



Rushern L. Baker, III
County Executive

PRINCE GEORGE'S COUNTY, MARYLAND *90 Day Report*

2017 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:**

<http://www.mlis.state.md.us>

Dear Friend,



I am pleased to report that the Office of the County Executive, the Prince George's County Public School System, and the Prince George's County Council worked in collaboration with the House and Senate Delegations, the Presiding Officers and other key members of the legislature to make the recently concluded 2017 Session of the Maryland General Assembly a resounding success for Prince George's County.

Upon the release of Governor Hogan's Fiscal Year 2018 Proposed Budget, we were once again dismayed to find that previously agreed upon state funding was not included for the new Regional Medical Center in Prince George's County. For the third consecutive year, Governor Hogan has refused to provide the state's share of the funding for this facility, which is critical to the healthcare needs of the southern Maryland region. The Governor's adverse budgetary actions, along with President Trump's attacks on the Affordable Care Act, continue to challenge our efforts to bring this vital project to fruition. As in the previous two years, the legislature took matters into its hands. The Governor is once again required to allocate \$55 million in operating funds and \$115.5 million in capital funds from the State through July 2020. Additionally, a total of \$100 million in operating funds were added for fiscal years 2019 through 2028 to maintain financial viability during the transition from the current hospital to the newly constructed medical center. With the County's continued commitment to match

the State's funding, and the recent approval of the Certificate of Need by the Maryland Health Care Commission, I am confident that the necessary steps are being taken to accomplish our goal. I appreciate the continuous efforts of the Prince George's House and Senate Delegations, as well as the leadership in the Maryland General Assembly to keep the state's commitment to this project intact.

The Baker Administration, the County Council and County Delegation remain committed to ensuring that the County receives its fair share of funding for education. The County school system will receive approximately \$1.1 billion in state operating aid (a 1.8% increase), and approximately \$23.5 million from the state for school construction for Fiscal Year 2018.

The following report highlights some of our most important efforts during the 2017 Legislative Session. As County Executive, I am committed to ensuring that the County receives the critical funding and has the authority to implement the necessary policies that will help us maintain our positive trajectory toward becoming an even greater place to live, invest, work and visit. For the remainder of my term in office, I 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 propel us toward a solid and prosperous future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rushern L. Baker, III'.

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

THE PRINCE GEORGE'S COUNTY 2017 LEGISLATIVE AGENDA

HEALTH & HUMAN SERVICES

Now that the Regional Medical Center has received approval from the Maryland Health Care Commission, we must intensify our focus on building a comprehensive and robust health care network that provides quality care to county residents and Southern Maryland. Increased importance must be placed on the State's reimbursement structure for workers who provide direct care to our most vulnerable residents.

With Governor Hogan's commitment to the State's share of funding in question, the General Assembly codified the multi-year funding plan for the transformation and construction of the County's healthcare system with the passage of Senate Bill 1198 (the Prince George's County Regional Medical Center Act of 2017). This legislation provides assurance of previously agreed upon \$110 million in operating subsidies (shared equally by the County and State), as well as an additional state subsidy of \$100 million over ten years (Fiscal Years 2019 – 2028). State capital funding in the amount of \$115 million is also included (to match already committed County funds) through Fiscal Year 2020. The financial stability provided by Senate Bill 1198 is essential for the Regional Medical Center to open in Fiscal Year 2020.

PUBLIC SCHOOL OPERATING & CONSTRUCTION FUNDING

Prince George's County has some of the oldest public school facilities in the State of Maryland as well as a growing student population. In order to ensure that our children are prepared for the 21st Century, we must provide them with a 21st Century learning environment. As a result, we are committed to securing appropriate formula funding from the State for the County's K-12 education system as well as increased levels of funding for the County's aging K-12 educational facilities. This funding will help pay for the repair, construction, renovation and modernization of the County's public schools. We will continue to advocate for long-term funding mechanisms by working with the State legislature and the Governor's office in order to address significant capital needs to upgrade Prince George's County public school facilities.

The General Assembly prioritized nearly full funding for K-12 education in its budget. Governor Hogan's Fiscal Year 2018 Proposed Operating Budget provides \$1.114 billion in mandated operating aid, including \$42 million to help public schools pay for the higher costs of educating students in the Washington Metropolitan area (Geographic Cost of Education Index (GCEI)). In addition to K-12 education funding, the County is expected to receive \$23.5 million in school construction funding (see Appendix E). The number of school construction projects funded and/or the amount of the funding for each specific project could change when the allocation of school construction funding is finalized in May 2017. The County also anticipates receiving \$2.6 million through a grant program for public school systems with either significant enrollment growth or a significant number of re-locatable classrooms.

FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBI)

In order to better position Maryland to bring the new FBI headquarters to Prince George's County, it is imperative that the County and State commit funding to the project for infrastructure improvements around the potential locations. The General Services Administration's (GSA) decision on the FBI headquarters relocation is anticipated in 2017 and it is important to ensure that the State makes the necessary funding commitments during this session so that Maryland remains competitive as the GSA gets closer to a final decision.

The State budget includes \$48 million (\$12 million per year in Fiscal Years 2019 – 2022) for infrastructure improvements associated with the FBI Headquarters project.

TRANSPORTATION & INFRASTRUCTURE

With the growth of the County and its focus on development, there are a number of critical projects that will require significant transportation and infrastructure investment by the State. We will work to protect State funding for critical mass transportation, road and pedestrian safety projects as well as funding for local road maintenance. It is vitally important that we continue to advocate for transparency and equity in the process for funding local transportation project requests. In addition, we must effectively collaborate with our regional partners on transit funding mechanisms, studying rapid transit alternatives and enhancing multi-jurisdictional corridors.

The Fiscal Year 2018 budget includes \$140.7 million for the advancement of 14 of the County's priority projects focused on major roadways and transit oriented development, including an emphasis on bicycle and pedestrian access.

PUBLIC SAFETY FUNDING

Although Prince George's County has made tremendous strides over the last five years that have led to a 40% reduction in overall crime, we must safeguard State public safety funding to ensure that this downward trend continues. Prince George's County is a safer and more attractive place to live, work and visit; however, valuable State funding such as the Disparity Grant, must be maintained to assist in our efforts to make the County more attractive to residents and businesses. This will position Prince George's County to be a greater contributor to the State's tax and revenue base.

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 comfortable. To achieve this goal, the Legislature worked to counteract Administration proposals and Department of Legislative Services staff recommendations which would have reduced grant funds utilized to provide community services including drug treatment and counseling.

FY 2017 BUDGET HIGHLIGHTS

❖ **K-12 Education**

- \$1.114 billion in operating aid
- \$23.5 million in school construction funding, including \$2.6 million in supplemental capital grant funding for public school systems with high enrollment growth

❖ **Health**

- \$6.4 million in operating aid for the County's local Health Department
- Restored FY 17 operating funding to \$15 million, \$28 million in FY 18 operating funds, \$11.3 funding in FY 18 capital funding, and added \$10 million in operating funding per year from FY 2019 – FY 2028 (an additional \$100 million over ten years) for the Regional Medical Center
- Developmental Disabilities Administration (DDA) mandated provider rate increase restored to 3.5% from 2.0%, totaling \$8.4 million statewide

❖ **Prince George's Community College**

- \$30.5 million in operating aid, grants and optional retirement funding
- \$14.0 million in capital funding for renovations and additions for Lanham Hall (\$2 million) and the Queen Anne Academic Center (\$12 million)

❖ **Higher Education**

- \$101.0 million in capital funding for four projects at the University of Maryland College Park, including \$63.7 million for the Brendan Iribe Center for Computer Science and Innovation, \$25.5 million for the A. James Clark Hall Bioengineering Building, \$8.8 million for the new Cole Field House, and \$3.0 million for the School of Public Policy Building

❖ **Libraries**

- \$7.4 million in operating aid for the County's public library system

❖ **Disparity Grant**

- \$30.9 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**

- \$21.3 million in operating aid, including \$14.8 million in police aid, \$1.7 million for fire and rescue aid, \$1.2 million for drug enforcement grants, \$2.3 million for violent crime grants, and \$1.3 million for the State's Attorney's Office
- \$1 million in capital funding for renovation and expansion of the Prince George's County Correctional Center

❖ Transportation

- \$10.8 million in operating aid, including \$4.5 million in highway user revenue, \$5.5 million in capital transportation grants to the County (\$1.4 million) and municipalities (\$4.1 million), and \$782,819 for elderly and paratransit grants

❖ Environment

- \$5.6 million in Program Open Space funding

❖ Gaming Impact Grants

- \$24.0 million in operating aid from the proceeds generated through video lottery terminal and table game revenues

HIGHLIGHTED PRINCE GEORGE'S COUNTY DELEGATION BILLS

BI-COUNTY SUBCOMMITTEE

House Bill 336 – *(Failed)* – **Washington Suburban Sanitary Commission – Service Rates (MC/PG 101-17)** would have enabled WSSC to allow, the creation of customer classes under their current rate structure. The bill would have allowed WSSC to fully explore all rate structure options as during their comprehensive rates study, which is slated to be completed in mid-2017 and implemented in FY 2019.

House Bill 355 – *(Passed)* – **Washington Suburban Sanitary Commission – Discrimination – Prohibition (MC/PG 102-17)** prohibits the Washington Suburban Sanitary Commission (WSSC) from discriminating against a person on the basis of religion, marital status, or gender identity. In addition, the bill prohibits the WSSC from awarding a contract unless the contract prohibits the contractor from discriminating in any manner against an employee or applicant for employment on the basis of religion, marital status, or gender identity. The bill takes effect October 1, 2017.

House Bill 335 – *(Passed)* – **Washington Suburban Sanitary Commission – System Development Charge – Exemptions (MC/PG 104-17)** authorizes the Montgomery County Council and the Prince George's County Council to grant an exemption from a system development charge imposed by the Washington Suburban Sanitary Commission (WSSC) to properties owned by a tax-exempt community-based organization that has the primary mission and purpose of providing recreational and educational programs and services to youth. To qualify for the exemption, which is limited to \$80,000, the property must be used primarily for youth-related recreational and educational programs and services. In addition, the County Councils may provide a system development charge exemption to property that is used (1) primarily for child care or after-school care and (2) primarily for programs and services for developmentally disabled individuals. The bill takes effect July 1, 2017.

House Bill 326 – *(Failed)* – **Maryland-National Capital Park and Planning Commission – Prince George's County – Appointment Procedures (MC/PG 105-17)** would have altered the appointment procedures for a member of the Maryland-National Capital Park and Planning Commission (M-NCPPC) from Prince George's County by requiring the Prince George's County Council to appoint each commissioner from the county, subject to the approval of the County Executive. Under current law, the appointments are made by the County Executive, subject to the approval of the County Council. The bill also would have conformed Prince George's County's appointment procedures to the appointment procedures used in Montgomery County, except that in Prince George's County the County Council and County Executive would continue to consider geographic balance in making and approving commissioner appointments.

House Bill 319 – *(Passed)* – **Washington Suburban Sanitary Commission – Office of Supplier Diversity and Inclusion and Minority Business Enterprise Program (MC/PG 106-17)** extends, from July 1, 2017, to July 1, 2022, the authorization of the Washington Suburban Sanitary Commission's (WSSC) Minority Business Enterprise Utilization Program. The bill renames WSSC's Office of Small, Local, and Minority Business Enterprise to the Office of Supplier Diversity and Inclusion. The bill takes effect June 1, 2017.

House Bill 322 – *(Failed)* – **Prince George's County – Maryland-National Capital Park and Planning Commission – Budget and Operation Study (MC/PG 108-17)** would have required the M-NCPPC to do a mandatory study on certain budgetary and operation issues.

House Bill 320 – *(Failed)* – **Washington Suburban Sanitary Commission – Connection Pipe Emergency Replacement Loan Program (MC/PG 109-17)** would have required the Washington Suburban Sanitary Commission (WSSC) to establish a Connection Pipe Emergency Replacement Loan Program. WSSC would not provide, or at any time have outstanding, more than \$1 million in total loans through the program. WSSC would have been mandated to include \$100,000 annually in the commission's budget for the program for Fiscal Years 2019 through 2028.

House Bill 321 – *(Passed, Ch. 361)* – **Maryland-National Capital Park and Planning Commission – Audit Committee and Office of the Inspector General (MC/PG 110-17)** establishes an Audit Committee and an Office of the Inspector General in the Maryland-National Capital Park and Planning Commission (M-NCPPC). The bill provides for the membership and powers of the Audit Committee and for the appointment of the Inspector General by the Audit Committee, including qualifications and terms of office. The bill transfers the functions, powers, and duties of the Commission's current Office of Internal Audit to the Office of the Inspector General and specifies the powers of the new Inspector General. This bill takes effect October 1, 2017.

House Bill 1570 – *(Failed)* – **Maryland-Washington Regional District – Prince George's County – Municipal Authority (MC/PG 111-17)** would have authorized a municipality in Prince George's County to enact a comprehensive local law regulating fences in the municipality and authorized the local law to be less restrictive than other specified local and zoning laws. The bill would have exempted the exercise of specified powers by a municipality from a prohibition against the exercise of any powers relating to planning, subdivision control, or zoning by a municipality in Prince George's County in the Maryland-Washington Regional District.

LAW ENFORCEMENT SUBCOMMITTEE

House Bill 1266 – *(Failed)* – **Prince George's County – Alcoholic Beverages – Class BLX License – Movie Theaters (PG 303-17)** would have authorized the Prince George's County Board of License Commissioners to issue a Class BLX beer, wine, and liquor movie theater license for use in a movie theater with average daily receipts from the sale of food that exceed the average daily receipts from the sale of alcoholic beverages. The bill specified that the hours of sale for a BLX movie theater license are different from those of a BLX restaurant license. The BLX movie theater license would have authorized the sale of beer, wine, and liquor for on-premises consumption only during the hours that movies are shown in the movie theater.

House Bill 1569 – *(Failed)* – **Prince George's County – Juvenile Offender in Need of Supervision Program – Study (PG 304-17)** would have required the Prince George's County Police Department to conduct a study on the feasibility of establishing a Juvenile Offender in Need of Supervision (JOINS) program in each county precinct. The bill specified the requirements for the study and established a reporting requirement.

House Bill 1574 – *(Passed)* – **Prince George's County Pretrial Release, Work Release, and Diversion Programs Task Force (PG 305-17)** establishes the Prince George's County Pretrial Release, Work

Release, and Diversion Programs Task Force. The Prince George's County Department of Corrections must provide staff for the task force. By December 1, 2017, the task force must report its findings and recommendations to the Governor, the General Assembly, and the members of the Prince George's County Delegation. The bill takes effect July 1, 2017, and terminates June 30, 2018.

House Bill 1566 – *(Failed)* – **Prince George's County – Alcoholic Beverages – Licenses (PG 307-17)** would have would have required the Prince George's County Executive to appoint members to the Prince George's County Board of License Commissioners instead of the Governor. The emergency bill outlined procedures for appointing board members, removing members for misconduct in office, and filling vacancies on the board. The bill also required that under specified circumstances, members, employees, and inspectors of the board must be subject to the same local public ethics laws as local officials. The terms of office for board members, or their successors selected to fill a vacancy, who are in office as of the effective date of the bill, would have terminated on the bill's effective date.

House Bill 1317 – *(Passed)* – **Prince George's County – Alcoholic Beverages Regulation Reform Act of 2017 (PG 310-17)** alters the appointment process for the Prince George's County Board of License Commissioners by requiring the Prince George's County Executive to appoint members to the board instead of the Governor, and limits the number of terms a board member may serve to three. The bill expands ethics rules for the board by establishing additional conflict of interest and disclosure rules for board members and applying the county public ethics law to board employees as specified. The emergency bill also (1) subjects board activities to the State Public Information Act; (2) establishes complaint and investigation procedures, as specified; and (3) requires the Office of Legislative Audits (OLA) to conduct regular performance audits of board operations. The term of office for board members, or their successors selected to fill a vacancy, who are in office as of the effective date of this Act, terminate on the bill's enactment.

House Bill 1324 – *(Failed)* – **Prince George's County – Alcoholic Beverages – Commission to Study Licensing and Regulation of Sales (PG 311-17)** would have established a Commission to Study the Licensing and Regulation of Establishments Selling Alcoholic Beverages in Prince George's County. The Comptroller would have been required to provide staff for the Commission. The Commission would have been mandated to report its findings and recommendations to the Governor and the General Assembly by January 1, 2018.

Senate Bill 513 – *(Failed)* – **Prince George's County – Alcoholic Beverages – Sunday Off-Sale Permit – Repeal (PG 312-17)** would have repealed the Sunday off-sale permit currently available to specified Class A and Class B beer, wine, and liquor (BWL) license holders in Prince George's County.

House Bill 1220 – *(Failed)* – **Prince George's County – Commission of Crime of Violence in Presence of Minor (PG 313-17)** would have prohibited a person in Prince George's County from committing a "crime of violence," as defined in § 5-101 of the Public Safety Article, when the person knows or reasonably should know that a minor is present in a residence. A minor would have been considered to be present if the minor was within sight or hearing of the crime of violence. The offense would have been classified as a misdemeanor, punishable by imprisonment for up to five years in addition to any other sentence imposed for the crime of violence. A sentence imposed for the offense must have been separate from and consecutive to a sentence for any crime based on the act establishing the violation. The bill also would have expanded the definition of "neglect" in provisions of law governing the reporting and investigation of suspected child abuse and neglect in Prince George's County. The bill also added to the definition an act that constitutes the commission of a crime of violence in Prince George's County in the presence of a minor, as specified, whether or not the person who committed the act was charged with a crime.

House Bill 1272 – *(Failed)* – **Prince George's County – Domestic Violence – Definition of Abuse (PG 314-17)** would have expanded, in Prince George's County only, the definition of “abuse” as it applies to petitions for domestic violence protective orders to include “harassment” and the “malicious destruction of property.”

COUNTY AFFAIRS SUBCOMMITTEE

House Bill 1578 – *(Passed, Ch. 147)* – **Prince George's County – Property Tax Exemption for Economic Development Projects – Sunset Extension (PG 407-17)** extends the June 30, 2017 sunset provision of Chapter 402 of 2012 to June 30, 2021. Chapter 402 authorized Prince George's County, by resolution, to exempt specified economic development projects located in designated focus areas from County real property taxes. The bill also extends a specified reporting deadline regarding the implementation of Chapter 402 from December 31, 2016, to December 31, 2018. The bill takes effect June 1, 2017.

House Bill 1573 – *(Passed)* – **Prince George's County – Tax Sales – Limited Auction and Foreclosure for Abandoned Property (PG 411-17)** requires the tax collector in Prince George's County to conduct an additional, limited auction, prior to the public auction, for any property to be sold for the collection of past due taxes. The limited auction must be open to bids only 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; (7) an employee of the federal government; (8) an employee of a municipal government in Prince George's County; (9) a veteran of any branch of the armed forces of the United States who has received an honorable discharge; or (10) a resident of Prince George's County. The bill requires that a purchaser of property at the limited auction occupy the property as his or her “dwelling.” The bill takes effect July 1, 2017.

House Bill 1567 – *(Failed)* – **Prince George's County – Tax Sales – Release of Liens on Vacant Property (PG 413-17)** would have facilitated the transfer of vacant real property, by authorizing the Revenue Authority of Prince George's County to release liens for unpaid County real property taxes or other charges and assessments imposed by Prince George's County on vacant property if: (1) the total amount of liens for unpaid County real property taxes, charges, exceed the lesser of the total value of the land and any improvements as determined by the Revenue Authority or an appraisal; (2) Prince George's County Department of Housing and Community Development certified that the property is vacant or has a building or structure that is unsafe or unfit for habitation; (3) the transferee demonstrated the ability to return the property to productive use within a reasonable period of time; (4) the transfer would be necessary to eliminate blight and prevent property abandonment; and (5) the transferee paid market value for the property.

House Bill 1572 – *(Failed)* – **Prince George's County – Authority to Prohibit the Use of Disposable Bags (PG 422-17)** would have authorized Prince George's County to enact a law to prohibit a store from using certain disposable bags as part of retail sales.

House Bill 1257 – *(Failed)* – **Prince George's County – Abandoned Property – Special Property Tax Rate (PG 425-17)** would have required Prince George's County to set a special property tax rate for abandoned property that is 15% greater than the tax rate for other real property. The special class of real

property would have consisted of abandoned property for which there is a record owner and included a vacant lot or improved property that was vacant and neglected as defined by Prince George's County.

House Bill 1551 – *(Passed)* – **Prince George's County Local Management Board – Strategic Plan, Report, and Study (PG 426-17)** requires the Prince George's County Local Management Board (LMB), by January 1, 2018, to (1) develop and implement a strategic plan to raise revenues to match the total funding provided by the Governor's Office for Children (GOC) and (2) submit the plan to specified entities. By January 1 of each year, the Prince George's County LMB must also submit a report on the total revenue received in the previous fiscal year and the total revenue from each source to those entities. The bill also requires Prince George's County to (1) study the feasibility of converting the county's LMB into a quasi-public nonprofit corporation that is not an instrumentality of the County government; (2) study the extent to which quasi-public nonprofit LMBs have been able to leverage funds in addition to those provided by GOC; and (3) report its findings and recommendations to specified entities by December 1, 2017. The bill takes effect October 1, 2017.

House Bill 1636 – *(Passed)* – **Prince George's County – School Facilities and Public Safety Surcharges – Maryland Transit Administration Station (PG 430-17)** requires Prince George's County to reduce the county's school facilities surcharge and public safety surcharge for specified residential construction that abuts an existing or planned mass transit rail station site operated by the Maryland Transit Administration. The bill also requires a 50% reduction and an exemption from the school facilities surcharge for specified dwelling units that are located within one-quarter mile of a Purple Line station under specified circumstances through September 30, 2018. The bill takes effect October 1, 2017.

EDUCATION SUBCOMMITTEE

House Bill 1565 – *(Failed)* – **Prince George's County Board of Education – Election of Vice Chair, Voting Procedures, and Final Report (PG 402-17)** would have required the Prince George's County Board of Education, rather than the County Executive, to select a vice chair of the board. In addition, the bill altered the voting threshold required for the school board to take an action that contradicts the chief executive officer's (CEO's) day-to-day management and oversight of the fiscal affairs of the Prince George's County public school system. Under the bill, a three-fifths vote (rather than a two-thirds vote) would be required to take an action that is contrary to an action of the CEO. Finally, the bill altered the date of a required report that must be submitted by the County Executive, the school system CEO, and the Board of Education to the General Assembly.

House Bill 1577 – *(Failed)* – **Prince George's County – School Facilities Surcharge Exemption – Veteran Housing (PG 410-17)** would have established an exemption from the school facilities surcharge in Prince George's County for single family detached dwellings that are designated as temporary housing for veterans and their families.

House Bill 1568 – *(Passed, Ch. 336)* – **Workgroup on Transportation for Middle and High School Students in Prince George's County (PG 415-17)** establishes a Workgroup on Transportation for Middle and High School Students in Prince George's County. Prince George's County Public Schools must provide staff for the workgroup. The workgroup must report its findings and recommendations to the Prince George's County Senate and House Delegation by August 31, 2017. The bill takes effect June 1, 2017, and terminates June 30, 2018.

House Bill 1571 – *(Failed)* – **Prince George's County School System Academic Revitalization and Management Effectiveness Task Force (PG 416-17)** would have established the Prince George's County School System Academic Revitalization and Management Effectiveness Task Force staffed by the Department of Legislative Services (DLS). The task force would have been mandated to study and make recommendations regarding specified aspects of the Prince George's County Board of Education, including the selection process and qualifications for members of the board. The bill specified the membership of the task force and required it to report findings and recommendations by October 1, 2018.

House Bill 1576 – *(Passed)* – **Prince George's County – Student Loan Refinancing Authority (PG 419-17)** requires Prince George's County, by December 1, 2018, to (1) review and study the Prince George's County Supplemental Higher Educational Loan Authority (County Authority); (2) perform a feasibility and demand study for a student loan refinancing program in the county; (3) assess the potential benefit to recruitment and retention of county and school system employees of a student loan refinancing program in the county; (4) study the operation of student loan refinancing programs in other systems, including operating costs; and (5) hold public hearings on a student loan refinancing program in the county and provide an opportunity for public comment. The bill takes effect July 1, 2017, and terminates June 30, 2019.

LEGISLATION WITH AN IMPACT ON PRINCE GEORGE'S COUNTY

(ALL BILLS TAKE EFFECT ON OCTOBER 1, 2017 UNLESS OTHERWISE NOTED)

BUSINESS AFFAIRS

Senate Bill 6 / House Bill 138 – *(Passed)* – **Occupational and Professional Licensing Boards, Commissions, and Regulatory Entities – Notifications of Applicants, Licensees, Registrants, and Permit Holders** authorizes – but does not require – specified boards, commissions, and other regulatory entities within the Department of Labor, Licensing, and Regulation (DLLR); the Department of State Police (DSP); and the Department of Public Safety and Correctional Services (DPSCS) to send specified credential-related notices electronically instead of by regular mail. For the regulatory entities in DLLR, if an electronic communication is returned as undeliverable, the regulatory entity must mail the materials to the last known address of the affected individual within 10 business days of receiving the undeliverable notice.

Senate Bill 50 – *(Passed)* – **Cemeteries – Authority to Maintain and Repair Memorials and Monuments** specifies that the owner of a burial lot is responsible for the care of a memorial or monument placed on the burial lot. However, this responsibility and other specified current law related to burial lots and crypts may not be construed to prohibit a party responsible for a cemetery from maintaining or repairing a damaged memorial or monument.

Senate Bill 119 / House Bill 523 – *(Passed)* – **Electronic Nicotine Delivery Systems and Vaping Liquid – Licensing** establishes a licensing and regulatory framework for the manufacture, storage, wholesale distribution, and retail sale of electronic nicotine delivery systems (ENDS) (i.e., e-cigarettes, other similar devices, and their components).

Senate Bill 183 / House Bill 115 – *(Passed, Ch. 100 / Ch. 56)* – **Mold Remediation Services Providers – Licensure and Program Evaluation** extends the deadline by which a company or firm providing mold remediation services must be licensed by the Maryland Home Improvement Commission (MHIC) from July 1, 2013, to July 1, 2019.

Senate Bill 190 / House Bill 117 – *(Passed, Ch. 57 / Ch. 58)* – **Elevator Safety Review Board – Sunset Extension, Program Evaluation, and Reporting Requirement** extends the termination date for the Elevator Safety Review Board by 10 years to July 1, 2029, and requires the Department of Legislative Services (DLS) to conduct a preliminary evaluation of the board by December 15, 2026. The board must also submit a follow-up report related to licensing activity and operating revenues to DLS and specified committees of the General Assembly by October 1, 2018.

Senate Bill 221 / House Bill 258 – *(Passed)* – **Adult Entertainment Establishments – National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements** requires an owner of an “adult entertainment establishment,” as defined by the bill, to post a National Human Trafficking Resource Center (NHTRC) hotline sign in each restroom of the establishment.

Senate Bill 488 – *(Passed)* – **Prince George's County – Alcoholic Beverages Regulation Reform Act of 2017** requires the Prince George's County Executive to appoint members to the Prince George's County Board of License Commissioners instead of the Governor. The emergency bill outlines procedures for appointing board members, removing members for misconduct in office, and filling vacancies on the board.

The bill also requires that under specified circumstances, members, employees, and inspectors of the board must be subject to the same local public ethics laws as local officials. The terms of office for board members, or their successors selected to fill a vacancy, who are in office as of the enactment date of the bill, terminate on the bill's enactment date.

Senate Bill 500 – *(Passed)* – **Small Claim Action Appeals From District Court – Non-attorney Representation** exempts specified representatives or designees of a corporation, partnership, limited liability company, or business entity from the requirement of admission to the Bar of Maryland and other requirements set by the Maryland Court of Appeals for representing the entity in an appeal from the District Court of Maryland in a small claims case.

Senate Bill 517 / House Bill 628 – *(Passed)* – **Secretaries of Principal Departments – Supervision and Review of Decisions and Actions by Units Within Departments** requires the Secretary of each principal department to supervise each unit of State government within the Secretary's jurisdiction that is composed, in whole or in part, of individuals participating in the occupation or profession regulated by the unit in order to (1) prevent unreasonable anticompetitive actions by the unit and (2) determine whether the decisions and actions of the unit further a clearly articulated State policy to displace competition in the regulated market. The bill takes effect June 1, 2017.

Senate Bill 573 / House Bill 334 – *(Passed)* – **Local Government – Regulation of Animals – Kennel Licenses** lowers the threshold applicable, statewide, to when a person must obtain a kennel license from a local licensing agency.

Senate Bill 794 / House Bill 236 – *(Passed)* – **Legal Advice to Corporations – Clarification** broadens an existing exception to the requirement that an individual be admitted to the Maryland Bar before the individual may practice law in the State. Specifically, it authorizes an individual who is admitted to the bar of any other state to provide legal advice to the individual's employer or the employer's organizational affiliates.

Senate Bill 924 – *(Passed)* – **Commissioner of Financial Regulation and State Collection Agency Licensing Board – Surety Bond Requirements for Licensees and Registrants** standardizes surety bond requirements (except for amounts) for specified financial services entities required to be licensed or registered with the Office of the Commissioner of Financial Regulation (OFR) within the Department of Labor, Licensing, and Regulation (DLLR). Specifically, the bill standardizes surety bond requirements for (1) collection agencies; (2) consumer lenders; (3) mortgage lenders; (4) money transmitters; (5) debt management companies; and (6) debt settlement companies. Under the bill, surety bonds for licensees and registrants remain in effect until canceled. The bill takes effect June 1, 2017.

Senate Bill 951 / House Bill 1149 – *(Passed)* – **Maryland Securities Act – Vulnerable Adults** makes changes to the Maryland Securities Act (MSA). The bill expands MSA to regulate federal exempt broker-dealers under specified circumstances and prohibits specified business practices under MSA. The bill also imposes mandatory reporting requirements for certain individuals who suspect a vulnerable adult is the subject of financial exploitation.

House Bill 140 – *(Passed, Ch. 252)* – **State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors – Supervision of Appraiser Trainees** clarifies an existing requirement that an applicant for initial licensure or initial certification as a real estate appraiser by the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors

must have completed 2,000 hours of real estate appraiser services as a trainee under the supervision only of a certified appraiser and not a “licensed or certified” appraiser.

House Bill 182 – (*Passed, Ch. 253*) – **Commissioner of Financial Regulation and State Collection Agency Licensing Board – Licensees – Revisions** requires seven categories of licensees (check cashers, collection agencies, consumer lenders, debt management companies, installment lenders, credit service businesses, and sales finance companies) to register with the Nationwide Mortgage Licensing System and Registry (NMLS); obtain and maintain a valid unique identifier issued by NMLS; and transfer existing licensing information to NMLS on or after July 1, 2017. The bill generally establishes that licenses are valid for one-year terms and eliminates a requirement for a State criminal history records check (CHRC) for mortgage lenders, check cashers, debt management services companies, and money transmitters. The bill takes effect July 1, 2017.

House Bill 185 – (*Passed*) – **Department of Health and Mental Hygiene – Distribution of Tobacco Products to Minors – Prohibition and Enforcement** establishes civil penalties for persons who distribute tobacco products, tobacco paraphernalia, or coupons redeemable for tobacco products to minors, and it authorizes county health officers and specified designees of county health officers to issue civil citations for violations.

House Bill 198 – (*Passed, Ch. 115*) – **Junk Dealers and Scrap Metal Processors – Cell Tower Batteries – Required Record** incorporates the purchase of used cell tower batteries into existing recordkeeping and transaction requirements for junk dealers and scrap metal processors.

House Bill 246 – (*Passed, Ch. 254*) – **Department of Labor, Licensing, and Regulation – State Occupational Mechanical Licensing Boards – Fund and Fees** establishes the State Occupational Mechanical Licensing Boards’ Fund in the Department of Labor, Licensing, and Regulation (DLLR); repeals statutory fees and instead authorizes the four mechanical boards to set fees by regulation; and redirects licensing revenue associated with the boards from the general fund to the new special fund. The bill takes effect July 1, 2018.

House Bill 250 – (*Passed, Ch. 256*) – **State Board of Barbers and State Board of Cosmetologists – Special Fund and Fees** establishes the State Barbers and Cosmetologists Boards’ Fund in the Department of Labor, Licensing, and Regulation (DLLR); repeals statutory fees and instead authorizes the State Board of Barbers and the State Board of Cosmetologists to set fees by regulation; and redirects licensing revenue associated with the boards from the general fund to the new special fund. The bill takes effect July 1, 2018.

House Bill 760 – (*Passed, Ch. 350*) – **State Real Estate Commission – Real Estate Brokerage Services – Duties and Obligations** expands the list of specified actions by a licensee of the State Real Estate Commission that do not breach any duty or obligation to the client. Thus, a licensee may discuss other properties with prospective buyers or lessees during an open house, if the licensee has the written consent of the seller or lessor to do so. Also, a licensee showing a buyer other available properties, an existing action that does not breach any duty or obligation, is expanded to encompass showing other available properties to a lessee. The bill also repeals an obsolete reference to a presumed buyer’s or lessee’s agency relationship.

House Bill 781 – (*Passed, Ch. 343*) – **Retail Pet Stores – Animal Seller, Dog Cage Signs, and Records – Requirement Revisions** alters signage and recordkeeping requirements for a retail pet store that sells dogs to include specified information for dogs obtained from an animal control unit or an animal welfare organization. Both the signs on each dog’s cage and the records must include the name and address of the animal control unit or animal welfare organization, if applicable. The bill also broadens an existing

prohibition against a retail pet store buying a dog or cat from a breeder or dealer unless the store has ensured that the breeder or dealer has not received a specified type of citation from the U.S. Department of Agriculture (USDA) under the federal Animal Welfare Act (AWA) in the last two years.

House Bill 987 – (*Passed*) – **Alcoholic Beverages – Direct Wine Shipper's Permit – Application and Renewal Requirements** requires a person that applies to obtain or renew a direct wine shipper's permit to identify the wines manufactured by the applicant that the applicant intends to ship into the State. The bill takes effect July 1, 2017.

House Bill 1600 – (*Passed*) – **State Board of Cosmetologists – License Renewal – Continuing Education** requires, beginning October 1, 2018, an individual renewing a license from the State Board of Cosmetologists to complete at least six credit hours of continuing education (CE) approved by the board. The board must adopt regulations that set standards for the CE courses that, at a minimum, require two hours of training in health, safety, and welfare subjects and four hours of training in general elective courses.

EDUCATION

Senate Bill 1 – (Passed) – Education – Specialized Intervention Services – Reports requires that, beginning with the 2018-2019 school year, each local board of education must, by December 1 of each year, submit a report on specialized intervention services to the Maryland State Department of Education (MSDE). The report must include information on the number of students in kindergarten through grade 3 receiving the services, the grades in which the services were provided, and the annual budget (including federal, State, and local funds) for the services. MSDE must establish guidelines for the report that each local board must submit. MSDE and each local board of education must annually post the information required under the bill on their respective websites.

Senate Bill 78 / House Bill 1301 – (Passed) – Vehicle Laws – School Crossing Guards – Authority to Direct Traffic expands the authority of school crossing guards to direct traffic by authorizing a school crossing guard who meets specified qualifications to direct vehicles and pedestrians on a highway or on school grounds in order to assist non-school vehicles in entering and leaving school grounds.

Senate Bill 117 / House Bill 1587 – (Passed) – Community Colleges – Out-of-State Fee – Waiver for Border State Residents authorizes the boards of trustees of community colleges located in jurisdictions that border another state to set an out-of-state fee that must be more than the out-of-county fee and may be less than the out-of-state fee required by statute. Such students must be excluded from the calculation of State aid to community colleges (known as the John A. Cade community college funding formula). The bill takes effect July 1, 2017.

Senate Bill 145 / House Bill 654 – (Passed, Ch. 326) – Education – Statewide Kindergarten Assessment – Completion extends from October 1 to October 10 the date by which the Kindergarten Readiness Assessment (KRA) must be completed when a local board of education or a principal and teacher who are in mutual agreement decide to assess all students entering kindergarten in a school year. The bill takes effect July 1, 2017.

Senate Bill 154 / House Bill 495 – (Passed) – Vehicle Laws – School Bus Monitoring Cameras – Civil Penalty increases the maximum civil penalty for a violation recorded by a school bus monitoring camera for failure to stop for a school vehicle operating alternately flashing red lights to \$500. The bill takes effect July 1, 2017.

Senate Bill 201 / House Bill 1066 – (Passed, Ch. 175 / Ch. 176) – Education – Fire Drill Requirements – State Fire Prevention Code requires the State Superintendent of Schools to require each county superintendent of schools to hold a fire drill in each public school in accordance with the State Fire Prevention Code instead of at least 10 times per school year and at least once every 60 days.

Senate Bill 232 / House Bill 616 – (Passed) – Education – Pregnant and Parenting Students – Attendance Policy requires each local board of education to develop a written attendance policy for pregnant and parenting students. A student's absence due to pregnancy or parenting needs is a lawful absence if taken in accordance with the attendance policy adopted by the local board of education. The bill takes effect July 1, 2017.

Senate Bill 233 / House Bill 221 – (Passed, Ch. 199) – Maryland Council on Advancement of School-Based Health Centers transfers the Maryland Council on Advancement of School-Based Health Centers from the Maryland State Department of Education (MSDE) to the Department of Health and Mental Hygiene (DHMH). The bill requires the Maryland Community Health Resources Commission (MCHRC),

rather than MSDE, to provide staff for the council and authorizes MCHRC to 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 MCHRC and the council. The council must report specified findings and recommendations to MCHRC, in addition to other specified entities, by December 31 of each year.

Senate Bill 319 / House Bill 413 – (Passed) – Pathways in Technology Early College High (P-TECH) School Act of 2017 is an Administration bill that alters many aspects of the Pathways in Technology Early College High (P-TECH) School Program and establishes funding mechanisms for the program. The funding mechanisms require State and local funds that result in no cost to the student. The bill takes effect July 1, 2017.

Senate Bill 335 / House Bill 652 – (Referred to Interim Study) – Career Apprenticeship Opportunity Act of 2017 requires the State Board of Education (SBE), in consultation with the Department of Labor, Licensing, and Regulation (DLLR) and the Governor’s Workforce Development Board (GWDB), to develop statewide goals each year from 2017 through 2025 so that by January 1, 2026, 45% of high school graduates successfully complete a career and technical education (CTE) program or earn industry-recognized occupational or skill credentials before leaving high school. The bill creates a tax credit against the State income tax for individuals or corporations that employ an apprentice for at least seven months during a taxable year in an apprenticeship program registered with the Maryland Apprenticeship and Training Council (MATC).

Senate Bill 341 / House Bill 23 – (Passed) – Vehicle Laws – School Vehicles – Definition expands the definition of a “school vehicle” to include a vehicle that (1) was originally titled in another state and used to transport children, students, or teachers for educational purposes or in connection with a school activity in that state; (2) complies with federal regulations for transporting children enrolled in the federally funded Head Start program adopted by the U.S. Department of Health and Human Services; and (3) is used only for transporting children to and from a Head Start program.

Senate Bill 359 / House Bill 257 – (Passed, Ch. 325) – Education – Maryland Meals for Achievement In-Classroom Breakfast Program – Administration (Maryland Meals for Achievement for Teens Act of 2017) authorizes secondary schools that participate in the Maryland Meals for Achievement In-classroom Breakfast Program (MMFA) to serve breakfast in any part of the school, including from “Grab and Go” carts, after arrival of students to the school. The bill also clarifies that schools that provide breakfasts in the classroom through MMFA, to students at all grade levels, must serve the breakfasts after arrival of students to the school. The bill takes effect July 1, 2017.

Senate Bill 361 / House Bill 287 – (Passed) – Hunger-Free Schools Act of 2017 extends through fiscal 2022 the provision in law that altered the enrollment count used to calculate State compensatory education aid in fiscal 2017 and 2018 for local boards of education that participate, in whole or in part, in the U.S. Department of Agriculture (USDA) Community Eligibility Provision (CEP). The bill takes effect July 1, 2017.

Senate Bill 424 / House Bill 967 – (Passed) – The Textbook Cost Savings Act of 2017 requires the Governor to include \$100,000 in the fiscal 2019 State budget as a grant to the William E. Kirwan Center for Academic Innovation (the center) at the University System of Maryland (USM) for the Maryland Open Source Textbook (MOST) Initiative. The grant may be used to award grants related to openly licensed educational resources, reimburse MOST initiative expenses, and reimburse fiscal 2018 expenditures for these activities. In addition, the Center and the Maryland State Department of Education (MSDE) must jointly explore the possibility of providing all students in primary and secondary education with high-

quality, low-cost learning materials and resources such as openly licensed educational resources. The Center and MSDE must submit an interim report by December 31, 2017, and findings and recommendations by December 31, 2018. The bill takes effect July 1, 2017, and terminates June 30, 2022.

Senate Bill 452 / House Bill 461 – (Passed) – Education – Accountability Program – Assessments (Less Testing, More Learning Act of 2017) requires local boards of education and exclusive employee representatives to meet and confer regarding school assessments as specified in the bill and, by December 1, 2017, and every two years thereafter, mutually agree to a limited amount of time that may be devoted to federal, State, and locally mandated assessments for each grade. If the parties fail to mutually agree, the time that may be devoted to specified assessments must be limited to 2.2% of the minimum required annual instructional hours for every grade except for eighth grade, which must be limited to 2.3%. The bill also repeals the requirement for a statewide social studies assessment in middle school and requires the current high school social studies assessment (known as the Government HSA) to be redesigned by the State Board of Education to meet specified criteria by the 2018-2019 school year. The bill takes effect June 1, 2017.

Senate Bill 460 / House Bill 441 – (Passed) – Education – Debt Service for Transferred Schools – County Reimbursement Grace Period delays for two years the date by which a county government must reimburse the State for outstanding debt service on a school building that is transferred to the county in accordance with State law. After the two-year period, the county government, including Baltimore City, must reimburse the State in the amount that the county would have been required to pay when the building was transferred.

Senate Bill 485 / House Bill 197 – (Passed, Ch. 322) – Education – Remote Classroom Technology Grant Program – Establishment (Peyton's Bill) establishes the Remote Classroom Technology Grant Program to provide grants to public schools to purchase technology to allow students with medical conditions to participate in classrooms remotely if in-person attendance is not possible. The Governor may include funding in the State budget annually for the program. The Maryland State Department of Education (MSDE) must administer the program and may adopt regulations to implement the bill. The bill takes effect July 1, 2017.

Senate Bill 581 / House Bill 516 – (Enacted under Article II, Section 17(b) of the Maryland Constitution, Ch. 25) – Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year-Olds is an emergency bill that establishes a Workgroup to Study the Implementation of Universal Access to Prekindergarten for four-year-olds. The Maryland State Department of Education (MSDE) must designate a chair of the workgroup and provide staff. By September 1, 2017, the workgroup must report its findings and recommendations to the Commission on Innovation and Excellence in Education. The bill terminates one year from the date it is enacted.

Senate Bill 587 / House Bill 1094 – (Passed, Ch. 337) – Education – Libraries – Reorganization of Governance Structure establishes the Maryland State Library Agency (MSLA) and a 12-member Maryland State Library Board (MSLB) and abolishes the Division of Library Development and Services (DLDS) within the Maryland State Department of Education (MSDE), as well as the 12-member Maryland Advisory Council on Libraries (MACL). The State Librarian is appointed by MSLB, with the advice and consent of the Senate, as the head of MSLA. The bill generally transfers the authority and responsibilities of the Maryland State Board of Education related to library development in the State to MSLB. The bill takes effect July 1, 2017; effective on that date, MSLA and MSLB are established, and DLDS and MACL are abolished under the bill.

[Senate Bill 595](#) / [House Bill 1475](#) – (*Passed, Ch. 323 / Ch. 324*) – **Residential Boarding Education Programs for At-Risk Youth – Eligibility** extends eligibility to participate in a public residential boarding education program for at-risk youth to students enrolled in grade 7 or higher if students otherwise meet the eligibility requirements in current law and the Maryland State Department of Education (MSDE) approves a plan required to be submitted by the program operator. The bill takes effect July 1, 2017.

[Senate Bill 622](#) / [House Bill 530](#) – (*Passed, Ch. 236 / Ch. 237*) – **Sales and Use Tax – Tax-Free Period for Back-to-School Shopping – Sale of Backpacks and Book bags** adds backpacks and book bags costing \$30 or less to the list of items eligible for the annual sales and use tax-free period for back-to-school shopping. The bill takes effect July 1, 2017.

[Senate Bill 625](#) – (*Passed*) – **Public Schools and Shelters – Homeless Girls and Women – Feminine Hygiene Products** requires each local board of education, through school nurses, to make available to female students who are determined to be homeless children or youth under the federal McKinney-Vento Homeless Assistance Act a free supply of feminine hygiene products sufficient to meet the needs of the students during the normal school year. The bill also authorizes funds provided by the Department of Human Resources (DHR) to “local administering agencies” and “service providers” for transitional housing services, including the Homeless Women – Crisis Shelter Home Program, to be used to purchase a supply of feminine hygiene products sufficient to meet the needs of female residents in shelters. The feminine hygiene products purchased must be made available for free to female shelter residents. The bill takes effect July 1, 2017.

[Senate Bill 651](#) / [House Bill 425](#) – (*Passed*) – **Public Schools – Suspensions and Expulsions** prohibits a child enrolled in a public prekindergarten program, as defined by the bill, or in kindergarten, first, or second grade from being suspended or expelled from school, subject to exceptions. The bill allows a student in the specified grades to be expelled if required by federal law. It also allows a student to be suspended for up to five school days if the school administration, in consultation with a school psychologist or other mental health professional, determines that there is an imminent threat of serious harm to other students or staff that cannot be reduced or eliminated through interventions and supports. The bill specifies the intervention and support that must be provided to students who are suspended from prekindergarten, kindergarten, first grade, or second grade and to any other students in those grades who are disruptive or commit an act that would otherwise be grounds for suspension. Students in Baltimore City who are affected by the bill may not be transferred to the Alternative Learning Center for specified offenses. The Maryland State Department of Education (MSDE) must adopt regulations by May 1, 2018, to implement the bill’s provisions. The bill takes effect July 1, 2017.

[Senate Bill 667](#) / [House Bill 548](#) – (*Passed, Ch. 334 / Ch. 333*) – **Education – Prekindergarten Student Assessment** places a moratorium on the administration of the mandatory Early Learning Assessment (ELA) for enrolled prekindergarten students until (1) a complete audit of the 2016-2017 pilot year of the ELA is conducted in accordance with the bill and (2) the audit results in a determination that the ELA is valid and reliable and is consistent with the purpose of informing instruction and targeting interventions and supports. The bill also specifies information the audit should determine. The bill takes effect July 1, 2017.

[Senate Bill 699](#) / [House Bill 467](#) – (*Passed*) – **Providing Our Workers Education and Readiness (POWER) – Apprenticeship Act** requires each contractor or subcontractor awarded a contract for at least \$500,000 for a capital construction project that receives at least \$1.0 million in the State’s capital budget to, under specified circumstances, (1) be affiliated with a registered apprenticeship program and use apprentices in each covered craft that is used; (2) make payments to the State Apprenticeship Training Fund

(SATF); or (3) make specified payments directly to a registered apprenticeship program. The bill takes effect June 1, 2017.

Senate Bill 710 / House Bill 174 – (Passed) – Education – Children With Disabilities – Individualized Education Program Process – Parental Consent requires the individualized education program (IEP) team to obtain written consent from a parent if the team proposes to (1) enroll the child in an alternative education program that does not issue or provide credits toward a high school diploma; (2) identify the child for the alternate assessment aligned with the State’s alternate curriculum; or (3) include restraint or seclusion in the IEP to address the child’s behavior. If the parent does not provide written consent, the IEP team must send the parent written notice within five business days of the IEP meeting that (1) the parent has the right to either consent, or refuse to consent, to an action described above, and (2) if the parent does not provide written consent or refusal to consent within 15 business days of the IEP team meeting, the IEP team may implement the proposed action. If a parent refuses to consent to the proposed action, the IEP team may use the dispute resolution process to resolve the matter. The bill takes effect July 1, 2017.

Senate Bill 786 / House Bill 331 – (Passed) – Education – Restraint and Seclusion – Consideration and Reporting requires the Maryland State Department of Education (MSDE) to convene a task force to examine policies and practices related to behavioral interventions in schools, including the use of restraint, seclusion, and trauma-informed interventions. The task force must report to the State Board of Education and the General Assembly by October 1, 2017, on specified findings and recommendations related to seclusion. MSDE must propose regulations to the State board by December 1, 2017. The bill also requires public agencies, as defined by the bill, and nonpublic schools to report annually on the use of physical restraint and seclusion, as well as on professional development provided to school personnel related to positive behavior interventions, strategies, and supports and trauma-informed interventions. MSDE must provide guidance to public agencies and nonpublic schools and also report to the General Assembly on related matters. The bill takes effect July 1, 2017; statutory provisions related to the task force are repealed June 30, 2019.

Senate Bill 866 / House Bill 1381 – (Passed) – Adult High School Pilot Program establishes an adult high school pilot program to provide an alternative method for adults who did not graduate from high school to earn a high school diploma and potentially earn postsecondary education credits and industry-recognized certification in an environment that meets the needs of an adult learner. The Maryland State Department of Education (MSDE) and the Department of Labor, Licensing, and Regulation (DLLR) jointly administer and supervise the program. The bill takes effect July 1, 2017.

Senate Bill 871 / House Bill 978 – (Gubernatorial Veto Override (Legislative date: 4/5/2017) – Passed, Ch. 29) – Education – Accountability – Consolidated State Plan and Support and Improvement Plans (Protect Our Schools Act of 2017) requires that the State’s consolidated state plan to improve student outcomes, which the Maryland State Department of Education (MSDE) must submit to the U.S. Department of Education (ED) under the federal Every Student Succeeds Act (ESSA), complies with the requirements detailed in the bill. The bill specifies parameters for academic and school quality indicators; comprehensive support and improvement plans; and targeted support and improvement plans; and prohibits specified interventions. The bill also requires the State Board of Education to establish a composite score that provides for meaningful differentiation of schools and specifies how the composite score must be developed and reported. The bill takes effect July 1, 2017.

Senate Bill 908 – (Passed) – Maryland Education Development Collaborative – Established establishes the Maryland Education Development Collaborative (EDCO) as an instrumentality of the State. EDCO is

managed by a governing board and must employ an executive director. The bill terminates September 30, 2021.

Senate Bill 1001 / House Bill 1109 – (Passed, Ch. 5) – Teachers' Retirement and Pension Systems – County Boards of Education Payments relieves county boards of education, including the Baltimore City Board of School Commissioners, from their fiscal 2017 obligation to pay \$19,695,182 of their share of the employer normal cost for their employees who are members of the Teachers' Retirement System (TRS) or Teachers' Pension System (TPS). If the Governor does not transfer funds totaling that amount restricted in the fiscal 2018 budget as a deficiency appropriation for State Retirement Agency (SRA) administrative fees to instead cover the foregone contributions by county school boards, the Governor must provide an equal amount in either fiscal 2018 or 2019 for that purpose. The bill takes effect June 1, 2017.

Senate Bill 1024 / House Bill 684 – (Passed, Ch. 6) – Education – Grant for Declining Education Aid provides enrollment-based and prekindergarten supplemental grants to eligible local boards of education for fiscal 2018 through 2020; prekindergarten supplemental grant award amounts are phased in over a three-year period. A local board is eligible for an enrollment-based supplemental grant if the county's most recent prior three-year moving average full-time equivalent enrollment (FTE) is greater than the FTE in the previous school year. A local board is eligible for a prekindergarten grant if the local board offers a full-day program for all four-year-olds who are enrolled in public prekindergarten. In order for Baltimore City Public Schools to receive additional State funds under the bill, Baltimore City must increase its local contribution by specified amounts each year. The bill imposes additional requirements on the Baltimore City Board of School Commissioners (school board) and Baltimore City. The bill takes effect June 1, 2017.

Senate Bill 1060 / House Bill 1082 – (Passed) – Heroin and Opioid Education and Community Action Act of 2017 (Start Talking Maryland Act) (1) requires the State Board of Education to expand an existing program in the public schools to encompass drug addiction and prevention education (specifically heroin and opioids); (2) requires each local board of education to establish a policy requiring each public school to store naloxone and authorize school personnel to administer it; (3) requires each local board of education in cooperation with the local health department (LHD) to hire a county or regional community action official, or develop an equivalent program; (4) requires the Governor to include a general fund appropriation of at least \$3.0 million in the fiscal 2019 budget for the Maryland State Department of Education (MSDE) to award grants to local boards of education to implement the bill's policy and training requirements; (5) requires each institution of higher education in Maryland that receives State funding to establish a policy that addresses heroin and opioid addiction and prevention, including awareness training for incoming students, obtaining and storing naloxone, and campus police training; (6) requires certain institutions of higher education to offer instruction in substance use disorders; and (7) requires MSDE to convene a workgroup and submit a report on behavioral and substance abuse disorder services in public schools. The bill takes effect July 1, 2017.

Senate Bill 1165 / House Bill 680 – (Passed) – Maryland Longitudinal Data System – Student and Workforce Data Linkage – Extension of Time Limit increases the length of time during which student data and workforce data used by the Maryland Longitudinal Data System (MLDS) may be linked from 5 years from the date of latest attendance in any educational institution in the State to 20 years. The bill prohibits the MLDS Center from selling any information that may not be disclosed under the federal Family Educational Rights and Privacy Act (FERPA) and other relevant privacy policies and also prohibits the center from charging user fees. The bill takes effect July 1, 2017.

Senate Bill 1191 / House Bill 1661 – (Passed) – Schools and Child Care Centers – State Grant Program – Security Upgrades for Facilities at Risk of Hate Crimes or Attacks authorizes the Maryland Center for School Safety to make grants to schools and child care centers determined to be at risk of hate crimes or attacks for security-related personnel and technology and facility upgrades.

House Bill 270 – (Passed) – Environment – Testing for Lead in Drinking Water – Public and Nonpublic Schools requires the Maryland Department of the Environment (MDE), in consultation with the Maryland State Department of Education (MSDE), the Department of General Services (DGS), and Maryland Occupational Safety and Health (MOSH), to adopt regulations to require periodic testing for the presence of lead in each “drinking water outlet” located in an occupied public or nonpublic school building. Among other things, the regulations must (1) require initial testing to be conducted by July 1, 2018; (2) phase in the testing, as specified; and (3) establish specific follow-up actions for positive test results. A waiver from the required testing must be granted under specified conditions. Before adopting the required regulations, MDE must gather specified information and convene a stakeholder group. The bill also establishes reporting requirements. The bill takes effect June 1, 2017.

House Bill 669 – (Passed, Ch. 197) – Public Schools – Boards of Education – Anonymous Two-Way Text Messaging Tip Programs authorizes a local board of education to establish a two-way electronic tip program for the anonymous reporting of bullying, harassment, or intimidation of a student. The purpose of the program is for a student, parent, guardian, or close adult relative of a student or a school staff member to report acts of bullying, harassment, or intimidation. The Governor may include funding in the State budget to provide grants to local boards of education to establish an anonymous two-way electronic tip program.

House Bill 786 – (Passed) – Education – Individualized or Group Behavioral Counseling Services – Establishment requires the State Department of Education, in conjunction with the Department of Health and Mental Hygiene, to recommend best practices for county boards of education to provide to students specified needs assessments and specified behavioral health counseling services; and prohibiting specified insurance policies or contracts issued or delivered in the State from denying a covered medically necessary behavioral health care service to a student under specified circumstances. The bill takes effect July 1, 2017.

House Bill 920 – (Passed, Ch. 335) – Primary and Secondary Education – School Personnel – Training Requirement requires the State Board of Education to require, by July 1, 2018, all school personnel who have direct contact with students on a regular basis to complete training by December 1 each year in the skills required to (1) understand and respond to youth suicide risk and (2) identify professional resources to help students in crisis. Each local board of education must determine the method of training, which must be provided to school personnel during (1) an in-service program or (2) a professional development requirement that may be met during time designated for professional development. Likewise, the bill clarifies that a school counselor applying for renewal of a certificate must receive training in these topics. This training must be commensurate with the duties of a school counselor and may exceed the training required of other school personnel. The State Board of Education must adopt regulations to implement the bill. The bill takes effect July 1, 2017.

House Bill 1061 – (Passed, Ch. 327) – Education – Emergency and Evacuation Plans – Individuals With Disabilities requires the Maryland State Department of Education (MSDE) to update the Emergency Planning Guidelines for Local School Systems and Schools by December 1, 2017, to accommodate, safeguard, and evacuate students, staff, and visitors with disabilities on public school grounds in accordance with the federal Americans with Disabilities Act. In updating the guidelines, MSDE must consult with

disability advocacy groups. By July 1, 2018, each local school system must update its emergency plan to comply with the updated guidelines and regulations. If a student with an individualized education program (IEP) requires specific accommodations for evacuation in an emergency, the student's IEP must include the necessary accommodation. If a student with a 504 plan requires specific accommodations, the student's 504 team must discuss and address the student's needs as necessary. The bill takes effect July 1, 2017.

House Bill 1145 – *(Passed)* – **Public School Employee Whistleblower Protection Act** prohibits a public school employer from taking, or refusing to take, any personnel action as reprisal against a public school employee because the employee discloses or threatens to disclose unlawful behavior; provides information or testifies for an investigation of unlawful behavior; or objects to or refuses to participate in unlawful behavior. The protection only applies if (1) the public school employee has a good faith belief that the employer is still engaged in unlawful activity; (2) the employee discloses specified information that the employee believes evidences an abuse of authority, a danger to public health or safety, or a violation of law; and (3) the public school employee has reported the behavior in writing to a supervisor or administrator and afforded the employer a reasonable opportunity to correct the activity. A public school employee must exhaust any administrative remedies before instituting a civil action under the bill.

House Bill 1240 – *(Passed)* – **Individualized Education Programs – Studies** specifies which party has the burden of proof under specified circumstances, in a due process hearing that is held to resolve disputes about the identification, evaluation, or educational placements of children with disabilities or the provision of a free appropriate public education. By July 1, 2018, the Maryland State Department of Education (MSDE) must contract with an outside entity to conduct a study of the individualized education program (IEP) process in the State. MSDE must report the findings and recommendations of the consultant to the General Assembly by July 1, 2019. In addition, MSDE, in consultation with each local school system, must review and assess staff allocations and resources that are available to assist the parents and guardians of children with disabilities to participate in the IEP process, as well as current population densities of children with IEPs and of special education teachers. The findings and recommendations from MSDE's review and assessment must be submitted to the General Assembly by December 31, 2018. The bill takes effect July 1, 2020, except that the study and review and assessment provisions of the bill take effect June 1, 2017, and terminate May 31, 2020.

House Bill 1287 – *(Passed)* – **Commission on the School-to-Prison Pipeline and Restorative Practices** establishes the Commission on the School-to-Prison Pipeline and Restorative Practices, staffed by the Center for Dispute Resolution at the University of Maryland School of Law. Members of the commission are not entitled to compensation but may be reimbursed for their expenses. The Maryland State Department of Education (MSDE) must brief the commission on specific school discipline topics. The commission must report its findings and recommendations to the Governor and General Assembly by January 1, 2019. The bill takes effect July 1, 2017.

House Bill 1522 – *(Passed)* – **Needs Assessment for Student School-Based Behavioral Health Services** requires the Department of Health and Mental Hygiene (DHMH) and the Maryland State Department of Education (MSDE) to conduct a needs assessment for student school-based behavioral health services that includes data concerning all public school jurisdictions and all primary and secondary charter schools in the State. In conducting the needs assessment, DHMH and MSDE must consult with local education agencies and other interested stakeholders. The bill takes effect July 1, 2017.

ELECTIONS

Senate Bill 130 – (Passed) – Election Law – Ballot Issues – Contributions or Donations by Foreign Principals prohibits a foreign principal from making a contribution to a ballot issue committee or a donation to a person that makes independent expenditures or electioneering communications relating to a ballot issue. “Foreign principal” has the meaning stated under specified federal law, which includes (1) foreign governments and political parties; (2) an individual outside the United States, unless the individual is a citizen of and domiciled within the United States; and (3) businesses or other entities organized under the laws of, or having their principal place of business in, a foreign country.

Senate Bill 632 / House Bill 118 – (Passed) – Election Law – Persons Doing Public Business – Reporting by Governmental Entities repeals a requirement that, in cases where a notice of award of a contract is not posted on eMaryland Marketplace, a governmental entity notify the State Board of Elections (SBE) if a person doing public business with the governmental entity fails to file a statement of contributions with SBE pursuant to Title 14 of the Election Law Article. Instead, the governmental entity must provide SBE with the name, address, and any other contact information required by SBE for each person to whom the governmental entity has awarded a contract that causes the person to be doing public business, if a notice of award of the contract has not been posted on eMaryland Marketplace. A governmental entity may send the information in quarterly reports.

Senate Bill 882 / House Bill 619 – (Passed) – Election Law – Campaign Signs at Polling Places modifies the time after which campaign signs must be allowed on the premises of a public, or privately owned, building in which a polling place or early voting center is located. The time is changed from 7 p.m. to 5 p.m. on the day before an early voting period begins and the day immediately preceding Election Day.

Senate Bill 1121 / House Bill 1382 – (Passed) – Election Law – Candidate for Circuit Court Judge Defeated in Primary Election prohibits the name of a candidate for the office of judge of the circuit court who is defeated in the primary election in each contest for the office of circuit court judge in which the candidate appears on the ballot from appearing on the ballot at the succeeding general election as a candidate for any office.

House Bill 73 – (Passed) – Election Law – Election Judges – Minimum Age lowers the minimum age of a minor who may be appointed and serve as an election judge, from age 17 to age 16. The State Board of Elections (SBE) must survey the local boards of elections after the 2018 elections concerning their experience with election judges that are age 16 and submit a specified report to the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee by February 1, 2019.

House Bill 353 – (Passed) – Election Law – Change in Administrative Policy Affecting Voting Rights – Notice prohibits the State Board of Elections (SBE) or a local board of elections from considering a change in an administrative policy affecting voting rights at a meeting unless notice is provided on the applicable board’s website, at least 48 hours in advance, that such a policy will be considered at the meeting. If SBE or a local board adopts a change, SBE and, if applicable, the local board, must provide specified reasonable public notice online, describing the change, within 48 hours of its adoption. An “administrative policy affecting voting rights” is defined as any action relating to voter registration, provisional voting, absentee voting, or the location of a polling place or early voting center. The bill takes effect July 1, 2017.

House Bill 1626 – (*Passed*) – Election Law – Early Voting – Registered Voter Updated the Voter's Address on an Existing Registration repeals a requirement that a person applying to change an address on an existing voter registration during early voting provide proof of residency.

EMPLOYEE BENEFITS & RELATIONS

Senate Bill 72 / House Bill 1315 – (*Passed, Ch. 264*) – **Workers' Compensation – Tiered Rating Plans and Merit Rating Plans** authorizes a workers' compensation insurer to develop a tiered rating plan containing risk tiers that are applied to the uniform classification system that must be used for rate making. A tiered rating plan must (1) establish discrete tiers based on defined risk attributes that are reasonably related to the insurer's business and economic purposes and are not arbitrary, capricious, or unfairly discriminatory; (2) require each insured to be placed in the highest quality tier for which it qualifies; and (3) be filed with the Insurance Commissioner at least 30 days before it may be used. The Commissioner must disapprove a tiered rating plan if the data produced under the plan cannot be reported in a manner consistent with the uniform classification system and statistical plan. The bill also expressly authorizes an insurer to file a merit rating plan with the Commissioner for insureds who do not qualify for a uniform experience rating plan.

Senate Bill 194 / House Bill 1484 – (*Passed*) – **Workers' Compensation – Medical Benefits – Payment of Medical Services and Treatment** establishes a 12-month time limit for a medical service provider that treats a covered employee under workers' compensation to bill an employer or its insurer. A bill must be submitted within 12 months from the later of the date (1) the medical service or treatment was provided to the covered employee; (2) the claim for compensation was accepted by the employer or the employer's insurer; or (3) the claim for compensation was determined by the Workers' Compensation Commission (WCC) to be compensable. The employer or insurer may not be required to pay a bill submitted after the 12-month limit except under specified circumstances.

Senate Bill 230 / House Bill 1 – (*Passed*) – **Labor and Employment – Maryland Health Working Families Act** requires an employer with more than 14 employees to have a sick and safe leave policy under which an employee earns at least 1 hour of *paid* sick and safe leave, at the same rate as the employee normally earns, for every 30 hours an employee works. An employer with 14 or fewer employees, based on the average monthly number of employees during the preceding year, must have a sick and safe leave policy that provides an employee with at least 1 hour of *unpaid* sick and safe leave for every 30 hours an employee works. An employer is not required to allow an employee to earn or carry over more than 56 hours of earned sick and safe leave in a year, use more than 80 hours of earned leave in a year, accrue more than 80 hours at any time, or use earned sick and safe leave during the first 90 calendar days worked or first 480 hours worked, whichever is shorter. The bill takes effect January 1, 2018.

Senate Bill 426 / House Bill 1294 – (*Passed, Ch. 70*) – **Workers' Compensation – Permanent Total Disability – Survival of Claim** increases the cap – from \$45,000 to \$65,000 – on unpaid benefits that may survive to a covered employee's dependents or spouse when the employee was receiving permanent total disability benefits and died from causes unrelated to the claim. The bill 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, 2017 effective date.

Senate Bill 867 / House Bill 1476 – (*Passed*) – **Workers' Compensation – Failure to Report Accidental Personal Injury – Penalty** modifies the misdemeanor penalty applicable to an employer who fails to report an accidental personal injury within the required timeframe. Specifically, the bill increases the existing maximum fine that may be imposed (from \$50 to \$500) and limits the penalty to only apply in cases when an employer "knowingly" fails to report an injury.

House Bill 167 – (*Passed*) – **Counties and Municipalities – At-Will Supervisory Employees – Residency Requirements** authorizes a county or municipality to require an at-will supervisory employee

to reside in the State, county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment if the at-will supervisory employee reports directly to the head of a unit of the county or municipality. The bill applies prospectively to any local law, ordinance, or policy enacted or adopted and may not be applied or interpreted to have any effect on or application to the continued employment of any individual employed by a county or municipality before the effective date of the local law, ordinance, or policy enacted or adopted by the county or municipality.

House Bill 1178 – (*Passed, Ch. 281*) – **Employees' Pension System – Membership – Study** requires the State Retirement Agency (SRA) and the Department of Legislative Services (DLS) to conduct a study regarding membership in the Employees' Pension System (EPS) for individuals who are employed in a position for which less than 500 hours are budgeted per fiscal year. The study must include (1) individuals who are required to join EPS as a condition of employment; (2) individuals who have optional membership in EPS; and (3) the effect of Chapter 182 of 2015 on EPS enrollment. SRA and DLS must make recommendations regarding statutory changes, if any, to the Joint Committee on Pensions (JCP) by December 1, 2017. The bill takes effect July 1, 2017, and terminates June 30, 2018.

ENVIRONMENT

Senate Bill 29 / House Bill 617 – (Passed) – Natural Resources – Forest Conservation Act – Forest Conservation Thresholds and Afforestation and Reforestation Requirements clarifies that a unit of local government with planning and zoning authority may adopt forest conservation thresholds and afforestation and reforestation requirements as part of its local forest conservation program that are more stringent than specified forest conservation thresholds and afforestation and reforestation requirements under the Forest Conservation Act (FCA). The bill takes effect June 1, 2017.

Senate Bill 99 / House Bill 171 – (Passed) – Department of the Environment – Yard Waste, Food Residuals, and Other Organic Materials Diversion and Infrastructure – Study requires the Maryland Department of the Environment (MDE) to study and make recommendations regarding the diversion of yard waste, food residuals, and other organic materials from refuse disposal facilities in the State, including ways to encourage investment in infrastructure and to expand capacity for yard waste, food residuals, and other organic materials diversion. MDE must consult with specified State and local agencies as well as other specified entities and report its interim and final findings and recommendations to the Governor and the General Assembly by July 1, 2018, and July 1, 2019, respectively. The bill takes effect July 1, 2017.

Senate Bill 116 – (Passed) – Program Open Space – Attainment of Acquisition Goals – Local Government Apportionment and Use of Funds increases the extent to which counties that have more than 65,000 acres of land consisting of State forests, State parks, or wildlife management areas and have met specified land preservation acquisition goals, including those in the county's current, approved local land preservation and recreation plan, can use Program Open Space (POS) local funding for development projects and capital renewal. Under the bill, those counties are allowed to use up to 100% of the counties' future annual apportionments of POS local funding for development projects and capital renewal. The bill also requires the Joint Subcommittee on Program Open Space and Agricultural Land Preservation to review the State's standard for land acquisition of 30 acres per 1,000 people to determine whether adjustments may be made to the standard to encourage additional acquisition of land under POS. The joint subcommittee must report its findings and recommendations to specified legislative committees by October 1, 2018. The bill takes effect June 1, 2017.

Senate Bill 257 / House Bill 267 – (Passed) – Program Open Space – Authorized Transfer to the Maryland Heritage Areas Authority Financing Fund – Increase increases, from \$3 million to \$6 million, the maximum amount of transfer tax funding distributed to Program Open Space (POS) which may be transferred to the Maryland Heritage Areas Authority Financing Fund. If the amount transferred exceeds \$3 million, the amount exceeding \$3 million must be provided from the State's share of funds. The bill takes effect July 1, 2017.

Senate Bill 280 / House Bill 1239 – (Referred to Interim Study) – Environment – Nonwoven Disposable Products – Advertising and Labeling prohibits, beginning January 1, 2018, a manufacturer of a nonwoven disposable product from advertising or labeling the product as (1) safe to flush; (2) safe for disposal in sewerage systems; or (3) safe for disposal in on-site sewage disposal (septic) systems unless the nonwoven disposable product meets the bill's definition of "flushable." Also beginning January 1, 2018, a manufacturer of a nonwoven disposable product that is not flushable must clearly and conspicuously label such a product in a manner that alerts the purchaser that the product should not be flushed.

Senate Bill 291 – (Enacted under Article II, Section 17(b) of the Maryland Constitution, Ch. 15) – Maryland Environmental Service – Collective Bargaining gives the Maryland Environmental Service (MES) employees collective bargaining rights similar to those of most State employees by requiring MES

to recognize and deal with an employee organization that is elected as an exclusive representative of MES employees.

Senate Bill 314 / House Bill 417 – (Passed) – Clean Water Commerce Act of 2017 expands the authorized uses of the Bay Restoration Fund’s (BRF) Wastewater Account to include (after funding other specified BRF priorities) the purchase of cost-effective nitrogen, phosphorus, or sediment load reductions in support of the State’s efforts to restore the health of the Chesapeake Bay; the bill authorizes up to \$4 million in fiscal 2018, \$6 million in fiscal 2019, and \$10 million per year in fiscal 2020 and 2021 from BRF for that purpose. The nitrogen, phosphorus, and sediment load reductions cannot be from the agricultural sector and must be created on or after July 1, 2017. The Maryland Department of the Environment (MDE) must adopt specified implementing regulations in consultation with the secretaries of Agriculture, Commerce, Natural Resources, Planning, and Transportation, and with public- and private-sector stakeholders. The bill establishes reporting requirements for MDE. The bill takes effect July 1, 2017, and terminates June 30, 2021.

Senate Bill 422 / House Bill 602 – (Passed) – Keep Antibiotics Effective Act of 2017 prohibits the administration of a medically important antimicrobial drug to cattle, swine, or poultry solely for the purpose of promoting weight gain or improving feed efficiency. Beginning January 1, 2018, a medically important antimicrobial drug may be administered to cattle, swine, or poultry if, in the professional judgment of a licensed veterinarian, the drug is necessary (1) to treat, or control the spread of, a disease or infection; (2) for a surgery or medical procedure; or (3) provided the drug is not administered in a regular pattern, for prophylaxis to address an elevated risk of contraction of a particular disease or infection. The bill does not apply to cattle, swine, or poultry on farm operations that sell specified limited amounts of cattle, swine, or poultry per year. The Maryland Department of Agriculture (MDA) must annually collect, and report on, specified publicly available data on the use in the State of medically important antimicrobial drugs in cattle, swine, and poultry. The Secretary of Agriculture is authorized to impose an administrative penalty for a violation of the bill’s provisions and may adopt regulations to carry out the bill.

Senate Bill 707 / House Bill 952 – (Passed) – Vehicle Law – Waste and Recycling Collection Vehicles – Use of Yellow and Amber Lights (The Senator Bob Hooper Sanitation Safety Act) authorizes a waste or recycling collection vehicle to be equipped with or display yellow or amber lights or signal devices in the course of official duties, to indicate to the public that the vehicle is slow moving and/or may impede traffic.

Senate Bill 740 / House Bill 1325 – (Passed) – Oil and Natural Gas – Hydraulic Fracturing – Prohibition redefines “hydraulic fracturing” as the stimulation treatment performed on oil and natural gas wells in low-permeability oil or natural gas reservoirs through which specially engineered fluids are pumped at high pressure and rate into the reservoir interval to be treated, causing fractures to open. The bill prohibits a person from engaging in the hydraulic fracturing of a well for the exploration or production of oil or natural gas in the State.

Senate Bill 885 / House Bill 1309 – (Passed) – Environment – Recycling – Special Events requires the State, a county, a municipality, or any other local government, before issuing a special event permit, to provide the organizer of the event with a written statement that describes the recycling requirements and the penalty for violations. The bill also increases the maximum civil penalty applicable to violations of the recycling requirements from \$50 to \$300 for each day on which a violation exists.

Senate Bill 1146 / House Bill 1414 – (Passed) – Renewable Energy Portfolio Standard – Study requires the Power Plant Research Program (PPRP) in the Department of Natural Resources (DNR) to

conduct a study of the Renewable Energy Portfolio Standard (RPS) and related issues. State and local units of government must cooperate with PPRP in the conduct of the study, including sharing of information, data, and resources, subject to appropriate legal protections of commercially sensitive and other information. PPRP must submit an interim report by December 1, 2018, and a final report by December 1, 2019, to the Governor and specified committees of the General Assembly. The bill takes effect June 1, 2017, and terminates June 30, 2020.

House Bill 133 – *(Passed)* – **Environment – Reduction of Lead Risk in Housing – Notification of Elevated Blood Lead Level** requires the Secretary of the Environment to assist local governments, if necessary, to provide case management of children with elevated blood lead levels (EBLs) greater than or equal to 10 micrograms per deciliter. The bill also requires the Maryland Department of the Environment (MDE) or a local health department, on receipt of the results of a blood test for lead poisoning indicating that a child younger than age six has an EBL greater than or equal to 10 micrograms per deciliter, to notify (1) the child’s parent or legal guardian and (2) if applicable, the owner of the rental dwelling where the child lives. Finally, the bill requires MDE or a local health department, on receiving the results of a blood lead test indicating that a person at risk has an EBL greater than or equal to 10 micrograms per deciliter, to send notice of the test results to (1) a person at risk, or in the case of a minor, the parent or legal guardian of the person at risk and (2) the owner of the affected rental property in which the person at risk resides or regularly spends at least 24 hours per week.

House Bill 1349 – *(Passed)* – **Environment – Compostable, Degradable, and Biodegradable Plastic Products – Labeling** establishes a general prohibition on selling a plastic product that is labeled as biodegradable, degradable, decomposable, or any other term that implies that the product will break down, fragment, biodegrade, or decompose in a landfill or any other environment. In addition, beginning October 1, 2018, unless a product meets specified standards, a person is prohibited from (1) selling a “plastic product” in the State that is labeled as compostable or home compostable or (2) selling a “film plastic product” labeled as “soil degradable AG mulch film” or “biodegradable mulch film.” Also beginning October 1, 2018, a person who sells or distributes a compostable plastic bag or a compostable “food or beverage product” that is intended for sale or distribution by a retailer in the State must ensure that the bag or product meets specified labeling requirements. The bill establishes civil penalties for violations.

FINANCE & PROCUREMENT

Senate Bill 4 – (*Passed, Ch. 340*) – **Minority Business Enterprises – Program Participation – Requirements and Reauthorization** is a departmental bill extends the termination date of the State’s Minority Business Enterprise (MBE) preference program by five years, to July 1, 2022, and requires the Maryland Department of Transportation (MDOT) to complete a new disparity study by September 30, 2021. The bill also requires each MBE serving as a subcontractor on an awarded contract to submit a document to *both* the prime contractor and the procurement officer – within 10 days of notification of the contract award by the prime contractor – specifying the percentage and type of work to be completed by the MBE. The bill takes effect July 1, 2017.

Senate Bill 109 / House Bill 283 – (*Passed, Ch. 341*) – **Procurement – Prohibitions on Participation** establishes that existing provisions that preclude participation in State procurements under specified circumstances apply for at least two years – specifically from the date of issuance of the first relevant invitation for bids (IFB) or request for proposals (RFP) until the later of either (1) two years from the date of issuance or (2) the awarding of a contract or reissuance of the IFB or RFP. The prohibitions do not apply to a subsequent IFB or RFP for which the specifications are reused after the initial prohibition is no longer applicable. The bill also clarifies that the existing prohibitions apply to a person that employs the individual during the period of assistance.

Senate Bill 255 / House Bill 202 – (*Passed, Ch. 268*) – **State Retirement and Pension System – Authority to Arrange Custody of Investments and Procurement Exemption** authorizes the Board of Trustees of the State Retirement and Pension System (SRPS), rather than the State Treasurer, to make arrangements for the safe custody of investments with one or more duly qualified custodian banks or trust companies. It also exempts the procurement of custodial banking services for SRPS from State procurement law.

Senate Bill 309 / House Bill 433 – (*Passed*) – **State Finance and Procurement – Small and Minority Business Participation** is an Administration bill expands the Small Business Reserve Program (SBR) to apply to all State agencies, raises the program’s goal from 10% to 15% of the value of agency procurements, and alters the method of measuring whether agencies reach the goal. The bill also clarifies the conditions under which a minority business enterprise (MBE) may be removed from a contract and alters the calculation of MBE participation in State procurement for selected MBEs.

Senate Bill 310 / House Bill 390 – (*Passed*) – **Improving the State Procurement Oversight Structure** renames the existing Procurement Advisory Council (PAC), alters its membership, and expands its responsibilities.

Senate Bill 311 / House Bill 426 – (*Passed*) – **Promoting Efficiencies in State Procurement** is an Administration bill that (1) alters the process for the procurement of architectural and engineering (A&E) contracts valued at more than \$200,000; (2) repeals the statutory preference for the use of competitive sealed bids in State procurement; (3) expands authority for master contracting; (4) raises the small procurement threshold; (5) allows community colleges to advertise bid solicitations on eMaryland Marketplace (eMM) instead of in a newspaper published in the county; and (6) makes conforming changes and repeals obsolete provisions.

Senate Bill 317 / House Bill 394 – (*Passed, Ch. 149*) – **More Jobs for Marylanders Act of 2017** is an Administration bill that establishes a 10-year income tax credit for specified manufacturing businesses in certain jurisdictions if the businesses increase employment and offer ongoing job skills enhancement

training. The bill also allows manufacturing businesses throughout the State to claim increased expensing amounts under the State income tax by conforming State law to the maximum aggregate costs of expensing allowed under Section 179 of the Internal Revenue Code (IRC) and to claim any bonus depreciation amounts provided under Section 168(k) of IRC. The bill also (1) establishes an income tax credit for businesses that employ an eligible apprentice; (2) establishes Workforce Development Sequence Scholarships for eligible students who are enrolled in a job skills program at a community college; (3) requires specified vocational goals to be established for high school students; and (4) requires State agencies to analyze and report specified information on registered apprenticeship programs. Except for specified provisions, the bill takes effect June 1, 2017.

Senate Bill 448 / House Bill 823 – (Passed, Ch. 82) – State Retirement and Pension System – Small Procurements – Medical Evaluations for Disability Retirement Benefits raises the threshold for small procurements, from \$25,000 to \$50,000, for expenses by the State Retirement Agency (SRA) related to independent medical evaluations (IMEs) by a physician and testimony by the physician at administrative hearings on behalf of the agency.

Senate Bill 1084 / House Bill 587 – (Passed) – State Finance and Procurement – Veteran-Owned Small Business Enterprises – Definitions and Penalties establishes the Task Force on Veteran-Owned Small Business Enterprise Participation in Procurement, which is staffed by State agencies represented on the task force. The Governor designates the chair of the task force, and members of the task force may not receive compensation but are entitled to reimbursement for related expenses. The task force must report its findings and recommendations to the Governor and General Assembly by December 31, 2017. The bill takes effect June 1, 2017, and terminates May 31, 2018.

Senate Bill 1144 / House Bill 1446 – (Passed) – Procurement Preferences – Blind Industries and Services of Maryland – Janitorial Products specifies that an existing requirement that a prime contractor on a State contract that includes housekeeping or janitorial services procure janitorial products from Blind Industries and Services of Maryland (BISM) applies only if the products are made, manufactured, remanufactured, or assembled by BISM and are available.

House Bill 846 – (Passed, Ch. 342) – Pricing and Selection Committee for Blind Industries and Services of Maryland and the Employment Works Program – Staff requires Blind Industries and Services of Maryland (BISM) to provide staff for the Pricing and Selection Committee for BISM and the Employment Works Program. The staff provided by BISM must be a blind or visually impaired associate of BISM and complete work related to the committee's duties regarding BISM under the supervision and direction of the committee. The bill takes effect June 1, 2017.

House Bill 1021 – (Passed) – Reorganization of State Procurement establishes, with delayed implementation, the position of Chief Procurement Officer (CPO) within the Department of General Services (DGS). The bill repeals the status of the Department of Budget and Management (DBM) and Department of Information Technology (DoIT) as control and primary procurement units and likewise repeals the status of the Department of Public Safety and Correctional Services (DPSCS) as a primary procurement unit; instead, it transfers each of their oversight responsibilities to DGS. The bill takes effect October 1, 2017, but the establishment of the CPO position (and all of its attendant responsibilities) takes effect October 1, 2019.

House Bill 1107 – (Passed) – Procurement – Intergovernmental Cooperative Purchasing Agreements requires a primary procurement unit to (1) make a determination before it initially sponsors, participates in, renews, or modifies an intergovernmental cooperative purchasing agreement (ICPA) and (2) post the

determination on the unit's website. The determination must be in writing and include specified information regarding the potential benefits of the agreement. The head of a primary procurement unit must approve the unit's participation in an ICPA, which is subject to any other approval required by law; in addition, the contract must comply with all notice requirements.

House Bill 1345 – (*Passed*) – **National Capital Strategic Economic Development Fund** establishes the National Capital Strategic Economic Development Fund within the Department of Housing and Community Development (DHCD) to provide grants to government agencies and nonprofit community development organizations to assist in predevelopment activities for commercial and residential development (including site acquisition, land assembly, architecture and engineering, and site development) for revitalization in areas designated as sustainable communities. The bill takes effect July 1, 2017.

GAMING

Senate Bill 228 / House Bill 300 – (Passed) – Video Lottery Terminals – Disposition of Unclaimed Winnings requires a jackpot won at a video lottery terminal (VLT) that is not claimed by the winner within 182 days after the jackpot is won to become the property of the State and be deposited as follows: 2.5% into the Small, Minority, and Women-Owned Businesses Account (SMWOBA); 9.5% for local impact grants; 10% into the Purse Dedication Account (PDA); 1.5% into the Racetrack Facility Renewal Account (RFRA); and the remainder (76.5%) into the Education Trust Fund (ETF).

Senate Bill 438 / House Bill 813 – (Passed) – State Lottery Tickets – Internet Sales – Prohibition prohibits the State Lottery and Gaming Control Agency (SLGCA) from allowing a person to purchase a State lottery ticket through an electronic device that connects to the Internet, such as a personal computer or mobile device.

Senate Bill 496 – (Passed) – Gaming – Reconciliation of Proceeds – Licensee Payments alters the definition of video lottery terminal (VLT) and table game “proceeds” so that, consistent with regulations adopted by the State Lottery and Gaming Control Commission (SLGCC), if a video lottery operation licensee returns to successful players more than the amount of money bet through VLTs or table games on a given day, the licensee may subtract that amount from the proceeds of a following day. SLGCC must adopt regulations that (1) allow a video lottery operation licensee to reduce the amount of proceeds when a licensee returns to successful players more than the amount of money bet through VLTs or table games on a given day and (2) establish the length of time for such a reduction to continue. The bill takes effect July 1, 2017.

Senate Bill 497 – (Passed) – Gaming – Video Lottery Facilities – Operation License Renewal Term and Local Development Council Membership alters the time period from one year to two years before a video lottery operation license expires by which the video lottery operation licensee must file with the State Lottery and Gaming Control Commission (SLGCC) a notice of intent to reapply for the license. Additionally, the bill alters the membership of a video lottery facility local development council (LDC) by authorizing the senator and delegates who serve on the council to designate a representative to represent them on the council.

House Bill 811 – (Passed) – Allegany County and Prince George's County – Video Lottery Terminal Proceeds – Use of Local Impact Grants requires that at least 20% of the local impact grants in Allegany County from video lottery terminal (VLT) proceeds must be used for capital projects for municipalities and nonprofit organizations in the county. The bill also requires that an annual amount of \$125,000 of the local impact grants in Prince George's County from specified proceeds of video lottery terminals be used in communities within 2.5 miles northeast of the video lottery facility in the county. The bill takes effect July 1, 2017.

House Bill 1227 – (Passed) – The Problem Gambling Funding and Treatment Act of 2017 increases the annual fee for each video lottery terminal (VLT) from \$425 to \$500 that video lottery operation licensees must pay to the Problem Gambling Fund. In addition, the maximum annual fee that may be imposed on a licensee by the State Lottery and Gaming Control Commission (SLGCC) for each table game for the benefit of the Problem Gambling Fund is increased from \$500 to \$700.

GOVERNMENT LIABILITY & COURTS

Senate Bill 182 / House Bill 1344 – *(Passed, Ch. 10)* – **Baltimore City and Charles, Prince George's, and Harford Counties – Recall of Former Judge for Temporary Assignment – Eligibility** alters, from three years to two years, the minimum number of years that a former judge in Baltimore City and Charles, Harford, and Prince George's counties must have served in order to be eligible to be recalled for temporary service. This bill takes effect upon enactment.

Senate Bill 509 – *(Passed)* – **Prince George's County – Orphans' Court Judges – Salary** increases, from \$42,000 to \$50,000, the annual salaries for associate judges of the orphans' court for Prince George's County. It also increases, from \$42,500 to \$55,000, the annual salary for the chief judge of the orphans' court for Prince George's County. Pursuant to constitutional requirements, the salary increase takes effect at the beginning of the next term of office.

Senate Bill 746 / House Bill 476 – *(Passed)* – **District Court Commissioners – Residency in Contiguous County** authorizes District Court Commissioners to serve in counties contiguous to the counties in which they reside.

House Bill 913 – *(Enacted under Article II, Section 17(b) of the Maryland Constitution – Ch. 26)* – **Attorney General – Powers – Maryland Defense Act of 2017** authorizes the Attorney General to investigate, commence, and prosecute or defend any civil or criminal suit or action that is based on the federal government's action or inaction that threatens the public interest and welfare of the State's residents, as specified. The bill sets forth a process by which the Attorney General must provide notice to the Governor. The bill requires that the Governor's proposed budget for fiscal 2019 and each subsequent year appropriate at least \$1.0 million for the Attorney General to use only for carrying out the bill's provisions and employing five attorneys. The bill also authorizes the Attorney General to employ any assistant counsel that the Attorney General considers necessary to carry out any duty of the Office of the Attorney General (OAG) under specified conditions. The bill takes effect June 1, 2017.

HEALTH & HUMAN SERVICES

Senate Bill 142 / House Bill 1383 – (Passed) – Behavioral Health Administration – Outpatient Civil Commitment Pilot Program authorizes the Behavioral Health Administration (BHA) within the Department of Health and Mental Hygiene (DHMH) to establish an outpatient civil commitment (OCC) pilot program to allow for the release of an individual who is involuntarily admitted for inpatient treatment under specified provisions of the Health-General Article on condition of the individual's admission into the pilot program. If BHA establishes a pilot program, BHA must (1) adopt criteria for an individual to be admitted into the pilot program; (2) establish application, hearing, and notice requirements; and (3) specify the rights of an individual who may be or who has been admitted into the pilot program. By December 1 of each year the pilot program is in existence, BHA must submit a report that includes specified information on admissions, costs, treatment, and any other information that may be useful in determining whether a permanent OCC process should be established. The bill takes effect July 1, 2017.

Senate Bill 216 / House Bill 769 – (Passed, Ch. 67 / Ch. 68) – Maryland Caregivers Support Coordinating Council – Renaming and Altering Membership and Duties renames the Maryland Caregivers Support Coordinating Council (MCSCC) to be the Maryland Commission on Caregiving and adds one member of the Senate and one member of the House of Delegates to the commission. The Governor, to the extent possible in making appointments to the commission, must consider groups representing individuals (1) with disabilities, disorders, or conditions affecting the entire lifespan and (2) who reflect the diversity of the State. The bill expands the duties of the commission to include (1) providing ongoing analysis of best practices in family caregiver support programs in this and other states and (2) monitoring the implementation of its recommendations. The commission must also include in its annual report to the Governor and the General Assembly recommendations regarding family caregiver support services.

Senate Bill 248 / House Bill 601 – (Passed) – Senior Call-Check Service and Notification Program – Establishment requires the Maryland Department of Aging (MDOA) to establish and administer the Senior Call-Check Service and Notification Program, subject to specified conditions. Eligible participants must be age 65 or older and residents of the State. MDOA may contract with a private vendor or nonprofit organization to provide the senior call-check service and notification. The costs of the program are authorized to be paid from the Universal Service Trust Fund (USTF). Beginning in fiscal 2019, the program must be funded at an amount (1) that is equal to the cost that MDOA is expected to incur for the upcoming fiscal year to provide the service and administer the program and (2) that is no more than 5 cents per month for each account that pays the USTF surcharge. MDOA must adopt regulations necessary to implement the program.

Senate Bill 262 / House Bill 771 – (Passed) – Public Health – Mobile Food Service Facilities – Licensing and Inspection by County Health Departments is an emergency bill requires a county health department to issue a mobile reciprocity license to a mobile food service facility that (1) is operating in the county; (2) is operating within 90 miles of its base of operations; and (3) holds a valid license from the county of origin. A county health department may charge a fee of up to \$300 for a mobile reciprocity license, which is valid for one year. A county may not require an inspection as a condition of a mobile reciprocity license if a mobile food service facility has already been inspected by the county of origin. However, a county health department that issued a mobile reciprocity license may inspect a mobile food service facility while it is operating in the county. A mobile food service facility issued a mobile reciprocity license must comply with all applicable State and local laws. A county health department may take enforcement action (including levying fines) against a mobile food service facility that violates any State or local laws or regulations, but

it must notify the mobile food service facility's county of origin of the action taken. Mobile food service facilities that solely operate at temporary fixed locations in conjunction with fairs, carnivals, or similar events are exempt from the bill's provisions.

Senate Bill 415 / House Bill 631 – (Passed) – Public Health – Essential Off-Patent or Generic Drug – Prince Gouging – Prohibition prohibits a manufacturer or wholesale distributor from engaging in “price gouging” in the sale of an “essential off-patent or generic drug.” Medicaid must notify the Attorney General when specified price increases occur. On request of the Attorney General, the manufacturer of an essential off-patent or generic drug must submit a specified statement. The Attorney General may require a manufacturer or wholesale distributor to produce any records or documents relevant to determining if a violation of the prohibition on price gouging has occurred. On petition of the Attorney General, a circuit court may issue specified orders, including compelling a manufacturer or wholesale distributor to provide certain statements or records, restraining or enjoining a violation, requiring restitution, and imposing a civil penalty of up to \$10,000 for each violation.

Senate Bill 553 / House Bill 869 – (Passed) – Recovery Residence Residential Rights Protection Act requires the Department of Health and Mental Hygiene (DHMH) to publish a list of each recovery residence operating in each county in the State on its website by November 1, 2017; the list must indicate whether the owner of a recovery residence has received a valid certificate of compliance. Beginning November 1, 2017, the bill also requires a behavioral health program or health professional to provide an individual with a list of certified recovery residences and provide an individual who has been assessed as in need of ASAM Level 3.1 services with information on where the individual may receive those services when referring the individual to receive services at a recovery residence.

Senate Bill 600 / House Bill 775 – (Passed) – Public Health – Maternal Mental Health requires the Department of Health and Mental Hygiene (DHMH), in consultation with stakeholders, to identify up-to-date, evidence-based, written information about perinatal mood and anxiety disorders. The information must be provided to health care facilities and providers that provide prenatal care, labor and delivery, and postnatal care and be posted on the DHMH website. In collaboration with specified stakeholders, DHMH must identify and develop training programs that improve early identification of postpartum depression and perinatal mood and anxiety disorders. DHMH also must develop a statewide plan to expand the Maryland Behavioral Health Integration in Pediatric Primary Care (BHIPP) program to assist specified providers in addressing the emotional and mental health needs of pregnant and postpartum women. By December 1, 2017, DHMH must submit the plan to specified committees of the General Assembly. The bill takes effect July 1, 2017.

Senate Bill 666 / House Bill 233 – (Passed) – Disclosure of Medical Records – Guardian Ad Litem – Victims of Crime or Delinquent Acts requires a health care provider to disclose a medical record, without the authorization of the person in interest, to a guardian ad litem appointed by a court to protect the best interest of a minor or a disabled or elderly individual who is a victim of a crime or a delinquency act under specified circumstances. The bill also prohibits a health care provider from charging a fee when a medical record is requested by a court-appointed guardian ad litem in a criminal or juvenile delinquency court proceeding. Finally, the bill creates an exception to the general prohibition against redisclosing a medical record to another person, authorizing a guardian ad litem to do so under specified circumstances.

Senate Bill 919 / House Bill 740 – (Passed) – President Jimmy Carter Cancer Treatment Access Act prohibits an insurer, nonprofit health service plan, or health maintenance organization (collectively known as carriers) from imposing a step therapy or fail-first protocol on an insured or enrollee for a prescription

drug approved by the U.S. Food and Drug Administration (FDA) under specified circumstances. First, the drug must be used to treat the insured's or enrollee's stage four advanced metastatic cancer. Second, use of the drug must be consistent with the FDA-approved indication or the National Comprehensive Cancer Network Drugs & Biologics Compendium indication for the treatment of stage four metastatic cancer. Finally, use of the drug must also be supported by peer-reviewed medical literature. The bill applies to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after October 1, 2017.

Senate Bill 967 / House Bill 1329 – (Passed) – Heroin and Opioid Prevention Effort (HOPE) and Treatment Act of 2017 is an emergency bill and consolidates into one bill provisions that make more readily available certain prescription drugs for opioid use disorders and opioid overdose reversal; enhance local oversight of overdoses; broaden authority of the Department of Health and Mental Hygiene (DHMH) relating to controlled dangerous substance (CDS) registration; develop additional services to treat individuals with substance use disorders, including expanding the scope of drug courts and the health crisis hotline and establishing crisis treatment centers; and ensure community behavioral health providers receive rate adjustments. The bill also expresses legislative intent that the \$10.0 million for the opioid crisis fund in the fiscal 2018 operating budget be used to implement the bill's provisions. Most provisions take effect June 1, 2017. A prior authorization provision takes effect January 1, 2018.

Senate Bill 999 / House Bill 1443 – (Failed) – Natalie M. LaPrade Medical Cannabis Commission Reform Act was an emergency bill that repealed all statutory provisions related to the Natalie M. LaPrade Medical Cannabis Commission, instead established a division and related licensing unit within the Department of Health and Mental Hygiene (DHMH), reestablished a special fund to cover program costs, and granted the division authority over the medical cannabis program. Most components of the existing program were retained but under the new regulatory structure; thus, requirements for qualifying patients, their caregivers, certifying providers, and licensed growers, dispensaries, and processors as well as registered agents (employees and volunteers) were substantially similar to those under current law. Additional licenses have to have been awarded, beyond those already granted pre-approval by the existing commission, but under a new process for scoring applicants that focuses more on geographic and minority ownership factors. A new account, under the authority of the Board of Public Works (BPW) and capitalized by 2% of licensee gross annual sales, provided equity investments and lending capital to small, minority, and women-owned businesses in Maryland. By September 1, 2017, the division must have adopted regulations that repeal regulations related to the existing commission and implement the bill's provisions.

Senate Bill 1009 / House Bill 1469 – (Passed) – Public Assistance – Family Investment Program – Child Support Pass Through requires the Department of Human Resources (DHR) to pass through to a family receiving Temporary Cash Assistance (TCA) the first \$100 of child support collected in a month for one child and the first \$200 of child support collected in a month for two or more children. The amount that is passed through to the family must be disregarded in the calculation of TCA benefits. The bill takes effect July 1, 2019.

Senate Bill 1106 / House Bill 352 – (Passed) – Health Care Practitioners – Use of Teletherapy authorizes health care practitioners who provide behavioral health services and are licensed in the State by the State boards of Nursing, Physicians, Professional Counselors and Therapists, Psychologists, and Social Workers to use teletherapy if they comply with specified requirements. By April 1, 2018, the boards must adopt regulations that, to the extent practicable, are uniform and nonclinical, for the use of teletherapy by health care practitioners in accordance with the bill. The bill's provisions authorizing health care practitioners to use teletherapy take effect October 1, 2018.

Senate Bill 1198 – *(Passed, Article II, Section 17(b) of the Maryland Constitution, Ch. 19)* – **Prince George's County Regional Medical Center Act of 2017** alters the amount of operating grants the State is currently required to provide in fiscal 2018 through 2021, to ensure and assist in the transition of a new Prince George's County Regional Medical Center (PGCRMC) to the University of Maryland Medical System (UMMS). The Governor must include an annual appropriation of \$10.0 million for additional operating grants in fiscal years 2022 through 2028. The bill restructures mandated capital appropriations that the Governor must include in the capital or operating budget bill for the construction of PGCRMC in fiscal 2018 through 2020. The bill also expresses legislative findings related to funding for PGCRMC. The bill takes effect June 1, 2017.

House Bill 123 – *(Passed)* – **Health Insurance – Required Conformity With Federal Law** is a departmental bill further that alters State health insurance law to conform with and implement the federal Patient Protection and Affordable Care Act (ACA) and corresponding federal regulations, as well as to reflect a recent court decision. The bill also alters the definition of “small employer” relating to entities that lease employees. The bill takes effect June 1, 2017.

House Bill 134 – *(Passed, Ch. 105)* – **Homelessness and Supportive Services – Transfer to Department of Housing and Community Development** is a departmental bill that transfers the Bureau of Homeless Services within the Department of Human Resources (DHR) to the Department of Housing and Community Development (DHCD). The bill also transfers responsibilities related to the Interagency Council on Homelessness and the Homeless Women – Crisis Shelter Home Program from DHR to DHCD. The bill takes effect July 1, 2017, and provisions related to the formation of a transition team terminate June 30, 2019.

House Bill 147 – *(Passed)* – **Healthy Aging Program** is a departmental bill that establishes the Healthy Aging Program within the Maryland Department of Aging (MDOA) and authorizes the Secretary of Aging to adopt regulations to implement the program. The bill also authorizes the Secretary to accept and use any federal or private grant funds, so long as the grant is for purposes that will benefit older adults in the State and the grant funds are accepted and accounted for in accordance with State law.

House Bill 185 – *(Passed)* – **Department of Health and Mental Hygiene – Distribution of Tobacco Products to Minors – Prohibition and Enforcement** establishes civil penalties for persons who distribute tobacco products, tobacco paraphernalia, or coupons redeemable for tobacco products to minors, and it authorizes county health officers and specified designees of county health officers to issue civil citations for violations. Violators are subject to a civil penalty of up to \$300 for a first violation, up to \$1,000 for a second violation that occurs within 24 months after the first violation, and up to \$3,000 for each subsequent violation occurring within 24 months after a preceding violation. The District Court must remit any penalties collected to the county in which the violation occurred. The bill establishes additional requirements for the Comptroller's Office, the Department of Health and Mental Hygiene (DHMH), and local health departments.

House Bill 518 – *(Passed)* – **Public Health – Prenatal HIV Testing** requires the Department of Health and Mental Hygiene (DHMH), in consultation with stakeholders, to adopt regulations that establish requirements for prenatal HIV testing. A health care provider who offers prenatal medical care must follow these requirements in addition to existing requirements. However, the bill repeals existing testing and notification requirements if DHMH adopts the regulations by October 1, 2018, and notifies the Department of Legislative Services (DLS) at least five days before they take effect. If DLS does not receive such notice by October 1, 2018, existing requirements still apply

House Bill 747 – (*Passed, Ch. 139*) – **Public Health – Cigarette Restitution Fund Programs – Modifications** is a departmental bill that alters provisions relating to programs funded by the Cigarette Restitution Fund (CRF), specifically provisions relating to (1) the Baseline Tobacco Study conducted by the Department of Health and Mental Hygiene (DHMH) and (2) local public health tobacco or cancer grants. The bill takes effect July 1, 2017.

House Bill 983 – (*Passed*) – **Health Insurance – Health Care Services Delivered Through Telehealth – Coverage** establishes that currently mandated health insurance coverage for health care services appropriately delivered through telehealth must include counseling for substance use disorders. The bill applies to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after October 1, 2017.

House Bill 1067 – (*Passed*) – **Shelter Services for Homeless Women – Feminine Hygiene Products** requires the Department of Human Resources (DHR) to make available a supply of feminine hygiene products sufficient to meet the needs of female residents in homeless shelters.

House Bill 1432 – (*Passed*) – **Health Care Providers – Prescription Opioids – Limits on Prescribing (The Prescriber Limits Act of 2017)** is an emergency departmental bill that requires a health care provider, on treatment for pain and based on the clinical judgment of the provider, to prescribe the lowest effective dose of an opioid and a quantity that is no greater than that needed for the expected duration of pain severe enough to require an opioid that is a controlled dangerous substance (CDS). An exception is provided if the opioid is prescribed to treat a substance-related disorder; pain associated with a cancer diagnosis; pain experienced while the patient is receiving end-of-life, hospice, or palliative care services; or chronic pain. The dosage, quantity, and duration of a prescribed opioid subject to the bill's requirements must be based on an evidence-based clinical guideline for prescribing a CDS that is appropriate for the health care delivery setting for the patient, the type of health care services required by the patient, and the age and health status of the patient. A violation of the bill's requirements is grounds for disciplinary action by the appropriate health occupations board.

House Joint Resolution 9 – (*Passed*) – **The Protection of the Federal Affordable Care Act** joint resolution expresses the General Assembly's sharp disagreement with the repeal of the federal Patient Protection and Affordable Care Act (ACA) and urges the Governor of Maryland to join in urging the U.S. Congress to promptly protect provisions of the ACA that ensure all Marylanders have access to affordable health insurance coverage, free from discriminatory rates and policies.

HOUSING & COMMUNITY DEVELOPMENT

Senate Bill 531 / House Bill 269 – (Passed) – Housing Navigator and Aftercare Program codifies the Housing Counselor and Aftercare Program in the Department of Human Resources (DHR) as the Housing Navigator and Aftercare Program; the stated purpose of the program is to assist families and individuals who are experiencing, or who are in imminent danger of, a housing crisis in obtaining and maintaining permanent housing. Beginning in fiscal 2019, the program is funded with an annual appropriation of \$516,828, subject to the limitations of the State budget. The bill also adds a contingency provision regarding other pending legislation to transfer functions of the Bureau of Homeless Services within DHR to the Department of Housing and Community Development (DHCD).

Senate Bill 823 / House Bill 659 – (Passed) – Task Force to Study Tax Sales in Maryland establishes a task force to study tax sales in the State. The President of the Senate and the Speaker of the House must designate the chair of the task force. The Department of Housing and Community Development (DHCD) must provide staff for the task force. By December 1, 2017, the task force must report its findings and recommendations to the Governor and the General Assembly. The bill takes effect June 1, 2017, and terminates June 30, 2018.

Senate Bill 875 – (Passed) – Residential Property – Notice of Foreclosure requires a person authorized to make a sale of residential property to provide the Department of Labor, Licensing, and Regulation (DLLR) with a notice of foreclosure within seven days of the filing of an order to docket (OTD) or a complaint to foreclose a mortgage or deed of trust. The bill expresses legislative intent that it does not repeal any local law enacted prior to January 1, 2017, that requires a notice substantially similar to the notice of foreclosure described in the bill to be filed with the local jurisdiction.

Senate Bill 957 / House Bill 1168 – (Passed) – Counties and Municipalities – Land Bank Authorities recodifies and expands current enabling power to establish, by ordinance, a land bank authority, granted originally only to individual municipalities, to apply to one or more local governments, defined under the bill as a municipality or county. Two or more local governments may enter into an intergovernmental cooperation agreement to create a single land bank to act on behalf of the local governments, which may include one or more water and sewer authorities. The bill provides for the continued operation of an authority that is created by an intergovernmental cooperation agreement if one of the parties decides to withdraw from the agreement. The bill specifies the various powers of a land bank authority, including the borrowing of money, issuing of bonds, investing of money, insuring real property assets against losses, improving real property, and raising revenue. The bill authorizes a land bank authority to quiet title or foreclose on specified property in a specified manner. The bill provides for the collection of specified delinquent water and sewer bills through liens by a land bank authority. The bill also specifies the mechanism for the disposition of property acquired by a local land bank authority, and exempts property held by an authority from specified taxes under specified circumstances.

Senate Bill 1033 / House Bill 702 – (Passed) – Residential Property – Vacant and Abandoned Property – Expedited Foreclosure authorizes a secured party to petition the circuit court for leave to immediately begin an action to foreclose a mortgage or deed of trust on a vacant and abandoned residential property, and it requires the court to promptly rule on the petition. The bill establishes criteria for determining whether residential property is vacant and abandoned, and if the court finds that a residential property is vacant and abandoned and the secured party is entitled to judgment, the court must grant the petition. The bill applies prospectively and has no effect on any order to docket (OTD) or complaint to foreclose that is filed before its October 1, 2017 effective date.

House Bill 26 – *(Passed)* – **Real Property – Notices of Foreclosure Sale and Postponement or Cancellation of Foreclosure Sale** requires the person authorized to make a sale in an action to foreclose a mortgage or deed of trust to give written notice of the proposed sale to a condominium or homeowners association (HOA) that has recorded, at least 30 days before the date of the proposed sale, a statement of lien against the property under the Maryland Contract Lien Act (MCLA). The notice must be sent to the condominium or HOA at the address shown on the statement of lien. In the event of a postponement or cancellation of a sale to foreclose a mortgage or deed of trust, the bill requires the trustee of the property to provide written notice to the record owner and, if applicable, to a condominium or HOA that was notified of the sale, within 14 days after the postponement or cancellation. The notice must be sent by first-class mail, postage prepaid.

House Bill 34 – *(Passed)* – **Real Property – Homeowners Associations – Resale of Lot – Inspection Fees** authorizes a homeowners association (HOA), when providing information necessary to comply with specified disclosures required in the resale of a lot or the initial sale of a lot in a development containing 12 or fewer lots, to collect a reasonable fee of up to \$100 for conducting an inspection of the lot, if required. The bill also clarifies that an HOA is required to provide the information necessary to comply with specified disclosures to a lot owner, and not to a declarant.

House Bill 261 – *(Passed)* – **Public Utilities – Termination of Service to Multifamily Dwelling Unit – Notification to Property Owner or Property Manager** requires a public service company, before terminating gas or electric service for nonpayment, to notify the property owner or property manager of a multifamily dwelling unit if the property owner or property manager has enrolled in a third-party termination notification program, subject to specified conditions. The property owner or property manager must (1) notify the public service company of the enrollment in a third-party notification program; (2) obtain the customer's written consent to enroll in a third-party notification program; and (3) provide documentation of the written consent to the public service company. The bill may not be construed to prevent any other form of third-party notification that a customer may request. The Public Service Commission (PSC) may adopt regulations to implement the bill.

House Bill 789 – *(Passed)* – **Condominiums and Homeowners Associations – Amendment of Governing Documents** authorizes a council of unit owners of a condominium, notwithstanding the provisions of the bylaws, to amend the bylaws by the affirmative vote of unit owners in good standing having at least 60% of the votes in the council, or by a lower percentage if required in the bylaws. The bill also authorizes a homeowners association (HOA), notwithstanding the provisions of a governing document, to amend the governing document of the HOA by the affirmative vote of lot owners in good standing having at least 60% of the votes in the development, or by a lower percentage if required in the governing document. The bill does not apply to an HOA that issues bonds or other long-term debt secured in whole or in part by annual charges assessed in accordance with a declaration, or to a village or community association affiliated with an HOA.

INTERGOVERNMENTAL RELATIONS

Senate Bill 26 – *(Passed)* – **Maryland False Claims Act – Municipal Corporations** expands the definition of “governmental entity” under the Maryland False Claims Act (MFCA) to include a municipal corporation and adds the attorney for each municipal corporation to the existing reporting requirements under MFCA. The bill applies prospectively to causes of action arising on or after the bill’s October 1, 2017 effective date.

Senate Bill 426 / House Bill 1294 – *(Passed. Ch. 69 / Ch. 70)* – **Workers' Compensation – Permanent Total Disability – Survival of Claim** increases the cap – from \$45,000 to \$65,000 – on unpaid benefits that may survive to a covered employee’s dependents or spouse when the employee was receiving permanent total disability benefits and died from causes unrelated to the claim. The bill 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, 2017 effective date.

Senate Bill 1027 – *(Passed)* – **Courts – Action for Violation of Collective Bargaining Agreement or Breach of Duty of Fair Representation – Limitations Period** specifies a period of limitations for filing an action for injunctive relief or damages for (1) a violation of a collective bargaining agreement covering an employee of the State or a political subdivision of the State or (2) a breach by an exclusive representative of the duty of fair representation owed to an employee of the State or a political subdivision of the State. Under the bill, such an action must be commenced within six months after the later of (1) the date on which the claim accrued or (2) the date on which the complainant knew or should reasonably have known of the breach. The bill applies prospectively to causes of action arising on or after the bill’s October 1, 2017 effective date.

House Bill 1484 – *(Passed)* – **Workers' Compensation – Medical Benefits – Payment of Medical Services and Treatment** generally establishes a 12-month time limit for a medical service provider that treats a covered employee under workers’ compensation to bill an employer or its insurer. A bill must be submitted within 12 months from the later of the date (1) the medical service or treatment was provided to the covered employee; (2) the claim for compensation was accepted by the employer or the employer’s insurer; or (3) the claim for compensation was determined by the Workers’ Compensation Commission (WCC) to be compensable. The employer or insurer may not be required to pay a bill submitted after the 12-month limit except under specified circumstances.

PARKS & RECREATION

Senate Bill 116 – (*Passed*) – **Program Open Space – Attainment of Acquisition Goals – Local Government Apportionment and Use of Funds** increases the extent to which counties that have more than 65,000 acres of land consisting of State forests, State parks, or wildlife management areas and have met specified land preservation acquisition goals, including those in the county’s current, approved local land preservation and recreation plan, can use Program Open Space (POS) local funding for development projects and capital renewal. Under the bill, those counties are allowed to use up to 100% of the counties’ future annual apportionments of POS local funding for development projects and capital renewal. The bill also requires the Joint Subcommittee on Program Open Space and Agricultural Land Preservation to review the State’s standard for land acquisition of 30 acres per 1,000 people to determine whether adjustments may be made to the standard to encourage additional acquisition of land under POS. The joint subcommittee must report its findings and recommendations to specified legislative committees by October 1, 2018. The bill takes effect June 1, 2017.

Senate Bill 257 / House Bill 267 – (*Passed*) – **Program Open Space – Authorized Transfer to the Maryland Heritage Areas Authority Financing Fund – Increase** increases, from \$3 million to \$6 million, the maximum amount of transfer tax funding distributed to Program Open Space (POS) which may be transferred to the Maryland Heritage Areas Authority Financing Fund. If the amount transferred exceeds \$3 million, the amount exceeding \$3 million must be provided from the State’s share of funds. The bill takes effect July 1, 2017.

PUBLIC INFORMATION & ETHICS

Senate Bill 18 – (*Passed*) – **Public Ethics – Bicounty Commissions – Financial Disclosure** requires commissioners of and applicants to the Washington Suburban Transit Commission (WSTC), the Maryland-National Capital Park and Planning Commission (M-NCPPC), and the Washington Suburban Sanitary Commission (WSSC) to (1) *electronically* file a financial disclosure statement with the State Ethics Commission and (2) *submit*, rather than *file*, a paper copy of the electronically filed statement to the chief administrative officer (CAO) of the county from which the commissioner is appointed. In Montgomery County, however, a commissioner or applicant to M-NCPPC or WSTC must submit a paper copy of the electronically filed disclosure statement to the county council. In addition, the Montgomery County Council must transmit to the commission’s executive director each financial disclosure statement submitted by a commissioner or applicant to M-NCPPC. The bill also requires the State Ethics Commission to delete electronically filed statements by applicants upon notification by the CAO of the pertinent county that an applicant was not appointed.

Senate Bill 450 / House Bill 880 – (*Passed*) – **Open Meetings Act – Annual Reporting Requirement, Web Site Postings, and Training** alters several procedures and reporting requirements of the Open Meetings Act related to (1) the authority of public bodies to go into closed session; (2) procedures and training options for public bodies under the Open Meetings Act; (3) the Open Meetings Law Compliance Board’s (OMCB) reporting of violations of the Open Meetings Act; and (4) the distribution of educational materials to public bodies. A public body in the Judicial Branch, or that is subject to governance by rules adopted by the Court of Appeals, is exempt from the bill. The bill also requires OMCB and other specified entities to collaborate and conduct research on open meetings issues related to the distribution of educational materials and the costs and benefits of tracking individual compliance with the Open Meetings Act. The bill takes effect July 1, 2017.

Senate Bill 1057 / House Bill 383 – (*Passed*) – **Public Information Act – Denials of Inspection – Explanation Regarding Redaction** requires a custodian of a public record who denies an application for inspection of a public record under the Maryland Public Information Act (PIA), to include in the written statement that explains the reasons for the denial an explanation of why redacting information would not address the reasons for the denial.

House Bill 165 – (*Passed*) – **State Government – Maryland Uniform Electronic Legal Materials Act** requires a State agency designated as an “official publisher” that publishes legal material only in an electronic record to designate the electronic record as official. In order to designate the electronic record as official, the official publisher must authenticate the electronic record in a specified manner, take specified actions to preserve and secure the record, and ensure that the material is reasonably available for use by the public on a permanent basis. The bill creates a legal presumption that authenticated legal material in an electronic record is an accurate copy of the legal material. The bill applies to all legal material in an electronic record designated as official that is first published electronically on or after October 1, 2017.

House Bill 1386 – (*Passed*) – **Maryland Public Ethics Law – Members and Employees of Boards of License Commissioners and Liquor Control Boards** applies the requirements of the Maryland Public Ethics Law to members and employees of local boards of license commissioners and local liquor control boards by designating that these individuals are “public officials” subject to the Maryland Public Ethics Law. Accordingly, the bill also adds the local liquor control boards of Somerset and Wicomico counties to those local entities that are subject to the Maryland Public Ethics Law. The legislation does not apply in counties in which the county councils or board of county commissioners sit as a board of license

commissioners or liquor control board. Accordingly, the bill does not apply in Dorchester, Howard, and Kent counties, where the legislative body sits as a board of license commissioners or a liquor control board.

PUBLIC SAFETY & CORRECTIONS

[Senate Bill 12](#) / [House Bill 1335](#) – (*Passed*) – **Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement** subjects only to secondary enforcement the prohibition against driving on the highway with an obstructed windshield view if the violation is caused by an object, material, or obstruction that is hanging from the vehicle’s rearview mirror and interferes with the clear view of the driver through the windshield. Under secondary enforcement, a police officer may not issue a citation to a driver for violating this provision unless the police officer has first detained the driver for another suspected violation of State law.

[Senate Bill 24](#) – (*Passed, Ch. 8*) – **Public Safety – Eyewitness Identification Policies – Repeal of Submission Requirement** is a departmental bill that repeals the requirement for each law enforcement agency in the State to file a copy of a written policy relating to eyewitness identification procedures with the Department of State Police (DSP). The bill also repeals the requirement for DSP to compile the written policies and allow public inspection of each policy.

[Senate Bill 207](#) / [House Bill 166](#) – (*Passed, Ch. 169 / Ch. 170*) – **Criminal Procedure – Charges Against Correctional Officer – Review by State's Attorney** expands the definition of “law enforcement officer” to include specified law enforcement personnel and a “correctional officer.” Accordingly, the bill applies the requirements for (1) an application for a statement of charges to be forwarded to a State’s Attorney; (2) the State’s Attorney to investigate the circumstances; and (3) the State’s Attorney to make a recommendation to the District Court Commissioner, to an application pertaining to specified law enforcement personnel and a correctional officer.

[Senate Bill 217](#) / [House Bill 429](#) – (*Passed, Ch. 160 / Ch. 163*) – **Criminal Law – Sexual Offenses – Physical Resistance** specifies that evidence of physical resistance by the victim is not required to prove that a crime under Title 3, Subtitle 3 of the Criminal Law Article was committed. However, the fact that this evidence is not required may not be construed to affect the admissibility of evidence of actual physical resistance by the victim.

[Senate Bill 219](#) – (*Failed*) – **Criminal Procedure – Pretrial Release – Victim Protection** would have required the forms for a confidential supplement to an application for a statement of charges and a statement of probable cause to incorporate a request by an alleged victim or the victim’s representative for (1) reasonable protections for the safety of an alleged victim or the victim’s family and (2) registration with the State’s Victim Information and Notification Everyday (VINE) vendor to inform the alleged victim or the victim’s representative of the release determination made by the court and any other notice available through the State’s VINE vendor.

[Senate Bill 220](#) / [House Bill 1279](#) – (*Passed*) – **Police Training Commission – Training Requirements – Human Trafficking** requires the Maryland Police Training and Standards Commission (MPTSC) to expand the curriculum and the minimum courses of study of police training conducted by police training schools to include special training, attention to, and study of the application and enforcement of the criminal laws concerning human trafficking, including services and support available to victims and the rights and appropriate treatment of victims.

[Senate Bill 224](#) / [House Bill 294](#) – (*Passed*) – **Public Safety – Regulated Firearms – Definition of Convicted of a Disqualifying Crime** alters the definition of “convicted of a disqualifying crime” for general provisions of law relating to regulated firearms, rifles, and shotguns to include a case in which a

person received a probation before judgment for assault in the second degree if the crime was a domestically related crime.

Senate Bill 269 / House Bill 216 – (Passed) – Emergency Veterinary Care – Immunity From Liability establishes immunity from civil liability for specified individuals who are providing veterinary aid, care, or assistance to an animal under specified circumstances. The bill also exempts individuals who are immune from liability under the bill from specified prohibitions on the practice of veterinary medicine.

Senate Bill 272 – (Passed) – Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of the Juvenile Court authorizes, at a disposition hearing in a child in need of assistance (CINA) proceeding, and requires, at a permanency planning hearing, the juvenile court, in regards to a child with a developmental disability, to direct the provision of services to obtain ongoing care, if any, needed after the court's jurisdiction ends. The court retains jurisdiction to rule on any motion related to the enforcement, modification, or termination of the order for as long as the order is effective. The bill adds related requirements to provisions regarding guardianships.

Senate Bill 308 / House Bill 632 – (Passed, Ch. 151 / Ch. 152) – Child Abuse – Sex Trafficking (Protecting Victims of Sex Trafficking Act of 2017) is an emergency Administration bill that alters the definition of "sexual abuse" in provisions of law relating to the reporting and investigation of suspected child abuse and neglect to include "sex trafficking" of a child, regardless of the victim's relationship with the alleged abuser. "Sex trafficking" is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a child for the purpose of a commercial sex act.

Senate Bill 349 / House Bill 255 – (Passed, Ch. 158 / Ch. 159) – Criminal Procedure – Sexual Assault Victims' Rights - Disposal of Rape Kit Evidence and Notification 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 written information describing the laws and policies governing the testing, preservation, and disposal of a sexual assault evidence collection kit. The bill specifies when a sexual assault evidence collection kit must be transferred to a law enforcement agency, when a sexual assault evidence collection kit or other crime scene evidence relating to a sexual assault may be destroyed or disposed of, and when such evidence must be retained. The Office of the Attorney General (OAG) must adopt regulations for uniform statewide implementation of the requirements.

Senate Bill 505 / House Bill 642 – (Passed, Ch. 12) – Civil Actions – Child Sexual Abuse – Statute of Limitations and Required Findings does the following: (1) expands the statute of limitations for an action for damages arising out of an alleged incident or incidents of sexual abuse that occurred while the victim was a minor; (2) establishes a statute of repose for specified civil actions relating to child sexual abuse; and (3) exempts causes of action filed under the provisions of the bill from the notice of claim requirement under the Local Government Tort Claims Act (LGTCa) and the submission of a written claim requirement, denial of claim requirement, and the statute of limitations under the Maryland Tort Claims Act (MTCA). The bill may not be construed to apply retroactively to revive any action that was barred by the application of the period of limitations applicable before October 1, 2017. The statute of repose created by the bill must be construed to apply both prospectively and retroactively to provide repose to defendants regarding actions that were barred by the application of the period of limitations applicable before October 1, 2017.

Senate Bill 539 / House Bill 687 – (Passed) – Criminal Law – Distribution of Controlled Dangerous Substances – Fentanyl is an emergency Administration bill prohibits a person from knowingly distributing or possessing with the intent to distribute (1) a mixture of controlled dangerous substances (CDS) that contains heroin and a detectable amount of fentanyl or any analogue of fentanyl or (2) fentanyl or any

analogue of fentanyl. A violation is a felony and, in addition to any other penalty imposed, is subject to imprisonment for up to 10 years. A sentence imposed for a violation of this prohibition must be served consecutively to any other sentence imposed.

Senate Bill 573 / House Bill 334 – (Passed) – Local Government – Regulation of Animals – Kennel Licenses lowers the threshold applicable, statewide, to when a person must obtain a kennel license from a local licensing agency. Specifically, the bill requires a person to obtain a kennel license from the local licensing agency if the person either (1) owns or has custody of 6 (down from 15) or more unspayed female dogs over the age of six months kept for the purposes of breeding the dogs and selling their offspring or (2) sells dogs from six or more litters in a year. Under current law, only a kennel that meets both criteria must be licensed, unless the local licensing agency has more stringent requirements.

Senate Bill 734 / House Bill 1209 – (Passed) – Sexual Assault Victims Resources Act of 2017 does the following: (1) expands the services that sexual assault crisis programs in the State must provide and (2) requires the Governor to include in the annual budget bill an appropriation of at least \$3 million for the federally recognized State sexual assault coalition and sexual assault crisis programs, as specified. Under specified circumstances, the Governor is authorized to reduce the mandated appropriation by up to 40%. The bill also establishes the Maryland Sexual Assault Evidence Kit Policy and Funding Committee. In fiscal 2018 and in each fiscal year thereafter, the Governor must include funds in the State budget to implement the bill's provisions relating to the committee, including funds to operate and maintain an office and employ a full-time assistant Attorney General to staff the committee and assist with the implementation of regulations that must be adopted. The bill takes effect June 1, 2017.

Senate Bill 790 / House Bill 455 – (Passed, Ch. 187 / Ch. 188) – Criminal Law – Animal Cruelty – Applicability clarifies that a person is guilty of animal abuse or neglect if the person has charge or custody of an animal and unnecessarily fails to provide the animal with any one of the following: proper air, proper space, proper shelter, or proper protection from the weather. Similarly, the bill clarifies that a person is guilty of aggravated cruelty to animals if the person does any one of the following intentional acts: mutilates, tortures, cruelly beats, or cruelly kills an animal.

Senate Bill 806 / House Bill 1047 – (Passed, Ch. 204) – Child Support – Noncompliance With Court Order – License Suspension authorizes an individual who has received notice of a potential professional license suspension due to a child support arrearage to request an investigation under specified circumstances. The Child Support Enforcement Administration (CSEA) must provide notice of this right to an obligor, as specified. The bill expands the reasons under which CSEA is to notify a licensing authority to reinstate a license. It also extends, from 60 days to 120 days, the period of time that an individual with a commercial driver's license may be out of compliance with a child support order before the individual's driver's license may be suspended.

Senate Bill 853 / House Bill 860 – (Passed) – Transitional Supports for Ex-Offenders – Repeal of Restrictions (Maryland Equal Access to Food Act of 2017) repeals provisions of law that subject individuals convicted of specified felonies involving a controlled dangerous substance (CDS) who apply for or receive temporary cash assistance (TCA) or food stamps to testing, treatment, and sanctions. The bill also repeals a provision that restricts individuals who are in violation of specified offenses regarding CDS from being eligible for TCA or food stamps for one year after the date of conviction.

Senate Bill 912 / House Bill 1219 – (Passed, Ch. 156 / Ch. 157) – Children in Need of Assistance – Sex Trafficking alters the definition of "sexual abuse" in provisions of law relating to a "child in need of assistance" (CINA) to include "sex trafficking" of a child, regardless of the victim's relationship with the

alleged abuser. “Sex trafficking” is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a child for the purpose of a commercial sex act. The bill takes effect June 1, 2017.

Senate Bill 934 / House Bill 1526 – (Passed) – Criminal Procedure – Post-sentencing – Victim Notification expands who is regarded as a victim for the purpose of notification of parole release hearings, commutations, pardons, or sentence remissions. It also expands post sentencing victim notification requirements regarding an offender’s mandatory supervision release, parole, predetermined parole release agreement, violation of a condition of parole or mandatory supervision, commutation of sentence, pardon, or remission of sentence to apply to a conviction of any crime rather than only a violent crime. The bill similarly expands the types of crimes for which a victim may submit a victim impact statement to the Maryland Parole Commission (MPC) or the Division of Parole and Probation (DPP) within the Department of Public Safety and Correctional Services (DPSCS). The bill also limits those who may be designated as a victim representative for the purpose of specified expanded notifications.

Senate Bill 941 / House Bill 739 – (Passed) – Public Safety – SWAT Teams – Standards requires the Maryland Police Training and Standards Commission (MPTSC) to consult and cooperate with commanders of “SWAT teams” to develop standards for training and deployment of SWAT teams and of law enforcement officers who are not members of a SWAT team who conduct no-knock warrant service in the State based on best practices in the State and nationwide.

Senate Bill 944 / House Bill 647 – (Passed) – Criminal Law – Sexual Offenses – Classifications does the following: (1) reclassifies criminal conduct currently classified as sexual offense in the first degree and sexual offense in the second degree as rape in the first degree and rape in the second degree, respectively, and (2) makes conforming statutory changes.

Senate Bill 976 / House Bill 1163 – (Passed) – Criminal Procedure – Conditional Release – Electronic Monitoring (Amber’s Law) would have authorized a court to order a defendant to be supervised by electronic monitoring (1) as a condition of a defendant’s pretrial release, if the victim has requested reasonable protections for safety; (2) as a condition of pretrial release on a charge of violating a protective order; or (3) as a condition of probation. The bill would have also expanded prohibitions against violating specified conditions of pretrial or post trial release to include any crimes against a victim.

Senate Bill 996 / House Bill 1263 – (Passed) – Family Law – Child Abuse and Neglect – Definitions alters the definition of “abuse,” in provisions of law relating to the reporting and investigation of suspected child abuse and neglect, to include acts by a person who, because of the person’s position or occupation, exercises authority over the child. It also specifies that abuse does not include the physical injury of a child by accidental means. The bill makes conforming changes to the definition of “sexual abuse.” It also alters the definition of “mental injury” to mean the observable, identifiable, and substantial impairment of a child’s mental or psychological ability to function caused by an intentional act or series of acts, regardless of whether there was an intent to harm the child.

Senate Bill 1017 – (Passed, Ch. 164) – Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking – Sunset Extension extends the termination date for the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking from June 30, 2017, to June 30, 2019. The Governor’s Office of Crime Control and Prevention (GOCCP) must continue to provide staff for the workgroup. The workgroup must submit a supplemental report on its findings and recommendations to the Governor and the General Assembly by December 1, 2017; a second supplemental report is due by December 1, 2018. The bill takes effect June 1, 2017.

House Bill 626 – *(Passed)* – **Agriculture – Animal Shelters – Standards of Care and Protocol Implementation and Enforcement** requires the Maryland Department of Agriculture (MDA), by January 1, 2018, to adopt minimum standards of care for dogs and cats in animal shelters. The standards must be consistent with the most recent (1) Association of Shelter Veterinarians' (ASV) Guidelines for Standards of Care in Animal Shelters and (2) guidelines for standards of care in animal shelters prepared by the Professional Animal Workers of Maryland (PAWS). An animal shelter must follow (1) those adopted standards and (2) the written protocol for reclaiming animals from the shelter which it was required to establish under Chapter 267 of 2016. A violation of the bill's requirements is subject to an existing civil penalty established under Chapter 267. MDA must adopt regulations to enforce the bill and Chapter 267 by January 1, 2018. The bill takes effect June 1, 2017.

House Bill 1071 – *(Passed)* – **Vehicle Laws – Victim's Representative Notification – License Suspension Hearing** requires the Governor's Office of Crime Control and Prevention (GOCCP) to develop, and update as necessary, a uniform victim's representation notification form for a victim's representative to receive notification of a license suspension hearing as a result of a moving violation that contributed to a fatality. The Maryland Police Training and Standards Commission (MPTSC) must distribute the form to each law enforcement agency in the State. On first contact with a victim's representative, a law enforcement officer must provide the victim's representative with a copy of the notification form in conjunction with informing the representative of the right to file the form, as specified. If a victim's representative has timely filed a notification form and the violator has requested a hearing, the Motor Vehicle Administration (MVA) must notify (1) the victim's representative of any suspension hearing as a result of the moving violation and (2) the Office of Administrative Hearings (OAH) that a victim's notification form has been filed.

STATE BUDGET & FISCAL ISSUES

Senate Bill 171 / House Bill 151 – (*Passed, Ch. 22*) – **Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2017, and the Maryland Consolidated Capital Bond Loans of 2009, 2012, 2013, 2014, 2015, and 2016** authorizes the creation of a State Debt in the amount of \$1,089,383,121, the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to certain requirements that certain matching funds be provided and extended by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt in certain years to be used for certain purposes.

Senate Bill 172 / House Bill 152 – (*Passed, Ch. 23*) – **Budget Reconciliation and Financing Act of 2017** executes actions to enhance revenues, provide mandate relief, and reduce future year general fund expenditures. The bill generally takes effect June 1, 2017.

Senate Bill 197 / House Bill 153 – (*Passed, Ch. 32*) – **Creation of a State Debt – Qualified Zone Academy Bonds** authorizes the Board of Public Works to issue \$4,823,000 in interest-free Qualified Zone Academy Bonds (QZABs) by December 31, 2017, 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. The bill takes effect June 1, 2017.

Senate Bill 1198 – (*Enacted under Article II, Section 17(b) of the Maryland Constitution, Ch. 19*) – **Prince George's County Regional Medical Center Act of 2017** alters the amount of operating grants the State is currently required to provide in fiscal 2018 through 2021, to ensure and assist in the transition of a new Prince George's County Regional Medical Center (PGCRMC) to the University of Maryland Medical System (UMMS). The Governor must include an annual appropriation of \$10.0 million for additional operating grants in fiscal 2022 through 2028. The bill restructures mandated capital appropriations that the Governor must include in the capital or operating budget bill for the construction of PGCRMC in fiscal 2018 through 2020. The bill also expresses legislative findings related to funding for PGCRMC. The bill takes effect June 1, 2017.

House Bill 28 – (*Passed*) – **Unappropriated General Fund Surplus – Appropriation to Pension Fund and Postretirement Health Benefits Trust Fund** requires that, beginning in fiscal 2021, an amount equal to one-quarter of the unappropriated general fund surplus in excess of \$10.0 million from the second prior fiscal year be paid to both the State Retirement and Pension System (SRPS) trust fund and the Postretirement Health Benefits Trust Fund. The amounts contributed to each of the two funds may not exceed \$25.0 million in a given fiscal year. The bill also modifies an existing reporting requirement for the Department of Legislative Services (DLS), establishing that DLS must conduct a review and make recommendations regarding the appropriate amount to be contributed to SRPS when the system's funding level reaches 85%. The bill takes effect July 1, 2017.

House Bill 150 – (*Passed, Ch. 150*) – **Budget Bill (Fiscal Year 2018)** made the proposed appropriations contained in the State budget for the fiscal year ending June 30, 2018, in accordance with Article III, Section 52 of the Maryland Constitution; etc.

TAXES & REVENUES

Senate Bill 34 – *(Passed)* – **Motor Vehicles – Leased Vehicles – Inspections, Insurance, and Excise Tax** establishes that any vehicle leased by the State or any political subdivision of the State is exempt from the excise tax. The bill also prohibits the Motor Vehicle Administration (MVA) from issuing, reinstating, or renewing a vehicle registration for a vehicle lessee who has an unpaid uninsured motorist penalty. Finally, the bill exempts a leased vehicle transferred to the lessee at the end of a lease term from a safety inspection requirement.

Senate Bill 111 / House Bill 363 – *(Passed, Ch. 63 / Ch. 64)* – **Recordation and Transfer Taxes – Exemptions – Property Conveyed From Sole Proprietorship to Limited Liability Company** exempts from recordation and transfer taxes the transfer of real property from a sole proprietorship to a limited liability company if the sole member of the limited liability company is identical to the converting sole proprietor and specified other conditions are met. A sole proprietorship includes an individual who owns an interest in real property in the individual's name. The bill also clarifies that the transfer of a controlling interest in a limited liability company that is the product of an untaxed conversion from a sole proprietorship is subject to the recordation and transfer tax under specified circumstances.

Senate Bill 282 / House Bill 571 – *(Passed, Ch. 173)* – **Property Tax Credit – Disabled or Fallen Law Enforcement Officers and Rescue Workers – Alterations** authorizes county and municipal governments to expand a local property tax credit for a dwelling owned by the surviving spouse of a specified fallen law enforcement officer or rescue worker to include the cohabitant of a specified fallen law enforcement officer or rescue worker. The bill repeals similar provisions of current law pertaining to Harford County. In addition, the bill increases the number of years, from 2 to 10, within which a disabled law enforcement officer or rescue worker or the surviving spouse of a fallen law enforcement officer or rescue worker must have acquired specified residential property in order to qualify for a specified local option property tax credit. The bill takes effect June 1, 2017, and applies to taxable years beginning after June 30, 2017.

Senate Bill 367 / House Bill 1155 – *(Passed, Ch. 231)* – **Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief** reestablishes the subtraction modification against the State income tax for qualified mortgage debt relief. The subtraction modification may be claimed for the amount of the discharge of qualified principal residence indebtedness allowable under the federal Mortgage Forgiveness Debt Relief Act of 2007, as amended. The maximum amount of the subtraction may not exceed \$100,000 (\$200,000 if married filing jointly). The bill takes effect June 1, 2017, and applies to taxable years beginning after June 30, 2017.

Senate Bill 371 / House Bill 503 – *(Passed, Ch. 4)* – **State Budget – Appropriations – Income Tax Revenue Estimate Cap and Revenue Stabilization Account** requires the Bureau of Revenue Estimates (BRE) to calculate the share of general fund revenues represented by non-withholding income tax revenues from the State individual income tax, beginning with the revenue estimate for fiscal 2020. At the end of fiscal 2020, and each fiscal year thereafter, if general fund revenues for the fiscal year are less than the Board of Revenue Estimates' March estimate, the amount of non-withholding income tax revenues that exceeds a specified capped non-withholding estimate must be applied to close the revenue gap, and any remainder must be deposited into the Revenue Stabilization Account (also known as the Rainy Day Fund) and/or the newly established Fiscal Responsibility Fund as specified in the bill. Revenues from the Fiscal Responsibility Fund are to be appropriated in the second following fiscal year to specified pay-as-you-go (PAYGO) capital projects. The bill also alters what constitutes the "unappropriated general fund surplus"

and specifies it is the State's goal that 10.0% of estimated general fund revenues in each fiscal year be retained in the Revenue Stabilization Account. The bill takes effect July 1, 2017.

Senate Bill 397 / House Bill 1433 – (Passed) – Local Income Tax Overpayments – Local Reserve Account Repayment – Forgiveness repeals the requirement that a county or municipality that is determined to have received an overpayment of local income tax revenues pursuant to Chapter 24 of 2016 must reimburse the local income tax reserve account for the amount of the overpayment. The bill also specifies that it is the intent of the General Assembly that the Comptroller return from the local income tax reserve account any reimbursement payment made by a county or municipality pursuant to Chapter 24. The bill takes effect July 1, 2017.

Senate Bill 597 / House Bill 100 – (Passed, Ch. 153 / Ch. 154) – Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel allows retirement income to qualify for the State pension exclusion if the individual is at least 55 years old and the retirement income is attributable to employment as a law enforcement officer or as fire, rescue, or emergency services personnel of the United States, the State, or a local jurisdiction. Emergency services personnel includes emergency medical technicians and paramedics. The maximum exclusion in the tax year is limited to \$15,000. The bill takes effect July 1, 2017, and applies to tax year 2017 and beyond.

Senate Bill 753 – (Passed) – Tax Sales – Foreclosure of Right of Redemption – Naming of Defendants establishes procedures for joining an individual who is or is believed to be deceased and is required to be named as a defendant in an action to foreclose the right of redemption on a property purchased at tax sale.

House Bill 83 – (Passed) – Income Tax – Subtraction Modification – Discharged Student Loan expands the existing subtraction modification for income resulting from the discharge of student loan debt by eliminating the requirement that only student loans that are discharged due to total and permanent disability or death qualify for the exclusion.

House Bill 231 – (Passed, Ch. 174) – Property Tax Credit – Disabled or Fallen Law Enforcement Officers and Rescue Workers – Alterations authorizes county and municipal governments to expand a local property tax credit for a dwelling owned by the surviving spouse of a specified fallen law enforcement officer or rescue worker to include the cohabitant of a specified fallen law enforcement officer or rescue worker. The bill also repeals similar provisions of current law pertaining to Harford County.

House Bill 351 – (Passed, Ch. 239) – Property Tax – Homestead Property Tax Credit Percentage and Constant Yield Tax Rate – Deadlines extends the deadline by which Baltimore City and county governments (from November 15 to March 15) and municipalities (from November 25 to March 25) must set or alter the homestead property tax credit percentage in a taxable year and then notify the State Department of Assessments and Taxation (SDAT) of any changes. The bill authorizes SDAT to recalculate the constant yield tax rate if a county or municipality changes the homestead tax credit percentage. In addition, the bill requires assessment notices to include a statement that the taxable assessment may change if a county or municipality changes the homestead tax credit percentage, and that the final taxable assessment will be stated on the next property tax bill.

House Bill 627 – (Passed) – Motor Fuel Tax Refund – Demand Response Trips allows a refund equal to 20% of the motor fuel taxes paid for use by a vehicle that is used only in the transportation system of a local jurisdiction to transport the public via demand response trips. Demand response trips are defined as transporting passengers who are unable to use regular schedule, fixed termini services and includes trips that are required under the federal Americans with Disabilities Act.

[House Bill 717](#) – (*Passed, Ch. 143*) – **Academic Facilities Bonding Authority** authorizes the use of \$32.0 million in academic facilities bonds for the purpose of financing construction, renovation, and renewal projects at University System of Maryland (USM) buildings and campuses.

[House Bill 861](#) – (*Passed, Ch. 243*) – **Tax Sales – Foreclosure of Right of Redemption – Naming of Defendants** establishes procedures for joining an individual who is or is believed to be deceased and is required to be named as a defendant in an action to foreclose the right of redemption on a property purchased at tax sale.

[House Bill 1234](#) – (*Passed, Ch. 184*) – **Property Tax – Credit for Retired Military Service Members – Eligibility** alters the eligibility criteria of a local option property tax credit for specified members of the U.S. Armed Forces by specifying that eligible individuals must be members of the uniformed services of the United States as defined by 10 U.S.C. Section 101, the military reserves, or the National Guard.

[House Bill 1323](#) – (*Passed, Ch. 241*) – **Property Tax – Credit for Revitalization Districts** authorizes local governments to grant, by law, a property tax credit for a dwelling that is (1) located in a revitalization district; (2) owned by a homeowner who, on or after June 1, 2017, made substantial improvements to the dwelling in compliance with the code and laws applied to dwellings; and (3) reassessed at a higher value. The property tax credit phases out over a five-year period. The bill specifies the value of the property tax credit as well as procedures for administering the property tax credit.

[House Bill 1402](#) – (*Passed*) – **Property Tax Appeals – Payment of Refunds – Deadline and Notice** requires the tax collector to whom property tax was paid to pay a full refund to a taxpayer within 30 days after the State Department of Assessments and Taxation (SDAT) notifies the tax collector that an appeal authority has issued a decision that reduces the assessed value of property. An appeal authority includes a supervisor, SDAT, Property Tax Assessment Appeals Board (PTAAB), the Maryland Tax Court, and any other court authorized to hear property tax appeals.

TRANSPORTATION & PUBLIC WORKS

Senate Bill 25 – *(Passed)* – **Maryland Transit Administration – Transit Service – Contracted Taxicab Service** is a departmental bill includes taxicab service in the definition of “transit service,” relating to the services that the Maryland Transit Administration (MTA) is authorized to provide. The bill takes effect June 1, 2017.

Senate Bill 125 / **House Bill 82** – *(Passed)* – **Woodrow Wilson Bridge and Tunnel Compact – Repeal** repeals the Woodrow Wilson Bridge and Tunnel Compact, which was obsolete; it never became active because alternative financing for the Woodrow Wilson Bridge was obtained. Construction of the bridge primarily took place between 2000 and 2009. Virginia repealed its participation in the Woodrow Wilson Bridge and Tunnel Compact in 2015.

Senate Bill 142 / **House Bill 192** – *(Passed)* – **Task Force to Study Bicycle Safety on Maryland Highways** establishes a Task Force to Study Bicycle Safety on Maryland Highways. The task force must study safety issues related to bicycle operators and vehicles on highways in the State. The Maryland Department of Transportation (MDOT) must provide staff for the task force. The task force must report its findings and recommendations to the Governor and General Assembly by December 31, 2017. The bill takes effect on June 1, 2017, and terminates May 31, 2018.

Senate Bill 218 / **House Bill 511** – *(Passed)* – **Public Utilities – Water Companies and Sewage Disposal Companies – Rate Cases and Proceedings** authorizes the technical staff of the Public Service Commission (PSC) to assist a small water company or a small sewage disposal company in establishing a proposed just and reasonable rate, subject to specified conditions. The availability of staff-assisted rate cases must be restricted to water and sewage disposal companies with recent gross annual revenues of less than a PSC-determined amount, which must be set at less than \$1.0 million. PSC must adopt regulations to establish formal rules for these staff-assisted rate cases. Water and sewage disposal companies are also incorporated into existing processes to determine a fair rate of return for certain relatively small public service companies.

Senate Bill 265 / **House Bill 285** – *(Passed, Ch. 352)* – **Washington Metrorail Safety Commission Membership Act** requires two regular members and one alternate member of the Washington Metrorail Safety Commission (MSC) Board of Directors to be appointed by the Governor with the advice and consent of the Senate. One of the regular members must be a resident of Montgomery or Prince George’s County and that member may not be succeeded in office by an individual who is a resident of the same county. The bill takes effect June 1, 2017, contingent on the enactment of House Bill 119 of 2017.

Senate Bill 307 / **House Bill 402** – *(Passed, Ch. 30)* – **Maryland Open Transportation Investment Decision Act – Application and Evaluation** is an Administration bill requiring the Maryland Department of Transportation (MDOT) to continue to develop a project-based scoring system, as required by Chapter 36 of 2016, but only as an experimental model. MDOT must develop the experimental model by January 1, 2018, and must use the model to rank “major transportation projects” being considered for inclusion in the Consolidated Transportation Program (CTP); however, MDOT is not required to use the model to prioritize projects for inclusion in the CTP. The bill also establishes the Workgroup on the Maryland Open Transportation Investment Decision Act, staffed by the Department of Legislative Services (DLS). Among other things, the workgroup must evaluate the experimental model developed by MDOT and report its findings and recommendations to the Governor and the General Assembly by January 1, 2019. The bill takes effect July 1, 2017, and terminates December 31, 2019.

Senate Bill 449 / House Bill 1360 – (Passed) – Estates and Trusts – Vehicle Transfers – Excise Tax and Fee Exemption exempts from the motor vehicle excise tax and the titling fee certain vehicles that are transferred without consideration if the vehicle is transferred to or from specified trusts. In addition, the bill provides that, for purposes of certain tax exemptions for property transferred to or from specified trusts, “consideration” does not include the amount of any obligation under other writings encumbering the transferred property. The bill takes effect July 1, 2017.

Senate Bill 484 / House Bill 271 – (Passed) – Maryland Transit Administration – Farebox Recovery Rate – Repeal repeals the requirement that the Maryland Transit Administration (MTA) must recover at least 35% of its total operating costs from fares and other operating revenues derived from its bus, light rail, and metro subway services in the Baltimore region, as well as other railroad services under its control. The bill makes conforming changes to current law and MTA’s reporting requirements. The bill takes effect July 1, 2017.

House Bill 119 – (Passed, Ch. 3) – Washington Metropolitan Area Transit Authority – Washington Metrorail Safety Commission – Establishment and Compact establishes the Washington Metrorail Safety Commission (MSC) to act as the State safety oversight authority for the Washington Metropolitan Area Transit Authority (WMATA). The purpose of MSC is to review, approve, oversee, and enforce the safety of the WMATA rail system. MSC must be financially independent from WMATA. The bill is contingent on similar acts being enacted in a specified manner by the Commonwealth of Virginia and the District of Columbia.

House Bill 149 – (Passed, Ch. 112) – Transportation – Light Rail and Metro Subway – State Safety Oversight Authority designates the Office of the Secretary of Transportation (TSO) as the State Safety Oversight (SSO) Authority for the Maryland Transit Administration’s (MTA) light rail transit system and Metro subway in accordance with federal law. The bill also (1) authorizes TSO to adopt regulations to carry out its duties and (2) requires the deputy Secretary or the deputy Secretary’s designee to have safety, regulatory, and enforcement authority over MTA’s light rail transit system and Metro subway. The bill takes effect June 1, 2017.

House Bill 874 – (Passed) – Air Navigation Protection From Hazards Act of 2017 exempts from the requirements of the Forest Conservation Act (FCA) the cutting or clearing of trees to comply with a specified State law requirement relating to obstructions to air navigation, provided that if a dispute arises regarding the cutting or clearing of trees, the Maryland Aviation Administration (MAA) makes the final determination whether the trees should be cut or cleared. The exemption does not apply to the cutting or clearing of trees to facilitate the expansion or extension of the boundaries of any airport or runway.

House Bill 1334 – (Passed) – State Highway Administration – Traffic Control Devices – Decorative Treatments requires the State Highway Administration (SHA) to establish a policy that allows for the installation of decorative treatments on traffic control devices that have been marred by graffiti or vandalism, as specified. The bill establishes provisions governing the issuance of permits to install decorative treatments on traffic control devices and requires SHA to adopt specified regulations. The bill also authorizes SHA to adopt any additional regulations necessary to implement the bill.

BUDGET RELATED MATERIALS

OPERATING BUDGET

The Governor introduced a \$17.1 billion fiscal 2018 general fund budget which represented a 0.1% decrease from FY 2017. As now required by state law, the Governor fully funded the Geographic Cost of Education Index (GCEI) in FY 2018 totaling \$42.0 million, which provides additional funding for the Prince George's County public school system and other school systems facing higher education costs.

The General Assembly approved the Governor's proposed budget along with 2 Supplemental budgets transmitted by Governor Hogan, adopting a \$17.2 billion general fund operating budget. The adopted budget fully meets all statutory requirements for funding, and leaves a fund balance of \$100.2 million reducing the structural deficit from nearly \$400.0 million to \$38.0 million. Growth in total general fund spending increased \$85.6 million or 0.5%. Distributions to local school systems will increase an estimated \$96.4 million, or 1.7%. This increase reflects full funding of the mandated education formulas including the Geographic Cost of Education Index. The budget also includes \$28.2 million for school systems that have lost enrollment and/or providing full-day pre-kindergarten to four-year olds in recent years.

The General Assembly restored funding for the Prince George's Hospital System that was not included in the Governor's proposed FY 2018 operating budget. FY 2017 operating funding was restored to \$15.0 million, and \$28.0 million in operating funds are provided in FY 2018. The Legislature also passed Senate Bill 1198 (The Prince George's Regional Medical Center Act of 2017) to codify the required amount of operating and capital funding from the State for FY 2018 through FY 2021, and the Governor must include \$10 million per year in additional operating grants in FY 2019 – FY 2028 (\$100 million) to assist in the transition from the current hospital to the new Prince George's Regional Medical Center. This legislation provides the financial stability necessary for the completion of this project for maintaining the financial viability of quality programs that will serve the entire Southern Maryland region.

Other direct operating aid to the County includes \$30.5 million for the Prince George's Community College; \$30.9 million through a disparity grant used to offset the County's relatively low income tax capacity; \$21.3 million in public safety aid; \$24.4 million in operating aid from the proceeds generated through video lottery terminal and table game revenues; and \$10.8 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 2018 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 \$285.0 million for the State's fiscal 2018 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 \$4.8 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 provided a Supplemental Capital Grant program totaling \$22.5 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 \$22.5 million if they provide a matching grant.

The Prince George's County Public School System has received \$23.5 million to date for 22 public school construction projects, including \$2.6 million in funding from the Supplemental Capital Grant Program, which aids local school systems with high enrollment growth. 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 2018.

The County also secured \$11.3 million FY 2018 in capital funding with the passage of Senate Bill 1198 for the new Prince George's Regional Medical Center, requiring \$48.0 million be provided in FY 2019, and the remaining \$56.2 million be provided in FY 2020. In addition, the County received \$14.0 million for renovations to the Prince George's Community College campus, \$101.0 million for four University of Maryland capital projects, and \$1.0 million for the Prince George's County Correctional Center. (Please see **FY 2018 Budget Highlights** and **Appendices** for additional detail on State capital aid to the County.)

Appendix A

SUMMARY OF STATE OPERATING AID				
State Aid	FY 17 Working Appropriation	FY 18 Appropriation	FY 17 - FY 18 Change	% Change Prior Year
Direct Operating Aid				
<i>Disparity Grant</i>	\$ 26,631,765	\$ 30,877,226	\$ 4,245,461	15.9%
<i>Police, Fire and Public Safety</i>	\$ 21,300,986	\$ 21,299,210	\$ (1,776)	-0.0%
<i>Transportation</i>	\$ 9,572,955	\$ 10,775,583	\$ 1,202,628	12.6%
<i>Public Health</i>	\$ 6,335,996	\$ 6,353,518	\$ 17,522	0.3%
<i>Education Aid</i>				
Foundation Formula	\$ 522,038,416	\$ 530,518,361	\$ 8,479,945	1.6%
Geographic Cost of Education Index*	\$ 41,083,951	\$ 42,000,057	\$ 916,106	2.2%
Supplemental Grant	\$ 20,505,652	\$ 20,505,652	\$ -	0.0%
Net Taxable Income	\$ 18,459,850	\$ 22,370,119	\$ 3,910,269	21.2%
Compensatory Education	\$ 282,241,948	\$ 282,089,241	\$ (152,707)	-0.1%
Special Education	\$ 70,164,777	\$ 68,858,720	\$ (1,306,057)	-0.1%
Student Transportation	\$ 39,757,631	\$ 40,693,791	\$ 936,160	2.3%
Limited English Proficient	\$ 86,900,405	\$ 94,280,507	\$ 7,380,102	8.5%
Guaranteed Tax Base	\$ 8,529,659	\$ 5,665,296	\$ (2,864,363)	-33.6%
Aging Schools Program*	\$ -	\$ 1,209,426	\$ 1,209,426	100.0%
Adult Education	\$ 684,478	\$ 684,478	\$ -	0.0%
Food Service	\$ 1,614,668	\$ 1,994,205	\$ 379,537	23.5%
Innovative Programs	\$ 691,844	\$ 694,678	\$ 2,834	0.4%
Out-of-County Foster Placements	\$ 83,545	\$ 93,426	\$ 9,881	11.8%
Head Start	\$ 152,666	\$ 163,296	\$ 10,630	7.0%
Judy Hoyer Centers	\$ 544,565	\$ 544,565	\$ -	0.0%
Prekindergarten Expansion Program	\$ 571,621	\$ 1,272,961	\$ 701,340	122.7%
Other Education Aid	\$ 519,000	\$ 477,534	\$ (41,466)	-8.7%
	\$ 1,094,244,676	\$ 1,114,116,113	\$ 19,871,437	1.8%
<i>Library Aid</i>	\$ 7,238,702	\$ 7,401,722	\$ 163,020	2.3%
<i>Community College</i>	\$ 30,530,768	\$ 30,499,565	\$ (31,203)	-0.1%
<i>Environment</i>	\$ 3,258,859	\$ 5,590,935	\$ 2,332,076	71.6%
<i>Impact Grant (Video Lottery Terminals)</i>	\$ 13,037,988	\$ 24,424,294	\$ 11,386,306	87.1%
<i>Horse Racing Impact Aid</i>	\$ -	\$ -	\$ -	0.0%
<i>Payment in Lieu of Taxes (PILOTS)</i>	\$ 20,618	\$ 9,853	\$ (10,765)	-0.52%
<i>Teacher Retirement Supplemental Grant</i>	\$ 9,628,702	\$ 9,628,702	\$ -	0.0%
Total Direct Operating Aid	\$ 1,221,802,015	\$ 1,260,976,721	\$ 39,174,706	3.2%
Indirect Operating Aid				
Hospital System	\$ 15,000,000	\$ 28,000,000	\$ -	46.43%
Total Indirect Operating Aid	\$ 15,000,000	\$ 28,000,000	\$ -	46.43%
Total Operating Aid	\$ 1,236,802,015	\$ 1,288,976,721	\$ 71,905,305	4.05%
* FY 18 appropriation may be amended by Governor.				
Source: Department of Legislative Services, <i>State Aid to Local Governments</i> , and Governor's FY17 and FY18 Budget Books.				

Appendix B

SUMMARY OF STATE CAPITAL AID	
<u>Project</u>	<u>FY 18 Legislative Appropriation</u>
<i>Community College Construction Grant Program</i>	
Marlboro Hall Renovation and Addition	\$ 2,065,000
Queen Anne Academic Center Renovation and Addition	<u>\$ 12,313,000</u>
Subtotal -- Community College Construction Grant Program	\$ 14,378,000
<i>University of Maryland College Park Projects</i>	
A. James Clark Hall	\$ 25,452,000
Brendan Iribe Center for Computer Science and Innovation	\$ 63,650,000
New Cole Field House	\$ 8,770,000
School of Public Policy Building	\$ 3,000,000
Subtotal –University of Maryland College Park Projects	\$ 100,872,000
<i>Correctional Center - Medical Unit Renovation and Expansion</i>	\$ 1,000,000
<i>Public School Construction Program</i>	
Public School Construction Program*	\$ 20,964,000
Supplemental Capital Grant Program for Local School Systems	<u>\$ 2,600,000</u>
Subtotal -- Public School Construction	\$ 23,564,000
<i>Community Parks and Playgrounds</i>	
Anne Reifsneider Memorial Park	\$ 22,000
Edmonston's 47 th Avenue Park	\$ 47,000
University Park Wells Run Playground	\$ 262,000
Subtotal -- Community Parks and Playgrounds	\$ 331,000
<i>Regional Medical Center</i>	<u>\$ 11,300,000</u>
Total	\$ 60,660,200
* Final appropriation for school construction will not be made until May.	

Appendix C

FY 2018 Bond Bills	
<u>Project</u>	<u>Appropriation</u>
Accokeek First Church of God Center of Excellence	\$ 50,000
Alpha House	\$ 75,000
Camp Springs Elks Lodge No. 2332	\$ 25,000
Champ House	\$ 50,000
College Park Woods Hiker/Biker Connector Trail	\$ 50,000
Collington Station Safety and Surveillance	\$ 24,000
District Heights Veterans Park	\$ 170,000
Duvall Field Renovation	\$ 150,000
Hard Bargain Farm Environment Center	\$ 200,000
Hyattsville Veteran's Memorial	\$ 30,000
Maryland Milestones Heritage Center	\$ 50,000
Maryland Multicultural Youth Centers	\$ 75,000
My Sister's Keeper	\$ 50,000
New Horizons Disability Job Training and Recycling Center	\$ 40,000
Patuxent River 4-H Center Dennis Cooper Cabin	\$ 250,000
Riverdale Park Station	\$ 85,000
Riverdale Park Station Pedestrian Improvements	\$ 350,000
St. Ann's Center for Children, Youth and Families	\$ 50,000
Saint Nicholas Catholic Church Parish Hall	\$ 50,000
Southern Market Place	\$ 25,000
Susan D. Mona Center	\$ 100,000
Transit Oriented Development Public Art Projects	\$ 275,000
	-
Total	\$ 2,224,000

Appendix D

FY 2018 Highway User Revenues	
<u>Municipality</u>	<u>Distribution</u>
Berwyn Heights	\$ 108,103
Bladensburg	\$ 156,718
Bowie	\$ 1,782,012
Brentwood	\$ 76,627
Capitol Heights	\$ 83,093
Cheverly	\$ 156,029
College Park	\$ 444,144
Colmar Manor	\$ 36,286
Cottage City	\$ 30,071
District Heights	\$ 156,449
Eagle Harbor	\$ 12,748
Edmonston	\$ 49,268
Fairmount Heights	\$ 43,955
Forest Heights	\$ 75,258
Glenarden	\$ 124,318
Greenbelt	\$ 392,174
Hyattsville	\$ 371,663
Landover Hills	\$ 46,965
Laurel	\$ 616,158
Morningside	\$ 41,253
Mount Rainier	\$ 152,157
New Carrollton	\$ 267,650
North Brentwood	\$ 19,586
Riverdale Park	\$ 160,938
Seat Pleasant	\$ 96,550
University Park	\$ 85,946
Upper Marlboro	\$ 22,194
Subtotal for Municipalities	\$ 5,608,313
Prince George's County	\$ 4,384,452
TOTAL	\$ 9,992,765
Note: Numbers may not sum to total due to rounding.	

Appendix E

FY17 Prince George's County Public School Construction			
<u>School System Priority</u>	<u>Project</u>	<u>Type</u>	<u>Allocation to Date*</u>
1	Tulip Grove ES	Renovation/Addition	\$ 2,000,000
2	Stephen Decatur MS	Renovation/Addition (SEI)	\$ -
3	Bowie-Belair High Annex	Limited Renovation	\$ -
4	William Wirt MS	Replacement	\$ -
5	William Schmidt Education Center	Replacement	\$ -
6	William Schmidt Education Center	Replacement/Renovation	\$ -
7	New Adelphi Area #1 MS	New	\$ -
8	New Glenridge Ave #1 MS	New	\$ -
9	Suitland HS	Replacement	\$ -
10	International HS @ Langley Park	New	\$ -
11	Benjamin Stoddert MS	Replacement	\$ -
12	Kenmoor MS	Replacement	\$ -
13	Oaklands ES	Systemic -- Roof	\$ 611,000
14	Rogers Heights ES	Systemic -- Elevator	\$ 178,000
15	Eleanor Roosevelt HS	Systemic -- Elevator	\$ 180,000
16	Riverdale ES	Systemic -- RTU/AHU	\$ 142,000
17	Rockledge ES	Systemic -- Roof	\$ 796,000
18	Judge Sylvania W. Woods ES	Systemic -- Chiller	\$ 355,000
19	Kingsford ES	Systemic -- Chiller	\$ 355,000
20	Largo HS	Systemic -- Lighting	\$ 497,000
21	Mount Rainier ES	Systemic -- Cooling Tower	\$ 213,000
22	Dwight D. Eisenhower MS	Systemic -- Chiller/Cooling Tower	\$ 533,000
23	Tayac ES	Systemic -- HVAC	\$ 2,802,000
24	Springhill Lake ES	Systemic -- Roof	\$ 852,000
25	Arrowhead ES	Systemic -- HVAC	\$ 1,068,000
26	Paint Branch ES	Systemic -- HVAC	\$ 214,000
27	Phyllis E. Williams ES	Systemic -- HVAC	\$ -
28	Central HS	Systemic -- HVAC	\$ 2,071,000
29	Andrew Jackson Academy	Systemic -- HVAC	\$ 4,000,000
30	Annapolis Road Academy	Systemic -- Windows	\$ -
31	Beltsville Academy	Systemic -- Roof	\$ 1,364,000
32	Fort Foote ES	Systemic -- Windows/Doors	\$ 710,000
33	Fort Foote ES	Systemic -- Univent	\$ 796,000
34	Glassmanor ES	Systemic -- Windows	\$ 725,000
35	Glassmanor ES	Systemic -- HVAC	\$ -
36	James Madison MS	Systemic -- Fan Coil/AHU	\$ 323,000
37	Langley Park-McCormick ES	Systemic -- Elevator	\$ 179,000
38	Largo HS	Systemic -- Elevator	\$ -
39	Largo HS	Systemic -- Windows	\$ -
40	Laurel HS	Systemic -- Elevator	\$ -
41	Hyattsville ES	Systemic -- Elevator	\$ -
42	Nicholas Orem MS	Systemic -- Windows/Doors	\$ -
43	Nicholas Orem MS	Systemic -- Univent	\$ -
44	Riverdale ES	Systemic -- Windows/Doors	\$ -
45	Chillum ES	Systemic -- Elevator	\$ -
46	Robert Goddard Montessori	Systemic -- HVAC	\$ -
47	Woodridge ES	Systemic -- HVAC	\$ -
48	Walker Mill MS	Systemic -- Elevator	\$ -
49	Mount Rainier ES	Systemic -- Elevator	\$ -
50	Andrew Jackson MS	Systemic -- Windows	\$ -
51	Rosa L. Parks ES	Replacement	\$ -
52	Mary Harris "Mother" Jones ES/FF	New	\$ -
53	Lake Arbor ES/FF	New	\$ -
54	Suitland ES/FF	Replacement/Renovation	\$ -
Total			\$ 20,964,000
*Final allocation will not be made until May 2017.			

Appendix F

FY 2018 State Aid For Police Protection	
<u>Municipality</u>	<u>Distribution</u>
Berwyn Heights	\$ 46,888
Bladensburg	\$ 146,421
Bowie	\$ 573,600
Brentwood	\$ 27,739
Capitol Heights	\$ 53,982
Cheverly	\$ 108,431
College Park	\$ 200,830
Colmar Manor	\$ 25,572
Cottage City	\$ -
District Heights	\$ 72,056
Edmonston	\$ 37,328
Fairmount Heights	\$ 12,098
Forest Heights	\$ 51,158
Glenarden	\$ 61,236
Greenbelt	\$ 465,202
Hyattsville	\$ 285,417
Landover Hills	\$ 46,570
Laurel	\$ 573,713
Morningside	\$ 35,542
Mount Rainier	\$ 114,073
New Carrollton	\$ 148,239
Riverdale Park	\$ 160,856
Seat Pleasant	\$ 61,275
University Park	\$ 51,922
Upper Marlboro	\$ 16,663
Subtotal for Municipalities	\$ 3,376,811
Prince George's County	\$ 11,489,563
TOTAL	\$ 14,866,374
Note: Numbers may not sum to total due to rounding.	



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