



Rushern L. Baker, III
County Executive

90 Day Report

2015 MARYLAND GENERAL ASSEMBLY



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*** All bills denoted as “passed” are still subject to the Governor’s veto process. Additional information on all bills may be found on the Maryland General Assembly Website:**

www.mlis.state.md.us

Dear Friend,



The 2015 Session of the Maryland General Assembly was unlike any experienced in my two decades of public service! While it represented a strong partnership with our Prince George's County's House and Senate delegations, as well as other members of the Maryland General Assembly, many of the joint priorities established in collaboration with the Prince George's County Council are within reach but not yet fully realized.

With the election of our new Governor last Fall and the State once again facing a structural deficit, the County focused our Legislative Agenda this Session on safeguarding those most critical of budgetary priorities, including: support for K-12 education operations for jurisdictions, like Prince George's County, where the cost to educate students is higher than most other geographic areas; appropriate funding to help our school system deal with new construction needs, along with the more than \$2 billion backlog in renovations and repairs required for many of our aging school facilities; and finally, ensuring that the schedule for State construction funding for the new Regional Medical Center keeps the project timeline secure and that the State funding commitments toward the operation of the existing facilities

remain in place so as to allow the existing hospital to function at the highest achievable level until the new regional facility opens. We also jointly focused on ensuring continued State funding for the Purple Line, a priority transportation project that will benefit the County, the entire State and Region by providing additional jobs, economic development opportunities, and reducing traffic congestion thus improving our environment.

Our efforts did not go unrewarded in the state budget approved by the General Assembly. The legislature secured needed funding to support the Regional Medical Center, education and the Purple Line. Due to the unique nature of our State's constitution, however, the Administration will have the ultimate say on whether these funds set aside by the legislature will be put toward our priorities.

The following report highlights some of the most important efforts during this legislative session. You can rest assured that as County Executive, I am laser focused and committed to ensuring that the County receives the critical funding that will help us maintain our positive trajectory toward becoming an even greater place to live, invest, work and visit. We will continue to work with our House and Senate Delegations and leadership in Annapolis to make sure that the investments we are all making in our great County will prepare us and propel us toward a solid, prosperous future.

Sincerely,

A handwritten signature in black ink, which appears to read "Rushern L. Baker, III". The signature is fluid and stylized, with a large initial "R" and a long horizontal stroke.

Rushern L. Baker, III
Prince George's County Executive

THE PRINCE GEORGE'S COUNTY 2015 LEGISLATIVE AGENDA

REGIONAL MEDICAL SYSTEM FUNDING

Ensuring the Regional Medical Center project is secured and that previously committed State funding remains in place. In addition to helping to reduce health disparities in the region, the new facility and the transit-oriented development that will accompany it will positively affect the State and County's fiscal health by creating jobs, expanding the commercial tax base in the County, and ultimately, ending the years long dependency of the existing facilities on taxpayer subsidies.

The General Assembly approved \$30 million toward construction of the Regional Medical Center, bringing the State's approval to-date to \$65 million of the total \$200 million commitment toward the project. The remaining installments are programmed in the State Capital Improvement Plan over the next two fiscal years. Discussions with the Hogan Administration are ongoing regarding continued operating funding for the existing hospital system.

K-12 AND PUBLIC SCHOOL CONSTRUCTION FUNDING

Ensuring appropriate formula funding from the State for the County's K-12 educational system (including the Geographic Cost of Education Index funding) as well as appropriate funding to meet the school system's increasingly growing needs for repair, construction, and renovation and modernization projects. Continue to explore work with the legislative and executive branches to identify long-term funding mechanisms that will address significant capital needs.

Although the General Assembly prioritized nearly full funding for K-12 education in its budget (see Appendix E) the Hogan Administration has the discretion to withhold \$20.3 million in sorely needed education funding; which would be used to, among other things, retain qualified teachers and fund programming that helps keep our students competitive with their peers in surrounding jurisdictions such as talented and gifted programs and reading specialists. The Hogan Administration has until August 15, 2015 to decide whether to continue to withhold this critical funding. In addition to K-12 education funding, the County is expected to receive \$27.1 million in school construction funding; additional funding may become available when the final allocation of school construction funding is made in May. The County also anticipates receiving \$1.2 million for repair and renovation of aging schools and, potentially, up to another \$4.8 million under the State's new program—approved by the legislature this General Assembly Session—for public school systems with either significant enrollment growth or a significant number of re-locatable classrooms.

PURPLE LINE

Safeguarding State funding in the federal/state/local partnership to build the Purple Line light rail project that will have the multi beneficial effect of spurring regional community revitalization, provide a significant amount of job opportunities, millions of dollars in economic development growth, transit-oriented development that will make our existing communities even more sustainable, as well as, relieve congestion and positively affect the region's environment.

The Hogan Administration included \$127.7 million in the Transportation Trust Fund to fund construction of the Purple Line, but with a caveat that the Administration would engage in further deliberations regarding whether to continue to support the project. Through budget language, the General Assembly restricted the use of the funds the Governor included in the budget to be used solely for that purpose. The Hogan Administration has indicated that it will make a final decision on whether to move forward by mid-May 2015.

PUBLIC SAFETY FUNDING

Working to safeguard the State public safety funding that has contributed to the unprecedented drops in County crime, making our community a safer, more attractive place in which to live, work and visit, and in so doing, making the County an increasingly more robust contributor to the State's tax and revenue base. This includes funding from the disparity grant, police aid, and grants from the Governor's Office of Crime Control and Prevention.

The General Assembly approved nearly full funding of several State funding programs that, in conjunction with County funding, will continue to allow the County to make the investments in public safety that are keeping our residents safe, our businesses prosperous and our visitors satisfied.

FY 2016 BUDGET HIGHLIGHTS

❖ K-12 Education

- \$1.064 billion in operating aid, including \$40.6 million to help public schools pay for the higher costs of educating students in the Washington metropolitan area
- \$27.085 million in school construction funding to date, with up to an additional \$4.8 million in matching grants

❖ Prince George's Community College

- \$28.0 million in operating aid, grants and retirement funding
- \$23.9 million in capital funding for renovations and additions for Lanham Hall and the Queen Anne Academic Center

❖ Libraries

- \$7.0 million in operating aid for the County's public library system
- \$1.3 million in capital funding for renovation of the Bowie Library

❖ Disparity Grant

- \$23.1 million in additional aid to supplement the County's lower income tax capacity relative to the income tax capacity of other local jurisdictions

❖ Police, Fire and Public Safety

- \$20.6 million in operating aid, including \$13.8 million in police aid

❖ Transportation

- \$9.3 million in operating aid, including \$3.2 million in highway user revenue and \$800,000 for elderly and paratransit grants

❖ **Health**

- \$30.0 million in capital funding for the Regional Medical Center

❖ **Environment**

- \$3.7 million for environmental programs, including \$3.3 million in Program Open Space funding and \$431,000 in wastewater treatment removal

PRINCE GEORGE'S COUNTY DELEGATION BILLS

BI-COUNTY SUBCOMMITTEE

House Bill 675 – *(Passed)* – **Maryland-National Capital Park and Planning Commission- Performance Audit (MC/PG 104-15)** requires the state Office of Legislative Audits (OLA) to conduct a performance audit evaluating the Maryland-National Capital Park and Planning Commission's (M-NCPPC) project management practices relating to its capital program in Prince George's County. Before initiating the audit, OLA must coordinate with M-NCPPC to develop the scope of the audit and submit the scope of the audit to the Joint Audit Committee for approval. The scope of the audit may include planning, executing, and monitoring of individual capital projects. Consistent with audit procedures specified under § 2-1223 of the State Government Article, the employees or authorized representatives of OLA must have access to and may inspect all relevant records of M-NCPPC and its contractors, including records that are confidential by law, when performing the audit. The bill takes effect October 15, 2015.

House Bill 677 – *(Failed)* – **Washington Suburban Sanitary Commission – Independent Review (MC/PG 106-15)** would have required the Washington Suburban Sanitary Commission (WSSC) to establish an independent review board to arbitrate certain billing disputes. The bill would have provided for the terms of the members, and also provided for judicial review of certain decisions.

House Bill 1234 – *(Passed)* – **Washington Suburban Sanitary Commission – Customer Assistance Program (MC/PG 107-15)** requires the Washington Suburban Sanitary Commission (WSSC) to establish a Customer Assistance Program to provide financial assistance with water and sewer bills to eligible ratepayers by July 1, 2015. The commission must establish income eligibility standards for ratepayers and these standards must be applied uniformly throughout the sanitary district. The program must be funded from commission revenues. The bill takes effect June 1, 2015.

House Bill 708 – *(Failed)* – **Washington Suburban Sanitary Commission – Members – Annual Salary (MC/PG 108-15)** would have altered the annual salary of the members of the Washington Suburban Sanitary Commission from \$13,500 to \$22,500 for the Chair, from \$13,000 to \$22,000 for the vice chair, and from \$13,000 to \$22,000 for the commissioners.

House Bill 585 – *(Passed)* – **Maryland – National Capital Park and Planning Commission – Regulations to Prohibit Smoking (MC/PG 109-15)** requires the Maryland-National Capital Park and Planning Commission (M-NCPPC) to adopt regulations to prohibit the smoking of a cigarette, cigar, or any other tobacco product on property under its jurisdiction. The regulations may exclude from the prohibition any designated venue or facility reasonably determined by the commission to be appropriate for the purpose of generating admission fees, rental fees, or similar charges for use of commission property. The bill also provides for certain fines for certain infractions. The regulations must be adopted by June 30, 2016. The bill takes effect October 1, 2015.

House Bill 628 – (Failed) – Prince George’s Municipal Zoning Authority (MC/PG 111-15) would have authorized the governing body of a municipal corporation in Prince George's County in the Maryland-Washington Regional District to exercise specified powers of the Prince George's County Council, sitting as the district council, and the Prince George's County Planning Board, relating to the zoning of land in the municipal corporation.

House Bill 938 – (Passed) – Prince George’s – Maryland-Washington Regional District – Fairness in Zoning Act of 2015 (MC/PG 112-15) modifies State law governing (1) who may request judicial and district council review of certain land use decisions, including subdivision approval decisions, in Prince George’s County and (2) who may request judicial review of subdivision approval decisions in Montgomery County. The bill also addresses actions of the district council in Prince George’s County with respect to an appeal from a decision of a zoning hearing examiner and the timing of decisions by the zoning hearing examiner in Prince George’s County. The bill takes effect October 1, 2015.

House Bill 1016 – (Failed) – Prince George’s County – Certified County –Based Business Participation Program (MC/PG 113-15) would have required the Maryland-National Capital Park and Planning Commission (M-NCPPC), in consultation with the governing body of Prince George’s County, to establish a certified county-based business participation program to facilitate the participation of county-based businesses in the commission’s procurement for goods, services, and construction in Prince George’s County.

House Bill 653 – (Failed) – Maryland – National Capital Park and Planning Commission – Regulation of Off-Highway Recreational Vehicles (MC/PG 114-15) requires the Maryland-National Capital Park and Planning Commission (M-NCPPC) to adopt regulations governing the use of off-highway recreational vehicles on commission property.

House Bill 910 – (Failed) – Washington Suburban Sanitary Commission – Polybutylene Pipe Replacement (MC/PG 116-15) requires the Washington Suburban Sanitary Commission (WSSC) to establish a Polybutylene Connection Pipe Replacement Loan Program. WSSC may not provide more than \$1 million in loans through the program. The bill also provides for the recording of the lien, the establishment of the lien, that the lien secures payment of the loan, and prohibiting the priority of the lien over certain other liens.

LAW ENFORCEMENT SUBCOMMITTEE

House Bill 598 – (Passed, Ch. 99) – Prince George's County - Raffles - Charitable Foundations (PG 301-15) allows a charitable foundation that is tax-exempt under Section 501(c) (3) of the Internal Revenue Code, is affiliated with a professional football team that plays its home games in Prince George’s County, and has an office and conducts operations in Prince George’s County to conduct a raffle in Prince George’s County. Additionally, the bill specifies that a designated county agency, instead of the Prince George’s County Department of Environmental Resources, must issue permits to qualified organizations to conduct a raffle after ascertaining the character of the applicant to determine if the permit should be issued. The bill takes effect July 1, 2015.

House Bill 705 – (Passed, Ch. 101) – Prince George's County - Alcoholic Beverages - Penalties (PG 304-15) alters the authority of the Board of License Commissioners in Prince George's County to impose a fine, instead of or in addition to suspension or revocation of a license, for any violation that is cause of suspension or revocation of a license. Currently, the board may impose a fine of up to \$12,500. Under the bill, the board is authorized to impose (1) a fine of up to \$1,500 for a first offense, except for a violation involving furnishing or allowing underage consumption; (2) a fine of \$1,500 for a first offense of a violation involving furnishing or allowing underage consumption; (3) a fine between \$1,501 and \$6,000 for a second offense in the same 24-month period; and (4) a fine of \$7,500 for a third offense in the same 24-month period. For a fourth offense in the same 24-month period, unless the license is revoked, the board must impose a 30-day suspension. The bill takes effect July 1, 2015.

House Bill 570 – (Failed) – Prince George's County - Emergency Medical Services - Motorcycle Unit (PG 305-15) would have required the governing body of Prince George's County, by local law, to establish an emergency medical response unit that travels by motorcycle to assist with emergencies in the county. The local law would have required a member of the unit to 1) be licensed or certified as an emergency medical services provider by the State Emergency Medical Services Board; and 2) be licensed to drive a motorcycle.

House Bill 671 – (Failed) – Task Force on the Creation of a Juvenile Assessment Center and Constructive Alternatives to Managing Youth at Risk of Delinquency in Prince George's County (PG 306-15) would have established the Task Force on the Creation of a Juvenile Assessment Center and Constructive Alternatives to Managing Youth at Risk of Delinquency in Prince George's County. The Prince George's County Executive would have been required to provide staff for the task force and designate a chair.

House Bill 617 – (Passed) – Prince George's County - Alcoholic Beverages - Licenses, Salaries, Inspectors, and Bottle Clubs (PG 307-15) makes several changes to alcoholic beverages licensing provisions in Prince George's County, including provisions relating to residency requirements and capital investment requirements for certain licenses. The bill also increases the salaries of members of the Board of License Commissioners and the board's attorney, decreases the number of part-time liquor inspectors, and increases the salaries of part-time liquor inspectors. Finally, the bill enhances enforcement provisions relating to bottle clubs in the county. The bill takes effect July 1, 2015.

House Bill 609 – (Failed) – Prince George's County - Motorcycle Operators - Penalties for Speed Violations (PG 311-15) would have established a \$1,000 penalty for a person convicted of operating a motorcycle at a speed of at least 40 miles per hour above the posted speed limit in Prince George's County.

House Bill 632 – (Failed) – Prince George's County - Off-Highway Recreational Vehicles - Penalty for Highway Use (PG 312-15) would have established a \$500 penalty for a person convicted of operating an off-highway recreational vehicle (OHRV) on a highway in Prince George's County.

House Bill 654 – (Failed) – Prince George's County - Unattended Motor Vehicle - Exception to Prohibition (PG 313-15) would have established that the prohibition against leaving a motor vehicle unattended until the vehicle is completely stopped with the

ignition locked (as specified in the Maryland Vehicle Law) does not apply to a person in charge of a motor vehicle in Prince George's County who had recently started the engine using a remote keyless ignition system.

House Bill 912 – (Failed) – Prince George's County Juvenile Court and School Safety Workgroup (PG 314-15) would have extended the Prince George's County Juvenile Court and School Safety Workgroup until December 16, 2016.

House Bill 930 – (Failed) – Prince George's County - Board of License Commissioners - Membership (PG 315-15) would have altered provisions specific to the appointment and membership of the Prince George's County Board of License Commissioners and the appointment processes.

House Bill 851 / Senate Bill 423 – (Passed) – Alcoholic Beverages - Towne Centre at Laurel - Class A License (PG 316-15) increases, from 142 to 143, the maximum number of Class A beer, wine, and liquor licenses that may be issued by the Board of License Commissioners in Prince George's County. The bill also allows the board to convert one authorized Class B-DD (Development District) license to be a Class A beer, wine, and liquor license to an establishment within the Towne Centre at Laurel. The bill takes effect July 1, 2015.

House Bill 932 / Senate Bill 369 – (Passed) – Prince George's County - City of College Park - Class D Beer and Wine License (PG 317-15) specifies that on or after July 1, 2015, one Class D (on-sale) beer and wine license issued for premises in the 7100 block of Baltimore Avenue in the City of College Park may be converted into a Class D (on- and off-sale) beer and wine license for premises that are located in the 7100 to 7200 block of Baltimore Avenue in the City of College Park. The bill takes effect July 1, 2015.

House Bill 931 – (Passed, Ch. 111) – Alcoholic Beverages - Prince George's County - Seven Day Sales (PG 318-15) establishes a special Sunday off-sale permit in Prince George's County and authorizes the Prince George's County Board of License Commissioners to issue the permit to the holder of any Class A beer, wine, and liquor (BWL) license or to the holder of a Class B beer, wine, and liquor license with an off-sale privilege. The new permit authorizes the sale of alcoholic beverages for consumption off the licensed premises on Sunday only from 8 a.m. to midnight. The application fee for the permit is \$750, and the annual permit fee is \$2,590 for the holder of a Class A BWL license, or \$1,080 for the holder of a Class B BWL license with an off-sale privilege. The permit fee is in addition to the annual fee for the licensee's existing license. The bill establishes a cap on the number of special Sunday off-sale permits as well as capital improvement and operating requirements for permit holders. The bill takes effect July 1, 2015.

House Bill 1004 / Senate Bill 313 – (Failed) – Prince George's County - Alcoholic Beverages - Underage Individuals at Special Entertainment Events (PG 319-15) would have authorized a Class B beer, wine, and liquor license holder in Prince George's County that obtains a special entertainment permit to allow an individual who is 18 years of age or older to be present on the licensed premises if alcoholic beverages are being served and the privileges authorized by the special entertainment permit are being exercised.

House Bill 970 / Senate Bill 689 – (Passed) – Prince George's County - Transfer Tax - Deputy Sheriffs (PG 322-15) caps the Prince George's County transfer tax rate at 1%

for a second and subsequent residential property purchase made by a Prince George's County deputy sheriff. The bill takes effect July 1, 2015.

COUNTY AFFAIRS SUBCOMMITTEE

House Bill 704 – (Failed) – Prince George's County – Authority to Prohibit the Use of Disposable Bags (PG 403-15) would have authorized Prince George's County to enact a law that prohibits specified retail establishments from using disposable bags as part of a retail sale of products; and defining "disposable bag" as a paper or plastic bag provided by a store to a customer at the point of sale.

House Bill 649 – (Passed) – Prince George's County – Clean Water Program – Report (PG 404-15) requires the Prince George's County Department of Environmental Resources to prepare a report on the County funding plan, including specified information, for the County's Clean Water Program. The report must be submitted to the Prince George's County Delegation by July 1, 2016. The bill takes effect July 1, 2015.

House Bill 983 – (Failed) – Prince George's Community College – Certified County-Based Business Participation Program (PG 405-15) would have required the Board of Trustees of Prince George's Community College to establish and implement a Certified County-Based Business Participation Program to be used in community college procurement.

House Bill 710 – (Failed) – Prince George's – School Property – Development of Policy for Non-Educational Use (PG 406-15) would have required the Chief Executive Officer of the Prince George's County public school system, together with the Prince George's County Board of Education, the County Executive of Prince George's County, and the Prince George's County Parent Teacher Association to develop a policy and criteria for considering and approving non-educational uses of school property.

House Bill 597 / Senate Bill 867 – (Failed) – Prince George's Board of Education – Public High Schools – Outdoor Synthetic Turf Fields (PG 407-15) would have required the Prince George's County Board of Education to install an outdoor artificial turf field at each of 21 public high schools in the county by June 30, 2020 (fiscal 2020). It prioritized the schedule for completion of the installation of fields by fiscal year and limits installation to no more than five fields in any fiscal year. The local share of the costs must have been paid from Program Open Space (POS) under specified conditions. The board may have also used donated funds, but it may not use general operating funds to implement the bill. All fields installed under the bill must be for joint use under the board's education facility master plan.

House Bill 634 – (Passed) – Prince George's Board of Education – Certified County-Based Business Program (PG 408-15) authorizes the Prince George's County Board of Education, in consultation with the Chief Executive Officer (CEO) of the Prince George's County Public Schools, to establish a certified county-based business participation program to facilitate the participation of county-based businesses in the school system's procurement for supplies, services, and construction in the county. The bill takes effect July 1, 2015.

House Bill 593 – (Failed) – Prince George’s – Public Schools – Criteria for Building Surveys and Inspections (PG 409-15) would have required the Prince George’s County Board of Education to establish specific criteria for evaluating the condition of public school buildings and facilities in the county. The criteria specified in the bill must have given the same weight as any other criteria required by the Interagency Committee on School Construction (IAC) or the county board. A survey or inspection of public school buildings in the county must have used all of the criteria to assess the adequacy of each building, and the school board may adopt regulations to implement the bill.

House Bill 935 – (Passed) – Prince George’s County – Tax Sales – Foreclosure for Abandoned Property (PG 410-15) authorizes the Governing Body of Prince George’s County to file a complaint to foreclose all rights of redemption in a vacant lot or in a property with a building that has been cited as vacant and unfit for habitation based on a housing or building violation notice at any time after the city or County becomes the purchaser by operation of law. The bill also exempts the Governing Body of Prince George’s County from issuing specified required notices for such property. The bill takes effect June 1, 2015.

House Bill 707 – (Passed) – Prince George’s County - Board of Education – Issuance of Credit Cards – Prohibition (PG 411-15) prohibits the Prince George’s County Board of Education from issuing a credit card to a member of the county board. The bill takes effect July 1, 2016.

House Bill 706 – (Failed) – Prince George’s – Alternatives to School Suspension Pilot Program – Establishment (PG 412-15) would have established the Alternatives to Suspension Pilot Program in Prince George’s County for the purpose of providing an alternative disciplinary option for students who commit a nonviolent offense or infraction in high school.

House Bill 594 – (Failed) – Prince George’s County – New School Construction Investment Act of 2015 (PG 413-15) would have authorized Prince George’s County, subject to approval of a voter referendum at the 2016 general election, to impose a sales tax of up to 1% on retail sales made in the County. The net proceeds of the revenues from the County sales tax would have to have been used for (1) new school construction projects approved by the Prince George’s County Board of Education and Prince George’s County or (2) school renovation projects approved by the Prince George’s County Board of Education and Prince George’s County in which at least 50% of the school was renovated. The bill would have taken effect July 1, 2015. The retail sales tax would have taken effect January 1, 2017, subject to passage of the referendum, and would have expired December 31, 2021.

House Bill 709 – (Failed) – Prince George’s – Authority to Impose Fees for Use of Disposable Bags (PG 416-15) would have authorized Prince George’s County to impose, by law, a fee on specified retail establishments for use of disposable bags as part of a retail sale of products; limiting the amount of the fee to 5 cents for each disposable bag used; and defining "disposable bag" as a paper or plastic bag provided by a store to a customer at the point of sale.

House Bill 681 – (Passed) – Prince George’s County – Municipal Tax Setoff – Report (PG 417-15) requires Prince George’s County to complete a report on property tax setoffs in the County by January 31 of each year. The report must include (1) the amount of the tax setoff granted to each municipality in the current fiscal year; (2) a detailed

description of the scope and nature of the individual services or programs provided by each municipality instead of similar services or programs provided by the County; and (3) a detailed description of the methodology used by the County to determine the amount of the tax setoffs, including any formulas. The report must be made available on request to municipalities in the County and submitted to the Prince George's County House Delegation and the Prince George's County Senators. The bill takes effect July 1, 2015.

House Bill 1034 – (Failed) – Prince George's – Public Ethics – Governing Bodies of Municipal Corporation Exercising Zoning Authority (PG 420-15) would have altered the definitions of "candidate" and "member" for the purpose of applying specified public ethics requirements regarding payments and ex parte communications made during the pendency of specified land use applications to specified candidates for and members of the governing bodies of specified municipal corporations in Prince George's County. The bill was contingent on the passage of House Bill 628, which also failed.

House Bill 937 – (Failed) – Prince George's County – Board of Education – Financial Literacy Curriculum – Graduation Requirements (PG 421-15) would have required the Prince George's County Board of Education to develop curriculum contents for a semester-long course in financial literacy to be offered in every high school in the County beginning in the 2016-2017 school year. Had the bill passed, beginning in the 2017-2018 school year, in order to graduate from high school in Prince George's County, a student would have been required to complete a course in financial literacy.

House Bill 929 – (Failed) – Prince George's – Foreclosure Relief Act of 2015 (PG 423-15) was an emergency bill that would have prohibited a secured party from maintaining an action to foreclose a mortgage or deed of trust on residential property in Prince George's County for six months from the date of enactment. If an order to docket (OTD) or a complaint to foreclose a mortgage or deed of trust is filed on owner-occupied residential property located in Prince George's County, the bill would have required the court to send a one-page checklist to the mortgagor or grantor containing specified information which must be returned to the court in 15 days. The bill would have required the Office of the Attorney General (OAG) to submit a report containing specified research findings on illegal foreclosures to the General Assembly by July 1, 2016.

House Bill 197 – (Passed) – Prince George's – Education – Youth Wellness Leadership Pilot Program (PG 424-15) establishes a Youth Wellness Leadership Pilot Program in Prince George's County to promote youth-led health and wellness advocacy skills and to teach participating students skills in health and wellness, academic performance, peer education, leadership, career development, and economic well-being. After consultation with the Department of Health and Mental Hygiene (DHMH), the Prince George's County Board of Education must establish the program for 125 public high school students. The school board may collaborate with local community organizations involved in youth-led health and wellness advocacy programs and may use funds donated by such organizations to implement the pilot program. The school board must report annually on the effectiveness of the program to the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee. The bill takes effect October 1, 2015, and terminates September 30, 2018.

House Bill 1177 – (Failed) – Prince George's County - Tax Sales – Limited Auction and Foreclosure for Abandoned Property (PG 425-15) would have required the tax collector in Prince George's County to conduct an additional, limited auction, prior to public

auction, for any property to be sold for the collection of past due taxes. The limited auction must have been open only to bids from an individual who is (1) an employee of the Prince George's County Public School System; (2) an employee of the Prince George's County Police Department; (3) an employee of the Prince George's County Fire Department; (4) an employee of the Prince George's County Office of the Sheriff; (5) an employee of the Prince George's County Department of Corrections; (6) an employee of the Prince George's County government; or (7) a resident of Prince George's County. The bill would have required that a purchaser of property at the limited auction occupy the property as his or her principal residence.

LEGISLATION WITH AN IMPACT ON PRINCE GEORGE'S COUNTY

BUSINESS AFFAIRS

[Senate Bill 262 / House Bill 323](#) – (Passed) – Maryland Building Performance Standards - Energy Codes - Local Authority authorizes a local jurisdiction to adopt local amendments to the Maryland Building Performance Standards (MBPS) that are equivalent to the requirements of the International Energy Conservation Code (IECC), Chapter 13, “Energy Efficiency,” of the International Building Code (IBC), or Chapter 11, “Energy Efficiency,” of the International Residential Code. This bill takes effect October 1, 2015.

[Senate Bill 542](#) – (Passed) – Maryland Cybersecurity Council – Establishment establishes the Maryland Cybersecurity Council, which is tasked with working with the National Institute of Standards and Technology (NIST), as well as other federal agencies, private-sector businesses, and private cybersecurity experts to meet specified goals related to cybersecurity in the State. On or before July 1, 2016, the council must submit a report of its initial activities to the General Assembly, and beginning July 1, 2017, and every two years thereafter, the council must submit a report of its activities to the General Assembly. The bill takes effect July 1, 2015.

[Senate Bill 544](#) – (Failed) – Statewide Information Technology Master Plan - Inclusion of Cybersecurity Framework – Requirement would have required that the statewide information technology (IT) master plan include a cybersecurity framework. In developing the framework, the Secretary of Information Technology would consider materials developed by the National Institute of Standards and Technology (NIST).

[Senate Bill 577 / House Bill 1166](#) – (Failed) – Public Utilities - Telecommunications Law – Modernization would have authorized a telephone company to (1) discontinue or abandon a regulated retail service under specified conditions; (2) provide most regulated services without filing a tariff schedule with the Public Service Commission (PSC); and (3) change rates without prior notice to PSC for services for which there is no tariff filed.

[Senate Bill 624](#) – (Failed) – Task Force to Study the Expansion of Career and Technical Education in Maryland would have established the Task Force to Study the Expansion of Career and Technical Education (CTE) in Maryland.

[Senate Bill 738 / House Bill 752](#) – (Failed) – Professional Engineers - Responsible Charge - Review and Approval of Engineering Documents would have specified an additional requirement for the review or approval by a unit of State or local government of an engineering document prepared in connection with any project where the skills of a professional engineer are required.

[Senate Bill 775 / House Bill 939](#) – (Passed) – Proposed Regulations - Determination of Impact on Small Businesses establishes the Advisory Council on the Impact of Regulations on Small Businesses within the Department of Business and Economic Development (DBED) to review proposed regulations and determine whether they have a significant impact on small businesses. A “significant small business impact” is defined as a

likely meaningful effect, as determined by the advisory council, on the revenues or profits of a significant number of small businesses or a significant percentage of small businesses within a single industry in the State; it does not include an impact from a regulation necessary to comply with federal law. This bill takes effect October 1, 2015.

Senate Bill 868 / House Bill 1231 – (Passed) – Public Utilities - Transportation Network Services establishes a regulatory framework for “transportation network services” that encompasses “transportation network companies” and “transportation network operators.” Transportation network companies are considered common carriers. Local governments are authorized to assess transportation network services that originate in their jurisdiction – generally up to 25 cents per trip – subject to specified requirements. The Public Service Commission (PSC) must adopt various regulations to implement the framework. The bill takes effect July 1, 2015.

House Bill 376 – (Failed) – Electric Companies - Vegetation Management - Local Law, Rule, or Regulation would have repealed a provision that prohibits a county or municipality from adopting or enforcing a local law, rule, or regulation, or taking any other action that interferes with, or materially increases the cost of the work of an electric company toward compliance with the vegetation management standards adopted by the Public Service Commission (PSC).

House Bill 541 – (Passed) – Public Service Commission - Attachments to Utility Poles – Study requires the Public Service Commission (PSC) to convene a workgroup of interested persons to study attachments to utility poles in Maryland. PSC must report its findings and recommendations to the General Assembly by December 31, 2015. The bill takes effect June 1, 2015, and terminates June 30, 2016.

EDUCATION

[Senate Bill 15](#) / [House Bill 278](#) – *(Passed)* – **Task Force to Study the Implementation of a Dyslexia Education Program** establishes a Task Force to Study the Implementation of a Dyslexia Education Program. The Maryland State Department of Education (MSDE) must provide staff support for the task force. The task force must determine current practices for identifying and treating dyslexia in students in Maryland public schools and in other states; determine the appropriate structure for establishing a dyslexia education program and make specified related recommendations; and develop a pilot program to initiate the implementation of the task force's recommendations in an appropriately limited geographical area. The task force must report its findings and recommendations to the Governor; the Senate Education, Health, and Environmental Affairs Committee; and the House Ways and Means Committee by December 30, 2015. The bill takes effect June 1, 2015, and terminates June 30, 2016.

[Senate Bill 183](#) / [House Bill 215](#) – *(Passed)* – **Education – Geographic Cost of Education – Requirement** changes the Geographic Cost of Education Index (GCEI) formula from discretionary to mandatory beginning in fiscal 2016, if full funding of GCEI is not provided for in the fiscal 2016 operating budget. The bill takes effect July 1, 2015. The bill is null and void if full funding of GCEI is provided in fiscal 2016.

[Senate Bill 228](#) / [House Bill 1193](#) – *(Failed)* – **Supplemental Public School Construction Matching Fund Program** would have established the Supplemental Public School Construction Matching Fund Program to provide \$20.0 million of supplemental State funding from State Lottery revenues annually to each qualifying county for up to 20 years to assist with funding the cost of public school construction and capital improvement projects. Qualifying counties would have been those with at least 140,000 students and AAA bond ratings from at least two of the credit rating agencies. (See Senate Bill 923 / House Bill 490 – *(Passed)* – Capital Grant Program for Local School Systems with Significant Enrollment Growth or Re-locatable Classrooms.)

[Senate Bill 224](#) / [House Bill 65](#) – *(Failed)* – **Education – Maintenance of Effort – Lease Payment Exclusion** would have excluded lease payments made by a local board of education to a private entity holding title to school property from the State's public school maintenance of effort (MOE) requirement, beginning in fiscal 2016.

[Senate Bill 334](#) / [House Bill 965](#) – *(Passed)* – **The Hunger-Free Schools Act of 2015** alters the enrollment count used to calculate compensatory aid in fiscal 2017 through 2020 for local boards of education that participate, in whole or in part, in the U.S. Department of Agriculture (USDA) Community Eligibility Provision (CEP). By December 1, 2018, the Maryland State Department of Education (MSDE), in collaboration with any local school system that opts into CEP, must report to the Senate Budget and Taxation Committee and the House Appropriations and Ways and Means Committees on the impact of the bill on the amount of State aid provided to local school systems. The bill takes effect June 1, 2015.

[Senate Bill 403](#) / [House Bill 375](#) – *(Passed)* – **Education – Maryland Council on Advancement of School-Based Health Centers** replaces the Maryland School-Based Health Center Policy Advisory Council at the Maryland State Department of Education (MSDE) with the Maryland Council on Advancement of School-Based Health Centers. MSDE may seek the assistance of organizations with expertise in school-based health care

or other matters within the duties of the council to provide additional staffing resources to MSDE and the council. By December 31 of each year, the council must report findings and recommendations to the Department of Health and Mental Hygiene (DHMH), MSDE, and the General Assembly on improving the health and educational outcomes of students who receive services from SBHC. In the report due by December 31, 2016, the council must include recommendations on specified issues. The bill takes effect October 1, 2015.

Senate Bill 440 – (Passed) – Education – Expenditures of Revenues – Reporting by County Board of Education would have required each local board of education to report to the Maryland State Department of Education (MSDE) all expenditures by specified funding categories at the school level and the local education agency level.

Senate Bill 490 / House Bill 923 – (Passed) – Capital Grant Program for Local School Systems with Significant Enrollment Growth or Re-locatable Classrooms establishes the Capital Grant Program for Local School Systems with Significant Enrollment Growth or Re-locatable Classrooms, and it requires the Governor to include \$20 million annually in the capital budget to fund the program. The bill takes effect June 1, 2015. The General Assembly included \$20 million in the FY 2016 capital budget for this program.

Senate Bill 497 – (Passed) – Commission to Review Maryland’s Use of Assessments and Testing in Public Schools establishes the Commission to Review Maryland’s Use of Assessments and Testing in Public Schools. The Maryland State Department of Education (MSDE) must provide staff for the commission. By July 1, 2016, the commission must report its findings and recommendations to the State Board of Education, each local board of education, and the General Assembly. The bill takes effect June 1, 2015, and terminates May 31, 2017.

Senate Bill 595 / House Bill 486 – (Passed) – Public Charter School Improvement Act of 2015 this Administration bill alters State law regarding the establishment and operation of public charter schools. The bill alters existing requirements for public charter schools. It also establishes new requirements and authorizes certain options for targeting specified student populations when making student placements at a public charter school. The bill provides greater flexibility in operations to certain eligible public charter schools that have existed for at least five years and meet specified conditions. The role of the Maryland State Board of Education as a chartering authority is eliminated and its authority in appeals is clarified. The Maryland State Department of Education (MSDE) in consultation with the Department of Legislative Services (DLS), must contract for a study of the amount of funding provided to public charter schools and other public schools by local school system. The bill takes effect June 1, 2015

Senate Bill 627 / House Bill 1079 – (Failed) – Education – Maintenance of Effort Requirement – Alteration and Study would have altered the State’s public school maintenance of effort (MOE) requirements. Among other things, the bill would have repealed the requirement that a county that has an education effort below the five-year statewide average education effort must increase its MOE payment to the local school board in years when the wealth base per pupil is increasing. The cost of a fixed term lease for a school facility would have been excluded from MOE if the lease term expires and the cost does not continue into the current year.

[Senate Bill 672 / House Bill 992](#) – *(Failed)* – **Public and Nonpublic Schools – Student Diabetes Management Program** would have required the Maryland State Department of Education (MSDE) and the Department of Health and Mental Hygiene (DHMH), in consultation with other experts and stakeholders, to establish guidelines for the training of school employees to become trained diabetes care providers.

[Senate Bill 939](#) – *(Failed)* – **Prince George’s County – Maintenance of Effort – Property Tax Rate** would have prohibited Prince George’s County from setting a property tax rate that was greater than the rate authorized under the County’s charter, unless the rate increase was necessitated by an economic downturn in the County that impeded the County’s ability to fund the required education maintenance of effort (MOE) amount.

[House Bill 487](#) – *(Failed)* – **Maryland Education Credit** would have created a State income tax credit for 60% of the contributions made by a business entity or nonprofit organization to an eligible nonprofit organization that provides specified financial assistance to students at public or eligible nonpublic K-12 schools and pre-K programs. **NOTE: While House Bill 487 failed, the budget approved by the legislature includes \$5 million to be used for this purpose.**

[House Bill 966](#) – *(Failed)* – **Education – Community Colleges – Collective Bargaining** would have established a collective bargaining process for local community college and Baltimore City Community College (BCCC) employees including full-time faculty, part-time faculty, and staff, but excluding officers, supervisory or confidential employees, and student assistants.

ELECTIONS

Senate Bill 5 – (Passed) – Election Law - Canvass of Votes - Public Observation establishes that a board of canvassers and the staff of a local board of elections may be observed by authorized observers as they complete each part of the canvass, including the tabulation of votes cast during early voting. A candidate, political party, and any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot have the right to designate a registered voter as an observer at each counting center. The State Board of Elections (SBE) may adopt regulations prohibiting public observation of a part of the canvass only if it is necessary to ensure the integrity or accuracy of the canvass or that the canvass process is not impeded. SBE must ensure that the requirements of the bill are implemented uniformly and consistently by each local board of elections. The bill's provisions replace an existing provision that requires a board of canvassers to provide for observation and understanding of the canvass by individuals in attendance when the board of canvassers meet, subject to specified SBE regulations. The bill takes effect July 1, 2015.

Senate Bill 97 / House Bill 884 – (Passed, Ch. 9) – Election Law - Counting of Properly Cast Ballots requires that a ballot properly cast by a voter who dies before the ballot is canvassed be counted in full unless a law or regulation requires that the ballot be fully or partially rejected for a reason unrelated to the death of the voter. The bill takes effect June 1, 2015.

Senate Bill 192 / House Bill 73 – (Passed) – Voters' Rights Protection Act of 2015 authorizes the Attorney General to institute an action in circuit court for injunctive relief to prohibit a person from committing an imminent violation or continuing to commit a violation of specified provisions of the Election Law Article that prohibit certain voting-related offenses. However, the State Prosecutor, not the Attorney General, is authorized to seek injunctive relief if the Attorney General is a candidate in a contest on the ballot in an election and a violation is committed by the Attorney General, a candidate opposing the Attorney General in a contest on the ballot, or a person acting on behalf of the Attorney General or an opposing candidate. Injunctive relief may only be granted pursuant to the bill (1) to prevent a violation from affecting a pending election and (2) based on a showing by clear and convincing evidence that a violation is imminent or is being committed. The circuit court must hear and determine the matter as soon as practicable after the filing of an application for injunctive relief and must exercise its jurisdiction without regard to whether a person asserting a right has exhausted administrative or other available remedies. The grant of a remedy by a circuit court does not preclude any other available remedy under State or federal law. The bill takes effect July 1, 2015.

Senate Bill 204 / House Bill 396 – (Passed) – Election Law - Primary Election Dates in the Presidential Election Year modifies the date of the statewide primary and Baltimore City municipal primary elections that occur in a presidential election year so that the primary elections are held on the fourth Tuesday in April rather than the first Tuesday in April. The bill also makes changes to specified deadlines in the elections process, modifies a campaign finance reporting requirement, and deletes an obsolete provision. This bill shall take effect October 1, 2015.

Senate Bill 340 / House Bill 980 – (Passed) – Election Law - Voting Rights - Ex-Felons limits the disqualification of a person from registering to vote for a felony conviction to the period when the individual is serving a court-ordered sentence of imprisonment for

the conviction (eliminating the inclusion of any term of parole or probation). The bill takes effect July 1, 2015.

Senate Bill 711 – (Failed) – Election Law – Voting by Absentee Ballot - Prepaid Postage for the Return of Ballots would have required that absentee ballot materials sent to a voter by mail include prepaid postage on the envelope provided for the return of the ballot. The State Board of Elections (SBE) would have been required to reimburse a county for the cost of prepaid postage on the envelopes issued by a county to voters for the return of absentee ballots.

Senate Bill 283 / House Bill 584 – (Failed) – Ethics Law - Financial Disclosure Statement by Elected Local Official of a Municipal Corporation - Confidential Information would have designated certain parts of a financial disclosure statement filed by an elected local official of a municipality as confidential, except in specified circumstances.

House Bill 284 – (Passed, Ch. 82) – Election Law – Local Petitions – Advance Determination of Sufficiency of Local Law or Charter Amendment Summary requires that, when a petition that seeks to place a question regarding a local law or charter amendment on a ballot is submitted for an advance determination of sufficiency, the election director of a local board of elections must determine the sufficiency of any summary of the local law or charter amendment that is contained in the petition. The determination must be made within 10 business days of receiving a request for an advance determination of the sufficiency of a summary. If the election director determines that the summary of the local law or charter amendment is insufficient, the election director must provide the sponsor with a clear, concise, and understandable explanation of the reasons for the determination. In making the determination, the election director may seek the advice of the counsel to the local board of elections or the Attorney General. The bill takes effect June 1, 2015.

House Bill 1017 – (Failed) – Election Law - Qualification of Voters - Proof of Identity would have established a requirement that a voter present a current government-issued photo identification in order to vote a regular ballot. A voter who does not have the required identification or indicates a change of residence must vote a provisional ballot.

House Bill 1018 – (Failed) – Election Law - Early Voting Centers and Polling Places - Waiting Times to Vote would have required the State Board of Elections (SBE) to adopt a comprehensive plan by July 1, 2016, to ensure that no voter has to wait more than 30 minutes to vote at an early voting center or polling place.

House Bill 1049 – (Failed) – Voter Registration Act of 2015 would have required local departments of social services, the office of mobility certification in the Maryland Transit Administration (MTA), the Maryland Health Benefit Exchange (MHBE), and public institutions of higher education, each as voter registration agencies, to implement fully automated voter registration systems by July 1, 2016.

House Bill 1064 – (Failed) – Election Law - Audits of Election Results would have required local boards of elections to, within 10 days after any election and before certifying the results of the election, (1) complete a specified ballot accounting and reconciliation process and (2) beginning in 2018, verify the vote count in statewide contests in regularly scheduled primary and general elections, at least, by conducting specified tabulation audits.

EMPLOYEE BENEFITS & RELATIONS

Senate Bill 102 / House Bill 76 – (Passed, Ch. 10) – State Retirement and Pension System - Accumulated Contributions of Non-vested Former Members requires the Board of Trustees of the State Retirement and Pension System (SRPS) to transfer employee contributions and accrued interest held on behalf of non-vested members in the annuity savings funds of each of the various systems to the appropriate accumulation funds of the various systems when membership terminates. At the request of a former member whose contributions have been transferred to the accumulation fund, the board must return the accumulated contributions to the former member from that fund. The board must also return the accumulated contributions to a former member or a former member's estate under specified circumstances. The bill takes effect July 1, 2015.

Senate Bill 191 / House Bill 217 – (Passed) – State Retirement and Pension System - Credit for Unused Sick Leave – Clarification clarifies that members of the State Retirement and Pension System (SRPS) who retire may receive creditable service for unused sick leave only if the unused leave was available as sick leave while they were employed. The bill takes effect July 1, 2015.

Senate Bill 364 / House Bill 1121 – (Passed) – Alternate Contributory Pension Selection - Return to Employment allows a member of the Teachers' Pension System (TPS) or Employees' Pension System (EPS) who (1) became vested in the Alternate Contributory Pension System (ACPS) on or before June 30, 2011; (2) is separated from employment for more than four years without withdrawing member contributions or retiring; and (3) returns to service by June 30, 2016, to resume participation in ACPS if the member is reemployed with an employer that participates in ACPS. The bill takes effect July 1, 2015, and applies retroactively to any individual who returned to service in EPS or TPS on or after July 1, 2011, and who meets the bill's criteria.

Senate Bill 432 – (Passed, Ch. 32) – Employees' and Teachers' Pension Systems - Combination of Service – Clarification clarifies the conditions under which a member of the Teachers' Pension System (TPS) and Employees' Pension System (EPS) can combine prior eligibility service credit in a part of EPS or TPS (that is subject to a different benefit accrual rate than the member's current plan) with current service credit. The bill takes effect July 1, 2015.

Senate Bill 560 – (Passed) – Employees' Pension System - Optional Membership makes membership in the Employees' Pension System (EPS) optional for (1) specified elected and appointed officials; (2) other specified governmental employees; and (3) any individual who is employed by a local government before it becomes a participating governmental unit (PGU) of the State Retirement and Pension System (SRPS) and who remains an employee after the employer becomes a PGU, with some exceptions. The SRPS Board of Trustees must develop regulations to implement the bill. The bill takes effect July 1, 2015. NOTE: This bill does not apply to Prince George's County as a law was passed during the 2014 General Assembly Session that applied these provisions to certain Prince George's County employees.

Workers' Compensation

House Bill 262 – (Failed) – Workers' Compensation – Permanent Partial Disability Compensation – Reversal or Modification of Award would have specified that, if a workers' compensation award of permanent partial disability is reversed or modified by the Workers' Compensation Commission (WCC) or a court of appeal, the payment of any new compensation awarded must be subject to a monetary credit for compensation previously awarded and paid. The bill would have been applied only prospectively and would not have applied or been interpreted to have any effect or application to any compensation award made prior to the bill's October 1, 2015 effective date.

House Bill 957 – (Failed) – Workers' Compensation – Occupational Disease Presumption – Duty Belt Worn by Law Enforcement would have established that specified paid police officers and deputy sheriffs are presumed to be suffering from an occupational disease for a lower back impairment under workers' compensation law if (1) the police officer or deputy sheriff was required to wear a duty belt as a condition of employment and (2) other specified requirements are met.

House Bill 173 – (Passed) – Workers' Compensation – Heart Disease and Hypertension Presumption – Anne Arundel County Detention Officers extends to all Anne Arundel County detention officers an occupational disease presumption for heart disease or hypertension that is more severe than the individual's prior condition and that results in partial or total disability or death. The bill also alters the definition of "public safety employee" to include Anne Arundel County detention officers, making these officers eligible for enhanced workers' compensation benefits. Provisions related to designation as a "public safety employee" must be construed to apply only prospectively and may not be applied or interpreted to have any effect on, or application to, any claims arising before the bill's October 1, 2015 effective date.

ENVIRONMENT

Senate Bill 133 – (Passed) – Environment – Bay Restoration Fund – Use of Funds adds to the authorized uses of the Bay Restoration Fund (BRF), beginning in fiscal 2016, funding for up to 87.5% of the cost of projects, as approved by the Maryland Department of the Environment (MDE), relating to combined sewer overflows (CSO) abatement, rehabilitation of existing sewers, and upgrading conveyance systems, including pumping stations. The bill also alters the priority of BRF funding beginning in fiscal 2018 by making grants for septic system upgrades, stormwater management, and CSO and sewer abatement projects of equal priority, with funding decisions made on a project-specific basis; the bill adds “public health benefits” to the factors that MDE must consider. Finally, the bill expands the scope of local stormwater management projects eligible for BRF grants by repealing the reference to a specific section of law, specifying that an order of priority for certain projects funded by the Bay Restoration Fund in certain fiscal years shall be determined by the Department of the Environment based on certain criteria; and repeals a certain limitation on an authorization of funds in the Bay Restoration Fund to be used for grants to certain local governments for certain stormwater control measures. The bill takes effect October 1, 2015.

Senate Bill 258 / House Bill 514 – (Passed) – Maryland Commission on Climate Change establishes the Commission on Climate Change within the Maryland Department of the Environment (MDE) to advise the Governor and General Assembly on ways to mitigate the causes of, prepare for, and adapt to the consequences of climate change. The bill provides for the membership, chair, and staff of the commission. The bill also requires the commission to convene specified working groups and develops required actions for each group to study or undertake. Finally, the bill requires various State agencies and units to review existing programs, recommend regulatory or other changes to support the State’s greenhouse gas (GHG) reduction efforts, and report on specified items. Generally, the bill codifies most of the requirements of Executive Order 01.01.2014.14. The bill takes effect June 1, 2015, but does not affect the current commission membership or activities until June 1, 2016, and until members are appointed under the bill.

Senate Bill 588 / House Bill 481 – (Failed) – Stormwater Management – Watershed Protection and Restoration Program – Repeal an Administration bill, would have repealed provisions of law enacted by Chapter 151 of 2012, which generally require a county or municipal corporation that is subject to a specified federal permit (currently, the nine largest counties and Baltimore City) to adopt and implement, by July 1, 2013, local laws or ordinances that establish an annual stormwater remediation fee and a local watershed protection and restoration fund.

Senate Bill 620 / House Bill 551 – (Failed) – Community Cleanup and Greening Act of 2015 would have prohibited a “store” from distributing plastic disposable carryout bags. A store may have provided customers with disposable paper bags, but must charge a fee of 10 cents per paper bag. A store may have retained 5 cents of every 10-cent fee collected or 7 cents if the store has a “customer bag credit program.” A store must have remitted any fee revenue not retained to the Comptroller. Fee revenues remitted to the Comptroller must have been used for specified purposes. The bill established penalty provisions for violations. The bill would have required the Department of Labor, Licensing, and Regulation (DLLR) to adopt regulations to implement and enforce the bill.

[Senate Bill 684 / House Bill 982](#) – *(Failed, however, Senate Bill 684 was referred to interim study)* – **Maryland Redeemable Beverage Container and Litter Reduction Program** would have established a 5-cent beverage container deposit beginning January 1, 2017, and a Maryland Redeemable Beverage Container and Litter Reduction Program to be operated by a private organization of bottlers and distributors. The bill would have provided for the accounting and use of unredeemed container deposits and other program revenues. Finally, the bill would have established a Maryland Recycling Advisory Committee and provided for legislative audits and oversight of the program.

[Senate Bill 693 / House Bill 987](#) – *(Failed)* – **Environment – Ambient Air Quality Control – Cumulative Air Impact Analysis** would have required the Maryland Department of the Environment (MDE) to conduct a Cumulative Air Impact Analysis (CAIA) upon receipt of an application for an air quality permit to construct in a “protected community.”

[Senate Bill 863](#) – *(Passed)* – **Watershed Protection and Restoration Programs – Revisions** makes various changes to provisions relating to Chapter 151 of 2012, which required a county or municipality that is subject to a specified federal stormwater permit to collect a stormwater remediation fee and establish a local watershed protection and restoration program and fund. Among other things, the bill repeals the requirement for such jurisdictions to collect a stormwater remediation fee, and instead authorizes such jurisdictions to do so. The bill exempts Montgomery County from these provisions but establishes separate provisions pertaining to the county with similar requirements. Among other things, the bill also (1) requires local fund revenues to be used for additional, rather than existing, activities; (2) authorizes jurisdictions to charge a fee to the State under specified conditions; (3) establishes provisions that provide relief from the fee for specified organizations under certain conditions; (4) requires jurisdictions to file an annual financial assurance plan, which is subject to a hearing and review process; and (5) specifies that if such a plan is insufficient, the jurisdiction may not receive specified State funding. The bill takes effect July 1, 2015.

[House Bill 875](#) – *(Failed)* – **Stormwater Management – Watershed Protection and Restoration Program – Repeal** would have repealed provisions of law enacted by Chapter 151 of 2012, which generally require a county or municipal corporation that is subject to a specified federal permit (currently, the nine largest counties and Baltimore City) to adopt and implement, by July 1, 2013, local laws or ordinances that establish an annual stormwater remediation fee and a local watershed protection and restoration fund. (See Senate Bill 863 – *(Passed)* – Watershed Protection and Restoration Programs – Revisions)

FINANCE & PROCUREMENT

Senate Bill 109 – (Passed, Ch. 12) – Task Force to Study Small and Minority Design Firm Participation in State Procurement establishes the Task Force to Study Small and Minority Design Firm Participation in State Procurement. The task force must determine specific measures to ensure equitable participation by small and minority design firms in State-funded projects and measures to avoid the application of liquidated damages on open-ended design contracts. The Department of General Services (DGS) must provide staff for the task force. Members of the task force may not receive compensation but are entitled to reimbursement for their standard travel expenses. The task force must report its findings and recommendations to the Governor and General Assembly by December 31, 2015. The bill takes effect June 1, 2015, and terminates May 31, 2016.

Senate Bill 279 / House Bill 404 – (Failed) – Procurement - Public Work Contracts - Contractor Occupational Safety and Health Requirements would have required prospective bidders or offerors on public work contracts to submit a contractor safety and health plan with specified provisions and an attestation that (1) the plan would have met the bill's requirements and (2) the prospective bidder or offeror would have implemented the plan when performing work under the contract. It also would have required the Commissioner of Labor and Industry to develop a mechanism to assess the safety and health performance indicators used by contractors and subcontractors on public work contracts valued at \$100,000 or more and to enforce the bill's provisions.

Senate Bill 453 – (Passed) – Public-Private Partnership Agreements - Construction Contracts - Security Requirements clarifies that the amount of payment security and any performance security in the form of a performance bond submitted for construction contracts under a public-private partnership (P3) must be established on the value of the respective construction elements and not on the total value of the P3 agreement. This bill takes effect October 1, 2015.

House Bill 36 – (Failed) – Procurement – Veteran-Owned Small Business Enterprises – Participation Goal would have raised the annual contract award goal for Executive Branch agencies under the Veteran-Owned Small Business Enterprise (VSBE) program from 0.5% to 5.0% of the total dollar value of their procurement contracts.

GAMING

Senate Bill 184 / House Bill 59 – (Failed) – Criminal Law - Gaming - Home Games would have allowed a person in 15 specified counties to conduct a home game, which is a game of chance or skill involving wagering that (1) is conducted in the person's home; (2) allows a player to compete directly against one or more other players; (3) does not involve a player's use of an electronic device that connects to the Internet; and (4) does not allow a person to benefit financially in any way, directly or indirectly, other than from the winnings accrued by participating as a player in the game.

House Bill 180 / Senate Bill 182 – (Passed) – Video Lottery Terminal Revenues - Purse Dedication Account - Standardbred Racetrack Operating Assistance extends through calendar 2019 a distribution of up to \$1.2 million annually from the Purse Dedication Account (PDA) to each of Ocean Downs Race Course and Rosecroft Raceway for financial assistance for operating losses, in accordance with generally accepted accounting principles, to support a minimum of 40 live racing days each year. This bill takes effect October 1, 2015.

House Bill 1111 – (Passed, Ch. 117) – Video Lottery Facility - Areas Prohibited to Individuals Under the Age of 21 Years - Employee Exception alters the prohibition of an individual under the age of 21 years from entering or remaining in an area within a video lottery facility that is designated for table game or video lottery terminal (VLT) activities so that a video lottery employee who is an adult (i.e., at least 18 years old) may be in that area if the employee is working. This bill takes effect October 1, 2015.

House Bill 1113 – (Passed) – Video Lottery Facilities - Operation and Employee Licenses - Crimes or Acts of Moral Turpitude or Gambling alters the requirements for denying a video lottery operation license and a video lottery employee license. An applicant must be disqualified for a video lottery operation license if the applicant has committed a criminal act of moral turpitude or gambling, even if it was not prosecuted under the criminal laws of any jurisdiction, within the prior seven years. Additionally, the bill expands the requirement to disqualify a video lottery operation license if the applicant was convicted of a criminal offense involving moral turpitude or gambling in any jurisdiction. An applicant must be disqualified for a video lottery employee license if the applicant has committed a criminal act of moral turpitude or gambling within the prior seven years for which the applicant received probation before judgment. This bill takes effect October 1, 2015.

House Bill 1115 – (Passed, Ch. 119) – Gaming - Video Lottery Employee - Temporary License authorizes the State Lottery and Gaming Control Commission (SLGCC) to issue a temporary video lottery employee license to an applicant that meets specified conditions. The temporary license authorizes an applicant to be employed as a video lottery employee and expires 180 days after being issued unless SLGCC extends it for an additional 180 days. The bill takes effect July 1, 2015.

GOVERNMENT LIABILITY & COURTS

Senate Bill 60 / House Bill 48 – *(Passed)* – **Clerks of the Circuit Courts - Collection of Appearance Fees** clarifies that if more than one stockholder, partner, member, or employee of an entity engaged in practicing law enters an appearance in an action or case, the clerk of the circuit court may collect only one appearance fee per entity. If more than one employee of a governmental entity that has consented to the assessment of court fees enters an appearance in an action or case, the clerk of the circuit court may assess only one appearance fee per governmental entity. This bill takes effect October 1, 2015.

Senate Bill 74 / House Bill 405 – *(Passed, Ch. 6)* – **Maryland False Claims Act** (1) prohibits a person from knowingly making a false or fraudulent claim for payment or approval by a governmental entity; (2) authorizes a governmental entity to file a civil action against a person who makes a false claim; (3) establishes civil penalties for making a false claim; (4) permits a private citizen to file a civil action on behalf of a governmental entity against a person who has made a false claim; (5) requires the court to award a certain percentage of the proceeds of the action to the private citizen initiating the action; and (6) prohibits retaliatory actions by a person against an employee, contractor, or grantee for disclosing a false claim or engaging in other specified false claims-related activities. The bill takes effect June 1, 2015, and applies prospectively to claims made on or after June 1, 2015.

Senate Bill 145 – *(Passed)* – **Civil Actions - Disclosure of Information - Repeal of Certification Requirement** requires that upon written request of a plaintiff to a lawsuit, an insurer or a person that has a self-insurance plan must provide the plaintiff with the defendant's last known home and business addresses, if known. The bill repeals statutory provisions requiring a plaintiff to file a certification meeting specified requirements before an insurer or self-insured person is required to provide the defendant's last known home and business addresses to the plaintiff. The bill applies prospectively to cases filed on or after the bill's October 1, 2015 effective date.

Senate Bill 147 – *(Failed)* – **Local Government Tort Claims Act and Maryland Tort Claims Act - Repeal of Certain Notice Requirements** would have repealed (1) the notice requirement under the Local Government Tort Claims Act (LGTCA) and (2) provisions under the Maryland Tort Claims Act (MTCA) that bar a claimant from instituting an MTCA action unless the claimant submits a written claim to the State Treasurer or a designee of the Treasurer within one year after the injury to person or property that is the basis for the claim, and the Treasurer or the Treasurer's designee denies the claim finally. Under the bill, in general, a claimant must have filed a cause of action under MTCA or LGTCA within three years after the cause of action arises.

Senate Bill 319 / House Bill 283 – *(Failed)* – **Award of Attorney's Fees and Expenses - Violation of Maryland Constitutional Right** would have authorized a court to award reasonable attorney's fees and expenses to a prevailing plaintiff for any claim for relief against the State, any political subdivision of the State, or any employee or agent of the State or any political subdivision of the State, if the claim for relief seeks to remedy a violation of a right that is secured by the Maryland Constitution or the Maryland Declaration of Rights.

[Senate Bill 374 / House Bill 405](#) – **(Passed)** – **Maryland False Claims Act** (1) prohibits a person from knowingly making a false or fraudulent claim for payment or approval by a governmental entity; (2) authorizes a governmental entity to file a civil action against a person who makes a false claim; (3) establishes civil penalties for making a false claim; (4) permits a private citizen to file a civil action on behalf of a governmental entity against a person who has made a false claim; (5) requires the court to award a certain percentage of the proceeds of the action to the private citizen initiating the action; and (6) prohibits retaliatory actions by a person against an employee, contractor, or grantee for disclosing a false claim or engaging in other specified false claims-related activities. The bill takes effect June 1, 2015, and applies prospectively to claims made on or after June 1, 2015.

[Senate Bill 495](#) – **(Failed)** – **Video Lottery Facilities - Table Games - Distribution of Proceeds** would have altered the distribution of table game proceeds such that 70%, instead of 80%, of table game revenues are distributed to video operation licensees and 30%, instead of 20%, of table game revenues are distributed to the Education Trust Fund (ETF). Upon issuance of a Prince George's County license, licensees would have continued to receive 70% of table game revenues, 25% is distributed to ETF, and 5% is distributed to local jurisdictions where a video lottery terminal (VLT) facility is located.

[Senate Bill 561 / House Bill 549](#) – **(Passed)** – **Video Lottery Facility Payouts - Intercepts for Restitution Payments** extends the application of the overdue restitution intercept program to specified video lottery facility prize payouts. The bill's provisions do not apply to a prize won at a video lottery facility on or before June 1, 2016. This bill takes effect October 1, 2015.

[House Bill 728](#) – **(Failed)** – **Governmental Tort Claims - Excessive Force or Misuse of Force by Law Enforcement Officer** would have established separate, higher, liability limits under the Local Government Tort Claims Act (LGTCA) and the Maryland Tort Claims Act (MTCA) for claims based on excessive force or misuse of force by a law enforcement officer.

[House Bill 113](#) – **(Passed)** – **Local Government Tort Claims Act - Limits on Liability** increases the liability limits under the Local Government Tort Claims Act (LGTCA) from \$200,000 to \$400,000 per individual claim and from \$500,000 to \$800,000 per total claims that arise from the same occurrence for damages from tortious acts or omissions. The bill also extended the notice provision of a claim for unliquidated damages from 180 days to 1 year after the injury occurred. The bill applies prospectively to causes of action arising on or after the bill's October 1, 2015 effective date.

[House Bill 114](#) – **(Passed)** – **Maryland Tort Claims Act - Limit on Liability** increases the liability limit under the Maryland Tort Claims Act (MTCA) from \$200,000 to \$300,000 to a single claimant for injuries arising from a single incident or occurrence. Under the bill a claimant must submit a written claim to the Treasurer within 1 year after the injury to the person or property that is the basis of the claim and the action must be filed within 3 years after the cause of action arose. The bill applies prospectively to causes of action arising on or after the bill's October 1, 2015 effective date.

HEALTH & HUMAN SERVICES

[Senate Bill 7 / House Bill 489](#) – *(Passed)* – **Electronic Cigarettes - Sale to Minors - Components, Supplies, and Enforcement** clarifies that the prohibition against selling, distributing, or offering for sale to a minor an electronic nicotine-delivery device includes the sale, distribution, or offer for sale of any component of the device or any product used to refill the device. The bill also clarifies that the prohibition does not extend to a device that has been approved by the U.S. Food and Drug Administration (FDA) as a tobacco cessation product and is being marketed and sold only for that purpose. The bill alters the penalty structure from criminal to civil, specifies the amount of the penalty, and authorizes law enforcement officers and county health officers to issue civil citations for violations. This bill takes effect October 1, 2015.

[Senate Bill 12 / House Bill 7](#) – *(Failed)* – **Family Law - Child Abuse and Neglect - Expungement of Reports and Records - Time Period** would have altered the time period, from 120 days to one year, within which a local department of social services is required to expunge a ruled out report of suspected child abuse or neglect and all associated assessments and investigative findings.

[Senate Bill 37 / House Bill 108](#) – *(Failed)* – **Tobacco Taxes - Healthy Maryland Initiative** would have increased the tobacco tax rate from \$2.00 to \$3.00 per pack of cigarettes and generally increases the other tobacco products (OTPs) tax rate from 30% to the greater of 76% of the wholesale price or a specified amount.

[Senate Bill 157 / House Bill 662](#) – *(Passed)* – **Consultation, Diagnosis, and Treatment of Mental and Emotional Disorders - Consent by Minors** establishes that a minor who is age 16 or older has the same capacity as an adult to consent to consultation, diagnosis, and treatment of a mental or emotional disorder by a health care provider. This capacity to consent does not extend to the capacity to refuse consultation, diagnosis, or treatment for which a parent, guardian, or custodian of the minor has given consent. The bill defines “health care provider” as an individual licensed under the Health Occupations Article and acting within the scope of the individual’s license to diagnose and treat mental and emotional disorders. The bill also authorizes a health care provider, or a member of a hospital medical staff or public clinic on the direction or advice of a health care provider, to give a minor’s parent, guardian, or custodian, or the parent’s spouse, information about treatment the minor needs or received, without the consent of or over the express objection of a minor. If a health care provider is on a treatment team for a minor that is headed by a physician, the physician must decide whether the minor’s parent, guardian, or custodian, or the parent’s spouse, should receive information about the minor’s needed treatment. This bill takes effect October 1, 2015.

[Senate Bill 199 / House Bill 1134](#) – *(Failed)* – **Public Health - Opioid Maintenance Programs – Licensing** would have specified that the Secretary of Health and Mental Hygiene must adopt regulations that require the Department of Health and Mental Hygiene (DHMH) to conduct an assessment, on the zip code level, as part of the approval process of an applicant for a license for an opioid maintenance program. (See Senate Bill 516 / House Bill 745 – *(Passed)* – Public Health – Overdose Response Program and Senate Bill 607 / House Bill 896 – *(Passed)* – Joint Committee on Behavioral Health and Opioid Use Disorders)

[Senate Bill 214 / House Bill 368](#) – *(Passed)* – **Civil Actions - Immunity From Liability - Emergency Medical Care for Drug Overdose** extends civil immunity under the Good Samaritan Act for acts of ordinary negligence to specified rescue and emergency care personnel administering medications or treatment in response to an apparent drug overdose. The bill's provisions apply to a member of any State, county, municipal, or volunteer fire department, ambulance and rescue squad, or law enforcement agency, or a corporate fire department, if the member is (1) licensed or certified by the State Emergency Medical Services Board as an emergency medical services provider and is authorized to administer the medications and treatment under protocols established by the board or (2) certified to administer the medications and treatment under protocols established by the Secretary of Health and Mental Hygiene or the Maryland State Police Medical Director. This civil immunity also applies to a corporation when its fire department personnel are covered by the bill's provisions. The bill applies prospectively to causes of action arising on or after the bill's October 1, 2015 effective date.

[Senate Bill 400 / House Bill 572](#) – *(Failed)* – **State Government - Commemorative Months - Alzheimer's and Brain Awareness Month** would have required the Governor to annually proclaim June as Alzheimer's and Brain Awareness Month in recognition of all Marylanders including family caregivers, who have been touched by Alzheimer's disease and other brain-related diseases. The proclamation would have urged the Department of Health and Mental Hygiene (DHMH) and the Maryland Department of Aging (MDoA), in conjunction with related public health and advocacy entities, to observe Alzheimer's and Brain Awareness Month properly with appropriate programs, ceremonies, and activities.

[Senate Bill 467 / House Bill 5](#) – *(Passed, Ch. 56)* – **Department of Health and Mental Hygiene - Newborn Screening Program Fund – Establishment** establishes the Newborn Screening Program Fund, which is administered by the Secretary of Health and Mental Hygiene, to cover the administrative, laboratory, and follow-up costs associated with performing newborn screening tests. The fund is primarily funded through fees collected from the Newborn Screening Program. The bill takes effect July 1, 2015.

[Senate Bill 469 / House Bill 367](#) – *(Passed)* – **Public Health - Maryland Behavioral Health Crisis Response System** alters the name of the Mental Health Crisis Response System (MHCRS) to the Behavioral Health Crisis Response System (BHCRS) and expands the content and scope of authorized services, as specified in the bill. The Behavioral Health Administration (BHA) must also collect specified data related to individuals with behavioral health diagnoses. The bill repeals the requirement that the State may not spend more than \$250,000 in general funds in each fiscal year to implement MHCRS. The bill also repeals the requirement that MHCRS is contingent on the receipt of federal funding or funding from any other source.

[Senate Bill 471 / House Bill 949](#) – *(Failed)* – **Task Force to Study the Provision of Health Care Coverage to Uninsured Marylanders** would have established the Task Force to Study the Provision of Health Care Coverage to Uninsured Marylanders to study the availability of health care coverage and make recommendations on extending coverage to all State residents.

[Senate Bill 513 / House Bill 613](#) – *(Passed)* – **Hospitals - Rate-Setting - Participation in 340B Program Under the Federal Public Health Service Act** alters the definition of "hospital services" for purposes of rate setting to clarify that merged asset hospital systems may operate a federal 340B Drug Pricing Program at another system

hospital. Specifically, “hospital services” includes a hospital outpatient service (1) of a hospital, that on or before June 1, 2015, is under a merged asset hospital system; (2) that is designated as a part of another hospital under the same merged asset hospital system to make it possible for the hospital outpatient service to participate in the federal 340B program; and (3) that complies with all federal requirements for the 340B program and related regulations. The bill takes effect October 1, 2015.

Senate Bill 516 / House Bill 745 – (Passed) – Public Health - Overdose Response Program expands the Overdose Response Program within the Department of Health and Mental Hygiene (DHMH) by authorizing an advanced practice nurse with prescribing authority or a licensed physician to prescribe and dispense Naloxone to a certificate holder either directly or, under specified circumstances, under a standing order. A licensed physician or an advanced practice nurse with prescribing authority who issues a standing order may also delegate authority for dispensing Naloxone to certificate holders. The bill authorizes any licensed health care provider with prescribing authority to prescribe Naloxone to a patient who is believed to be at risk of experiencing an opioid overdose or in a position to assist an individual at risk of experiencing an opioid overdose. The bill establishes legal and civil immunity for specified individuals. This bill takes effect October 1, 2015.

Senate Bill 546 – (Passed) – Civil Actions - Immunity from Liability - Emergency Medical Care for Drug Overdose extends civil immunity under the Good Samaritan Act for acts of ordinary negligence to specified rescue and emergency care personnel administering medications or treatment in response to an apparent drug overdose. The immunity is extended if the member is trained and certified under protocols established by the Secretary of Health and Mental Hygiene to administer medications and treatment approved for use in response to a drug overdose. The bill’s provisions apply to a member of any State, county, municipal, or volunteer fire department, ambulance and rescue squad, or law enforcement agency, or a corporate fire department. This civil immunity also applies to a corporation when its fire department personnel are covered by the bill’s provisions. The bill applies prospectively to causes of action arising on or after the bill’s October 1, 2015 effective date.

Senate Bill 571 / House Bill 856 – (Failed) – Child Abuse and Neglect - Failure to Report - Penalties and Training would have made it a civil offense for a worker in a professional capacity who is required to report suspected child abuse to knowingly and willfully fail to provide the required report.

Senate Bill 585 / House Bill 553 – (Failed) – Maryland No-Fault Injured Baby Fund would have established a system for adjudication and compensation of claims arising from birth-related neurological injuries by establishing the Maryland No-Fault Injured Baby Fund.

Senate Bill 607 / House Bill 896 – (Passed) – Joint Committee on Behavioral Health and Opioid Use Disorders establishes the 10-member Joint Committee on Behavioral Health and Opioid Use Disorders, which has 5 members from the Senate and 5 members from the House of Delegates. The committee has oversight over the Prescription Drug Monitoring Program and State and local programs to treat and reduce behavioral health and opioid use disorders. The purposes of the committee are to (1) review the final report of the Governor’s Heroin and Opioid Emergency Task Force; (2) review and monitor the activities of the Governor’s Inter-Agency Heroin and Opioid Coordinating Council; (3)

evaluate the effectiveness of specified programs, policies, and practices (listed below); (4) review the extent to which health insurance carriers in the State are complying with federal and State mental health and addiction parity laws; and (5) identify areas of concern and, as appropriate, recommend corrective measures to the Governor and the General Assembly. The bill takes effect June 1, 2015, and terminates May 31, 2021.

Senate Bill 609 / House Bill 1022 – (Failed) – State Government - Office of the Child Welfare Ombudsman - Pilot Program would have established the Office of the Child Welfare Ombudsman Pilot Program in the Office of the Attorney General.

Senate Bill 626 / House Bill 945 – (Passed, Ch. 44) – Registered Nurses - Local Health Departments - Requirements for Personally Preparing and Dispensing Drugs and Devices authorizes a registered nurse who complies with a specific formulary and other specified requirements to personally prepare and dispense prescription drugs and devices in a local health department (1) in accordance with the Overdose Response Program or the Expedited Partner Therapy Pilot Program or (2) to patients in need of communicable disease, alcohol and drug abuse, family planning, or reproductive health services. A local health department that employs a registered nurse must be subject to inspection by the department. The bill also establishes the Committee on Registered Nurses Personally Preparing and Dispensing Drugs and Devices in Local Health Departments to develop, approve, and annually review a formulary for use by registered nurses. This bill takes effect June 1, 2015.

Senate Bill 641 – (Passed, Ch. 45) – Public Health - Substance Abuse Treatment Outcomes Partnership Fund expands the scope of the Substance Abuse Treatment Outcomes Partnership (S.T.O.P.) Fund in the Department of Health and Mental Hygiene (DHMH) to include “eligible functions” that may be funded under S.T.O.P.: transportation to and from treatment services; treatment, prevention, or coordination staff; data sharing services among counties and other appropriate treatment providers; education or outreach programs and materials; in-community emergency behavioral health services or crisis stabilization units; and behavioral health programs in schools. The bill also adds drug offenders under the supervision of the problem solving courts to the “eligible population” who are authorized to receive S.T.O.P. funding. This bill takes effect October 1, 2015.

Senate Bill 676 / House Bill 1021 – (Failed) – Richard E. Israel and Roger "Pip" Moyer Death with Dignity Act would have created a process by which a “qualified patient” may request and receive “aid in dying” from the patient’s attending physician.

Senate Bill 757 – (Passed) – Public Health - Prescription Drug Monitoring Program - Required Disclosures expands the entities to which the Prescription Drug Monitoring Program (PDMP) must disclose prescription drug monitoring data to include, on approval of the Secretary of Health and Mental Hygiene and for the purpose of furthering an existing bona fide individual case review, (1) the State Child Fatality Review Team or a Local Child Fatality Review Team; (2) a Local Drug Overdose Fatality Review Team; (3) the Maternal Mortality Review Program; or (4) a medical review committee appointed by or established in the Department of Health and Mental Hygiene (DHMH) or a local health department. Prescription drug monitoring information is provided on request of the entity. The bill also clarifies that PDMP must disclose data to the State Board of Physicians (MBP), on issuance of an administrative subpoena voted on by a quorum of a disciplinary panel of the board, for the purposes of furthering an existing bona fide investigation of an individual. This bill takes effect October 1, 2015.

House Bill 9 / Senate Bill 105 – (Passed) – Maryland Licensure of Direct-Entry Midwives Act establishes the Direct-Entry Midwifery Advisory Committee within the State Board of Nursing (BON) and procedures for obtaining and renewing a license to practice direct-entry midwifery. The bill provides for the membership of the advisory committee, the application process, enforcement and hearing procedures, and fees associated with licensure. BON must adopt regulations related to the practice of direct-entry midwifery by December 1, 2016. The bill takes effect June 1, 2015.

House Bill 66 – (Failed) – Human Services - No Wrong Door Pilot Program would have established a No Wrong Door Pilot Program within the Department of Human Resources (DHR). The stated purpose of this pilot program would have ensured, in a flexible and innovative manner, that low-income residents of the State have access to the services needed to sustain themselves and their families.

House Bill 327 – (Passed) – Health - Ambulatory Surgical Facility – Definitions alters the definitions of “ambulatory surgical facility” and “surgical services” as they relate to freestanding ambulatory care facilities to conform to federal regulatory guidelines. This bill takes effect October 1, 2015.

House Bill 460 – (Passed) – Couples Advancing Together Pilot Program - Eligibility and Extension extends, from June 30, 2015, to June 30, 2016, the termination date for the Couples Advancing Together Pilot Program within the Department of Human Resources (DHR). The bill alters the general requirement for the program to be established in at least three counties and instead requires the program to be established in one county and assist 50 couples on or after July 1, 2015. The bill alters eligibility requirements for participation by repealing the requirement that an individual must be an adult younger than age 36; instead, the bill requires that in order to participate, a couple must be raising together a child younger than age 14. The bill takes effect June 1, 2015, and terminates June 30, 2016.

House Bill 552 / Senate Bill 703 – (Passed) – Health Insurance - Medical Stop-Loss Insurance - Small Employers increases the minimum attachment points for medical stop-loss insurance issued or delivered in the State. Policies and contracts issued prior to June 1, 2015, are grandfathered. The bill also establishes requirements and prohibitions for medical stop-loss insurance issued to a small employer. The Maryland Insurance Administration (MIA) must conduct a study of the use of medical stop-loss insurance in self-funded employer health plans and report to the Governor and specified committees of the General Assembly. The bill takes effect June 1, 2015, and applies to all medical stop-loss insurance policies and contracts issued, delivered, or renewed in the State on or after that date. The bill terminates June 30, 2018.

House Bill 562 / Senate Bill 869 – (Passed) – Health Insurance - Ambulance Service Providers - Direct Reimbursement - Repeal of Termination Date repeals the termination date of Chapters 425 and 426 of 2011, which require insurers, health maintenance organizations (HMOs), and nonprofit health service plans (collectively known as carriers) to directly reimburse certain ambulance service providers for covered services provided. Chapters 425 and 426 took effect January 1, 2012, and are scheduled to terminate June 30, 2015. The bill takes effect June 1, 2015.

House Bill 633 – (Failed) – Cigarette Restitution Fund - Use of Funds - Compliance with Watershed Implementation Plans would have established a Watershed Implementation Plan Fund (WIPF), administered by the Maryland Department of Agriculture (MDA), to provide financial assistance to farmers to assist with the requirements of State or local watershed implementation plans associated with the Chesapeake Bay Total Maximum Daily Load (TMDL).

House Bill 897 – (Failed) – Public Health - Synthetic Infill Turf Fields - Informational Signs would have required the owner or operator of a facility with a synthetic infill turf field to post a sign – in a conspicuous location and visible to users of the field – stating specified safety recommendations of the Department of Health and Mental Hygiene.

House Bill 898 – (Failed) – Civil Actions - Immunity from Liability - Emergency Medical Care for Drug Overdose would have extended civil immunity under the Good Samaritan Act for acts of ordinary negligence to specified rescue and emergency care personnel administering medications or treatment in response to an apparent drug overdose.

House Bill 955 – (Failed) – Child Protection - Reporting Requirements - Threat of Harm would have established that workers in a professional capacity who are required to report suspected child abuse or neglect are also required to make a report if the worker has reason to believe that a verbal threat of a substantial risk of imminent harm to a child has been made.

House Bill 1256 – (Failed) – Maryland Health Care Commission - Certificates of Need - Application of Bed Need Projections would have required the Maryland Healthcare Commission to apply a certain bed need projection in considering a certificate of need application for a new comprehensive care facility.

HOUSING & COMMUNITY DEVELOPMENT

[Senate Bill 408](#) / [House Bill 782](#) – (Passed) – Real Property - Residential Leases - Interest on Security Deposits alters the calculation of the interest rate that must be paid by a landlord or a mobile home park owner upon the return of the tenant's or park resident's security deposit. The bill also requires the Department of Housing and Community Development (DHCD) to alter (if that option is chosen) the rental security deposit calculator maintained on its website to allow a user to use the date that the security deposit was given to the landlord for the purpose of calculating interest owed, instead of the tenancy start date. The bill takes effect June 1, 2015, and applies to any interest accruing on a security deposit under a residential lease or mobile home park rental agreement on or after January 1, 2015.

[Senate Bill 623](#) – (Failed) – Prince George's County – Property Tax Deferrals – Elderly and Disabled Homeowners would have authorized Prince George's County to provide, by law, a property tax payment deferral for residential real property occupied as the principal residence of the owner. To be eligible, the property owner would have to have lived in the dwelling for the previous five years and be at least 70 years of age. In addition, the combined gross income of specified individuals living in the dwelling could not have exceeded \$45,000. The bill would have required that Prince George's County establish and promote a countywide public information, awareness, and education campaign on the property tax deferral program.

[Senate Bill 649](#) / [House Bill 1183](#) – (Passed) – Real Property - Contract for Sale of New Home requires a contract for the initial sale of a new home, which is contingent on the purchaser obtaining a written commitment for a loan secured by the property, to include a provision specifying the time period for obtaining such a commitment. If a purchaser does not obtain a written commitment for a loan in accordance with the terms of the contract, including terms relating to the time period for obtaining the written commitment, then upon written notice, the parties may declare the contract void and the seller must return any deposit paid under the contract to the purchaser. This bill takes effect October 1, 2015.

[Senate Bill 375](#) / [House Bill 996](#) – (Failed) – Homestead Property Tax Credit - Application Requirement – Repeal would have repealed a requirement that a homeowner submit a specified application to the State Department of Assessments and Taxation (SDAT) in order to receive the Homestead Property Tax Credit.

[Senate Bill 835](#) / [House Bill 1184](#) – (Failed) – Real Property - Foreclosure Moratorium and Study (Foreclosure Relief Act of 2015) would have prohibited a lender from foreclosing on a mortgage or deed of trust on residential property in the State for nine months, from June 1, 2015, through February 29, 2016. The bill would have required the Office of the Attorney General (OAG) to study, evaluate, and make recommendations regarding specified foreclosure alternatives currently available to Maryland homeowners and to report findings to the General Assembly by January 1, 2016.

[Senate Bill 875](#) / [House Bill 1197](#) – (Failed) – Real Property - Foreclosure - Owner-Occupied Residential Property - Prohibition on Collection of Deficiency would have prohibited a secured party, such as a mortgage lender, from obtaining a deficiency judgment or taking any other action against a mortgagor or grantor in an action to foreclose

a mortgage or deed of trust on owner-occupied residential property that was recorded on or after October 1, 2015, if the proceeds of the sale, after deducting all costs and expenses allowed by the court, are insufficient to satisfy the debt and accrued interest.

Senate Bill 876 / House Bill 1215 – (Failed) – Foreclosure - Indorsement of Debt Instrument, Lost Note Affidavit, and Penalties for False Statements would have prohibited a secured party, such as a mortgage lender, from obtaining a deficiency judgment or taking any other action against a mortgagor or grantor in an action to foreclose a mortgage or deed of trust on owner-occupied residential property that was recorded on or after October 1, 2015, if the proceeds of the sale, after deducting all costs and expenses allowed by the court, are insufficient to satisfy the debt and accrued interest.

Senate Bill 877 / House Bill 1195 – (Failed) – Fair Foreclosure Act of 2015 would have prohibited non-judicial foreclosures on mortgages or deeds of trust on residential property. The bill requires that an action to foreclose a mortgage or deed of trust on residential property (1) be commenced by filing a complaint in the circuit court and (2) subjects such actions to the general rules of civil procedure, except as otherwise specified. The bill would have applied only prospectively.

House Bill 335 – (Passed) – Property Tax - Credits for Property in Neighborhood Conservation Area establishes a State property tax credit for real property located in a specified neighborhood conservation area if a local jurisdiction grants a property tax credit for this specified real property. The amount of the property tax credit may not exceed the State property tax imposed on the real property. The bill also extends from June 30, 2018, to June 30, 2020, the period of time in which real property must be purchased in order to be eligible for the local property tax credit. The bill takes effect June 1, 2015, and applies to taxable years beginning after June 30, 2015.

House Bill 690 – (Failed) – Property Tax Fairness Act of 2015 (Strengthening Maryland Municipalities) would have altered the procedure for establishing property tax setoffs between counties and municipalities.

House Bill 792 – (Failed) – Property Tax Credit - Elderly Homeowner would have authorized local governments to grant, by law, a property tax credit that is equal to the amount of the property tax imposed on the increase, if any, in the assessment value of a dwelling when compared to the previous assessment, minus the amount of any other property tax credit.

House Bill 840 – (Failed) – Real Property - Foreclosure - Prohibition on Deficiency Judgment would have prohibited a secured party, such as a mortgage lender, from obtaining a deficiency judgment in an action to foreclose a mortgage or deed of trust on owner-occupied residential property that was recorded on or after October 1, 2015, if the proceeds of the sale, after deducting all costs and expenses allowed by the court, are insufficient to satisfy the debt and accrued interest.

House Bill 1221 – (Failed) – Maryland Affordable Housing Trust - Award Criteria - Preference for Multijurisdictional Applicants would have required the Board of Trustees of the Maryland Affordable Housing Trust to develop a process for making awards under the Trust that gives preference to multijurisdictional applicants.

INTERGOVERNMENTAL RELATIONS

[Senate Bill 94 / House Bill 353](#) – *(Passed)* – **State Government - Automated Mapping-Geographic Information Systems - System Services Costs** repeals the authority of governmental units (1) to adopt a fee structure for providing automated mapping-geographic information system (GIS) services and (2) to sell GIS services to the general public for a fee reflecting the cost of providing the GIS services. The bill also repeals the requirement that (1) only a person who has entered into a contract with a governmental unit may have online access to the geographic data in a system under the terms of the contract; (2) copy privileges must be specified in the contract; and (3) online access is limited and may not include the ability to enter, alter, or delete data or to access information that would otherwise be denied under the Maryland Public Information Act (PIA). The bill takes effect July 1, 2015.

[Senate Bill 197](#) – *(Failed)* – **Municipalities - Vacant and Blighted Buildings** would have authorized a municipality, by ordinance, to establish a Vacant and Blighted Buildings Registry that requires owners of vacant buildings to register their buildings with the municipality.

[Senate Bill 540 / House Bill 809](#) – *(Passed)* – **Municipalities - Parking Authorities** authorizes a municipality to establish a parking authority under the Parking Authorities Act. Municipalities are required to determine specified matters by local law including budgetary and financial procedures and the authorization, issuance, sale, delivery, and payment of specified revenue bonds as authorized under the Parking Authorities Act. Municipalities are prohibited from granting a parking authority independent taxing authority. This bill takes effect October 1, 2015.

[Senate Bill 704 / House Bill 311](#) – *(Failed)* – **Alcoholic Beverages - Supermarkets - Class B and Class BLX Licenses** would have exempted Class B or Class BLX (luxury restaurant) on-sale beer, wine, and liquor licenses issued on behalf of a supermarket or supermarket chain store that, as determined by the local licensing board, devotes a substantial portion of its operation to providing hot and cold food prepared in the supermarket for consumption in a designated dining area with seating for at least 50 customers and is equipped with a kitchen that meets specified requirements from specified alcoholic beverages issuance provisions.

[Senate Bill 888](#) – *(Failed)* – **Task Force to Study the Issuance of Beer and Wine Licenses to Chain Stores** would have established the Task Force to Study the Issuance of Beer and Wine Licenses to Chain Stores.

[Senate Bill 937](#) – *(Passed)* – **Alcoholic Beverages - Powdered Alcoholic Beverages - Ban on Sales** emergency bill prohibits a person from selling or offering for sale alcoholic beverages that are sold in powder or crystalline form to be used directly or in combination with water or any other substance. A violator is guilty of a misdemeanor and on conviction is subject to a fine of up to \$1,000. Each violation is a separate offense. The bill terminates two years from the date the bill is enacted. This bill takes effect June 1, 2015.

[House Bill 64](#) – *(Passed)* – **Alcoholic Beverages - Local Licensing Boards - Judicial Review** repeals the time limit of 90 days within which a circuit court must affirm, modify, or reverse a local alcoholic beverages licensing board's decision in approving, suspending,

revoking and restricting, or refusing to approve, suspend, revoke or restrict a license, or a licensee, unless extended by the court for good cause. The bill takes effect July 1, 2015.

House Bill 682 – (Failed) – Municipalities - Charter Amendments - Referendum and Signatures Required for Petitions would have authorized a municipality to adopt a charter amendment that (1) authorizes the legislative body of a municipality to submit to the qualified voters of the municipality at a regular or special municipal election a proposed charter amendment and (2) lowers, from 20% to a percentage no lower than 5%, the required percentage of qualified voters of the municipality necessary to petition a proposed charter amendment to a referendum or to initiate a proposed charter amendment.

House Bill 1288 – (Passed) – Alcoholic Beverages - Sale of Powdered Alcohol – Prohibition prohibits a person from selling or offering for sale alcoholic beverages that are sold in powder or crystalline form to be used directly or in combination with water or any other substance. A violator is guilty of a misdemeanor and on conviction is subject to a fine of up to \$1,000. Each violation is a separate offense. The bill takes effect June 1, 2015, and terminates June 30, 2016.

PLANNING & ZONING

Senate Bill 364 / House Bill 1091 – (Failed) – Open Space Incentive Program – Payments to Counties would have established an Open Space Incentive Program to make annual payments to counties, beginning in fiscal 2017, based on the amount of land in each county that consists of State forests, State parks, and wildlife management areas. Existing payments to counties of a portion of revenues generated from State forests and parks would have been eliminated.

Senate Bill 551 / House Bill 919 – (Passed) – Land Use – Plans – Development and Adoption applies to non-charter counties and municipalities, authorizes the legislative body of a local jurisdiction to adopt, modify, remand, or disapprove (1) the whole comprehensive plan recommended by the planning commission or a part of the plan; (2) a comprehensive plan for one or more geographic sections or divisions of the local jurisdiction; or (3) an amendment to the comprehensive plan. Public hearing requirements are established (1) for the legislative body before adoption or modification of a plan or plan amendment and (2) for the planning commission before submitting a new recommended plan after a plan or plan amendment is remanded or disapproved by the legislative body. The legislative body is also authorized to hold a public hearing before remanding or disapproving a plan or plan amendment. The time for a legislative body to act before the recommendation of a planning commission is considered approved is extended from 60 days to 90 days, with the availability of no more than one 60-day extension by resolution of the legislative body. The bill takes effect October 1, 2015.

Senate Bill 656 / House Bill 621 – (Failed) – State Highway Administration – Entrance to State Highway- Permit Process would have required the State Highway Administration (SHA), when determining whether to grant or deny a permit application to make an entrance from a commercial or industrial property or residential subdivision to a State highway that carries an average traffic volume of more than 2,000 vehicles a day, to consider whether the proposed entrance is consistent with the comprehensive plan for the jurisdiction where the proposed entrance is to be located.

House Bill 762 – (Failed) – State Highway Administration – Entrance to State Highway – Permit Process would have required the State Highway Administration (SHA) to make a final determination about whether to issue a permit granting access from a commercial or industrial property to a State highway that carries an average traffic volume of more than 2,000 vehicles a day within 45 days after it receives the application.

PUBLIC INFORMATION & ETHICS

[Senate Bill 283](#) / [House Bill 584](#) – *(Failed)* – **Ethics Law - Financial Disclosure Statement by Elected Local Official of a Municipal Corporation - Confidential Information** would have designated certain parts of a financial disclosure statement filed by an elected local official of a municipality as confidential, except in specified circumstances.

[Senate Bill 444](#) / [House Bill 83](#) – *(Passed)* – **Public Records – Inspection** establishes that under the Public Information Act (PIA), an official custodian is required to designate types of public records of the governmental unit that are to be made available to any applicant immediately on request, and to maintain a current list of the types of public records that have been so designated. The bill also repeals the requirement that an applicant may not receive a copy of a judgment until the time for appeal expires or the appeal is dismissed or adjudicated. The bill takes effect October 1, 2015.

[Senate Bill 695](#) / [House Bill 755](#) – *(Passed)* – **General Provisions - Public Information Act - Enforcement, Fees, and Exemptions** establishes the State Public Information Act Compliance Board and the Office of Public Access Ombudsman. The bill specifies the board's membership and the duties of the board and ombudsman, including enforcement of the Maryland Public Information Act (MPIA). The board must report to the Governor and General Assembly by October 1 of each year. The Office of the Attorney General (OAG) must staff and provide office space for the board and the ombudsman. By December 31, 2016, OAG must also, after consultation with specified entities, report to the Governor and General Assembly on findings and recommendations for improving the implementation of MPIA. The bill also alters provisions of MPIA related to public record inspections. This bill takes effect October 1, 2015.

PUBLIC SAFETY & CORRECTIONS

Bail Reform

[Senate Bill 468](#) / [House Bill 348](#) – **(Failed)** – **Civil Right to Counsel – Implementation** would have required the Chief Judge of the Court of Appeals to certify to the Governor for inclusion without revision in each State budget beginning in fiscal 2017, specified appropriations to provide legal representation to individuals who meet income eligibility requirements established by the Maryland Legal Services Corporation (MLSC) in protective order and contested custody and visitation proceedings.

[Senate Bill 942](#) / [House Bill 496](#) – **(Failed)** – **Criminal Procedure - Government-Funded Legal Representation - Initial Appearance** this proposed constitutional amendment would have established that Article 24 of the Maryland Declaration of Rights may not be construed to require government-funded legal representation of an indigent defendant at an initial appearance before a District Court commissioner.

[House Bill 361](#) – **(Failed)** – **Criminal Procedure - Government-Funded Legal Representation - Initial Appearance**, a proposed constitutional amendment, would have established that under Article 21 of the Maryland Declaration of Rights, an indigent defendant is entitled to government-funded legal representation at the times and under the circumstances provided by statute and court rule. Article 21 may not be construed to require government-funded legal representation of an indigent defendant at an initial appearance before a District Court commissioner.

[House Bill 494](#) – **(Failed)** – **Criminal Procedure - Pretrial Release - Charge by Summons** would have repealed provisions of law authorizing a District Court commissioner to (1) set bond or commit persons to jail in default of bond and (2) generally perform all functions of committing magistrates as exercised by the justices of the peace prior to July 5, 1971.

[House Bill 560](#) – **(Failed)** – **Office of the Public Defender - Representation at Bail Hearing – Provisional** would have specified that the representation provided by the Office of the Public Defender (OPD) to an indigent individual at a bail hearing before a District Court or circuit court judge must be limited solely to the bail hearing and terminates automatically at the conclusion of the hearing. The bill would not have applied to an individual who remains incarcerated after a bail hearing.

Domestic Violence / Child Abuse

[Senate Bill 150](#) / [House Bill 171](#) – **(Passed)** – **Courts - Child Abuse and Neglect - Waiver of Reunification Efforts (Anayah's Law)** expands the circumstances under which a local department of social services may ask the court in a child in need of assistance (CINA) proceeding to find that reasonable efforts to reunify a child with the child's parent or guardian are not required. This bill takes effect October 1, 2015.

[Senate Bill 269](#) / [House Bill 225](#) – **(Passed)** – **Domestic Violence - Additional Relief** authorizes a court, when issuing a final protective order, to include any other relief that the

judge determines is appropriate to protect a person eligible for relief from abuse. This bill takes effect October 1, 2015.

Senate Bill 315 / House Bill 224 – (Passed) – Domestic Violence - 2-Year Protective Order expands the circumstances under which a court may issue a final protective order with a maximum duration of two years by authorizing a court to do so if a final protective order is issued by consent of the respondent within one year after the expiration date of a prior final protective order issued against the same respondent on behalf of the same person eligible for relief. An existing requirement that the prior final protective order must have been issued for a period of at least six months applies to protective orders issued under the bill's provisions. The bill also expands the circumstances under which a court may extend the term of a final protective order for a maximum of two years by authorizing a court to do so if the respondent named in the protective order consents to the extension. This bill takes effect October 1, 2015.

Senate Bill 525 / House Bill 1146 – (Failed) – Child Abuse and Neglect - Failure to Report would have required that if an agency is participating in a child abuse or neglect investigation and has reasonable grounds to believe that a worker has failed to make a required report of suspected abuse or neglect, it must file a complaint with the worker's licensing board, law enforcement agency, county board of education, or other agency, institution, or licensed facility, as appropriate, at which the worker is employed.

Senate Bill 654 / House Bill 1009 – (Passed) – Criminal Procedure - Immunity - Alcohol- or Drug-Related Medical Emergencies expands and clarifies the statutory immunity concerning the seeking or providing of assistance for a medical emergency after ingesting or using alcohol or drugs. This bill takes effect October 1, 2015.

House Bill 227 – (Failed) – Family Law - Domestic Violence - Definition of Abuse would have expanded the definition of "abuse" as it applies to petitions for domestic violence protective orders to include harassment, trespassing, and the malicious destruction of property if the person eligible for relief has not resided with the respondent for at least seven days before the filing of the petition.

Human Trafficking

Senate Bill 520 – (Passed) – Criminal Law - Human Trafficking - Affirmative Defense establishes that in a prosecution for a charge relating to prostitution under Criminal Law Article § 11-306, it is an affirmative defense of duress if the defendant committed the act as a result of being a victim of an act committed by another person in violation of the prohibition against human trafficking under federal law or Criminal Law Article, § 11-303. A defendant is prohibited from asserting the affirmative defense unless the defendant notifies the State's Attorney of the defendant's intention to assert the defense at least 10 days prior to trial. This bill takes effect October 1, 2015.

Senate Bill 521 / House Bill 456 – (Passed) – Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking establishes the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking to study legal protections and the provision of services for youth victims of human trafficking. By December 1, 2015, the workgroup must report its findings and recommendations to the Governor and the General

Assembly. The Governor's Office of Crime Control and Prevention (GOCCP) must provide staff for the workgroup. The bill takes effect June 1, 2015, and terminates June 30, 2016.

Senate Bill 904 / House Bill 204 – (Failed) – Criminal Law - Human Trafficking - Adult Victim – Penalty would have reclassified human trafficking of an adult from a misdemeanor to a felony and made a conforming change pertaining to the statute of limitations for this offense.

House Bill 905 – (Failed) – Criminal Law - Human Trafficking - Affirmative Defense would have established that in a prosecution for a charge relating to prostitution under Criminal Law Article § 11-306, it is an affirmative defense of duress if the defendant committed the act (1) as a result of being a victim of human trafficking under Criminal Law § 11-303 or under federal law or (2) in order to acquire necessities immediately required for the survival or safety of the defendant or a dependent of the defendant.

Law Enforcement

Senate Bill 173 / House Bill 338 – (Failed) – Public Safety - SWAT Team - Deployment and Reporting would have limited the circumstances under which a law enforcement agency may deploy a SWAT team.

Senate Bill 482 / House Bill 627 – (Passed) – Public Safety - Law Enforcement Officers - Body-Worn Digital Recording Device and Electronic Control Device requires the Police Training Commission (PTC), by January 1, 2016, to develop and publish online a policy for the issuance and use of a body-worn camera (BWC) by a law enforcement officer that addresses specified issues and procedures. The bill makes it lawful for a law enforcement officer in the course of the officer's regular duty to intercept an oral communication with a "body-worn digital recording device" or an "electronic control device" capable of recording video and oral communications under specified circumstances. The bill also establishes a Commission Regarding the Implementation and Use of Body Cameras by Law Enforcement Officers to study and make recommendations to PTC and the General Assembly, by October 1, 2015, regarding the best practices for the use of body cameras by a law enforcement officer. The bill specifies the membership and duties of the commission, which must be staffed by the Governor's Office of Crime Control and Prevention (GOCCP) and the Department of State Police (DSP). The bill does not mandate the use of body-worn digital recording devices or electronic control devices by law enforcement agencies or law enforcement officers while on duty. This emergency bill terminates June 1, 2016.

House Bill 308 – (Failed) – Public Safety - Law Enforcement Officers - Video Cameras would have authorized all "law enforcement officers" in the State, excluding officers on detective duty, to wear a video camera affixed to the officer's uniform while on duty.

House Bill 505 – (Failed) – Public Safety - Law Enforcement - K-9 Law Enforcement Officers Act would have required a State or local law enforcement agency that removes a dog used in law enforcement work from duty to reimburse an individual who, under a written agreement with the law enforcement agency, takes possession of the dog by October 1, 2015, for reasonable and necessary veterinary treatment provided to the dog.

[House Bill 533](#) / [Senate Bill 628](#) – (Passed) – Public Safety - Law Enforcement Officers - Body-Worn Digital Recording Device and Electronic Control Device makes it lawful for a law enforcement officer in the course of the officer’s regular duty to intercept an oral communication with a “body-worn digital recording device” or an “electronic control device” capable of recording video and oral communications if (1) the officer is in uniform, prominently displaying the officer’s badge or other insignia; (2) the officer is conforming to standards for the use of either type of device capable of recording video and oral communications established by the Police Training Commission (PTC) or the Department of State Police (DSP); (3) the officer is a party to the oral communication; (4) the officer, if reasonable under the circumstances, has been identified as a law enforcement officer to the other parties to the oral communication before the oral interception; and (5) the oral interception is being made as part of a videotape or digital recording. This emergency bill takes effect upon enactment.

[House Bill 813](#) – (Passed) – State Prosecutor - Law Enforcement Officer-Involved Deaths requires the State Prosecutor to investigate a criminal offense related to the death of an individual that results directly or indirectly from an action or an omission of a law enforcement officer while the officer is on duty or while the officer is off duty but performing activities that are within the scope of the officer’s official duties. This bill takes effect October 1, 2015.

[House Bill 954](#) – (Passed) – Public Safety - Deaths Involving a Law Enforcement Officer - Reports requires each local law enforcement agency, by March 1, 2016, and by March 1 of each subsequent year, to provide the Governor’s Office of Crime Control and Prevention (GOCCP) with information for the previous calendar year about each “officer-involved death” and “death in the line of duty” that involved a law enforcement officer employed by the agency. GOCCP must develop specified procedures, analyze and disseminate the information it receives from local law enforcement agencies, and meet specified reporting requirements. The bill takes effect July 1, 2015.

Speed Monitoring Systems / Driving Related

[Senate Bill 86](#) – (Passed) – Public Safety - Hit and Run Suspects - Yellow Alert Program requires the Department of State Police (DSP) to establish a statewide Yellow Alert Program to provide a system for rapid dissemination of information to assist in locating and apprehending a “missing suspect” who is suspected of failing to remain at the scene of a traffic accident that might result in “serious bodily injury” or death. Among other things, DSP must adopt guidelines and develop procedures for the program, provide training and assistance to local law enforcement agencies, and consult with the State Highway Administration (SHA) to develop a plan for providing information to the public regarding a Yellow Alert. The apprehension of a suspect who is the subject of a Yellow Alert must be immediately reported to DSP and the law enforcement agency that filed the report. This bill takes effect October 1, 2015.

[Senate Bill 132](#) / [House Bill 1086](#) – (Passed) – Speed Monitoring Systems - Local Designees – Approval requires the governing body of a local jurisdiction to approve the jurisdiction’s designation of an official to investigate and respond to questions or concerns about its speed monitoring program. This bill takes effect October 1, 2015.

House Bill 271 – (Failed) – Vehicle Laws – Speed Monitoring Systems - Quarterly Audits would have required a local jurisdiction to obtain a quarterly audit of its speed monitoring systems conducted by a qualified independent person.

House Bill 288 – (Failed) – Vehicle Laws – Regulation of Parking – Jurisdiction would have clarified that the authority of a State agency or political subdivision to adopt regulations or ordinances to regulate the parking of vehicles applies only to highways over which the agency or subdivision has jurisdiction.

House Bill 410 – (Failed) – Traffic Control Signal Monitoring Systems - Application to Right Turns would have specified that traffic control signal monitoring system (red light camera) enforcement does not apply to a vehicle that makes a right turn in an intersection.

House Bill 471 – (Failed) – School Bus Monitoring Cameras - Civil Penalty would have increased the maximum authorized civil penalty, from \$250 to \$500, for a driver that is recorded by a school bus monitoring camera during the commission of a violation.

House Bill 493 – (Failed) – Motor Vehicles - Prohibition Against Unattended Motor Vehicle – Exceptions would have established exemptions from the general prohibition on leaving an unattended vehicle running, which allow a person to leave a motionless vehicle unattended for up to five minutes if the vehicle is locked and on private property not open to the public, or was started using a remote keyless ignition system.

House Bill 1038 – (Failed) – Vehicle Laws - Speed Monitoring, Work Zone Speed Control, and Traffic Control Signal Monitoring Systems – Repeal would have repealed the authority to operate work zone speed control systems.

House Bill 1099 – (Failed) – Motor Vehicles - Aggressive Driving would have altered the offense of aggressive driving by specifying that a person who commits two, rather than three, specified offenses at the same time or during a single and continuous period of driving is guilty of aggressive driving. It also would have increased the penalty from a maximum fine of \$500 to a maximum fine of \$1,000.

House Bill 1130 – (Failed) – Vehicle Laws - Driving without a License or While License is Suspended – Penalties would have eliminated the potential incarceration penalty for a first offense for driving with a suspended license (for specified reasons) as well as for driving without a license. It also would have reduced the maximum incarceration period (from 1 year to 60 days) for a second or subsequent offense for driving without a license, and it establishes a maximum incarceration period of 60 days for a second or subsequent offense for driving with a suspended license (for specified reasons).

Substance Abuse

Senate Bill 168 / House Bill 374 – (Failed) – Criminal Procedure - Expungement - Marijuana Possession would have expanded eligibility for expungements to persons convicted of the use or possession of less than 10 grams of marijuana.

Senate Bill 517 – (Passed) – Criminal Law - Use and Possession of Marijuana and Drug Paraphernalia establishes that the use or possession of marijuana involving

smoking marijuana in a public place is a civil offense, punishable by a fine of up to \$500. The bill also repeals the criminal prohibition on possession of marijuana-related paraphernalia, eliminates any penalty, and makes conforming changes. This bill takes effect October 1, 2015.

[House Bill 222 / Senate Bill 303](#) – (Failed) – Criminal Law - Distribution of Heroin or Fentanyl Resulting in Death would have created a crime for the direct or indirect distribution of heroin or fentanyl, the use of which is a contributing cause in the death of another.

General

[Senate Bill 26](#) – (Failed) – Criminal Law - Animal Cruelty - Leaving Dogs Outside in Extreme Temperatures would have prohibited a person from leaving a dog outside and unattended by use of a restraint during a snow emergency declared by the State Police or during a period in which the local temperature is 32 degrees Fahrenheit or below for at least one hour. (See House Bill 956 – (Failed) – Criminal Law – Leaving Dogs Outside and Unattended – Prohibited).

[Senate Bill 172 / House Bill 618](#) – (Passed) – Juveniles - Transfer Determinations - Confinement in Juvenile Facilities alters the authority of the court to determine whether a child may be held in a secure juvenile facility pending a reverse waiver determination by requiring, rather than authorizing, a court exercising criminal jurisdiction or the District Court, at a bail review or preliminary hearing involving such a child, to order the child held at a juvenile facility unless (1) the child is released on bail, recognizance, or on other conditions of pretrial release; (2) there is not available capacity in a secure juvenile facility, as determined by the Department of Juvenile Services (DJS); or (3) the court finds that detention in a secure juvenile facility would pose a risk of harm to the child or others, and states the reason for the finding on the record. This bill takes effect October 1, 2015.

[Senate Bill 288 / House Bill 737](#) – (Passed) – Criminal Procedure - Financial Crimes Against Vulnerable and Elder Adults - Petition to Freeze Assets authorizes a State's Attorney to file a petition to freeze assets of a defendant charged with exploitation of a vulnerable or elder adult if (1) the petition is filed within 60 days of the defendant being charged with the offense; (2) the alleged value of the lost or stolen property in the criminal charge is \$10,000 or more; (3) the amount of money subject to the petition does not exceed the value of the alleged value of the lost or stolen property in the criminal charge; and (4) the State's Attorney sends a notice of intent to file the petition to each financial institution in possession of money subject to the petition. The bill also (1) specifies the contents of a petition and an order to freeze assets; (2) requires a petition to be served on the defendant in accordance with the Maryland Rules and mailed to each financial institution in possession of money subject to the petition; (3) requires an order to freeze assets to be served on each financial institution in possession of money subject to the order; (4) establishes the conditions under which a court may grant a petition; and (5) specifies the duration of an order to freeze assets. This bill takes effect October 1, 2015.

[Senate Bill 332 / House Bill 111](#) – (Failed) – Judgeships - Circuit Courts and District Court would have altered the number of resident judges of the circuit courts by

adding one additional judgeship each in Baltimore City and Baltimore, Charles, Montgomery, and Prince George's counties.

Senate Bill 370 – (Passed) – Unmanned Aircraft Systems Research, Development, Regulation, and Privacy Act of 2015 establishes that only the State may enact a law or take any other action to prohibit, restrict, or regulate the testing or operation of “unmanned aircraft systems” in the State. The bill preempts the authority of a county or municipality to prohibit, restrict, or regulate the testing or operation of unmanned aircraft systems and supersedes any existing law or ordinance of a county or municipality that does so, but it does not affect federal preemption of State law. Local governments are encouraged to work with specified federal and local law enforcement in determining how to enforce federal regulations and general laws related to unmanned aircraft systems. The Department of Business and Economic Development (DBED), in consultation with other specified entities, must report to the General Assembly by December 31, 2015, on specified benefits, policies, and guidelines related to unmanned aircraft systems. DBED and the Maryland Department of Transportation (MDOT) must separately report on similar specified findings on any proposed federal regulations or rulemakings related to the regulation of the operation of small commercial unmanned aircraft. The bill takes effect July 1, 2015.

Senate Bill 392 / House Bill 498 – (Failed) – Criminal Law - Assault - First Responders would have expanded provisions prohibiting felony second-degree assault to include the intentional causing of physical injury to another person by a person who knows or has reason to know that the victim is a firefighter, an emergency medical technician, a rescue squad member, or any other first responder engaged in providing emergency medical care or rescue services.

Senate Bill 393 / House Bill 362 – (Failed) – Criminal Law - Animal Cruelty - Payment of Costs would have authorized a court to order a defendant convicted of specified animal cruelty offenses to pay all reasonable costs incurred in removing, housing, treating, or euthanizing an animal confiscated from the defendant.

Senate Bill 427 / House Bill 501 – (Passed) – Criminal Procedure - Victims of Crime - Notification Regarding DNA Profile requires an investigating law enforcement agency, upon written request, to give the victim of a crime of violence, or the victim's representative, timely notice as to (1) whether an evidentiary DNA profile was obtained from evidence in the case; (2) when any evidentiary DNA profile developed in the case was entered into the DNA database system; and (3) when any confirmed match of the DNA profile, official DNA case report, or DNA hit report is received. The requirement does not apply when to do so would impede or compromise an ongoing investigation or when the victim's representative is a suspect or a person of interest in the criminal investigation of the crime involving the victim. The bill also requires the State Board of Victim Services to develop pamphlets to notify victims and their representatives about how to request information regarding an unsolved case. This bill takes effect October 1, 2015.

Senate Bill 469 / House Bill 367 – (Failed) – Criminal Procedure - Expungement - Restorative Justice Programs would have added the following to the list of dispositions for which expungement is available: (1) a nolle prosequi with the requirement of community conferencing, community mediation, or similar agreement; and (2) stet of charge with the requirement of community conferencing, community mediation, or similar agreement.

[Senate Bill 528 / House Bill 360](#) – *(Passed)* – **Criminal Procedure - Seizure and Forfeiture** makes several changes to statutes pertaining to seizure and forfeiture of property in connection with violations of the State’s controlled dangerous substances laws. This bill takes effect October 1, 2015.

[Senate Bill 576 / House Bill 1080](#) – *(Passed)* – **9-1-1 Emergency Telephone System - Multiple-Line Telephone Systems - Direct Dial (Kari's Law)** requires that, by December 31, 2017, a person that installs or operates a “multiple-line telephone system” ensure that the system is connected to the public switched telephone network in such a way that when an individual using the system dials 9-1-1, the call connects to the public safety answering point without requiring the user to dial any other number or set of numbers. Executive Branch units are exempt from compliance until the date of the next upgrade of the unit’s multiple-line telephone system. This bill takes effect October 1, 2015.

[Senate Bill 602 / House Bill 388](#) – *(Passed, Ch. 42)* – **Justice Reinvestment Coordinating Council** emergency bill establishes the Justice Reinvestment Coordinating Council (JRCC) in the Governor’s Office of Crime Control and Prevention (GOCCP). The bill delineates the membership of JRCC and requires the chair of the council to be the Executive Director of GOCCP. A member of JRCC may not receive compensation, but is entitled to reimbursement for expenses. GOCCP must provide staff for JRCC. JRCC must (1) using a data-driven approach, develop a statewide framework of sentencing and corrections policies to further reduce the State’s incarcerated population, reduce spending on corrections, and reinvest in strategies to increase public safety and reduce recidivism and (2) request technical assistance from the Council of State Governments (CSG) Justice Center and the Public Safety Performance Project of the Pew Center on the States to develop the policy framework. JRCC also must convene an advisory stakeholder group, as specified, and conduct roundtable discussion forums for public input from all geographic regions of the State. JRCC must report its findings and recommendations to the Governor and General Assembly by December 31, 2015. The bill terminates December 31, 2018.

[Senate Bill 617 / House Bill 908](#) – *(Failed)* – **Criminal Law - Professional Counselors and Therapists - Misconduct (Lynette's Law)** would have prohibited a “professional counselor or therapist” from engaging in a sexual act, sexual contact, or vaginal intercourse with a person who was receiving therapy or counseling from the professional counselor or therapist at the time of or within the two years preceding the act, contact, or intercourse.

[Senate Bill 651 / House Bill 124](#) – *(Passed)* – **Criminal Procedure - Expungement - Conviction of a Crime That Is No Longer a Crime** expands eligibility for expungements to persons convicted of a crime that is no longer a crime. This bill takes effect October 1, 2015.

[Senate Bill 652 / House Bill 304](#) – *(Passed)* – **Criminal Procedure - Expungement of Records** limits the prohibitions on expungement of a police, court, or other record by establishing that a person is not entitled to expungement only if (1) the person’s petition for expungement is based on the entry of probation before judgment, a stet, a stet with the requirement of drug or alcohol abuse treatment, a finding of not criminally responsible, or the grant of a pardon by the Governor and (2) the person has subsequently been convicted of a crime (other than a minor traffic violation or a crime where the act on which the conviction was based is no longer a crime) or is a defendant in a criminal proceeding. The bill expands eligibility for expungement by repealing the existing statutory prohibition on

expungement of a police, court, or other record if (1) the petition for expungement is based on a nolle prosequi, a nolle prosequi with the requirement of drug or alcohol treatment, or a conviction for one of a list of specified crimes and (2) the person to whom the petition applies has subsequently been convicted of a crime (other than a minor traffic violation) or is a defendant in a criminal proceeding. This bill takes effect October 1, 2015.

Senate Bill 705 / House Bill 236 – (Passed) – Criminal Law - Assault - First Responders expands provisions prohibiting felony second-degree assault to include the intentional causing of physical injury to another person by a person who knows or has reason to know that the victim is a firefighter, an emergency medical technician, a rescue squad member, or any other first responder engaged in providing emergency medical care or rescue services. This bill takes effect October 1, 2015.

House Bill 244 / Senate Bill 526 – (Passed) – Maryland Second Chance Act of 2015 authorizes a person to petition a court to shield the person's court records and police records relating to one or more "shieldable convictions" of the person entered in the circuit court or the District Court in one county no earlier than three years after the person satisfies the sentence imposed for all convictions for which shielding is requested, including parole, probation, or mandatory supervision. This authorization does not apply to a conviction for a domestically related crime. If a person is not eligible for shielding of one conviction in a "unit," the person is not eligible for shielding of any other conviction in the unit. A person may be granted only one shielding petition over the lifetime of the person, and a court may grant a shielding petition for good cause. If the person is convicted of a new crime during the applicable time period, the original conviction or convictions are not eligible for shielding unless the new conviction becomes eligible for shielding. A person who is a defendant in a pending criminal proceeding is not eligible for shielding. A shielded conviction may not be considered a conviction for specified expungement provisions. This bill takes effect October 1, 2015.

House Bill 382 – (Passed) – Sexual Assault Survivors' Right to Know Act requires a health care provider that performs a sexual assault evidence collection kit exam on a victim of sexual assault to provide the victim with contact information for the investigating law enforcement agency that the victim may contact about the status and results of the kit analysis. An investigating law enforcement agency that receives a sexual assault evidence collection kit, within 30 days after a request by the victim from whom the evidence was collected, must provide the victim with (1) information about the status of the kit analysis and (2) all available results of the kit analysis except results that would impede or compromise an ongoing investigation. This bill takes effect October 1, 2015.

House Bill 587 – (Passed) – State Board of Barbers - Limited License - Barber-Stylist establishes a limited license issued by the State Board of Barbers to provide "barber-stylist services" under specified conditions. This bill takes effect October 1, 2015.

House Bill 825 – (Failed) – Public Safety - Carbon Monoxide Poisoning - Portable Generators would have prohibited a person, under the State Fire Prevention Code, from using a portable generator (1) in a way that endangers life or property due to the hazards of fire, explosion, or carbon monoxide poisoning; (2) within 20 feet of a residential dwelling; or (3) in violation of any regulation adopted by the State Fire Prevention Commission under specified provisions of the Public Safety Article.

[House Bill 876](#) – *(Failed)* – Agriculture - Animal Shelters - Uniform Standards of Operation and Care (Animal Shelter Standards Act of 2015) would have established standards for animal shelters regarding animal care, handling and destination of animals, euthanasia, loaning of humane animal-capture traps to the public, and recordkeeping.

[House Bill 956](#) – *(Failed)* – Criminal Law - Leaving Dogs Outside and Unattended – **Prohibition** would have altered statutory prohibitions on leaving a dog outside and unattended. (See Senate Bill 26 – *(Failed)* – Criminal Law – Animal Cruelty – Leaving Dogs Outside in Extreme Temperatures.)

STATE BUDGET & FISCAL ISSUES

[Senate Bill 57](#) / [House Bill 72](#) – (*Passed*) – **Budget Reconciliation and Financing Act of 2015** executes actions to enhance revenues, provide mandate relief, and reduce future year general fund expenditures. The bill takes effect June 1, 2015.

[Senate Bill 79](#) / [House Bill 110](#) – (*Passed*) – **Creation of a State Debt – Qualified Zone Academy Bonds** authorizes the Board of Public Works to issue \$4,625,000 in interest-free Qualified Zone Academy Bonds (QZABs) by December 31, 2015, and grant the proceeds to the Interagency Committee on School Construction (IAC) and the Maryland State Department of Education (MSDE) for the renovation, repair, and capital improvements of qualified zone academies, including public charter schools, as defined in the federal Internal Revenue Code. Proceeds from the sale of QZABs must be spent no later than three years after the issuance of the bonds. This bill takes effect June 1, 2015.

TAXES & REVENUES

Senate Bill 10 – (Failed) – Motor Fuel Tax Rates – Consumer Price Index Adjustment – Repeal would have repealed the annual indexing to inflation of specified motor fuel tax rates. Under current law, motor fuel taxes are increased annually based on inflation, as measured by the Consumer Price Index (CPI). The bill would have repealed any future increases beginning in fiscal 2016.

Senate Bill 31 / House Bill 177 – (Failed) – Income Tax – Subtraction Modification – Military Retirement Income – Individuals at Least 65 Years Old would have expanded the existing military retirement income tax subtraction modification by increasing from \$5,000 to \$10,000 the maximum amount of retirement income that can be excluded from Maryland adjusted gross income for purposes of calculating Maryland income tax liability. In order to qualify for the increased subtraction modification, the individual must have been at least 65 years old.

Senate Bill 115 / House Bill 99 – (Failed) – Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Correctional Officer, Fire, Rescue, and Emergency Services Personnel (Hometown Heroes) would have allowed retirement income to qualify for the State pension exclusion if an individual was at least 50 years old and the retirement income was attributable to employment as a law enforcement officer; correctional officer; or fire, rescue, or emergency services personnel of the United States, the State, or a local jurisdiction. The maximum exclusion in the tax year would have been limited to \$10,000. The bill would have applied to tax years 2015 and beyond.

Senate Bill 190 / House Bill 1065 – (Passed) – Sales and Use Tax – Taxable Price – Accommodations clarifies the definition of taxable price for purposes of the State sales and use tax as it applies to the sale or use of an accommodation facilitated by an accommodations intermediary. The bill also alters the definition of vendor under the State sales and use tax to include an accommodations intermediary. The bill takes effect July 1, 2015.

Senate Bill 209 / House Bill 392 – (Failed) – Income Tax – Subtraction Modification – Retirement Income would have expanded the existing State pension exclusion subtraction modification for taxpayers who are at least 70 years of age or who qualify for the exclusion under current law due to a disability. The maximum pension exclusion would have increased to \$75,000 and would have been phased in over seven tax years.

Senate Bill 356 / House Bill 497 – (Passed) – Property Tax - Exemption - Low Income Housing - Ownership by Limited Liability Company expands a local property tax exemption for specified entities that provide low-income housing to families to include specified tax exempt limited liability companies (LLCs) that are wholly owned by a nonprofit corporation, or a specified limited partnership whose managing general partner is a specified LLC wholly owned by a nonprofit corporation. The bill takes effect June 1, 2015, and applies to taxable years beginning after June 30, 2015.

Senate Bill 589 / House Bill 483 – (Failed) – Motorist Tax Relief – Motor Fuel Tax – Consumer Price Index and Sales and Use Tax Equivalent Rate Adjustments – Repeal would have repealed (1) the indexing of specified motor fuel tax rates and (2) the future increases in the sales and use tax equivalent rate imposed on the specified price of

motor fuel. The bill also would have repealed a contingency enacted by Chapter 429 of 2013 that requires the Comptroller to distribute 4% of total sales and use tax revenues to the Transportation Trust Fund (TTF) if federal remote sales tax legislation is enacted by December 1, 2015.

Senate Bill 590 / House Bill 480 – (Failed) – Small Business Personal Property Tax Relief Act of 2015 would have exempted a business that has personal property with an assessed value of \$10,000 or less from (1) the personal property tax; (2) filing a specified personal property tax report; and (3) the fee that is paid with the filing of the annual report.

Senate Bill 592 / House Bill 482 – (Passed) – Income Tax – Subtraction Modification – Military Retirement Income Individuals at Least 65 Years Old expands the existing military retirement income tax subtraction modification by increasing from \$5,000 to \$10,000 the maximum amount of retirement income that can be excluded from Maryland adjusted gross income for purposes of calculating Maryland income tax liability. In order to qualify for the increased subtraction modification, the individual must be at least 65 years old. The bill takes effect July 1, 2015, and applies to tax years 2015 and beyond.

Senate Bill 594 / House Bill 488 – (Failed) – Income Tax Subtraction Modification – Law Enforcement, Fire, Rescue, and Emergency Services Personnel (Hometown Heroes Act) would have allowed retirement income to qualify for the State pension exclusion if the individual was at least age 50 and the retirement income was attributable to employment as a law enforcement officer or fire, rescue, or emergency services personnel of the United States, the State, or a local jurisdiction. This expansion of the pension exclusion would have been phased in over four years, beginning with tax year 2015. The bill also would have accelerated to tax year 2015 the increase in the value of the State income tax subtraction modification for qualifying volunteer fire, rescue, or emergency medical services personnel phased in through tax year 2019 by Chapters 371 and 372 of 2014.

Senate Bill 763 / House Bill 1233 – (Passed, Ch. 50) – Tax Amnesty Program requires the Comptroller to declare an amnesty period for certain delinquent taxpayers from September 1, 2015, through October 30, 2015, for penalties and one-half of any interest due attributable to the nonpayment, non-reporting, or underreporting of income taxes, withholding taxes, sales and use taxes, or admissions and amusement taxes that are paid during the amnesty period. Individuals or corporations who enter into a payment agreement with the Comptroller's Office can also qualify for the amnesty. The Comptroller must report to the Governor and the General Assembly by March 15, 2016, on the impact of the amnesty program. The bill takes effect June 1, 2015.

House Bill 174 – (Failed) – Motor Fuel Tax Rates – Consumer Price Index Adjustment – Repeal would have repealed the annual indexing to inflation of specified motor fuel tax rates. Under current law, motor fuel taxes are increased annually based on inflation, as measured by the Consumer Price Index (CPI). The bill would have repealed any future increases beginning in fiscal 2016.

House Bill 250 – (Failed) – Income Tax – Subtraction Modification – Elderly or Disabled Individuals would have exempted from the State and local income tax 100% of the income received by a resident who is at least 65 years old or is totally disabled or the resident's spouse is totally disabled.

House Bill 259 – (Failed) – Personal Property Tax – Maximum Rate – Small Business would have established a maximum county personal property tax rate of \$1.83 per \$100 of assessment for personal property owned by businesses that have less than \$100,000 in revenue and that organized in or moved their headquarters into the State between July 1, 2015, and June 30, 2020.

House Bill 446 – (Failed) – Personal Property Tax – Exemption – Small Business would have exempted, for fiscal years 2016 through 2020, personal property from valuation and property tax if it was owned by a business with less than \$100,000 in revenue during the taxable year and was purchased on or after July 1, 2015.

House Bill 644 – (Failed) – Property Tax Credit – Elderly Individuals and Veterans would have authorized local governments to grant, by law, a property tax credit for a dwelling of (1) an individual who is at least 65 years old and has lived in the same dwelling for at least the preceding 40 years or (2) a retired member of the U.S. Armed Forces who is at least 65 years old. The amount of the property tax credit could not have exceeded 20% of the county or municipal property tax imposed on the property and could have been granted for up to five years.

House Bill 646 – (Failed) – Income Tax – Subtraction Modification – Retirement Income would have allowed income from a rollover individual retirement account (IRA) or annuity under Section 408 of the Internal Revenue Code (IRC) to be included within the State income tax subtraction modification allowed for retirement income (pension exclusion) if the contributions to the IRA or annuity consisted entirely of the tax-free rollover of distributions from an employee retirement system. The bill also would have reduced to \$28,800 the maximum value of the annual pension exclusion in tax year 2015 and would have indexed the value thereafter as provided under current law.

House Bill 714 – (Failed) – Income Tax – Subtraction Modification – Military Retirement Income would have expanded the existing military retirement income tax subtraction modification by increasing from \$5,000 to \$10,000 the maximum amount of retirement income that can be excluded from Maryland adjusted gross income for purposes of calculating Maryland income tax liability. See however, *Senate Bill 592 / House Bill 482 – (Passed) – Income Tax – Subtraction Modification – Military Retirement Income Individuals at Least 65 Years Old* which expands the existing military retirement income tax subtraction modification by increasing from \$5,000 to \$10,000 the maximum amount of retirement income that can be excluded from Maryland adjusted gross income for purposes of calculating Maryland income tax liability.

House Bill 820 – (Failed) – One Maryland Economic Development Tax Credit - Distressed Municipal Corporations would have expanded the applicability of the One Maryland economic development tax credit to include a municipality that, if it were a county, would meet the qualifications of a “qualified distressed county.”

House Bill 899 – (Failed) – Motor Fuel Tax – Distribution of Revenue – Local Governments would have modified the distribution of motor fuel tax revenue by requiring that the revenue attributable to increases in the motor fuel tax rate due to increases in the Consumer Price Index (CPI) and the revenue attributable to the sales and use tax equivalent rate applied to motor fuel be distributed to the Gasoline and Motor Vehicle Revenue Account (GMVRA) rather than the Transportation Trust Fund (TTF).

House Bill 1003 – (Failed) – Motor Fuel Tax – Distribution of Revenue would have modified the distribution of motor fuel tax revenues by requiring that (1) the revenue attributable to increases in the motor fuel tax rate due to increases in the Consumer Price Index (CPI) and the revenue attributable to the sales and use tax equivalent rate applied to motor fuel be distributed directly to local governments, instead of to the Transportation Trust Fund (TTF), and (2) the remainder of the motor fuel tax revenue be distributed to TTF, instead of to the Gasoline and Motor Vehicle Revenue Account (GMVRA) within TTF.

House Bill 1275 – (Failed) – Property Tax – Homeowner's Tax Credit – Computation and Eligibility would have altered the computation of a specified homeowner's property tax credit and would have increased the eligibility limitation on a homeowner's combined gross income amount from \$60,000 to \$75,000.

TRANSPORTATION & PUBLIC WORKS

Senate Bill 181 – (Failed) – Transportation – Highway User Revenues – Phased Restoration would have altered the distribution of funds in the Gasoline and Motor Vehicle Revenue Account (GMVRA) over four years to provide 70% to the Maryland Department of Transportation (MDOT) and 30% to local jurisdictions distributed as follows: Baltimore City (12.1%), counties (15.3%), and municipalities (2.6%).

Senate Bill 371 / House Bill 450 – (Passed, Ch. 28) – State Highway Administration - Bicycle and Pedestrian Priority Areas requires the State Highway Administration (SHA) to make a determination on whether it should designate an existing local bicycle and pedestrian priority area (BPPA) as a State BPPA if there is a State highway within the limits of the locally designated area. This decision must be made by September 30, 2016, if the local government notified SHA of its designation prior to September 30, 2015, or within one year if the local government notified SHA of its designation after that date. The bill takes effect October 1, 2015.

Senate Bill 591 / House Bill 484 – (Failed) – Transportation – Highway User Revenues would have altered the distribution of funds in the Gasoline and Motor Vehicle Revenue Account (GMVRA) over eight years beginning in fiscal 2017 to provide 70% to the Maryland Department of Transportation (MDOT) and 30% to local jurisdictions distributed as follows: Baltimore City (12.1%), counties (15.4%), and municipalities (2.5%).

House Bill 300 – (Passed) – Department of Transportation – Washington Metropolitan Area Transit Authority Services – Utilization Study requires the Maryland Department of Transportation (MDOT), in cooperation with the Washington Metropolitan Area Transit Authority (WMATA), to conduct a study every five years of the utilization of bus, rail, and subway transportation services under the jurisdiction of WMATA. By December 1, 2015, and every five years thereafter, MDOT must submit a report detailing the results of the study to the Governor and specified legislative committees. The bill takes effect June 1, 2015.

House Bill 546 – (Failed) – Maryland Transit Administration Oversight and Planning Board would have established the Maryland Transit Administration (MTA) Oversight and Planning Board within the Maryland Department of Transportation (MDOT) and would have established provisions related to membership, duties, and staffing of the board.

House Bill 913 – (Passed) – Transportation – Highway User Revenues – Local Government Reporting – Revisions prohibits the State Highway Administration (SHA) from distributing highway user revenues to any local jurisdiction that has not submitted its required annual report related to highway user revenue accounting. The bill also repeals the requirement that local jurisdictions submit those reports to the Governor and specified legislative committees. Instead, local jurisdictions must submit those reports only to SHA. SHA must then compile, summarize, and analyze the information received into a single report and submit it to the Governor and specified legislative committees by February 1 of each year. The bill takes effect July 1, 2015.

BUDGET RELATED MATERIALS

OPERATING BUDGET

The Governor introduced a \$16.4 billion fiscal 2016 general fund budget which eliminated the State's structural deficit. The Governor eliminated the structural deficit by repealing a 2% State employee salary increase; funding only half of the Geographic Cost of Education Index (GCEI), which provides additional funding for the Prince George's County public school system and other school systems facing higher education costs; freezing per pupil funding for K-12 students at the fiscal 2015 level; and making other reductions in State programs and local aid.

The proposed reductions in local aid included reduced community college and police funding, reductions in local health grants and delayed implementation of the phase-ins of both the net taxable income (NTI) calculation (which provides additional K-12 education aid to certain public school systems) and enhanced library aid.

The General Assembly modified the Governor's proposed budget, adopting a \$16.4 million general fund operating budget. The adopted budget reduced the State's structural deficit by 69%, above the 50% reduction recommended by the State's Spending Affordability Committee. The General Assembly removed the freeze on per pupil funding and partially restored funding for community colleges and local health grants. However, the General Assembly maintained the Governor's proposed reduction in police aid and delayed phase-ins of NTI funding and enhanced library aid.

The General Assembly also identified \$201.7 million in funds from the local income tax reserve account (used to distribute local income tax revenues to local jurisdictions), transfer tax revenues, provider reimbursements and other sources. The General Assembly proposed that the Governor use these funds to restore legislative priorities including the 2% State employee salary increase, full funding of the GCEI and \$15.0 million in operating funds for the Prince George's County Hospital System.

The Governor must provide either partial or full funding for these priorities. If the Governor does not provide funding, then the \$201.7 million will revert to the general fund and the local income tax reserve account. It also cannot be used for any other purpose. The Governor must notify the General Assembly by August 15, 2015 of any funding provided for these priorities.

Since the County did not receive full funding of GCEI, direct State aid to the County will decrease by about \$20 million for a total of about \$1.2 billion in direct state aid.

Another \$28.0 million will be directed to Prince George's Community College; \$23.1 million from a disparity grant used to offset the County's relatively low income tax capacity; \$20.6 million in public safety aid; and \$9.3 million in transportation aid. The remaining direct State aid will be dedicated toward teachers' retirement costs, library aid, public health and the environment. (Please see **FY 2016 Budget Highlights** and **Appendices** for additional detail on State operating aid to the County.)

CAPITAL BUDGET

The General Assembly also authorized over \$1.0 billion in new State debt for capital projects. The largest component of the capital budget is dedicated to school construction. The General Assembly authorized \$280.0 million for the State's fiscal 2016 Public School Construction Program. The General Assembly also provided \$6.1 million for the State's Aging Schools Program. Funding under the Aging Schools Program (ASP) is used for projects that cost at least \$10,000. ASP projects include improvements to public school fire protection systems, roof, air conditioning, heating and ventilation systems. The General Assembly also included \$3.5 million for the State's Nonpublic Aging Schools Program.

Another \$4.6 million is included in the capital budget under the Qualified Zone Academy Bond (QZAB) Program. The QZAB program provides funding for the renovation and repair of public schools and public charter schools located in federal Enterprise or Empowerment Zones or of schools where at least 35% of the student population is eligible for free or reduced-price meals

The General Assembly also established a new school construction program. The program will provide \$20.0 million for local school systems with significant enrollment growth or a large number of re-locatable classrooms. Eligible school systems can receive a portion of the \$20.0 million if they provide a matching grant.

The Prince George's County Public School System has received \$27.1 million to date for school construction. The school system will likely receive additional school construction funding in May when the State's Board of Public Works determines the final school construction allocation for fiscal 2016. The County will receive \$1.2 million from the Aging Schools Program. (Funding allocations under the State's Nonpublic Aging Schools Program and the Qualified Zone Academy Bond Program have not yet been determined.) Prince George's County public schools are eligible for an estimated \$4.8 million under the new school construction program based on their large number of re-locatable classrooms.

The County also secured \$30.0 million in capital funding for the new Regional Medical Center, \$23.9 million for renovations to the Prince George's Community College campus; \$1.3 million for renovations to the Bowie public library and \$638,000 for community parks and playgrounds. Additionally, the County will receive \$1.6 million for local projects throughout the County. (Please see **FY 2016 Budget Highlights** and **Appendices** for additional detail on State capital aid to the County.)

Appendix A

SUMMARY OF STATE OPERATING AID				
State Aid	FY 15 Working Appropriation	FY 16 Appropriation	FY 15 - FY 16 Change	% Change Prior Year
Direct Operating Aid				
<i>Disparity Grant</i>	\$ 21,694,767	\$ 23,088,290	\$ 1,393,523	6.4%
<i>Police, Fire and Public Safety</i>	\$ 20,889,964	\$ 20,588,673	\$ (301,291)	-1.4%
<i>Transportation</i>	\$ 8,313,626	\$ 9,346,701	\$ 1,033,075	12.4%
<i>Public Health</i>	\$ 5,599,065	\$ 6,130,960	\$ 531,895	9.5%
<i>Education Aid</i>				
Foundation Formula	\$ 494,571,479	\$ 514,335,119	\$ 19,763,640	4.0%
Geographic Cost of Education Index	\$ 39,276,765	\$ 20,297,800	\$ (18,978,965)	-48.3%
Supplemental Grant	\$ 20,505,652	\$ 20,505,652	\$ -	0.0%
Net Taxable Income	\$ 10,889,679	\$ 10,041,691	\$ (847,988)	-7.8%
Compensatory Education	\$ 254,495,324	\$ 281,138,643	\$ 26,643,319	10.5%
Special Education	\$ 61,633,187	\$ 63,952,124	\$ 2,318,937	3.8%
Student Transportation	\$ 37,707,187	\$ 39,146,128	\$ 1,438,941	3.8%
Limited English Proficient	\$ 74,469,456	\$ 81,882,976	\$ 7,413,520	10.0%
Guaranteed Tax Base	\$ 3,348,211	\$ 6,212,311	\$ 2,864,100	85.5%
Aging Schools Program	\$ 1,209,426	\$ 1,209,426	\$ -	0.0%
Adult Education	\$ 762,880	\$ 762,880	\$ -	0.0%
Food Service	\$ 1,223,212	\$ 1,614,668	\$ 391,456	32.0%
Innovative Programs	\$ 1,256,644	\$ 657,178	\$ (599,466)	-47.7%
Out-of-County Foster Placements	\$ 101,112	\$ 127,399	\$ 26,287	26.0%
Head Start	\$ 171,828	\$ 152,666	\$ (19,162)	-11.2%
Judy Hoyer Centers	\$ 521,767	\$ 544,565	\$ 22,798	4.4%
Prekindergarten Expansion Program	\$ 571,621	\$ 571,621	\$ -	0.0%
<u>Other Education Aid</u>	\$ 150,004	\$ 76,405	\$ (73,599)	<u>-49.1%</u>
<i>Education Aid</i>	\$ 1,002,865,434	\$ 1,043,229,252	\$ 40,363,818	4.0%
<i>Library Aid</i>	\$ 6,759,078	\$ 6,965,419	\$ 206,341	3.1%
<i>Community College</i>	\$ 26,867,848	\$ 27,966,066	\$ 1,098,218	4.1%
<i>Environment</i>	\$ 3,299,250	\$ 3,729,066	\$ 429,816	13.0%
<i>Impact Grant (Video Lottery Terminals)</i>	\$ 1,053,571	\$ 1,053,571	\$ -	0.0%
<i>Horse Racing Impact Aid</i>	\$ 9,858	\$ -	\$ (9,858)	-100.0%
<i>Payment in Lieu of Taxes (PILOTS)</i>	\$ -	\$ 11,618	\$ 11,618	N/A
<i>Teacher Retirement Supplemental Grant</i>	\$ 9,628,702	\$ 9,628,702	\$ -	0.0%
Total Direct Operating Aid	\$ 1,106,981,163	\$ 1,151,738,318	\$ 44,757,155	4.0%
Indirect Operating Aid				
Hospital System*	\$ 15,000,000	\$ 15,000,000	\$ -	0.0%
Total Indirect Operating Aid	\$ 15,000,000	\$ 15,000,000	\$ -	0.0%
Total Operating Aid	\$ 1,121,981,163	\$ 1,166,738,318	\$ 44,757,155	4.0%
* FY 16 appropriation may be amended by Governor.				
Source: Department of Legislative Services, <i>State Aid to Local Governments</i> , and Governor's FY15 and FY16 Budget Books.				

Appendix B

SUMMARY OF STATE CAPITAL AID	
<u>Project</u>	<u>FY 16 Legislative Appropriation</u>
<i>Community College Construction Grant Program</i>	
Lanham Hall Renovation and Addition	\$ 7,634,000
Queen Anne Academic Center Renovation and Addition	\$ 16,289,000
Subtotal – Community College Construction Grant Program	\$ 23,923,000
<i>Bowie Library – Renovation</i>	\$ 1,250,000
<i>Prince George’s African American Museum and Cultural Center at North Brentwood, Inc. - Grant</i>	\$ 24,878
<i>Public School Construction Program</i>	
Public School Construction Program*	\$ 27,085,000
Aging Schools Program	\$ 1,209,426
Subtotal – Public School Construction	\$ 28,294,426
<i>Prince George's County Athletic Fields</i>	\$ 2,800,000
<i>Community Parks and Playgrounds</i>	
Bladensburg Wellness and Exercise Park	\$ 149,000
Granville Gude Park Playground	\$ 243,000
Newton Street Park Outdoor Fitness Area	\$ 91,000
Old Town Playground	\$ 46,000
Town Hall Playground	\$ 109,000
Subtotal – Community Parks and Playgrounds	\$ 638,000
<i>Regional Medical Center</i>	\$ 30,000,000
Total	\$ 86,930,304
* Final appropriation for school construction will not be made until May.	

Appendix C

FY 2016 Bond Bills	
<u>Project</u>	<u>Appropriation</u>
Bladensburg Road Economic Development Project	\$ 50,000
Bowie Senior Center	\$ 100,000
Champ House	\$ 100,000
Crossland High School	\$ 75,000
Elizabeth Seton High School Library Renovation	\$ 25,000
Family Life and Wellness Intergenerational Center	\$ 200,000
Greenbelt Lake Dam Repair	\$ 285,000
Knights of St. John Hall	\$ 135,000
Landover Hills Town Hall	\$ 50,000
Mt. Calvary Softball Field	\$ 150,000
Park Berkshire Neighborhood Park	\$ 250,000
Susan D. Mona Center	\$ 100,000
The New Beginnings Community Development Computer Lab Project	\$ 15,000
Town of Capitol Heights Public Works Modular Home	\$ 100,000
Total	\$ 1,635,000

Appendix D

FY 2016 Highway User Revenues	
<u>Municipality</u>	<u>Distribution</u>
Berwyn Heights	\$ 104,260
Bladensburg	\$ 130,861
Bowie	\$ 1,694,942
Brentwood	\$ 70,430
Capitol Heights	\$ 103,835
Cheverly	\$ 150,392
College Park	\$ 421,166
Colmar Manor	\$ 36,132
Cottage City	\$ 29,023
District Heights	\$ 151,783
Eagle Harbor	\$ 12,398
Edmonston	\$ 47,597
Fairmount Heights	\$ 43,460
Forest Heights	\$ 70,728
Glenarden	\$ 121,581
Greenbelt	\$ 367,409
Hyattsville	\$ 359,747
Landover Hills	\$ 43,360
Laurel	\$ 567,628
Morningside	\$ 39,477
Mount Rainier	\$ 146,816
New Carrollton	\$ 249,372
North Brentwood	\$ 17,241
Riverdale Park	\$ 155,737
Seat Pleasant	\$ 86,651
University Park	\$ 81,254
Upper Marlboro	\$ 20,964
Subtotal for Municipalities	\$ 5,324,244
Prince George's County	\$ 3,242,976
TOTAL	\$ 8,567,220
Note: Numbers may not sum to total due to rounding.	

Appendix E

FY16 Prince George's County Public School Construction			
School System Priority	Project	Type	IAC Recommendations to Date*
1	Fairmount Heights HS Replacement	Replacement	\$ 4,598,000
2	Stephen Decatur MS	SEI -- Planning	Approve for Planning
3	Stephen Decatur MS	SEI	\$ -
4	Tulip Grove ES	Renovation/Addition	\$ 60,000
5	C. Elizabeth Rieg SC	Limited Renovation -- Planning	Approve for Planning
6	C. Elizabeth Rieg SC	Limited Renovation	\$ -
7	Isaac J. Gourdine MS	Systemic -- Chiller/Pumps/Cooling Tower	\$ 968,000
8	Bowie HS Annex	Limited Renovation -- Planning	\$ -
9	Bowie HS Annex	Limited Renovation	\$ -
10	William Schmidt Education Center	Planning	\$ -
11	Thomas Johnson MS	Systemic -- Univents	\$ 3,138,000
12	Annapolis Road Academy	Piping	\$ 450,000
13	Bowie HS	Systemic -- Piping	\$ 2,746,000
14	Tall Oaks HS	Systemic -- Univents	\$ 484,000
15	Tall Oaks HS	Systemic -- Piping	\$ 410,000
16	Hyattsville ES	Systemic -- Fan Coil Units	\$ 1,755,000
17	J. Hanson FL at Shugart	Systemic -- Windows	\$ -
18	Thurgood Marshall MS	Systemic -- Windows	\$ 511,000
19	Oxon Hill MS	Systemic -- Fan Coil Units	\$ 3,126,000
20	Thomas Pullen MS	Systemic -- Windows	\$ 1,033,000
21	District Heights ES	Systemic -- Chiller	\$ 329,000
22	Paint Branch ES	Systemic -- Univents	\$ 323,000
23	Walker Mill MS	Systemic -- Pneumatic Controls	\$ 334,000
24	Bond Mill ES	Systemic -- Windows	\$ 904,000
25	Tayac ES	Systemic -- Doors, Windows	\$ 623,000
26	Buck Lodge MS	Systemic -- Acoustical Ceiling	\$ 623,000
27	Buck Lodge MS	Systemic -- Univents	\$ 1,105,000
28	Drew Freeman MS	Systemic -- Univents	\$ 1,407,000
29	Drew Freeman MS	Systemic -- Lighting, Wiring	\$ 3,021,000
30	Charles Carroll MS	Systemic -- Acoustical Ceiling	\$ 323,000
31	Thomas Stone ES	Open Space Pod	\$ 1,146,000
32	Gwynn Park HS	SSR	\$ 1,300,000
33	Surrattsville HS	SSR	\$ -
34	Crossland HS	SSR	\$ 375,000
35	Laurel HS	SSR	\$ 1,181,000
36	Largo HS	SSR	\$ 1,209,000
37	Potomac HS	SSR	\$ 162,000
38	Central HS	SSR	\$ 556,000
39	Annapolis Road Academy	HVAC	\$ 129,000
40	Lewisdale ES	Systemic -- Roof Top Units	\$ 146,000
41	Catherine T. Reed ES	Systemic -- Roof Top Units	\$ 146,000
42	Carrollton ES	Systemic -- Roof Top Units	\$ 146,000
43	Stephen Decatur MS	Systemic -- Roof Top Units	\$ 146,000
44	Forestville HS	Systemic -- Final Phase Roof Replacement	\$ 371,000
45	Cool Springs ES	Systemic -- Roof Replacement	\$ 536,000
46	Largo HS	Systemic -- Third Phase Roof Replacement	\$ 1,158,000
47	Rosa Parks ES	Forward Funding Reimbursement	\$ -
48	Mary Harris Mother Jones ES	Forward Funding Reimbursement	\$ -
49	Lake Arbor ES	Forward Funding Reimbursement	\$ -
50	Suitland ES	Forward Funding Reimbursement	\$ -
Total			\$ 36,978,000

*The Board of Public Works has final approval on the allocation of school construction funding. The Board is scheduled to make its decisions at its May 13, 2015 meeting.

Appendix F

Prince George's County	
FY16 State Aid Police Protection Estimates	
Berwyn Heights	\$ 46,761
Bladensburg	\$ 134,319
Bowie	\$ 491,650
Brentwood	\$ 22,631
Capitol Heights	\$ 56,277
Cheverly	\$ 103,505
College Park	\$ 149,091
Colmar Manor	\$ 23,908
Cottage City	\$ 27,964
District Heights	\$ 67,495
Edmonston	\$ 34,223
Fairmount Heights	\$ 9,840
Forest Heights	\$ 41,490
Glenarden	\$ 60,407
Greenbelt	\$ 446,648
Hyattsville	\$ 286,067
Landover Hills	\$ 38,114
Laurel	\$ 512,122
Mount Rainier	\$ 107,893
New Carrollton	\$ 133,908
Riverdale Park	\$ 156,833
Seat Pleasant	\$ 65,812
University Park	\$ 48,199
Upper Marlboro	\$ 15,261
Prince George's County	\$ 10,736,373
Total	\$ 13,816,791
* The City of Morningside did not apply for FY 2016 State Aid for Police Protection	



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