon and refuse to comply with a police officer's order to surrender the deadly weapon or any other order related to public safety;
- did the police officer use de-escalation measures including taking cover, waiting for back-up, trying to calm the person or using less lethal types of force;
- did any conduct by the police officer increase the risk of confrontation.

Hrg. 1/28, 1pm JUD

Marlene Cohn

CHILDREN AND FAMILIES

HB 206/SB 207 Unaccompanied Minors in Need of Shelter and Supportive

Services (Krimm plus 26 by request of Working Group to Study Shelter and Supportive Services for Unaccompanied Homeless Minors/Washington plus 11) authorizes an unaccompanied minor in need of shelter and supportive services to give written consent to receive them, and requires the service provider to register with the Department of Housing and Community Development and to contact the minor's parent or guardian

within 72 hours. If the parent or guardian cannot be reached or the provider determines that contacting them would not be in the best interest of the minor; the provider is to contact another adult if one is identified by the minor. The bill also requires the provider to notify appropriate authorities of any suspected abuse or neglect and requires the Department to develop regulations governing who provider may employ. Hrgs. 1/28, 1pm APP; 1/29, 1pm JPR

HB 234 Child Support – Suspension of Payments and Arrears for Incarcerated Obligers – Modifications (Henson) reduces from 18 months to 180 days the term of imprisonment for which the obligor’s child support is not considered past due and arrears do not accrue. Hrg. 1/30 1pm JUD

HB 246/SB 231 Sexual Solicitation of a Minor – Solicitation through Parent Guardian, or Custodian – Prohibition and Penalties (Pippy plus 15/Lee plus 17) adds soliciting the consent of the parent, guardian, or custodian to engage in sexual acts with a minor to law already prohibiting soliciting the minor directly and provides for doubling of penalties for a second offense. Hrgs. 1/28, 1pm JUD; 1/30, 1pm JPR

HB 250/SB 227 Family Law – Final Protective Order – Extension (Atterbeary/Waldstreicher plus four) specifies that if the person protected by a final protective order files a motion to extend the term of the order during the term of the order, but a hearing on that motion is not held before its expiration date, the order is automatically extended and its terms remain in force until the hearing on the motion. Hrgs. 1/30, 1pm JUD; 2/4, 1pm JPR

Judy Morenoff

DOMESTIC VIOLENCE

SB 230 Criminal Law - Sexual Crimes - Repeal of Spousal Defense (Lee, et al.) repeals prohibition on prosecuting a person for rape or a certain sexual offenses against a victim who was the person's legal spouse at the time of the alleged rape or sexual offense. This bill would provide legal protection to individuals who are forcibly sexually assaulted by legal spouses, who are living apart from legal spouses, have been granted a separation agreement or have a limited divorce degree. Hrg. 1/30, 1pm JPR

Deborah Mitchell

HUMAN TRAFFICKING

HB 242/SB 206 Criminal Procedure—Criminal Procedure—Motion to Vacate Judgment—Human Trafficking (True Freedom Act of 2020) (Atterbeary) originally introduced during the 2019 Legislative Session—expanding Maryland’s current “vacating convictions” law to allow criminalized survivors/victims of human trafficking to remove crimes other than prostitution from their criminal records—requires that the motion be served on the State’s Attorney and the motion mailed to the victim or victim’s

representative if the qualifying offense occurred within five (5) years before the filing of the motion and requires the court to consider human trafficking-related and other factors prior to acting upon a victim's petition for expungement of certain records. The passage of this bill would significantly increase survivors'/victims' ability to access employment and stable housing, as well as heal from the trauma of their trafficking experience. Hrgs. 1/28, 1pm JUD; 1/29, 1pm JPR

Deborah Mitchell

IMMIGRATION

SB 197 Correctional Facilities – Individuals Subject to Immigration Detainer – Homeland Security Notification (Hough et al) A State or local correctional facility that is notified by the US Department of Homeland Security that a certain individual under the control of the facility is subject to an immigration detainer shall provide notice to the Department of Homeland Security 72 hours prior to the scheduled release of such individual and can detain the individual from release for up to 72 hours following the scheduled time of release for custody to be taken by the Department of Homeland Security. Hrg 1/30 JPR

Carole Conors

SUBSTANCE ABUSE

SB 166 Drugs and Devices - Electronic Prescriptions - Controlled Dangerous Substances (Kelley) authorizes that certain controlled dangerous substance prescriptions (including cannabis) can be dispensed on an electronic prescription; but generally requires that a health practitioner must issue a written or oral prescription for a controlled dangerous substance and authorizes the Secretary of Health to issue certain waivers. Creates a task force. Hrg. 2/06, 1pm FIN

SB 218 Crimes Involving Controlled Dangerous Substances - Penalties – Methamphetamine (West) would add methamphetamine to list for crimes involving controlled dangerous substances that carry a certain penalty of imprisonment and/or fines. Hrg. 1/30, 1pm JUD

HB 193 Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis Quantity (Cardin plus six) would establish certain violations related to the use or possession of less than 10 grams of marijuana (a controlled dangerous substance) as a civil offense rather than a misdemeanor. Hrg. 1/28, 1pm JUD

Chris Hager

GUN SAFETY

HB 04/SB 208 Public Safety – Rifles and Shotguns – Secondary Transactions (Atterbeary/Lee, et al) Current Maryland laws do not require background checks for long gun sales between individuals which means that there is no means of tracking point of

sale for rifles and shotguns. This bill closes the long gun sale loophole. It requires that a licensed firearms dealer, with some exceptions, facilitate the transfer. The buyer and the seller must meet jointly with the dealer, and the dealer must manage the transfer process and conduct the background check on the buyer. The dealer may charge a fee for the transaction and the bill also establishes penalties for any person that violates the bill provisions. Hrgs. 1/15, 1pm JUD; 1/16 JPR

HB 35 Public Safety – Firearms Telematics – Study (Queen) Given concerns about the inability to track lost or stolen guns, this bill would require the Maryland Department of State Police to conduct a study and make recommendations on the use of electronic sensors or firearm telematics. It further stipulates that if enacted, the Department would report its findings and recommendations by July 1, 2021. Hrg. 1/22, 2pm JUD

HB 47 Public Safety – Handgun Qualification License – Training Exemptions (Parrott, et al) The handgun license requirement in current law requires that a person must be at least 21 years old, a Maryland state resident, have completed a firearms safety training course, and not be prohibited by federal or State law from purchasing or possessing a handgun. This bill creates an exemption for completion of the firearms safety training course. It provides that an applicant from Delaware, Pennsylvania, Virginia, West Virginia or Washington DC is exempt from the training requirement. Hrg. 1/22, 2pm JUD

HB 73/SB 179 Firearms – Right to Purchase, Own, Possess and Carry – Medical Cannabis (Grammer/Hough) Medical marijuana is now dispensed in Maryland and consumers must register online to become a qualifying patient with the Maryland Medical Cannabis Commission. This bill specifies a person may not be denied the right to purchase, own, possess and carry a firearm solely because that person is a qualifying patient. It further prohibits a State agency from inquiring, using any form or accessing a database to identify a qualifying patient for the purpose of approving or disapproving the person purchasing, owning, possessing, or carrying a firearm. Hrgs. 1/29, 2pm JUD; 1/29, 1pm JUD

HB 265/SB 156 Handgun Qualification License – Training Requirement – Exemption (Reilly, et al/Cassilly, et al) amends the current law that describes the requirements to obtain a handgun license. More specifically, the bill further defines law enforcement officers as a retired law enforcement officer, active or retired correctional officer, sheriff, or deputy sheriff who has successfully completed an initial correctional officer, sheriff, or deputy sheriff firearm training course approved by the State of Maryland. Hrg. 1/29, 1pm JPR

SB 39 Public Safety – Regulated Firearm - Definition (Waldstreicher) Title 5 of the Public Safety Article regulates firearms and handguns in the State of Maryland. A regulated firearm is any handgun or any of the 45 assault weapons (or copies) identified in Title 5. Anyone who possessed an assault pistol in June 1994 and registered it before August 1, 1994, may continue to possess and transport the weapon; and anyone who possessed, purchased or applied to purchase an assault long gun or copycat weapon

before October 1, 2013 is allowed to keep or transport it. This bill alters the definition of “regulated firearm” to include the Andersen Manufacturing .223 caliber AM-15 and .300 caliber AM-15 rifles, thus including the rifles within the definition of an “assault long gun” and prohibiting their possession if purchased after October 1, 2013. Hrg. 1/15, 1pm JPR

SB 43 Licensing – Fingerprint Requirement (Simonaire) The State of Maryland includes fingerprint requirements for certain applications in business occupations and professions, business regulation, and public safety. This bill exempts any applicant who has previously submitted a set of digital fingerprints as part of a license application in the state. Hrg. 1/22, 1pm EHE; JPR

SB 198 Public Safety – Permit to Carry, Wear, or Transport Handgun – Qualifications (Hough, et al) clarifies that personal protection or self–defense can qualify as a good and substantial reason to carry, wear, or transport a handgun for purposes of the issuance by the Secretary of State Police of a permit to carry, wear, or transport a handgun. Hrg. 1/30, 1pm JPR

Gloria Salas Kos