



# REPORT FROM STATE CIRCLE

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## ADMINISTRATION OF JUSTICE

### Sentencing

**[HB 1322](#) Criminal Law - Death Penalty - Mass Murder (Capital Gazette Shooting Memorial Act)** (Parrott plus ten) A person who is proven guilty of mass murder, who willfully, deliberately and with premeditated intent caused the death of five or more persons killed in one event at one location, shall, if mentally competent, be sentenced to death. Also, persons guilty of first-degree murder shall receive a death sentence. The bulk of this bill sets forth the conditions and parameters of the death penalty such as jury selection, notice requirements, competency requirements, aggravating and mitigating circumstances, review by an appeals court, etc., including precise instructions on the method of execution. Hrg. 3/10 at 1 p.m. JUD

**[HB 1325](#) Crimes of Violence - Parole (Stopping Dangerous and Violent Criminals Act of 2020)** (Buckel plus 35) An inmate convicted of a violent crime committed on or after October 1, 1994 and before October 1, 2020 is not eligible for parole until the inmate has served 1/2 of the inmate's sentence. An inmate sentenced for a crime of violence committed after October 1, 2020 is not eligible for parole until 90 per cent of the sentence has been served. Hrg. 3/10 at 1 p.m. JUD

**[HB 1391](#) Correctional Services - Geriatric Parole** (Dumais) The Commission on Corrections shall develop a dynamic risk assessment instrument to predict the risks of an inmate, who is at least 60 years old and eligible for parole, to violate the law if released. The risk assessment instrument should also be used to determine what, if any, conditions for release should apply. The Commission should complete an assessment of an applicable inmate at least once a year and within six months, hold a hearing to determine if the inmate is suitable for parole. The Commission should consider the impact that the age of the inmate has on reducing the risk of the inmate to violate the law and on the inmate's mental health. Hrg. 3/6 at 1 p.m. JUD

### Update on bills previously reported in RSC:

**[SB 68](#)/ HB 49 Criminal Procedure - Pretrial Release - Pretrial Risk Assessment Instrument** (Waldstreicher) Passed House with amendments 139 - 0. Renamed, changing "assessment" to "scoring". Validation study every five years, not three. ([RSC 2](#))

**[HB 1090](#) Law Enforcement - Complaints and Investigations and Use of Force (Anton's Law)** (Acevero) Cross filed with SB 1066. ([RSC 3](#))

*Marlene Cohn*

## CORRECTIONS

**[HB 1368](#) Correctional Services - Home County Correctional Facility Program** (Corderman plus five) The Commissioner of Corrections shall establish a relocation program for inmates who are within the last five years of their term. Such inmates may

request to be relocated to their home county's correctional facilities. The Commissioner will evaluate such a request based on the extent to which an inmate would benefit from the relocation and the inmate's case records. Hrg. 3/6 at 1pm JUD.

**HB 1414 Department of Public Safety and Correctional Services - Standards at State Correctional Facilities** (Wilkins, Mosby and Acevero) It is the intent of the General Assembly that the Department ensure that every state correctional facility maintain the following standards:

1. an inmate who provides labor shall be compensated for the labor;
2. jobs shall be provided in a non-discriminatory manner and reflect the diversity of the facility;
3. items sold at the commissary shall be priced at a fair and reasonable market rate;
4. telecommunication services shall be priced at a fair and reasonable rate;
5. inmates shall have training opportunities that reflect Maryland's job market;
6. the Department shall seek and enter into partnerships to provide support to returning citizens on reentry.

The Department shall report to the House Judiciary Committee and the Senate Judicial Proceedings Committee annually on efforts to adhere to these standards. It shall post the standards in a place where inmates can see them. Hrg. 3/6 at 1 p.m. JUD

*Marlene Cohn*

## **POLICE ACCOUNTABILITY**

**HB 1309 Criminal Procedures - Law Enforcement Procedures - Use of Force**

(D.M.Davis plus five) A police officer cannot use non-lethal force against a person who is handcuffed or restrained unless the totality of circumstances indicate that it is necessary and reasonable. The police officer shall use the least amount of physical force that is necessary. A police officer may not use deadly force as form of punishment or as a warning shot. Deadly force cannot be used solely to inflict pain, or if the person's only threat is to property or to person's self. Deadly force cannot be used if the person is handcuffed or restrained or engaged in passive resistance to arrest, such as going limp or refusing to move, unless the officer believes that there is an imminent threat of bodily injury to the officer or another person. Deadly force cannot be used if the person shows signs of serious mental illness unless the person is reasonably believed to have a deadly weapon. Deadly force must be a last resort and must be proportional to the degree of danger and the seriousness of the offence. Non-lethal force must be attempted first and de-escalation techniques exhausted. Hrg. 3/3 at 1 p.m. JUD

*Marlene Cohn*

## **JUVENILE JUSTICE**

**Update on bills previously reported in RSC:**

**HB 673 Juvenile Services – Facilities – Garrett Children's Center (chair Judiciary Comm.)** ([RSC 2](#)) passed House, SRU

**[SB 467](#) State Advisory Board for Juvenile Services – Membership(Lee) ([RSC 2](#))**  
passed Senate, JUD

*Judy Morenoff*

## **CHILDREN AND FAMILIES**

### **Update on bills previously reported in RSC:**

**[HB 250/SSB 227](#) Family Law – Final Protective Order – Extension(Atterbeary/Waldstreicher) ([RSC 1](#))** HB 250 passed House, 1<sup>st</sup> rdg JPR; SB 227 passed Senate, JUD

**[HB 369/SB 586](#) Foster Parents, Preadoptive Parents and Caregivers – Right to Intervene(Dumais/Waldstreicher) ([RSC 2](#))** SB 586: 2<sup>nd</sup> reading passed with clarifying amendments and addition of “The Administration shall adopt regulations that prohibit a local department from seeking the custody or guardianship of a child for placement in foster care solely because the child’s parent or guardian lacks shelter or has a disability or solely because the child’s parents are financially unable to provide treatment for a child with a developmental disability or mental illness.”

**[HB 460](#) Department of Human Services – Child Abuse Prevention – Online Course (Shetty)([RSC 2](#))** passed House, JPR

**[HB 709/SB 490](#) Human Services – Youth Service Bureaus – Funding(Valentino-Smith) ([RSC 2](#))** SB 490 passed Senate, APP

*Judy Morenoff*

## **DOMESTIC VIOLENCE**

### **Update on bills previously reported in RSC:**

**[SB 230/ HB 590](#) Criminal Law - Sexual Crimes - Repeal of Spousal Defense ([RSC1](#))**, Favorable Report by JUD.

*Deborah Mitchell*

## **SUBSTANCE ABUSE**

**[HB 1400](#) Cannabis - Legalization, Taxation, and Regulation** (Moon plus 16) substitutes "cannabis" for "marijuana" in certain provisions of law; alters quantity and age thresholds for civil offenses of use or possession and establishes an exception to the existing prohibition on obtaining or attempting to obtain a controlled dangerous substance under certain circumstances. Hrg 3/06 1pm JUD

**Update on bills previously reported in RSC:**

**HB 193** Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis Quantity (Cardin et.al.) unfavorable report by JUD. ([RSC 2](#)) Withdrawn.

**HB 512** Drugs and Devices – Electronic Prescriptions – Controlled Dangerous Substances (Barron, et.al.) Hrg 2/18 1 pm HGO ([RSC 3](#))

*Chris Hager*

**EDUCATION**

**HB 127/SB 287** Maryland Arts and Culture Capital Grant Program (Lierman et al./Elfreth et al.) establishes the Maryland Arts and Culture Capital Grant Program. The Maryland State Arts Council (MSAC) must administer the program and hire at least one full-time coordinator for the program. An appropriation of \$10 million annually is required from fiscal 2022 through 2027. Grants are to be divided equally between organizations with an annual operating budget of over \$3 million and organizations with lower operating budgets who participate in the Community Arts Development Program. Hrg. 1/28 APP; 1/29 B&T

**HB 347/SB 275** Education - Community and Local Accountability for Struggling Schools (CLASS) Act of 2020 - Innovation Schools (Speaker by Request of Administration et al./President by Request of Administration et al.) requires a county board of education to designate as an innovation school each school that received one star under the star rating system for at least the previous two consecutive school years. An Innovation Plan Committee with representation from the superintendent, board, teachers and parents is required for each innovation school. The Committee is to develop a detailed plan that must be approved by two-thirds of the teachers in the school as well as the county board of education and state board. Data collection and monitoring are required and the plan may be modified if there is inadequate improvement in three to five years. Hrgs 2/19 W&M; 2/4 EHE

**HB 348/SB 267** AP Opportunities Act of 2020 (Speaker by Request of Administration et al./President by Request of Administration et al.) requires the State Board of Education to provide Advanced Placement examination fee assistance, beginning in the 2020-2021 school year, for a student whose annual household income is at or below 185% of the federal poverty level, who is in foster care, who is homeless, who is living in a household receiving certain federal assistance, or who is able to show that the fee would be a financial hardship. The State Board of Education would adopt regulations and a budget appropriation of \$1.1 million would be required. Hrgs. 2/5, W&M; 2/4 EHE

**HB 476** Education - Certification in Secondary Education Content Areas - Expanded Grade Range (Cain, Guyton and Smith) requires the Maryland State Board of Education to authorize secondary teachers with certification in their content areas to teach students in grades 6 to 12. Favorable Report, W&M. Passed 2<sup>nd</sup> Reader.

**[HB 743/SB 558](#) Universal School Start Act of 2020** (The Speaker by Request - Administration/ The President by Request – Administration) requires that schools start no earlier than the Tuesday after Labor Day. Hrg. 2/21 W&M; SRU

**[HB 718/SB 575](#) State Department of Education - Early Literacy and Dyslexia Practices - Guidance and Assistance** (Luedtke/Hester) requires the State Department of Education to establish a Stakeholder Advisory Group to develop a Reading and Dyslexia Handbook to guide local school systems in the implementation of best practices for early literacy and dyslexia. The amendments specify in detail the qualifications of the professional and public members who should be on the advisory committee and how information is to be disseminated. Several amendments include the phrase “evidence-based.” Hrg. 2/19 W&M, passed 2<sup>nd</sup> Reader with amendments; Hrg. 3/3 EHE

**[HB 1255](#) Education – Bilingual Learner Prekindergarten Grant Program** (Cain et al.) would provide county boards with grants to assist them in creating pilot programs to facilitate bilingual education for prekindergarten students; develop and implement best practices; ensure that prekindergarten instructors are trained in bilingual education; communicate with the parents and guardians of English language learners in their home language; and screen and assess prekindergarten students in their home language to improve the accuracy of assessments of students’ work. Beginning in FY22, the governor would be required to appropriate \$1,000,000 per year for the grants. Yearly reporting on effectiveness would be required. Hrg. 3/6 W&M

**[HB 1375](#) Public School Students - Vision Services and the Vision for Maryland Program** (Hill) establishes new Health Specialist positions in the Department of Education and the Department of Health to collect and analyze data on health services to students in Maryland schools, to insure that students receive vision and hearing examinations and glasses and hearing aids if needed and that quality and effective school health services are delivered throughout the state. It requires that, in addition to screenings when they enter the system, students are to be screened at least twice during grades 1-5 and at least once during grades 6-8. There are provisions to insure that children who fail the screening receive referrals to appropriate specialists and financial aid if necessary to receive the correct treatment. Hrg. 3/6, W&M

**Update on Bills Previously Reported in the RSC:**

**[HB 769/SB 133](#) Education - High School Students - Graduation and Attendance Credit for Vocational Training** ([RSC 1](#)). Unfav. Rpt, W&M; Unfav. Rpt., EHE

*Lois Hybl*

**EDUCATION: SCHOOL CONSTRUCTION****Update on bills previously reported in RSC:**

**HB 01** Built to Learn Act of 2020 ([RSC 1](#)) In the Senate – Hrg. 2/19, 1p.m. B&T

**SB 1026** Interagency Commission on School Construction-Project Approval–  
Prioritization ([RSC 3](#)) Hrg. 3/11, 1p.m B&T

*Kathy Vanston*

**EDUCATION: SCHOOL DISCIPLINE**

**SB 1052/HB 1638** Criminal Procedure – Registered Sex Offenders - Entry Onto School Property (Klausmeier et al./ Boteler et al.) repeals the exception that allows a student who is a registered sex offender to enter real property used for public or nonpublic elementary or secondary education. Each county board will be required to adopt a policy allowing a student who is a registered sex offender to receive an education in a location other than on property used for public or nonpublic primary or secondary education. Hrg. 3/12, 1p.m SRU/HRU

**HB 1645** Criminal Procedure-Registered Sex Offenders-Entry Onto School Property (Predator-Free Schools Act) (Mangione et al.) requires a county board to adopt a policy allowing a student who is a registered sex offender and has been convicted of a violent offense and therefore cannot enter real property used for public or nonpublic elementary or secondary education to receive an education in a location other than on property used for public or nonpublic primary or secondary education. HRU

**Update on bills previously reported in RSC**

**SB 78** Public Schools - Student Discipline Regulations - Remedial Measures ([RSC 1](#)) Unfavorable report by EHE

**SB 896** Commission on Student Behavioral Health and Mental Health Treatment ([RSC 3](#)) Hrg. 3/10, 1pm EHE

*Kathy Vanston*

**MEETING BASIC HUMAN NEEDS****Update on Bills Previously Reported on in RSC:**

**HB 231/SB 530** Housing Opportunity Made Equal Act (Lierman/Smith) ([RSC 2](#)) HB 231-ENT-favorable with amendments; SB530 passed in the Senate

**SB 217/HB 123** Labor and Employment – Wage History and Wage Range (Lee/K. Young) ([RSC 1](#)) SB217-favorable report in FIN

*Ruth Crystal*

## HEALTH

**[HB 1563](#)/SB 879 Public Health – Maryland Infant Lifetime Trust Care Funded by HSCRC and the Maryland Patient Safety Center Duties**, (Cullison and Kelley) would establish a trust fund administered by the Health Services Cost Review Commission to fund the lifetime care of children born with neurological defects. The bill would take many obstetrical malpractice cases out of the courts and fund the care through the trust. It would also provide funds to the Department of Health to study, address and improve disparities in maternal and fetal health care throughout the State. It mandates that the MPSC convene a Perinatal Clinical Advisory Committee to establish and disseminate clinical best practices in obstetrical care.

### **Update on Bills Previously Reported on in RSC:**

**[HB 332](#)/SB 441 Mental Health – Emergency Facilities List – Comprehensive Crisis Response Centers, Crisis Stabilization Centers, and Crisis Treatment Centers** (Bagnal, et al) ([RSC 2](#)) passed the Senate and moved to HGO.

**[SB 237](#) Vehicle Laws – Protective Headgear for Motorcycle Riders – Exception**, (Hough, et al) ([RSC 2](#)) Unfavorable JPR report.

**[HB 1475](#)/SB 992 School Buildings – Drinking Water Outlets – Elevated Levels of Lead (Safe School Drinking Water Act)** (Solomon, et. al. and McCray) ([RSC 3](#)) passed the Senate 46-0 with amendments and has been referred to W&M and ENT.

**[HB 1020](#)/SB 940 Health Services Initiative – Vision Care for Low Income Children**, (Lierman and Hayes) ([RSC 3](#)) The hearings were canceled in both houses so it has failed.

**[HB 691](#)/SB 576 Health Occupations – Nurse Practitioners – Certificate of Competency and Incapacity** (Cullison and Ekhardt) ([RSC 3](#)) an amended version passed the Senate and has moved to HGO. The amendment leaves in the option of a second physician while adding “or a nurse practitioner.”

**[SB 124](#) Maryland Health Benefit Exchange, Establishment of State-Based Health Insurance Subsidies Program** (Feldman) ([RSC 1](#)) favorable report from FIN.

**[SB 54](#) Electronic Smoking Devices – Added Flavoring – Prohibition on Shipping, Import or Sale** (Lam and Kelley) ([RSC 1](#)) unfavorable report FIN.

*Neilson Andrews*

## ENVIRONMENT: CLIMATE CHANGE

### **Updates on bills Previously Reported in RSC:**

**[HB 517](#) Constitutional Amendment – Environmental Rights** (Stewart) ([RSC 2](#)) Hrg 2/19 ENT



**[HB 531/SB 656](#) Utility Regulation – Consideration of Climate and Labor**

(Charkoudian/Kramer) ([RSC 2](#)) Hrg. 2/27 ECM; 2/25 FIN

**[SB 538/ HB1214](#) Public Service Commission – Application for Certificate of Public Convenience and Necessity – Preservation of Environmental Quality and the Climate**

(Kelley/Lierman) ([RSC-2](#)) Hrg. 2/25 FIN; 3/5 ECM

**[HJ 1](#) Declaration of a Climate Emergency and Implementation of a Climate Mobilization Effort**

(Hill) ([RSC 2](#)) Hrg. 2/24 HRU

**[SB 926/ HB 1425](#) Climate Solutions Act of 2020 – Greenhouse Gas Emissions Reduction Act**

(Pinsky/Stein) ([RSC 3](#)) Hrg. 2/19 EHE; B&T; 3/04 ENT

*Betsy Singer*

**ENVIRONMENT: STORMWATER, BAY, PHOSPHORUS, PESTICIDES, RECYCLING, AIR, & OTHER****Update on bills previously reported in the RSC:**

**[HB 08](#) Illegal Dumping and Litter Control Law - Yard Waste** (Arentz) Unfavorable report, ENT. Withdrawn. ([RSC 1](#))

**[HB 13/SB 28](#) Solid Waste Management - Prohibition on Releasing a Balloon Into the Atmosphere** (Hartman plus 6; Lam plus 3) Each bill has passed in its House and is now in the opposite chamber. EHEA, ENT ([RSC 1, 2](#))

**[HB 78/SB 172](#) Bay Restoration Fund - Authorized Uses** (Watson/Hester) ([RSC 1](#)) Each bill has passed in its House and is now in the opposite chamber. EHE, ENT

**[HB 161](#) Nutrient Management - Professional Fertilizer Applicators - Requirements and Penalties (Chair, ENT for Dept of Ag)** ([RSC 1](#)) Favorable vote with amendments by E&T.

**[HB 165](#) Solar Photovoltaic Recycling** (Miller plus five) Unfavorable report by ECM. ([RSC 1](#))

**[HB 619](#) Environment - Use of Fire-Fighting Foam Containing Perfluoroalkyl and Polyfluoroalkyl Substances – Prohibition** (P. Young plus 11) Passed House. EHE ([RSC 2, 3](#))

**[SB 18](#) Environment - Lead Poisoning Prevention Commission (Chair, EHEA, for the Dept. of the Environment)** Passed Senate. ENT ([RSC 1](#))

**[SB 92](#) Secretary of Agriculture - Weed Control Law (Chair, EHEA, for Dept. of Agriculture) Passed Senate. ENT ([RSC 1](#))**

**[SB 257](#) Fishing Gear - Crab Pots - Ghost Panel Requirement (Bailey & Elfreth) Passed Senate. ENT ([RSC 2](#))**

**[SB 323](#) Environment – Supplemental Environmental Projects and Study on Discharge Permit Fees (Simonaire) Passed Senate. ENT ([RSC 2](#))**

**[SB 491](#) Regulation of Invasive Plants - Bamboo – Prohibitions (Kramer) EHE unfavorable report. ([RSC 2](#))**

**[SB 495/ HB1035](#) Bay Restoration Fund – Use of Funds – Municipal Wastewater Facilities (Eckhardt plus 2; Adams plus 2) Passed Senate. ENT ([RSC 2, 3](#))**

**[SB 510](#) Natural Resources - Commercial Fishing - Use of Haul Seines (Bailey plus 6). Hrg 2/25, EHE ([RSC 3](#))**

**[SB 538/HB1214](#) Public Service Commission - Application for Certificate of Public Convenience and Necessity - Preservation of Environmental Quality and the Climate (Kelley plus 14; Lierman) FIN; ECN ([RSC 3](#))**

**[SB 582/HB 877](#) Natural Resources - State Lakes Protection and Restoration Program and Fund (Edwards; Beitzel plus 3). EHE; B&T; hrg 2/25, ENT, APP ([RSC 2](#))**

*Linda Silversmith*

## **BUDGET**

### **Capital Budget**

The Capital Budget **[SB 191/HB 151](#)** funds the construction of buildings and infrastructure. In order for a project to be classified as a capital improvement, it must meet the following criteria: (1) a project must have a useful life greater than or equal to the life of bonds sold to finance the project (the State constitution limits the length of the bonds to 15 years), and (2) the cost of the project must be at least \$100,000. Monies derived from the issuance of State construction bonds may only be used for capital projects. The Board of Public Works must approve individual contracts prior to the expenditure of Capital Funds. Not all capital projects are funded with general obligation (GO) bonds. Other sources may include use of unused capital funds from prior years, academic revenue bonds, current funds (Pay-As-You-Go [PAYGO]) and federal funds. The Capital Debt Affordability Committee and the Spending Affordability Committee voted to recommend \$1.095 billion as the maximum amount of general obligation bonds to be authorized for fiscal year 2021. It also voted to recommend a limit of \$32 million for new academic facilities bonds for the University System of

Maryland for fiscal year 2021. Transportation capital projects are funded separately from the Transportation Trust Fund.

The proposed 2021 Fiscal Capital Budget totals \$2.113 billion. These include \$1.095 billion of new GO bonds plus another \$9.1 million of GO bonds recycled from prior authorizations. Also included are \$432 million of revenue bonds - \$400 million for public school construction through the proposed Building Opportunity Fund (**HB 338/SB 276**) with revenues coming from the Education Trust Fund and \$32 million of Academic Revenue Bonds. The proposed PAYGO portion of the non-transportation capital program totals \$76.9 million in general funds, \$431 million in special funds and \$81.6 million in federal funds.

Total school construction funds from all sources equal \$725 million. Major projects in addition to school construction funds include \$157.7 million for the Maryland Water Quality Revolving Loan Fund, \$84.5 million for the Community College Construction Grant Program, \$75 million for the Bay Restoration Fund, \$62.2 million for the University of Maryland at Southern Maryland Academic Building, \$61.5 million for the Rental Housing Program, and \$105 million for Project Open Space (both state and local).

*Barbara Hankins*

## **TAXES**

**HB 436 Task Force on Tax Policy, Reform and Fairness** (Bucket et al) establishes a task force to examine the state's revenue structure and propose modifications to promote business development, create a business friendly environment and promote fairness. Hrg. 2/7 1 pm W&M

**HB 732 Electronic Smoking Devices, Other Tobacco Products and Cigarettes – Taxation and Regulation** (Luedke and Pena-Melnyk) would increase tobacco tax from \$2 to \$4 per pack and increases tax on other tobacco products. The bill also imposes a tax on electronic smoking devices and requires the Governor to include at least \$21 million in annual funding for the Tobacco Use Prevention and Cessation Program. Hrg. 2/18 1pm W&M

**HB 1354 Sales and Use Tax - Services** (Charkoudian & Palakovich-Carr) would redefine the definition of taxable services and extend the current sales tax to a long list of services. Hrg. 3/2 1pm W&M

**HB 1628 Sales and Use Tax – Rate Reduction and Services** (Luedke et al) would redefine the definitions of “taxable price” and “taxable service”, lower the sales tax on goods rate to 5% and extends it to a list of services, vending machine operators and charges made in connection with sales of alcohol. Hrg. 3/2 1pm W&M

**SB 03 Electronic Smoking Devices, Other Tobacco Products and Cigarettes- Taxation and Regulation** (McCray) would increase tobacco tax from \$2 to \$4 per pack and increase taxes on other tobacco products. It imposes a tax on electronic smoking devices and requires the Governor to include at least \$21 million in annual funding for the Tobacco Use Prevention and Cessation Program. Hrg. 1/29 1pm B&T

**Update on bills previously report in RSC:**

**HB 71 Maryland Funding Accountability and Transparency Act – Nonbudgeted State Agencies** (Carr) In the Senate. Hrg, 1/28 APP ([RSC 1](#))

**HB 400 Tax-General-Vaping Product Tax** (Pena-Melnyk) Unfavorable Report by W&M. ([RSC 2](#))

*Barbara Hankins*

**ELECTIONS**

**HB 1172 Election Law - Postelection Tabulation Audits - Risk-Limiting Audits** (Kaiser) would require hand auditing of samples of ballots in each election to detect any errors in the automated counting of votes. Under current law, an automated review of ballots is conducted after each election, using software to review the images captured by the ballot scanning machines, and a manual audit of 2% of precincts and 1% of ballots is also conducted within 120 days of the election. This bill would replace the manual audit of fixed percentages of precincts and ballots with a risk-limiting audit to be completed before the election is certified. A “risk-limiting audit” is a manual counting of ballots from a large enough sample to detect any errors that could have affected the outcome. Hrg. 2/27, 1pm W&M

**HB 1379 Election Law - Multiple Ballots Cast by an Individual - Canvassing** (Feldmark, Charkoudian, and Ebersole) would specify how to count ballots if a person submits more than one absentee ballot, submits more than one provisional ballot, or submits an absentee and a provisional ballot. There are situations where a voter might submit more than one ballot if they are uncertain if they completed the first one correctly. Or, if they mailed an absentee ballot but are uncertain whether it was received, they might go to their polling place on election day and cast a provisional ballot. Under current law, if multiple absentee ballots are received, the Board of Elections counts the one that has the most recent properly executed oath. This bill would add that if an absentee and a provisional ballot are received, the provisional ballot will be disregarded if the absentee ballot was properly submitted. If multiple provisional ballots were received, the Board would count only the one with the largest number of contests for which that voter was entitled to vote. Hrg. 3/3, 1pm W&M

**HB 1503 Election Law - Congressional Representatives - Residence Requirement** (Parrott plus 17) would require, beginning in November 2022, that a candidate for U.S. Representative reside in the district in which they are being elected. The U.S. Constitution requires that a Representative be an “inhabitant” of the state they are elected from, but it does not require that they live in their district. Hrg. 3/3, 1pm W&M

**HB 1589 Election Law - Time Off for Employee Voting** (Palakovich Carr) is similar to SB 666 ([RSC-3](#)), but adds a prohibition against discriminating against an employee for exercising their right to vote. Hrg. 3/3, 1pm W&M

**[SB 1003](#) Election Law - Eligible Detainees - Information on Voting Rights** (Carter, Lee, Smith) would require the State Board of Elections to establish a program to inform eligible detainees of their right to register to vote and assist them in obtaining and returning absentee ballots. This would benefit persons held in jail awaiting trial as well as those convicted of an offense that would not make them ineligible to vote (generally, a misdemeanor conviction). Persons convicted of felonies are not permitted to vote while they are in prison. The Department of Corrections would be required to cooperate with the Board of Elections to implement the program. Hrg. 2/27, 1pm W&M

**Update on Bills Previously Reported on in RSC:**

**[HB 268](#) Election Law - Deadline for Selection of Lieutenant Governor** (Barve) ([RSC 1](#)) Reported favorably by W&M on 2/28.

**[HB 1314](#) Election Law - Voting Systems - Accessibility for Voters With Disabilities** (Mosby plus 42) Cross-file of SB 757 ([RSC 3](#)) Hrg. 3/3, 1pm W&M

**[SB 362](#) Election Law - Absentee Ballots - Timing of Canvass** (Kagan) ([RSC 2](#)) Reported favorably from EHE, 2/19. Passed Senate 45-0 on 2/21.

**[HB 392](#) Election Law - Security of Election Systems**(Kagan) ([RSC 2](#)) Reported favorably with amendments by W&M on 2/20. Passed House of Delegates 134-0 on 2/25.

**[SB 10](#) General Assembly – Special Election to Fill a Vacancy in Office** (Lam) ([RSC 1](#)) Hrg. 3/17, 1pm W&M

**[SB 33](#) Election Law - Voting by Absentee Ballot - Prepaid Postage for Return of Ballots** (Kagan) ([RSC 1](#)) Hrg. 3/17, 1pm W&M

**[SB 56](#) Election Law - Petitions and Ballot Questions - Plain Language Requirement** (Kagan) ([RSC 1](#)) Hrg. 3/17, 1pm W&M

**[SB 145](#) Election Law - References to Absentee Voting in Communications - Mail-In Voting** (Hester) ([RSC 1](#)) Hrg. 3/17, 1pm W&M

**[SB 362](#) Election Law - Absentee Ballots - Timing of Canvass** (Kagan) ([RSC 1](#)) Hrg. 3/17, 1pm W&M.

**[HB 568](#) Election Law - Correctional Facilities - Voter Registration and Voting** (Mosby) ([RSC 2](#)) Hrg. 3/5, 1pm EHE.

**[SB 757](#) Election Law – Voting Systems – Accessibility for Voters With Disabilities** (Lam) ([RSC 3](#)) Hrg. 3/5. 1 pm EHE

**[SB 800](#) Election Law - Casting General Election Ballot in Multiple Locations - Prohibition (Ready) ([RSC 3](#))** Hrg. 3/5, 1 pm EHE

*Ralph Watkins*

## **CAMPAIGN FINANCE**

**[HB 1380](#) Campaign Finance - Contribution Through Third-Party Payment Processor - Transfer to Campaign Account** (Mosby and Palakovich Carr) seeks to provide more transparency and timely transfer of campaign contributions when they are made through a third-party payment processor such as Pay Pal, Google Pay or Apple Pay. It requires transfer of the contribution to the official campaign finance account within seven day after the contribution is deposited into the third-party payment processor. Hrg. 2/27 W&M

### **Update on Bills Previously Reported on in RSC:**

**[HB 216](#) Election Law - Campaign Material - Definition and Authority Line for Telephone Calls ([RSC 1](#))** Favorable Report by W&M on 2/21. Passed third reading on the House Floor (124-0) on 2/25. Referred to EHE on 2/26.

**[SB 129](#) Election Law - Campaign Finance - Protection of Contributor Information ([RSC 1](#))** Favorable Report by EHE on 2/25. Passed third reading on Senate floor (43-0) on 2/28.

**[HB 99](#) Election Law - Campaign Finance Entities – Termination ([RSC 2](#))** Passed third reading on House Floor (138-0) on 2/18. Referred to EHE.

**[HB 337/SB 298](#) Election Law - Local Public Campaign Financing - Boards of Education ([RSC 2](#))** SB 298 Favorable Report by EHE on 2/19. Passed third reading on Senate Floor (46-0) on 2/21. Referred to W&M Hrg. 3/17.

**[HB 465](#) Election Law - Campaign Material - Disclosure of the Use of Bots ([RSC 2](#))** Favorable Report by W&M on 2/28. Passed 2<sup>nd</sup> reading on House Floor 2/28.

**[HB 421/SB 363](#) State Government – Open Meetings – Requirements and Application of Open Meetings Act (Maryland State Agency Transparency Act) ([RSC 2](#))** SB 363 Favorable Report with amendments by EHE on 2/24. Passed 3rd Reading on Senate Floor (46-0) 2/27. Referred to HGO.

*Nancy Soreng*